NEXT

HIGHLAND CITY

HIGHLAND CITY COUNCIL AGENDA

Tuesday, September 6, 2022

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 Kurt Ostler
Invocation – Council Member Sarah D. Petersen
Pledge of Allegiance – Council Member Brittney P. Bills

1. UNSCHEDULED PUBLIC APPEARANCES

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

2. PRESENTATIONS

a. Youth Council Report – *Youth Council Representative*
A member of the Youth Council will report on their recent and upcoming activities.

b. Water Update – *Tayson Arnoldsen, Pressurized Irrigation Superintendent*
Tayson Arnoldsen, Pressurized Irrigation Superintendent, will present an update on the current water conditions in Highland City.

c. Grant Lobbyist Consultant – *David Stewart*
David Stewart will present to the Council an opportunity to use a lobbyist consultant as a method to receive grants.

3. 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 – Stephannie Cottle, City Recorder*
Regular City Council Meeting – July 5, 2022
City Council Work Session and Regular City Council Meeting – July 19, 2022

b. Library Board Appointment *Administrative – Donna Cardon, Library Director*
City Council will consider the appointment of Rachel Farnsworth to the Library Board.

c. **Resolution/Agreement: Interlocal Cooperation Agreement: Active Transportation Plan with MAG & Alpine City** *Administrative – Kellie Smith, Planner & GIS Analyst*
The City Council will consider entering into an interlocal cooperation agreement with Mountainland Association of Governments (MAG) and Alpine City for an Active Transportation Plan. The Council will take appropriate action.

4. PUBLIC HEARING/ORDINANCE: GENERAL PLAN AMENDMENT – MODERATE INCOME HOUSING ELEMENT & IMPLEMENTATION PLAN
Legislative – Kellie Smith, Planner & GIS Analyst
The City Council will hold a public hearing to consider a proposal by Highland City staff to amend the Moderate Income Housing element of the General Plan to update strategies and include an implementation plan. The Council will take appropriate action.

5. COMMUNICATION: MOUNTAIN RIDGE PARK – TOTAL PARK COST & FUNDING SOURCES *Administrative - Erin Wells, Interim City Administrator*
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 this communication item.

6. ACTION: MOUNTAIN RIDGE PARK FUNDING SOURCES *Administrative – Tyler Bahr, Finance Director*
The City Council will review funding sources for Mountain Ridge Park and consider a request to transfer eligible sources to the Parks Capital Fund.

7. CONTRACT: MOUNTAIN RIDGE PARK CHANGE ORDER *Administrative – Andy Spencer, City Engineer/Public Works Director*
The City Council will consider a change order with Stratton and Bratt Landscapes, LLC for Mountain Ridge Park construction. The Council will take appropriate action.

8. CONTRACT: MOUNTAIN RIDGE PARK PICKLEBALL AND BASKETBALL COURTS *Administrative – Andy Spencer, City Engineer/Public Works Director*
The City Council will consider awarding a construction contract for pickleball courts and a basketball court to L.E.R. Renner Sports Surfaces. The Council will take appropriate action.

9. ACTION: COUNCIL CHAMBERS AV UPGRADES CHANGE ORDER *Administrative – Erin Wells, Interim City Administrator*
The City Council will hold a public meeting to consider whether to approve change orders for the recently approved Council Chambers AV upgrade. The Council will take appropriate action.

10. ORDINANCE: MUNICIPAL CODE AMENDMENT – MAINTENANCE AGREEMENTS *Administrative – Kellie Smith, Planner & GIS Analyst*
The City Council consider a proposal by Highland City Staff to amend Chapter 12.28 Private Maintenance of Public Open Space Property. The City Council will take appropriate action.

11. RESOLUTION: WATER CONSERVATION PLAN *Administrative – Andy Spencer, City Engineer/Public Works Director*
The City Council will consider approving the updated Water Conservation Plan prior to submitting the report to the Utah Division of Water Resources. The Council will take appropriate action.

12. ACTION: PURCHASE CONTRACT WITH RHINO PUMPS FOR THE OVERWATCH SEWER PUMP SYSTEM *Administrative – Andy Spencer, City Engineer/Public Works Director*

The City Council will consider the purchase of OverWatch pump system from Rhino Pumps to replace the existing lift station pumps. The Council will take appropriate action.

13. 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. Mountain Ridge Baseball Field & Soccer Field – *Erin Wells, Interim City Administrator*

b. Finance Department Update – *Tyler Bahr, Finance Director*

c. Text Amendment: Fence Materials – *Kellie Smith, Planner & GIS Analyst*

d. Text Amendment: CUWCD Water-wise – *Kellie Smith, Planner & GIS Analyst*

e. 10100 N Rebuild – *Andy Spencer, City Engineer/Public Works Director*

f. Dry Creek Circle – *Andy Spencer, City Engineer/Public Works Director*

g. Knight Avenue Signal – *Andy Spencer, City Engineer/Public Works Director*

h. Future Meetings

- September 14, Lone Peak Public Safety District Meeting, 7:30 am, City Hall
- September 20, City Council Meeting, 7:00 pm, City Hall
- September 27, Planning Commission Meeting, 7:00 pm, City Hall
- October 4, Work Session & City Council Meeting, 6:00 pm, City Hall
- October 12, Lone Peak Public Safety District Meeting, 7:30 am, City Hall

14. CLOSED SESSION

The City Council may recess to convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, as provided by Utah Code Annotated §52-4-205.

ADJOURNMENT

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 during this meeting.

CERTIFICATE OF POSTING
I, Kellie Smith, the City Planner, certify that the foregoing agenda was posted at the principal office of the public body, 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 of September, 2022. **Kellie Smith, City Planner**

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

AGENDA NEXT

HIGHLAND CITY

HIGHLAND CITY COUNCIL MINUTES

Tuesday, July 5, 2022

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 Kurt Ostler
Invocation – Mayor Kurt Ostler
Pledge of Allegiance – Council Member Kim Rodela

The meeting was called to order by Mayor Kurt Ostler as a regular session at 7:00 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 Mayor Kurt Ostler and those in attendance were led in the Pledge of Allegiance by Council Member Kim Rodela.

PRESIDING: Mayor Kurt Ostler

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

CITY STAFF PRESENT: City Administrator/Community Development Director Nathan Crane, Assistant City Administrator Erin Wells, City Attorney Rob Patterson, Planning Secretary Heather White, Finance Director Tyler Bahr, Planner/GIS Analyst Kellie Smith, Police Chief Brian Gwilliam, Fire Chief Brian Patten, Assistant Public Works Director Jeff Murdoch

OTHERS PRESENT: Jon Hart, Chris Dayton, Brett Folkman, Jim Loveland, Brandon Preece, Bob Ghent, Kelly R. Reimschissel, Ken & Debbie Knapton, Garth & Machelle Bateman, Lynn & Thomas Butler, Carl Hill

1. UNSCHEDULED PUBLIC APPEARANCES

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

There were no unscheduled public appearances.

2. CONSENT ITEMS

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. Planning Commission Appointment *Administrative – Kurt Ostler, Mayor*
The Council will consider the Mayor's request to ratify the appointment of Trent Thayn as a regular member and Chris Dayton as an alternate to the Planning Commission. The Council will take appropriate action

b. Plat Amendment: Highland Marketplace – Easements *Legislative – Kellie Smith, Planner & GIS Analyst*
The City Council will consider a request by MNG Highland Development LLC for approval to adjust easements located at approximately 5300 W 11000 N. The City Council will take appropriate action.

c. Final Plat: Aberlour *Administrative – Kellie Smith, Planner & GIS Analyst*
The City Council will consider a request by James Loveland for Final Plat approval for the Aberlour Subdivision, a proposed 14-lot single family subdivision located at approximately 11400 N Alpine Highway. The City Council will take appropriate action.

Mayor Ostler invited Chris Dayton to provide the Council with a bit of information about his professional and personal background. He then noted that Trent Thayn is not present this evening, but he will be moving from an alternate position to a full position on the Commission.

Council Member Scott L. Smith MOVED to approve consent items 2a Planning Commission Appointment, 2b Plat Amendment: Highland Marketplace – Easements, and 2c Final Plat: Aberlour.

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 Sarah D. Petersen	*Absent*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Yes*

The motion passed 4:0.

3. PURCHASE CONTRACT: 9768 N PHEASANT DRIVE *Administrative – Nathan Crane, AICP City Administrator/Community Development Director*

The City Council will consider a Real Estate Purchase Contract (REPC) to the residential lot located at 9768 N Pheasant Drive for $465,000. The Council will take appropriate action.

City Administrator/Community Development Director Crane reported on September 21, 2021, the City Council approved a resolution to declare 31,250 square feet of property surplus in the Pheasant Hollow subdivision that was not needed for right-of-way for Canal Boulevard. On October 5, 2021, the Council approved an amendment

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to the final plat. On October 19, 2021, the City Council held a public hearing and adopted a resolution declaring the property surplus. The property was listed with a local real estate agent and the offer received from the prospective buyer was the best of the two offers received.

Council Member Smith declared he lives in this neighborhood, but he does not believe it will be a conflict for him to vote. He asked how the proceeds of the sale will be used. Mr. Crane stated it will be dedicated to the County as the funding source to acquire the property was from the Mountainland Association of Governments (MAG) Corridor Preservation Fund. Council Member Smith stated that the sales price is great and is much higher than when he purchased his lot. Mayor Ostler noted that the City was marketing the lot at a price of $500,000 but given that development of the lot will be restricted by existing easements, the lower price is acceptable.

Council Member Kim Rodela MOVED that the City Council approve the real estate purchase contract for the residential lot located at 9768 N Pheasant Hollow Drive.

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 Sarah D. Petersen	*Absent*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Yes*

The motion passed 4:0.

4. PUBLIC HEARING: CONDITIONAL USE PERMIT – ANGELA JOHNSON SCULPTURES *Administrative – Kellie Smith, Planner & GIS Analyst*

The City Council will hold a public hearing to consider a request by Angela Johnson for a Conditional Use Permit for an art gallery located at approximately 6233 W 10150 N. The City Council will take appropriate action.

Planner and GIS Analyst Smith explained in December, 2021, a resident contacted the City to complain about the use of the subject property. On December 7, 2021, the City sent Angela Johnson a letter notifying that it had been brought to our attention that there was a home-based business operating from the property. The City had no record of a business license. On December 8, 2021, Angela Johnson submitted a home occupation business license application to the City. On December 14th, notifications of the application were mailed to residents within a 300-foot radius. Six (6) residents contacted the city, either by phone or email, and expressed concerns regarding traffic, parking, privacy, and frequency of the tours. Because the structure the applicant requested to run the home occupation out of was detached from the main dwelling, Staff met with the applicant to discuss options. The only option that could allow the applicant to continue sculpting and holding tours in the detached structure was to apply for a conditional use permit. Ms. Smith reviewed the record of ongoing communication between the property owner and the City, concluding that on May 10 the applicant's representative agreed to have the conditional use permit presented to the Planning Commission and City Council for consideration. She also summarized conditional use permit guidelines taken from the City Code as well as the citizen feedback the City has received regarding the requested conditional use. The Planning Commission held a public hearing on June 28, 2022. Nine (9) residents spoke during the public hearing and the concerns expressed were regarding the commercial use in a residential zone, traffic, parking, light from cars, frequency of the tours, the number of people

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at the tours, etc. The majority of the residents expressed their support for the project, but their frustration with the tours. After much discussion, the majority of the residents and the applicant's representative came to an agreement. The Planning Commission's motion reflects that agreement. The Planning Commission recommended approval of the Conditional Use Permit for Angela Johnson Sculptures with the following stipulations:

1. The site shall comply with the site plan and elevations received January 5, 2022.
2. The structure and site be updated to follow ADA requirements. These improvements shall be reviewed and approved by the City Building Official.
3. The proposed use apply for a Highland City business license.
4. A fire inspection be required as part of the business license application process.
5. Due to the unique circumstances of this use, the conditional use permit shall expire when the property is sold to a new owner, or the structures associated with the conditional use are converted to another use; the permit will expire regardless by end of July, 2024.
6. No more than seven (7) tours per month, two (2) can go until 8 pm, the rest must end by 7 pm. There must be lighted house numbers visible, and no driving in the dark on the gravel road. Two donor automobiles maximum per visit.

Mayor Ostler asked if the recommendation that has been made by the Planning Commission was agreed upon by the residents and applicant. Ms. Smith stated it was agreed upon by a majority of the residents.

Council Member Smith asked Ms. Smith to define the term 'tour' in respect to this property. Ms. Smith stated that she has heard different things from different residents; some have indicated that there have been one or two cars at a time and others have indicated there have been upwards of 10 cars at a time. The City Code does not provide a clear definition of what constitutes a tour, so that is a policy decision for the Council to make. Council Member Smith stated he is concerned about the enforceability of the stipulations attached to the Planning Commission's recommendation. Ms. Smith agreed.

Mayor Ostler invited input from the applicant.

Brett Folkman stated that he is the chairman of the non-profit organization that is fundraising for the art gallery. He noted that nothing is being sold from the home, but he agrees with the residents who were concerned about the increase in traffic associated with the tours of the residence as there were many cars and people in the neighborhood. In mid-February, the advertisement of tours was removed from the website regarding the gallery, but that donor tours were still offered. He stated that he talked with the neighbors about their concerns, and they reached an agreement to allow seven tours per month. Much of the conflict associated with the property is historic in nature and he is hoping it is not necessary to rehash old concerns. He would like to address the current recommendation and how to move forward and he shares the concerns about the City's inability to enforce the stipulation of the CUP. He stated that Highland City has a code for CUPs and the current application complies with that code. He is hoping that the applicant and residents will be trusted to fulfill the agreements they have reached. It will be impossible to raise the funds to have the exhibit at Thanksgiving Point without inviting donors to the site to see the art.

Council Member Smith asked Mr. Folkman if he has been involved in the project since 2017. Mr. Folkman answered no and indicated he got involved about two or three years ago; the artist has over 200 figures in the exhibit, and he helped her create a nonprofit to raise money to support the project. He has raised $6.3 million of the $20 million needed help the project move forward and he referenced several leaders of the LDS Church that have expressed their support for the project. Council Member Smith asked if there has been any discussion about renting a commercial building to continue with the project. Mr. Folkman stated that when Ms. Johnson started the project she did so on a leap of faith; she has thousands of dollars' worth of clay at her home and it would be impossible to relocate. He has thought about finding a commercial location, but it would be physically impossible. He stated that continuing the use would result in 14 cars per month for tours of her art and that does not compare

with the traffic generated by other home occupations or even Amazon delivery trucks. He stated he will make sure that the property abides by the stipulations of the CUP referenced by Ms. Smith. Council Member Smith stated there were complaints about the use dating back to December and he asked if there were discussions between Ms. Johnson and her neighbors at that time. Mr. Folkman stated that he was not involved in those discussions, and he only got involved with neighbors recently; he wished he would have gotten involved sooner as he feels he could have helped to resolve the issue, but he was not aware of all the issues. He stated he feels the neighbors' concerns are valid, but they have been addressed.

Mayor Ostler advised the Council and staff to limit their communications to the applicant's compliance with City Code rather than considering the religious nature of the application. He then opened the public hearing at 7:38 p.m.

Michelle Bateman stated she lives to the east of the subject property, and she attended the Planning Commission meeting regarding this matter; she agrees with the Planning Commission's recommendation so long as the stipulations of the CUP are met. She has been concerned after hearing that following the Planning Commission meeting Mr. Folkman indicated that there would be more cars than agreed upon. She added that she would like for the City to separate the religious nature of the operation from the matter at hand; when Mr. Folkman speaks about the project's association with the LDS Church, those who are not supportive are considered to be opposed to the LDS Church, which is not the case. She stated she moved to the neighborhood because of the country feeling of the area and her concerns arose when the feeling of the area was being impacted. She stated that she supports the project, but she wants her privacy. She stated that some neighbors have said "if you do not support Angela, you are supporting the devil." She stated that is not true and she thinks that Ms. Johnson's work is beautiful, and she wants her to be successful, but she does not want a parking lot in her backyard even though there is a privacy fence between the two properties.

Lynn Butler stated she lives across the street from Ms. Johnson, and she also agrees upon the stipulations that were defined by the Planning Commission. However, she has a lack of trust due to the fact that Ms. Johnson ever came to her or other neighbors to discuss the impact that her operations were having on the neighborhood. She also did not try to mitigate the impacts once neighbors began expressing concern. She stated that it is important to clarify something that Ms. Smith said during her report on this item; she communicated that more than half of the neighbors participated in discussions with staff and Mr. Folkman regarding the stipulations associated with the CUP, but that is not accurate. She stated that only those who live directly next to or across the street from Ms. Johnson were invited to participate in the discussions; however, there were other neighbors who were in attendance at the meeting, and they were not allowed to give their opinion regarding the stipulations. She stated that this is a matter of trust and Mr. Folkman does not live at the home and cannot be aware of what Ms. Johnson is doing at all times. She stated that Ms. Johnson is her friend and neighbor, but she has not been considerate of her neighbors. She stated she does not want to be responsible to police the activities on Ms. Johnson's property and she is willing to give her a chance to comply with the stipulations of the CUP as communicated in the Planning Commission meeting.

Ken Knapton stated he is a neighbor of Ms. Johnson as well and his comments were provided in the packet for tonight's meeting; this is a very emotionally charged issue and he does not believe that will end with the decision that is made tonight. There is a great deal of history, and the neighbors are trying to be cautiously optimistic that the decision made will resolve some of the challenges made. There is some concern that the use of the property will be whatever is allowed under the CUP guidelines, rather than what is agreed upon by the property owner and the neighbors. He asked that the Council carefully consider those stipulations; he is supportive of Ms. Johnson and her work but wants the stipulations of the CUP to be enforced.

Thomas Butler stated he lives directly across the street from Ms. Johnson. He stated this is not a religious issue and should also not be about tourism; rather, it is about property rights, zoning, and appropriate use of one's

property. He stated that Ms. Johnson has property rights, but her use of her property is only valid so long as it does not impact neighboring property owners. All property owners are entitled to quiet and peaceful enjoyment of their real property and one's property rights should not supersede another's. This comes down to years of established commercial use of a residential property and he hopes that the Council can sympathize with neighboring property owners. He also noted that there are two stipulations that were agreed upon by Ms. Johnson and the neighbors which were not included in Ms. Smith's list; they include painting the curb with reflective paint and prohibiting on-street parking for those touring Ms. Johnson's property. If these stipulations are met, the neighbors will be happy; but if they are not met the neighbors reserve the right to present their concerns and request that the CUP be revoked.

Mayor Ostler closed the public hearing at 7:48 p.m.

Council Member Rodela complimented the residents who have participated in negotiations regarding the appropriate stipulations to be attached to the CUP. She inquired as to the process if the determination is made that the stipulations are not being met. City Attorney Patterson stated that the CUP can be revoked upon a hearing regarding the matter.

Council Member Smith discussed the need to adjust definitions of terms in the City Code to address this type of situation or to prevent it from occurring in the future. He is in favor of Ms. Johnson's work, but he feels that it is important to consider rules that will limit the impact that neighboring property owners will experience. He suggested eliminating the term 'tours' and using language that suggests that potential donors can visit the property for a presentation.

Council Member Ball stated that he is concerned that some of the stipulations attached to the CUP are somewhat subjective and he is unsure that they can be easily enforced.

The Council then engaged in very brief high-level discussion with Mr. Butler and Mr. Folkman regarding the desires of the neighbors and the ability of Ms. Johnson to comply with the stipulations.

Council Member Bills then asked for discussion among the Council regarding the actions that would trigger the City's reconsideration of the CUP. She asked if the CUP could be automatically revoked if there are three complaints from the neighbors who have agreed to the defined stipulations. Mr. Patterson stated that there must be a code enforcement action and an application process for reconsideration of the CUP; the Council could define a number of complaints that must be received before the reconsideration process would commence.

Mr. Folkman suggested that the issue is being overcomplicated and he asked that the Council approve the CUP with the attached stipulations and give Ms. Johnson a chance to comply; he indicated that there are many other uses that are more intrusive on neighborhoods than Ms. Johnson's operation.

A resident in the audience requested permission to speak and Mayor Ostler permitted it.

Debbie Knapton noted that the use is intrusive; there is increased noise and traffic and some visitors leave trash and debris on neighboring property owners. She agreed that neighbors have lost trust in Ms. Johnson over the years due to these things and she is concerned that she will not abide by the agreement that has been reached by all parties. She noted that Mr. Folkman is not on-site so he is not aware of all the things that are occurring at the property. She stated that during the Planning Commission meeting Mr. Folkman agreed that no more tours would be held at the property, but the very next day there was a tour with six vehicles.

Council Member Ball stated it would be difficult to cancel a tour that had been previously scheduled. He stated that he feels that the agreement that has been reached by Ms. Johnson, Mr. Folkman, and the neighbors be

approved by the Council and that the parties be given the chance to abide by those stipulations; he accepts the additional two stipulations suggested by the public, which are to paint the curb and prohibit on-street parking.

Council Member Timothy A. Ball MOVED that the City Council approve the conditional use permit for Angela Johnson Sculptures subject to the six (6) stipulations recommended by the Planning Commission and/or revised by the City Council, and two (2) additional stipulations agreed upon by citizens.

1. *The site shall comply with the site plan and elevations received January 5, 2022.*
2. *The structure and site be updated to follow ADA requirements. These improvements shall be reviewed and approved by the City Building Official.*
3. *The proposed use apply for a Highland City business license.*
4. *A fire inspection be required as part of the business license application process.*
5. *Due to the unique circumstances of this use, the conditional use permit shall expire when the property is sold to a new owner, or the structures associated with the conditional use are converted to another use; the permit will expire regardless by end of July, 2024.*
6. *No more than seven (7) ~~tours~~ presentations per month, two (2) can go until 8 pm, the rest must end by 7 pm. There must be lighted house numbers visible, and no driving in the dark on the gravel road. Two donor automobiles maximum per visit.*
7. *Curbs must be painted.*
8. *No on street parking.*

Council Member Kim Rodela SECONDED the motion.

Council Member Scott L. Smith MOVED to amend the motion to strike the word "tour" and replace with "presentation".

Council Member Timothy A. Ball SECONDED the motion.

The vote was recorded as follows:

Council Member Timothy A. Ball	*Yes*
Council Member Brittney P. Bills	*Yes*
Council Member Sarah D. Petersen	*Absent*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Yes*

The motion passed 4:0.

5. ACTION: PRESSURIZED IRRIGATION SERVICE AGREEMENT WITH BETH WILSON *Administrative – Andy Spencer, Public Works Director/City Engineer*

The City Council will consider a request to approve a pressurized irrigation agreement associated with the Beth Wilson family for property located at 9730 N. 6800 W. thereby allowing them to receive their flood irrigation water shares through Highland City's pressurized irrigation system. The Council will take appropriate action.

Mayor Ostler reported this item will be postponed for two weeks at the request of the Wilson family.

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6. CONSTRUCTION CONTRACT: WINDSOR MEADOWS OPEN SPACE TREE PROJECT *Legislative – Andy Spencer, Public Works Director/City Engineer*

The City Council will consider accepting the bid from Beckstead Lawn Care to install additional sprinkling system components in the Windsor Open Space area adjacent to the Alpine Highway to provide water to a volunteer tree planting project. The total cost of the project is $21,890. The Council will take appropriate action.

Assistant Public Works Director Murdoch explained Council Member Bills requested that staff prepare a proposal to plant trees along Alpine Highway in the Windsor Meadows subdivision. The project would include volunteers planting 25 trees within this area. The project has been discussed during previous Council meetings. Currently there is not a sprinkler system within this area. To construct the system, we will need to connect to an existing main sprinkler line at Windsor Park Drive. New sprinkler lines and control wires will then be installed approximately 660 feet south. Staff solicited bids from three contractors, however, only one contractor, Beckstead Lawn Care, has responded. The cost for the sprinkler line and drip system is $14,500.
Highland City will provide the trees, mulch, and tree stakes. The trees being used are left over from the annual tree sale. He noted that City staff has prepared a map to identify proper locations for the trees and the volunteer group will excavate the holes and plant the trees. The cost of this project is $21,890. This includes the sprinkler system, trees ($4,490) and a 20% contingency ($2,900). This does not include any labor from staff, staking or mulch. Funding for this expense was not included in the FY2023 budget. Since this expenditure was not included in the budget, it will need to be funded by proceeds from the sale of land within the Windsor Meadows subdivision. To date $95,502 has been received from land sales within the subdivision. This expenditure will be included as part of the mid-year budget adjustments unless otherwise directed by the Council. Staff recommends accepting the bid from Beckstead Lawn Care for the installation of the necessary sprinkling system improvements and authorize the use of proceeds of land sales from the Windsor Meadows subdivision for the project. This will include a transfer $4,490 from Sale of Open Space Property (GL#20-43-10) to the Arbor Day Tree Sale account (GL# 10-70-41).

Council Member Smith asked if the irrigation system to be used will be a drip system. Mr. Murdoch stated it will be a drip system and the trees will be watered more frequently at first to get them established. Council Member Bills stated that Public Works did a great job with a project like this in her neighborhood. Council Member Rodela agreed and stated she is very excited to see this project go forward.

Discussion centered briefly on the scope and cost breakdown for the project, after which several Council Members expressed their support for the project, which will beautify this area of the City.

Council Member Brittney P. Bills MOVED that City Council approve the bid from Beckstead Lawn Care in the amount of $14,500 and a 20% contingency ($2,900) and $4,490 for the cost of the trees, for a total project cost of $21,890 and the use of proceeds from the sale of property within the Windsor Meadows subdivision to fund the project.

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 Sarah D. Petersen	*Absent*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Yes*

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The motion passed 4:0.

7. PUBLIC HEARING: TEXT AMENDMENT – POOL STRUCTURES *Legislative – Kellie Smith, Planner & GIS Analyst*

The City Council will hold a public hearing to consider a request by Robert Ghent to amend Section 3-4111 Swimming Pool regarding permanent structures that enclose or cover pools. The City Council will take appropriate action.

Planner and GIS Analyst Smith explained Robert Ghent submitted a building permit application to the City for an accessory structure over his existing pool. Because of the size of the structure, the permit was denied. The building inspector provided comment that the structure would need to decrease in size in order to meet accessory structure zoning requirements in the Development Code. The applicant's property is in the R-1-40 zone, where currently the square footage of accessory structures on the property cannot exceed 5 percent of the gross lot square footage. The Development Code considers structures that enclose or cover pools that are larger than 120 square feet or exceeding 14 feet in height as accessory structures that are therefore subject to accessory structure regulations—setbacks, height restrictions, and square footage maximums. The requested amendment proposes an exception from the 5 percent size limitation (7 percent for lots larger than 2 acres) for swimming pool enclosures that are constructed of noncombustible materials meeting International Building Code (IBC) Type I and Type II construction. The applicant sent a letter to several neighbors in their subdivision (Attachment #3). The applicant received six (6) responses to the survey, which were included in the meeting packet. The Planning Commission held a public hearing on June 28th, 2022. There was no public comment on the proposed amendment. The Planning Commissioners agreed that they were not in favor of pool structures not counting toward the maximum percentage of accessory structure square footage on a lot. The Commission also expressed that they did not want to specify material or design criteria for future pool coverage. The Planning Commission recommended denial of the proposed text amendment. The vote was 6-0. Staff recommends that the City Council hold a public hearing, review and discuss the narrative provided by the applicant, and decide to either recommend approval or denial of the proposed amendment.

Discussion among the Council centered on the increase in the number of swimming pool permits that have been issued in recent years; Council Member Smith stated it makes sense to adjust regulations that will make it possible for residents to use their pool throughout the year rather than just in the summer months.

Ms. Smith stated this request is unique and different than requests for amendments to accessory structure regulations the City has received in the past.

Mayor Ostler invited input from the applicant.

Bob Ghent stated that his lot is 0.6 acres in size and the pool is located 20 feet from his home; he has an attached garage, and the pool is approximately seven feet from it. He referenced some renderings provided by Ms. Smith and noted one of them – the tent – is commonly used to enclose a pool and given that it would be considered temporary in nature as it would only be in place 180 days per year, it would not need to conform to the size restriction, but his neighbors would not appreciate that type of structure in their neighborhood.

Council Member Smith stated he supports a resident's right to use their pool year-round, but the Council is charged with making decisions that are best for the entire City.

Mayor Ostler opened the public hearing at 8:38 p.m.

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There was no public comment.

Mayor Kurt Ostler closed the public hearing at 8:38 pm.

Council discussion centered on potential negative impacts of allowing the type of structure requested by Mr. Ghent; City Attorney Patterson noted that if the text amendment is approved, a resident could locate their home, large accessory structure, and an additional permanent structure covering a pool on one lot. Ms. Smith stated that the standard pool is 20 feet by 40 feet, so a structure intended to enclose it would be slightly larger than that footprint.

Council Member Bills stated that each time the City relaxes a standard in the code, there are unintended negative consequences, and the Council ends up regretting the amendment. Council Member Ball agreed but suggested structuring the code language to allow the exception in unique situations. Mr. Patterson stated there may be a way to adjust the text in the ordinance that would allow for an enclosure that fits within the five to seven percent range in terms of square footage maximum for accessory structures. Council Member Smith stated he is comfortable with those suggestions but would like to see language in writing that the Council could formally consider. This led to discussion of the basis for the Planning Commission's recommendation of denial; Council Member Ball stated he is hesitant to make a decision contrary to a recommendation from the Planning Commission. Council Member Smith agreed, but stated he feels this is an issue that needs to be addressed. He feels the City will get this question again in the future and he would like to accommodate people who want to cover their pool. Council Members Ball and Smith indicated they would like to continue this item to a future agenda and direct staff to craft language that would allow a reasonable pool covering. Council Members Bills and Rodela indicated they would like to honor the recommendation of the Planning Commission given they voted unanimously on their recommendation. Mr. Patterson recommended the Council consider a motion to continue and the Mayor can break the tie.

Council Member Scott L. Smith Scott MOVED to continue this item and direct staff to look at various structures and sizes and some of the stipulations we talked about and bring it back to Planning Commission to get their input before coming back to Council.

Council Member Timothy A. Ball SECONDED the motion.

The vote was recorded as follows:

Council Member Timothy A. Ball	*Yes*
Council Member Brittney P. Bills	*No*
Council Member Sarah D. Petersen	*Absent*
Council Member Kim Rodela	*No*
Council Member Scott L. Smith	*Yes*
Mayor Kurt Ostler	*No*

The motion failed 3:2

Council Member Kim Rodela MOVED that the City Council recommend DENIAL of case TA-22-09 a request for a text amendment to Section 3-4111 Swimming Pools based on the fact that the Planning Commission denied this request.

Council Member Brittney P. Bills SECONDED the motion.

DRAFT

The vote was recorded as follows:

Council Member Timothy A. Ball	*No*
Council Member Brittney P. Bills	*Yes*
Council Member Sarah D. Petersen	*Absent*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*No*
Mayor Kurt Ostler	*Yes*

The motion passed 3:2

8. ACTION: ADDITIONAL FUNDING FOR ADONIS DRIVE STREETSCAPE PROJECT *Administrative – Nathan Crane, AICP City Administrator/Community Development Director*

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 Crane reviewed the history of this project; since the bid was approved in October, the contractor was given until June 2022 to begin the project. They are now requesting an additional $26,154.07 due to not bidding the project correctly. The items that were left out of the original bid include but are not limited to: various irrigation parts (filters, master valve, flow meter, strong box, etc.) ($13,899.71), additional labor ($4,000), sales tax on the irrigation parts ($2,699), and $750 fuel surcharge. They are also requesting an additional $4,280.36 in inflationary costs since they did not order the parts until June. Finally, there is an extra $525 for remote irrigation valve cell card. This allows staff to control the valve remotely. The cost of this project is an additional $26,154.07. Funding for this expense was not included in the FY2023 budget. As approved by the Council, the costs will be covered by the proceeds from the sale of open space property in the Mercer Hollow/Highland Hills Subdivision. As of January 2021, the city has collected $68,842.18 with $11,553.80 to be collected from approved purchases in the subdivision. If approved, the current fiscal year budget will be amended to reflect this project as part of the mid-year budget adjustments unless otherwise directed by the Council.

Council Member Ball expressed concern about the matter; the purpose of executing an agreement is to hold a contractor to their bid price. Mr. Crane agreed; this was not a mistake of the City. Council Members stated they are concerned about the precedent that approval of this request sets for other contractors that would be bidding on projects in the future. Mr. Crane stated that the scope of the project could be reduced to ensure completion under the original bid amount. Council Member Smith stated he would support that decision because residents have raised money for the project, and they expect something to be completed. Mr. Crane facilitated discussion about options for reducing the scope and identified areas of the project that will not be completed.

Mayor Ostler asked if the City has the ability to enforce the contract. City Attorney Patterson answered yes; the City could communicate to the contractor that it will not be approving their change order and that they are required to proceed as communicated in the contract. The matter could be litigated, however, and the City would then need to decide whether to engage in litigation.

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The Council considered and debated the options before them, and they reached consensus to communicate to the contractor that the original contract will be upheld, and the change order will not be approved.

Council Member Kim Rodela MOVED that the City Council hold the contractor to the original contract.

Council Member Timothy A. Ball SECONDED the motion.

Council Member Bills asked if it would be best for Mr. Crane to call the contractor before this action is taken to communicate the Council's concerns; she noted that the next lowest bid for the project is still higher than the amended price requested by the contractor and maybe the City could 'split the difference' to acknowledge the costs the contractor is dealing with due to inflation/increased fuel costs. Mayor Ostler agrees that contractors are dealing with inflation outside their control, but he is concerned about making decisions that will set a precedent for future contract adjustments in the City.

The vote was recorded as follows:

Council Member Timothy A. Ball	*Yes*
Council Member Brittney P. Bills	*Yes*
Council Member Sarah D. Petersen	*Absent*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Abstain*

The motion passed 3:0.

Council Member Smith stated he abstained as he was unsure what way to vote; he supports the project, but he worries that voting on upholding the contract will delay a project that residents are expecting. Mayor Ostler suggested that he vote 'no' if that is his position. Council Member Smith stated he does not need to explain his vote.

9. PUBLIC HEARING: FY2022 FINAL BUDGET ADJUSTMENTS (AMENDED)

Legislative – Tyler Bahr, Finance Director

The City Council will consider amended final adjustments to the FY 2021-2022 Budget. The Council will take appropriate action.

Finance Director Bahr explained The FY2021-2022 budget was adopted in June 2021 and Council approved mid-year adjustments in January, early this year. In March, the Council approved a number of items funding road patching projects in FY2022, and work has been completed as directed. On June 21, 2022, the Council approved adjustments to the FY2021-2022 budget and staff has determined that the road patching projects funding was not included in the budget adjustments. The adjustment entails an increase of $625,000 for a total budget of $1,625,000 in 56-40-70 (Road Fee Projects, Utility Transportation Fund). The source of funds for this adjustment is fund balance from road fee revenue saved in prior years. This adjustment is highlighted in the attachment, which includes the other budget adjustments approved by the Council on June 21. Consistent with Council's approval on June 21, the attached resolution provides that any amount in the General Fund Balance in excess of thirty-five percent (35%) of the estimated revenues be transferred to the Highland City Capital Roads Fund, Capital Park Fund or Capital Building Fund as specified in Utah Code Annotated section 10-6-116. Staff recommends that Council hold a public hearing and approve the resolution adopting the amended final adjustments to the FY2021-2022 budget.

Mayor Ostler asked where the $625,000 increase is coming from. Mr. Bahr stated it comes from prior year savings. Mayor Ostler asked why it was not shown as a carry-over in FY2022. Mr. Bahr stated that it is associated with projects that have been delayed for several reasons, but mainly because budgeted projects were not completed in 2021. Council Member Smith stated that this amount of funding could have been helpful in making decisions on the FY2022-2023 budget. Mr. Bahr stated that the adjustment is in the FY2021-2022 budget, not the budget for the coming fiscal year; the adjustment was discussed by the Council in March and there was an understanding that this type of budget amendment would be needed to finalize the FY2021-2022 budget before year end. Council Member Smith stated he would like to have information about these types of matters earlier in the budget year and he asked staff make an effort to avoid this type of situation in the future.

Council Member Bills stated that it is hard to understands why this item was not included in the budget actions that were taken in the last meeting; she voted to increase fees based upon information presented last week but she may have made a different decision if this information had been available. Mr. Bahr stated that this matter was due to an error in excel and is only related to the transportation fund and not the General Fund. The City is dealing with limitations in its accounting software, and he is happy to look into any questions or concerns the Council has.

Council Member Rodela asked if this type of error would be avoided if the Council were receiving a monthly budget report. Mr. Bahr stated that he does provide a monthly report and will continue to do so.

Mayor Ostler opened the public hearing at 9:29 p.m.

There was no public comment.

Mayor Kurt Ostler closed the public hearing at 9:30 p.m.

Council Member Scott L. Smith MOVED that the City Council approve the resolution adopting the amended final adjustments to the FY2021-2022 budget as explained by chief financial officer.

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 Sarah D. Petersen	*Absent*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Yes*

The motion passed 4:0.

10. PUBLIC HEARING: TEXT AMENDMENT – REMNANT PARCELS *Legislative – Kellie Smith, Planner & GIS Analyst*

The City Council will hold a public hearing to consider a request by Highland City Staff to amend Chapter 5 Subdivisions relating to remnant parcels. The City Council will take appropriate action.

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Planner and GIS Analyst Smith explained a remnant parcel is a tract of land that is capable of further subdivision but is not proposed to be developed as part of the Preliminary Plat. Recently, a subdivision was approved that did not take under account the impact the proposed lots had on the remnant parcel. The City's goal is to provide reasonable road and utility access to all properties in Highland. The proposed amendment was briefly presented to the City Council on May 17th, 2022 as a communication item. No objections or concerns were raised. She provided the following summary of the request. The proposed amendment requires that a Preliminary Plat include all of the property within the lots or parcels proposed to be subdivided that are owned by or under common ownership or control of or with the subdivider. For all subdivisions currently, Preliminary Plat approval is valid for one (1) year from the date of approval. The proposed amendment includes a specific expiration for phased developments: "For phased developments, a Preliminary Plat approval shall be valid for five years from the date of approval so long as a Final Plat for at least one phase of the subdivision is submitted and applied for within one year after Preliminary Plat approval." The Planning Commission held a public hearing regarding the matter on June 28, 2022; there was no public comment on the proposed amendment and the Commission recommended approval of the proposed text amendment. The vote was 6-0. She summarized the Commission's analysis as follows:

- Remnant parcels must have a plan as part of the Preliminary Plat for the City to ensure appropriate infrastructure is planned for. Phasing in developments still allows developers to leave a remnant parcel in a final subdivision plat, as long as there is an approved Preliminary Plat that is not expired.
- The wording in Section 5-8-101 Subdivision Layout in Exhibit A had an error when it was presented to the Planning Commission. This was recognized during the meeting, and it was understood by the Planning Commission that it would be addressed before the amendment was reviewed by the City Council. The correct wording is reflected in Exhibit A of the attached ordinance.

The proposed amendment appears to meet the following finding(s): the amendment is consistent with the goal outlined in the General Plan "to ensure that all necessary public services and uses are provided to meet future needs."

Staff recommends that the City Council hold a public hearing and accept the findings and approve the proposed amendment.

Mayor Kurt Ostler opened the public hearing at 9:33 p.m.

There was no public comment.

Mayor Kurt Ostler closed the public hearing at 9:33 p.m.

Council Member Scott L. Smith MOVED that the City Council, who has held a public hearing, accept the findings and adopt the ordinance approving the proposed amendment to Chapter 5 Subdivisions relating to remnant parcels.

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 Sarah D. Petersen	*Absent*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Yes*

DRAFT

The motion passed 4:0.

11. PUBLIC HEARING: TEXT AMENDMENT – FRACTIONAL NUMBERS

Legislative – Kellie Smith, Planner & GIS Analyst

The City Council will hold a public hearing to consider a request by Highland City Staff to amend Section 3-4103 Area and Width Requirements to address a discrepancy in the Development Code relating to number of lots in a subdivision. The City Council will take appropriate action.

Planner and GIS Analyst Smith explained that in the supplementary regulations applicable to all zones, Section 3-613 Fractional Numbers states "Any computation or measurement resulting in a fractional number shall be rounded down to the next smaller whole number." In the R-1-40 zone, when determining the number of lots can be in a subdivision, it states that "any computation or measurement resulting in a fractional number shall be rounded to the nearest whole number." When there is a discrepancy like this in Code, Staff follows the stricter standard. As a result, the number of lots in subdivisions has been determined by rounding down. The proposed amendment was briefly presented to the City Council on May 17, 2022, as a communication item. No objections or concerns were raised. She summarized the request; the proposed amendment to Section 3-4103 Area and Width Requirements in the R-1-40 zone is consistent with the stricter standard to round *down* when determining the number of lots in a subdivision. The Planning Commission held a public hearing on June 28, 2022. There was no public comment on the proposed amendment. The Planning Commission discussed that rounding down when determining the number of lots guarantees that the subdivision complies with the zone's density requirements. The Planning Commission recommended approval of the proposed text amendment to round *down* when determining the number of lots. The vote was 6-0. The proposed amendment appears to meet the following findings: the amendment is needed to eliminate a discrepancy in code regarding to determining the number of lots in a subdivision. Staff recommends that the City Council accept the findings and recommend one of the following solutions to the discrepancy relating to fractional numbers. The Planning Commission recommends the City Council approve of the amendment to round down. If the City Council decides that when determining the number of lots, fractional number should be rounded down, a motion would be: I move that the City Council accept the findings and adopt the ordinance approving the proposed amendment to Section 3-4103 Area and Width Requirements.

Mayor Kurt Ostler opened the public hearing at 9:38 p.m.

There was no public comment.

Mayor Kurt Ostler closed the public hearing at 9:38 p.m.

Council Member Timothy A. Ball MOVED that the City Council accept Planning Commission and staff recommendation to a round down convention and ADOPT the ordinance approving the proposed amendment to Section 3-4103 Area and Width Requirements.

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 Sarah D. Petersen	*Absent*

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Council Member Kim Rodela *Yes*
Council Member Scott L. Smith *Yes*

The motion passed 4:0.

12. PUBLIC HEARING: TEXT AMENDMENT – LOT COMBINATION/PLAT AMENDMENTS *Legislative – Kellie Smith, Planner & GIS Analyst*

The City Council will hold a public hearing to consider a request by Highland City Staff to amend Article 5-10 Adjusting Property Boundaries; Amending A Recorded Plat relating to the combining of lots or parcels. The City Council will take appropriate action.

Planner and GIS Analyst Smith Kellie explained in the 2022 Utah Legislative Update, HB303 gave municipalities the option to exclude the combining of lots from required subdivision/plat amendments. The proposed amendment was briefly presented to the City Council on May 17th, 2022, as a communication item. No objections nor concerns were raised. She summarized the request as follows:

1. The proposed amendment removes lot combinations from the definition of a plat amendment and defines a "combination" is the joining of two or more adjacent lots and/or parcels under common ownership in a way that reduces the number of lots and/or parcels.
2. The proposed amendment adds Section 5-10-104 Lot or Parcel Combination to Article 5-10. The following is a summary of this section:
    a. An application is required.
    b. The Zoning Administrator acts as the land use authority. The application is subject to the Zoning Administrator's review and approval.
    c. After a lot or parcel combination is approved by staff, the applicant shall record a Notice of Approval and shall provide the Zoning Administrator with a recorded copy.
    d. Lot or parcel combinations do not modify any existing easements, public right-of-way, nor any requirement to comply with all zoning and other land use regulations.

The Planning Commission held a public hearing on June 28th, 2022. There was no public comment on the proposed amendment. The Planning Commissioners discussed the fact that any combination of lots or parcels is lowering density. The Planning Commission recommended approval of the proposed text amendment. The vote was 6-0. Staff recommends that the City Council hold a public hearing, based upon the finding that the amendment is consistent with State Code, and approve the proposed amendment.

Mayor Ostler opened the public hearing at 9:43 p.m.

There was no public comment.

Mayor Kurt Ostler closed the public hearing at 9:43 p.m.

Council Member Kim Rodela MOVED that the City Council accept the findings and adopt the ordinance approving the proposed amendment to Article 5-10 Adjusting Property Boundaries; Amending A Recorded Plat relating to the combining of lots or parcels.

Council Member Brittney P. Bills SECONDED the motion.

The vote was recorded as follows:

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Council Member Timothy A. Ball	*Yes*
Council Member Brittney P. Bills	*Yes*
Council Member Sarah D. Petersen	*Absent*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Yes*

The motion passed 4:0.

13. 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. Future Meetings

- July 13, Lone Peak Public Safety District Meeting, 7:30 am, City Hall
- July 19, City Council Meeting, 6:00 pm, City Hall
- July 26, Planning Commission Meeting, 7:00 pm, City Hall
- August 2, City Council Meeting, 7:00 pm, City Hall

Mayor Ostler facilitated a review of the upcoming meeting schedule and discussed several items that will be included on future meeting agendas.

City Administrator/Community Development Director Crane discussed proposed amendments to the Mountain Ridge Park, which have been communicated to the Council via email.

ADJOURNMENT

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

The meeting adjourned at 10:17 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 July 5, 2022. This document constitutes the official minutes for the Highland City Council Meeting.

Stephannie Cottle
City Recorder

DRAFT

AGENDA NEXT

HIGHLAND CITY

HIGHLAND CITY COUNCIL AGENDA

Tuesday, July 19, 2022

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

6:00 PM WORK SESSION - VIEW POINTE

The meeting was called to order by Mayor Kurt Ostler as a work session at 6:03 pm. The meeting agenda was posted on the *Utah State Public Meeting Website* at least 24 hours prior to the meeting.

PRESIDING: Mayor Kurt Ostler

COUNCIL MEMBERS PRESENT: Timothy A. Ball, Brittney P. Bills, Sarah D. Petersen, Kim Rodela, Scott L. Smith

CITY STAFF PRESENT: City Attorney Rob Patterson, City Engineer Andy Spencer, City Recorder Stephannie Cottle, Finance Director Tyler Bahr, Fire Chief Brian Patten, Police Chief Brian Gwilliam, Planner & GIS Analyst Kellie Smith

OTHERS PRESENT: Jon Hart, Jerry Brown, Josh Gibbons, Penny Kilger, Peter Kilger, Robyn Garvin Scott Shaw, Malea Shaw, Erynn Wilcox, Austin Wilcox, Sage Wilcox, Rachel Milliron, Ross Welch, Kelly Spafford, Dan Milliron, Noah Milden, Mike & Pamela Riley, Randal Banagas, Trent & Cynthia Pedersen, Debbie Prinster, Steven Prinster, Karen Krueger, David Krueger, Ryan Bills, Karma Campozano, Burke Alder, Susan Johnson, Giuserre Vinci, Jacquelyn Vinci, Gina Brown, Steve Brown, Gentry Brown, Spencer Posey, Larry Sotomayor, Brad Colton, Steffanie Martineau, Ambria Banagas, John Peachey

Mayor Ostler thanked those in attendance tonight and noted that the work session item is for discussion only and no decision will be made; the View Pointe project will also be discussed by the Alpine Planning Commission on August 2. He then noted Council Member Bills lives in the View Pointe subdivision and he invited her to provide some background information regarding the project. Council Member Bills also thanked the residents in attendance tonight to participate in discussion regarding the View Pointe subdivision; this project was approved 20 years ago with a condition that there would be a future road connection from Highland to Alpine cities. There has been a great deal of change in both cities over the past 20 year and she is grateful for the opportunity to have this discussion with everyone interested in this subject.

Ross Welch of Patterson Construction also provided a brief history of the development his company has proposed, which has been called Smooth Canyon; the new project is phase two of a development that was initially constructed in 2001. The original plan was for an extension to the existing park, with 1/3-to-1/2-acre sized lots. Nothing has been done since 2001 and approvals have lapsed, so the property has reverted back to its original zoning, which was half-acre lots. The plan has always been for High Bench road to connect to View Pointe and roads have been aligned accordingly; however, he has heard of the concerns about the road, so it was redesigned to reduce the impact. Comments from Alpine staff indicate that city would like the road to be straight rather than curved. He stated that he is comfortable with both designs, though the curved road would be more expensive. He is willing to accommodate the Highland residents and he will discuss the matter further with the Alpine Planning Commission during their August 2 meeting.

Ms. Bills thanked Mr. Welch for the information and for his consideration of the Highland residents.

Mayor Ostler then invited residents of the View Pointe neighborhood to provide a presentation to the Council.

Dan Milliron used the aid of a PowerPoint presentation to discuss the concerns of the residents of the View Pointe subdivision; there exists a long-standing, but currently unfulfilled, requirement for two entrances to the View Pointe neighborhood. Years of effort have already been expended wrangling over this requirement and residents recognize that this is not a new issue. The requirement has recently gotten hotter because of the planning for the imminent Smooth Canyon development. He discussed the proposals that have been made for the road to-date from Highland officials and View Pointe residents; the latest recommendation from residents is to allow only emergency vehicles via a traversable barrier with no through traffic. The two Highland proposals that are still up for consideration include the horseshoe road through Smooth Canyon to discourage through traffic and other traffic calming measures. He discussed what is at stake; the shortcut road would be along Park Drive, which is a local street – not a collector road. He provided additional information about the characteristics of Park Drive:

- Very curved, with one of its worst curves heading directly into the setting sun.
- Too narrow for even current traffic when cars are parked on the road.
- Crisscrossed with walking trails.
- Dotted with children's parks.
- Home to young families with active children.
- Already threatened by a baseline of fast drivers.

Park Drive hill has a 10.5 percent grade, which is greater than the 8 percent grade limit; additionally, more traffic volume equals increased liability for the City. He presented a map orienting the Council to the location of the shortcut road and indicated it will connect Alpine to all points south and into the American Fork Canyon. Alpine residents will be highly motivated to use the new shortcut as it would save them almost two minutes, over a mile of distance, and they will skip one traffic signal. It is the opinion of the residents that the horseshoe road will not be sufficient to push traffic back onto the main roads. He then provided information regarding the differences between collector roads and local streets; when a local street (Park Drive) exceeds 1,000 trips per day, it can be considered a collector road. The View Pointe neighborhood has 103 homes and the number of trips per day easily exceed 1,030. The increased traffic volume created by the shortcut road will definitely put Park Drive into the realm of a collector road. He discussed additional criteria for collector roads and noted that access to collectors shall be limited from local streets or individual driveways. Park Drive from the orth end of the top of the hill is only a half-mile long, has seven cross streets, and is accessed by 38 driveways. Park Drive in View Pointe is also crisscrossed with walking trails used day and night by children and adults and has three children's play parks. He referenced Highland City's design criteria for public improvements adopted via Ordinance 2021-25; local streets shall have a centerline radius of at least 150 feet and collector streets shall have a centerline radius of at least 370 feet. The Park Drive is already too steep according to Highland City Code and adding high volumes of through traffic will make an existing concern much worse. Every existing connector road from Alpine crossing the Timpanogos Highway requires a traffic light and a multi-lane intersection. Increased traffic from a new, more

direct, southerly route could require these as well. Connecting to Alpine will exacerbate dangerous conditions on a curved, steep grade, particularly for increased traffic waiting at a traffic light in bad weather. He then discussed traffic calming measures that have been considered as follows:

- Highland City officials have suggested adding traffic mitigation with measures like chokers, shifters, diverters, lane reduction, speed humps, etc.
- Traffic calmers cannot prevent the shortcut's increase in traffic volume.
- Traffic calmers have an effective distance that can be measure in tens of yards. Once past the calmer, drivers tend to hit the gas again.
- Traffic calmers are therefore appropriate for fine-tuning short-length trouble areas, like the sun-blinded curve on Park Drive.

Residents feel a win-win solution is the connection of the orth end of Park Drive to the Smooth Canyon subdivision with the connection accessible for emergencies only. No through traffic or shortcut traffic would be allowed and the horseshoe would become optional because there should be no through traffic. This will save the developer and Highland money. He then presented photographic examples of emergency access only roads in other communities; Highland City could adopt an ordinance similar to a Park City ordinance that prohibits through traffic on certain residential roads. He noted there is a precedent for what has been proposed in Highland City; the City closed a shortcut along 11200 Orth recently to preserve safety of the area. In closing he presented a chart serving as a comparison of the different options that have been presented for this project; the only option that addresses all concerns regarding the road is the creation of an emergency vehicle only access point. He noted the residents of View Pointe thank the Highland City Council or listening to them about a matter they feel is crucial; they are also grateful for the offer of the horseshoe road but hope that the compromise solution of limiting access for emergencies only will make that option unnecessary. He stated that he believes in children playing outside and a traffic shortcut will devastate the View Pointe neighborhood.

Josh Gibbons, Hale Engineering, stated that he has performed a traffic study focusing on potential traffic associated with the proposed connection. Traffic counts were taken during peak hours and during the morning hours there were 141 cars per hour and 143 cars per hour in the evening. The study model used evaluates travel times, distances, and the path of lease resistance for traffic. He evaluated each connection/design scenario that has been considered by the developer and the City, along with the current traffic configuration in the neighborhood, and concluded that most motorists are traveling west/east and while travel time is faster using Park Drive, motorists are choosing alternative routes for other reasons.

Mayor Ostler stated that now that the traffic study is finalized, it can be made publicly available to residents.

Public Works Director/City Engineer Spencer emphasized that the study considers peak travel times, which are 7:15 to 8:15 a.m. and 5:00 to 6:00 p.m.; traffic volume at other times of the day will be much lower. Council Member Bills asked if the study takes into account the increase in traffic when school is in session. Mr. Gibbons answered yes; the study considers traffic counts from the Utah Department of Transportation (UDOT) when school is in session. Council Member Bills asked if the traffic counts are consistent with those found on 4800 West. Mr. Spencer stated that the 4800 West data was from 2019 and it was used as baseline data for the study.

Mayor Ostler stated that 38 homes have driveways that front Park Drive and he asked if that is concerning when considering the level of traffic on the road. Mr. Gibbons stated that the road can handle the traffic volume, but traffic calming measures can also be put in place to discourage traffic or slow people down. He stated that the study indicates that a two-lane road such as Park Drive can handle 750 cars per hour for traffic in both directions. The question becomes what the livability standard is that the City is comfortable with. One city he is aware of has a standard of 600 cars per hour, or 300 cars in each direction per hour.

Council Member Smith asked if the traffic study includes modeling for traffic out to 2050. Mr. Gibson answered yes. Council Member Smith wondered how reliable that data is; some areas have already exceeded the capacity included in those models and there is still 28 years until 2050. He is concerned that the models may be flawed, and decision could be made upon flawed data. Mr. Gibson stated that he considers the differences between today's volume and the 2050 model; actual traffic counts are used to calibrate the traffic projections for the future.

Mayor Ostler inquired as to the most effective traffic calming measures for limiting traffic. Mr. Gibson stated the most effective method is flashing driver feedback signs that tell people how fast they are driving. For trail connections, bulb-outs for trail crossings are effective in helping motorists identify a crossing point. Barriers have also been effective in other locations. Mayor Ostler asked if the 'drive-on' grass area in a road is effective, or if physical barriers that can be driven over by emergency vehicles are effective. Mr. Gibson stated that would be more common in a denser area or a multi-family/mixed-use project, but he has not seen those methods used on collector roads. Mayor Ostler asked if Park Drive is a collector or local road. Mr. Gibson stated that it was designed as a local road, but given the increase in volume, it meets the classification of a collector road. Mayor Ostler asked if that is based upon the number of vehicles or a specific designation from UDOT. Mr. Gibson stated his judgment is based upon the information included in the residents' presentation regarding the number of vehicle trips per day.

Mr. Spencer then provided information regarding why the second connection to the neighborhood is needed; there are 103 homes in the neighborhood, and they only have one access point, which is on a fairly steep grade. He stated when major road maintenance is needed on that road, a second access point will be needed. A water line leak could take out a larger portion of the road, which could take several days to repair. Given the steep grade, snowplow crews have witnessed people parking at the base of the hill and walking to their home on a snowy day as their cars cannot get up the steep road in snowy conditions. The hill is hard for snowplows to get up and the road has been impassable during some snow events. He noted he does not see the road as a collector road, though he does understand the concerns of the residents. He is advocating for the more circuitous option that will keep traffic low, but he does think there is value in providing a second access to the neighborhood. The road that has been discussed is included in the City's Impact Fee Facilities Plan and the City is currently collecting impact fees to build the connection in the future. He is supportive of considering traffic calming in the area, but for the good of the residents in the area there is a need for an additional functional connection.

Fire Chief Patten noted that a secondary access point is also important in a fire event; the subdivision does not meet current International Fire Code (IFC),which has been adopted by the City, unless there is a second connection. The only reason the subdivision was approved with the number of homes that it contains is that there was a condition for a future access point. He stated that there is one road in Alpine that has been called an emergency access road; it contains bollards to block traffic, but people have figured out they can drive through and around them and he expects the same would occur in View Pointe. Mayor Ostler asked which station would respond to the View Pointe subdivision in an emergency, to which Chief Patten answered the Highland station, but upon completion of the connection, that would be reassessed.

Police Chief Gwilliam stated that public safety has the responsibility to respond to emergencies appropriately and that means appropriate access is needed to all areas of the City. He stated that he has experienced the same thing as communicated by Mr. Spencer in regard to road conditions during a storm; police vehicles have had difficulty navigating the road and have had to ask snow crews to salt the road to make it traversable.

Council Member Bills stated that she believes most residents agree that a second access is needed in some form, but they would also like to prioritize the safety of Highland residents over convenience for Alpine residents. Council Member Smith agreed.

Council Member Ball stated there was an implication in the residents' presentation regarding the liability Highland City assumes by making a decision that will result in a tragic accident causing injuries or death. City Attorney Patterson stated that it was his understanding that the claim was in regard to the steep grade of the road, and it is his position that the City's risk and liability is low overall; additionally, if a second access is created that allows people to circumvent the steep road will reduce the City's liability.

Mayor Ostler noted that residents interested in providing additional information regarding the subject matter can address the Council during the unscheduled public appearances portion of the regular meeting. He adjourned the work session meeting at 6:56 p.m.

7:00 PM REGULAR SESSION

Call to Order – Mayor Kurt Ostler
Invocation – Council Member Timothy A. Ball
Flag Ceremony – Highland Troop 20

The meeting was called to order by Mayor Kurt Ostler as a regular session at 7:04 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 Council Member Timothy A. Ball and those in attendance were led in the Pledge of Allegiance by Highland Troop 20.

PRESIDING: Mayor Kurt Ostler

COUNCIL MEMBERS PRESENT: Timothy A. Ball, Brittney P. Bills, Kim Rodela, Sarah D. Petersen, Scott L. Smith

CITY STAFF PRESENT: Assistant City Administrator Erin Wells, City Attorney Rob Patterson, City Recorder Stephannie Cottle, Finance Director Tyler Bahr, Planner/GIS Analyst Kellie Smith, City Engineer/Public Works Director Andy Spencer, Police Chief Brian Gwilliam, Fire Chief Brian Patten, City Treasurer/Business License Official Candice Linford, Civic Events Director Miranda Doman, Code Compliance Officer Brent Wallace

OTHERS PRESENT: Jon Hart, Noah Milliron, Amalia Cook, Mel Cook, Greg Parkinson, Mike Jensen, Catherine Pavia, Kirsten Giles, Brady Giles, Grant Carlson, Eileen H. Miller, Evelyn Munoz *Residents from the work session stayed through the unscheduled public appearances section.

1. UNSCHEDULED PUBLIC APPEARANCES

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

Amalia Cook stated she lives in the Twin Bridges neighborhood, and she is being impacted by the sale of the open space property near hear home; she loves her home and the open space behind her and she wants to keep it as open space. She asked that the Council keep the current access arrangement in place.

Greg Parkinson also addressed open space; the City had an open space committee many years ago and 25 percent of residents subsidize open space via payment of a $20 per month fee, but all residents have access to open space.

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He compared the open space fee to fees paid to cover maintenance of roads; there are many roads in the City that he will never drive on, but he feels that everyone should contribute to road maintenance. He is not sure why the open space fee arrangement persisted. He lives on Caddie Lane and there are 46 homes there; there is a small island strip of property down the middle of the road that contains trees and grass; the homes on the street pay $11,040 in a year to take care of that strip of property, but he would be willing to take care of it for half that price. He stated that after 15 years of living in Highland it is his belief that all residents should pay for the upkeep of parks and open space rather than just 25 percent of residents.

Noah Milliron stated he lives in View Pointe, and he is the youngest child of Dan Milliron who presented during the work session meeting. He stated while sitting through the work session he was struck by a memory; when he was in high school, he would travel to and from friends' homes and his friends would travel to his home; he would always remind his friends to drive carefully when coming in and out of his neighborhood because kids play outside. He is worried that if there is a second connection through the neighborhood, the safety of those children will be jeopardized.

Ambria Benagas stated that she also lives in View Pointe, and she has five kids who love to play in the neighborhood; she is also concerned about extra traffic and about traffic navigating the curves in the road. She is concerned about continued growth in the community as well.

Austin Wilcox stated he has four kids, and he lives at the end of Park Drive where the through traffic is currently very low, but the additional connection would change that drastically and he is concerned about the safety of his children. The kids in the neighborhood play night games and they are constantly crossing the road. He stated that he is afraid that the traffic study mentioned during the work session meeting is actually undercounting the number of vehicles in the area. He stated that people know that they can travel on roads through the area as the most direct/fastest route through that area of the City.

Trent Pedersen stated he has lived in View Pointe for 15 years and has 25 years in law enforcement; he is also a licensed attorney in Utah and California, and he is concerned about liability; he does not fault the City for the current situation, but the subdivision as approved in violation of the International Fire Code, violation of road grade and width requirements, and it does not meet requirements to be classified as a collector street. Everyone is simply trying to address the situation together and there are options for doing that without jeopardizing the lives of the children that live in that neighborhood. The subdivision was built with all pathways crossing the street and with blind corners. There are no crosswalks. He stated the street is a defacto collector street and UDOT will not allow a traffic light at the existing connection because it is too close to the planned traffic light at the intersection of American Fork Canyon and State Road 92; therefore, residents may be able to legally stop the City from classifying the road as a collector road. He spoke to a forest ranger last week who told him that American Fork Canyon is the second most visited area of the State and some nights he cannot access his home because traffic extends past the intersection he must use to get into his home. He stated the traffic study does not address that intersection or snow removal and he suggested the traffic study be updated using current and accurate information.

Peter Kilger stated he also lives in View Pointe; he noted that the individual who reported on the traffic study during the work session indicated it was based upon 2019 traffic data, but since 2019 there have been significant changes in behavior in terms of shopping and there has been a significant increase in delivery vehicles in his neighborhood every day. The study only contemplated residential traffic, but there is a lot of service vehicle traffic and those same service/delivery vehicles will use the connection road to get to Alpine as well. He stated that everyone in the neighborhood is interested in safety of the area and there are many children that are playing outdoors on a regular basis; he is concerned that one of them could be injured or killed by increased traffic in the neighborhood.

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Deborah Pinster stated she lives on one of the turns on Park Drive; she and her teenage drivers have difficulty getting out of their driveway without encountering traffic. The vehicles are not speeding, but there are so many vehicles that it is not easy to get in and out of her property. She stated there are no speed limit signs in the neighborhood and she asked that signage be installed.

Dan Milliron referenced the discussion that took place during the work session, and he was thrilled to hear that everyone who spoke is interested in getting another connection into the neighborhood; the residents support that connectivity, but the question remains what type of connection it will be. He stated he can think of four ingredients that can be combined together to achieve what the emergency officials, City officials, and legal counsel want: adoption of a City ordinance prohibiting through traffic with fines associated with violation of the ordinance; breakaway pylons; cobblestones; and vegetation. Any combination of these four options would not require a complete public through-way through the View Pointe neighborhood.

Matt Lamont stated he also lives on Park Drive at the sharpest point of the radius of the turn in the road. He stated that he has encountered the same as Ms. Pinster, but worries that increased traffic by those who are not invested or concerned about safety in the neighborhood and are only using the road as a short cut will not be as cautious when they are driving. He stated that it is important to assign road classifications based upon data rather than opinions and he believes data indicates it is a collector road. He spoke to the neighborhood's noncompliance with the International Fire Code and indicated that while that must be remedied, providing the connection and upgrading the road to a collector status would create other noncompliance issues. He wondered if the City would be responsible to remedy those issues. He concluded that making a through road will completely change the character of the neighborhood and he believes the City would be liable for negative unintended consequences. Everyone who lives in the neighborhood purchased their home because they love the personality of the neighborhood, and this new road will completely change that; he does not want to live in fear for his and other children in the neighborhood.

Karma Campozano stated that when she first moved into View Pointe in 2006, she had young children and every time she was outside, she would see cars racing on the road thinking they had found a shortcut. She echoed the previous comments about the lack of speed limit signs, and she asked that the speed limit actually be reduced to 20 miles per hour and that new signs be posted. She is concerned about safety of the children that live there and indicated that will be worse if the connection road is built.

Burke Alder stated he lives on Park Drive in a section that experiences dangerous conditions due to sun blindness; this has caused a car to crash into another parked car on the road because they were unable to see as they traveled that stretch of road. He stated that he comes from a City where there was a death of a child at a bus stop, and he would like for adjustments to be made to the current layout of the road to prevent the same from occurring here. He stated that residents do not want the neighborhood to become an exit for Alpine. He is grateful for his neighbors who spent a great deal of time coming up with recommendations aimed at preserving the safety of his neighborhood.

Cynthia Pedersen stated that school buses cannot make their way up the hill so the bus stop is at the bottom; kids are walking up and down the hill and there are already a lot of cars coming and going from the area. She stated that there is already a safety issue and that will only become worse if traffic is increased in the area.

Brad Colten stated that one topic that has not been discussed tonight is the high school traffic in the morning; there are a lot of kids that attend Lone Peak High School and they will use the new road as a short cut to get to school in the morning. This likely was not factored into the traffic study and while everyone loves their teenagers, they are the most dangerous drivers, and they must be considered when determining road configuration in the area.

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Jorge Compazano stated that he appreciates the Mayor and Council's willingness to consider this important issue; he noted that it is reasonable to considering engineering and traffic studies, but it is more important to consider the real-life experiences of the residents who live in View Pointe. He stated that he is very concerned about the safety of the residents in the area, especially the children, if the road is constructed and provides a short cut through the neighborhood.

John Peachey stated he lives on Park Drive and has seen residents trying to mitigate current traffic flow using their own signage to slow vehicles. He fears that as traffic increases, those efforts will only increase, and this will actually increase the hazards of motorists and residents. He stated that people will take things into their own hands and that is not always the best solution. He asked the Council to consider everything that has been said tonight and help the residents come up with a safe solution.

Randal Benagas stressed that safety is the most important matter. He stated that if Patterson's development project would have been delayed another 10 to 30 years, he does not believe this discussion would be taking place. Residents have been living in View Pointe for over 10 years and there has been no concern about the need for a second access; they have been perfectly fine with the current conditions. He stated that a year ago he asked for police patrol of speeders in the neighborhood. He agreed that the 25 mile per hour speed limit is too high for Park Drive and opening the neighborhood up for increased traffic would only exacerbate the issue.

Rachel Milliron stated that she is one of Dan's daughters and she thanked the Council for their consideration. She stated that not only does she want to protect the kids that live in the neighborhood, but also those who are elderly and are still active outdoors in their neighborhood. She asked that the Council pursue the safest option for those residents.

Council Member Rodela stated that she knows that the school bus is unable to get up Park Drive and she asked if a school bus would be able to service the neighborhood if the connection street were built. Council Member Bills stated that the residents in the neighborhood were supposed to attend Alpine Elementary, but because of the road situation, they were moved to another school. She stated that the school board could reconsider that decision in the future. She noted it is important to recognize that the property at the bottom of the hill where the school bus is located is City property.

Mayor Ostler addressed the residents and indicated that no decision will be made tonight regarding this matter; the City has discussed options with the developer, with support for the "U" shaped road and there may be a discussion and action item on a future agenda. He encouraged the residents and Council Members to share their concerns with the Alpine City Council as the subdivision is located in Alpine and they will have the decision-making authority regarding the design of the project; Highland will have the authority to make decisions regarding the road where it enters Highland. Council Member Smith agreed it would be important for residents to address Alpine Planning Commission and City Council. Council Member Bills stated that the Alpine Planning Commission is hearing this item soon and they will be making a recommendation to the City Council; it would be best to address the officials of that City early and often.

2. PRESENTATIONS

a. Fling Preview – *Miranda Doman, Civic Events Director*
The City Council will be presented with a brief overview of the events planned for the Highland Fling 2022.

Civic Events Director Doman provided a magazine to each Council Member and the Mayor, which included a listing of all events included in the 2022 Fling celebration. She discussed adjustments to the parade and fireworks show and encouraged the Mayor, Council, and all residents to participate.

3. 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 – Stephannie Cottle, City Recorder*
Regular City Council Meeting – May 17, 2022 and City Council Work Session – June 6, 2022

Council Member Scott L. Smith MOVED that the Council approve consent item 2a minutes from May 17, 2022 and June 6, 2022.

Council Member Sarah D. Petersen SECONDED the motion.

The vote was recorded as follows:

Council Member Timothy A. Ball	*Yes*
Council Member Brittney P. Bills	*Yes*
Council Member Sarah D. Petersen	*Yes*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Yes*

The motion passed 5:0.

4. PUBLIC HEARING/ORDINANCE: TEXT AMENDMENT – HOME OCCUPATIONS *Legislative – Kellie Smith, Planner & GIS Analyst*

The City Council will hold a public hearing to consider a proposal by Highland City Staff to amend Section 3-614 Home Occupations to allow for a home occupation in every residential unit. The City Council will take appropriate action.

Planner and GIS Analyst Smith explained this proposed text amendment was briefly presented to the City Council on May 17, 2022, as a communication item. No objections or concerns were raised. Home occupations are "any occupation conducted within a dwelling and carried on by persons residing in the dwelling." A home occupation permit is not required for use of a residence if the use is limited to computer use and receiving and sending mail and telephone calls. The Development Code currently states that they are only permitted in the R-1-40, R-1-20, and A-1 zones. The R-1-30 zone, and other Planned Development zones have been adopted since. Ms. Smith summarized the request as follows:

1. The proposed amendment allows for home occupations "in any residential unit".
2. The proposed amendment updates the application and approval processes to reflect the process outlined in the Municipal Code.
3. A clarification is added to Residential Uses in the Town Center Overlay: "All residential units that are designed and built to be a residential use cannot be converted into a commercial or office use. Home occupations are permitted in each residential unit."

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The Planning Commission held a public hearing on June 28, 2022. There was no public comment on the proposed amendment and the Planning Commission recommended approval of the proposed text amendment on a six to zero vote.

Council Member Smith stated that the Boyer Company project on the east side of Ridge View will have rental units and he asked if home occupations would be allowed in rental units. Ms. Smith answered yes. Council Member Smith asked what would keep a company from renting the residential unit and using it solely for a commercial purpose. Ms. Smith stated that in order to obtain a home occupation license, someone must live in the unit.

Mayor Ostler opened the public hearing at 8:04 p.m.

There was no public comment.

Mayor Ostler closed the public hearing at 8:04 p.m.

Council Member Kim Rodela MOVED that the City Council accept the findings and APPROVE the proposed amendment to Sections 3-614 and 3-4716 relating to home occupation licenses.

Council Member Sarah D. Petersen SECONDED the motion.

Council Member Smith asked if there is any downside of allowing every residence in Highland the opportunity to operate a home occupation. Ms. Smith stated that State Code already calls for any residence to be able to secure a home occupation permit and the City is simply amending the code to abide by the State Code.

The vote was recorded as follows:

Council Member Timothy A. Ball	*Yes*
Council Member Brittney P. Bills	*Yes*
Council Member Sarah D. Petersen	*Yes*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Yes*

The motion passed 5:0.

5. PUBLIC HEARING/ORDINANCE: TEXT AMENDMENT – RETAINING WALLS *Legislative – Kellie Smith, Planner & GIS Analyst*

The City Council will hold a public hearing to consider a proposal by Highland City Staff to amend Section 3-612 Fences, Retaining Walls, Theme and Screen Walls relating to daylight basements and window wells. The City Council take appropriate action.

Planner and GIS Analyst Smith explained this proposed text amendment was briefly presented to the City Council on May 17, 2022, as a communication item. No objections or concerns were raised. Several retaining wall permits have been submitted to the building and planning departments for retaining walls around daylight basements. Owners have expressed concerns with the current retaining wall regulations. If a homeowner extends the foundation wall out for a daylight basement, it is considered part of the house's foundation and is not subject to the maximum retaining wall height. If the homeowner wants to beautify the wall and make it a rock retaining wall, rather than foundation wall, the maximum height becomes six feet. The proposed amendment gives an exception to daylight basements and window wells for the six-foot maximum retaining wall height. The

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amendment proposes a maximum height of 11 feet for these retaining walls. The Planning Commission held a public hearing on June 28, 2022. There was no public comment on the proposed amendment. The Planning Commission recommended approval of the proposed text amendment. The vote was five to one. The Planning Commission expressed concerns regarding the height of the potential drop with an 11-foot retaining wall. The Commission requested that staff confirm building code requirements regarding a possible railing, and to pass the information on to the City Council for consideration. The International Building Code (IBC) requires a 42-inch-tall guardrail along open sided walking surfaces that are located more than 30 inches measured vertically to the floor or grade below at any point. Code Compliance Official Brent Wallace explained that he requires it along sidewalks, stairways, and some driveways that have an elevation drop adjacent to an entrance into the home. A guardrail would not be required along a retaining wall unless there was a walkway along the top of the wall. The proposed amendment appears to be compliant with the IBC.

Council Member Smith asked for clarification of guardrail requirements. Ms. Smith stated that if a drop is more than 30 inches a guardrail would be needed. The proposed ordinance does not include a guardrail requirement. Council Member Smith asked if the code requires a guardrail when a walkway is located within a specific distance of a retaining wall. Public Works Director/Engineer Spencer indicated that if there is an adequate recovery area (for a trip or fall occurrence) between the walkway and the retaining wall, a guardrail would not be required. This would be somewhere in the four-to-five-foot range.

Council Member Rodela stated that she actually has a rock retaining wall at her home, but it is tiered; she asked if there are distance requirements for the space needed between each tier. Ms. Smith stated that the existing code include a one-to-one ratio, meaning if the height of the wall is four feet, there must be a four-foot distance between tiers. Ms. Smith provided photographic examples of proper and improper tiering. Council Member Rodela asked if enforcement action will be taken for nonconforming retaining walls in the City, to which Ms. Smith answered yes.

Mayor Ostler opened the public hearing at 8:16 p.m.

There was no public comment.

Mayor Kurt Ostler closed the public hearing at 8:16 p.m.

Council Member Ball asked Ms. Smith to briefly summarize the implications of the proposed ordinance. Ms. Smith stated that all existing retaining wall regulations will remain in-tact; the proposed ordinance simply provides retaining wall regulations for daylight basements and window wells and includes an 11-foot maximum height for retaining walls in those uses. The IBC will be followed for guardrail requirements, but if the Council desires a stricter standard, they should include such language in their motion. The Council debated whether the IBC guardrail requirements are adequate; they concluded to act on the proposed code amendment as presented and consider future modifications if the determination is made that additional guardrail requirements are needed.

Council Member Sarah D. Petersen MOVED that the City Council accept the findings and APPROVE the proposed amendment to Section 3-612 Fences, Retaining Walls, Theme and Screen Walls relating to the daylight basements and window wells.

Council Member Brittney P. Bills SECONDED the motion.

The vote was recorded as follows:

Council Member Timothy A. Ball	*No*
Council Member Brittney P. Bills	*Yes*
Council Member Sarah D. Petersen	*Yes*
Council Member Kim Rodela	*Yes*

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Council Member Scott L. Smith *Yes*

The motion passed 4:1.

6. PUBLIC HEARING/ORDINANCE: TEXT AMENDMENT – SETBACK ENCROACHMENT *Legislative – Kellie Smith, Planner & GIS Analyst*

The City Council will hold a public hearing to consider a proposal by Highland City Staff to amend Sections 3-4104, 3-4204, and 3-4254 Location Requirements relating to encroachments into setbacks for main dwellings in residential zones. The City Council will take appropriate action.

Planner and GIS Analyst Smith explained the proposed amendment was briefly presented to the City Council on May 17, 2022, as a communication item. Staff requested input from the Council regarding whether the Council was supportive of allowing some elements of a home, such as stairways or cantilevers, to be located within a setback. The Council briefly discussed hypothetical situations that would be considered setback encroachment and indicated they were comfortable with minor encroachments. Several home builders, residents, and staff have expressed concerns regarding setbacks and where they should be measured from. The current Development Code definition is: "The shortest distance between the property line and outside surface of the foundation, wall, or main frame of the building. Exclusive of fireplace chases." Developers and residents have argued that cantilevers and stairwells should not be considered a wall or main frame. The proposed amendment allows for the following setback encroachments in the R-1-40, R-1-30, and R-1-20 zones:

a. Front Setback – 5 feet for 30% of the length of the dwelling; except for stairways
b. Side Setback – 5 feet for 30% of the length of the dwelling
c. Side Corner Setback – 5 feet for 30% of the length of the dwelling
d. Rear Setback – 5 feet for 50% of the length of the dwelling

The proposed amendment also includes a clarification that no setback encroachments will be permitted in an easement of any kind. The definition of 'Setback' is proposed to be updated as follows: The shortest distance between the property line and outside surface of support posts, cantilevers, bay, bow, or box windows, or any hard wall line of the structure. The Planning Commission held a public hearing on June 28, 2022. There was no public comment on the proposed amendment. The Planning Commission discussed concerns regarding where the setbacks are measured from (examples: property line, back of sidewalk, back of curb, etc.) The Planning Commission recommended approval of the proposed text amendment with a stipulation that the definition of setback be updated to be measured from "property line, back of asphalt, back of curb, or back of sidewalk, whichever is closest to the structure." The vote was six to zero. After the Planning Commission meeting, staff was made aware that the proposed amendment would not solve an issue with an existing stairwell. To address this situation, the amendment would need to be modified as follows: stairwells may project up to seven (7) feet into the side yard setback but in no event shall any part of the stairwell be less than five (5) feet from the property line or located within an easement.

Mayor Ostler asked if the code amendment will apply to ascending stairwells or only stairs descending below grade. Ms. Smith answered both.

Council Member Smith asked Ms. Smith to review standard setbacks. Ms. Smith stated the R-1-40 and R-1-30 zones include a 30-foot front and rear setback, so the code amendment would allow stairs to encroach into the setback and reduce it by five feet for a specified percentage of the length of a building. For smaller lots in different zones, there are smaller setbacks, but the majority of developments in the City have a 15-foot side setback and 30-foot front and rear setback. Council Member Smith stated that he would dare say there are many stairwells that do not meet City Code and he is leaning toward allowing the stairwell to encroach into the setback rather than requiring someone to make a modification to the structure to adhere to setback requirements. Mayor Ostler

agreed and indicated that descending stairwells in a rear yard would not be seen from the road. Council Member Smith agreed.

Mayor Ostler opened the public hearing at 8:35 p.m.

There was no public comment.

The public hearing was closed at 8:35 p.m.

Council Member Scott L. Smith MOVED that the City Council accept the findings and APPROVE the proposed amendment to the setback requirements in the R-1-40, R-1-30, and R-1-20 zones with the stipulation recommended by the Planning Commission to measure the setbacks from "property line, back of asphalt, back of curb, or back of sidewalk, whichever is closest to the structure", as shown in Exhibit A, and add the stairwell exception for stairwells descending below grade.

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 Sarah D. Petersen	*Yes*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Yes*

The motion passed 5:0.

7. ACTION: PRESSURIZED IRRIGATION SERVICE AGREEMENT WITH BETH WILSON *Administrative – Andy Spencer, City Engineer/Public Works Director*

The City Council will consider a request to approve a pressurized irrigation agreement associated with the Beth Wilson family for property located at 9730 N. 6800 W. thereby allowing them to receive their flood irrigation water shares through Highland City's pressurized irrigation system. The Council will take appropriate action.

City Engineer/Public Works Director Spencer explained previous Mayors and Councils have provided staff with direction to look at possibilities of eliminating the Harmon Ditch. To accomplish this the Council approved an PI agreement with the Peck's. The final property that needs to be addressed is the Beth Wilson property. The Wilson family is the sole user left on the Harmon Ditch. The Harmon Ditch has been a cause for concern for several years to Highland City residents in this area. The agreement will allow the ditch to be abandoned and filled which will help alleviate the resident concerns which are varied, but include the dangers of flooding, hazards associated with an open flowing ditch, weed control, and general aesthetics. The diversion point for this ditch is located on the Murdock Canal which is approximately one mile to the north of this location. The Harmon ditch passes through Canterbury North, Canterbury South, Wimbleton, The Hollows, and Shady Acres subdivisions. Much of this ditch is open, running through the back yards. With development fences, landscapes, etc. it has become more difficult to operate and maintain this ditch. Working with the Wilson Family, Lehi Irrigation Company and Millhaven Development, funding has been allocated to resolve the concerns associated with the ditch abandonment. Millhaven has agreed to participate in the cost of the sprinkler system in lieu of the cost to pipe a small portion of the Harmon Ditch. The Wilson family has agreed to receive their water shares through Highland City's pressurized irrigation system. To facilitate this supply Highland City has installed a 2" irrigation

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service to the property and will install a 2" meter to monitor the usage of water delivered to this property. Funds have been made available through Lehi Irrigation Company and Millhaven Development to install a sprinkler system to the Wilson property and allow them to water in this manner. A bid was received to install the system for approximately $20,000.00. These funds will be paid directly to the Wilson family from Lehi Irrigation Company and Millhaven Development. Per the Agreement, 5.8-acre feet of water will be placed in Highland City's pressurized irrigation system. The Wilsons will receive 3.19-acre feet per season through a meter placed on the City's system. Highland City will receive the remaining 2.61-acre feet to use in the City system. The Wilson family will retain ownership of the water and pay all the assessments to Lehi Irrigation and Highland Conservation District until the property is either sold or developed. If any overages exceeding 3.19-acre feet occur the Wilson family will pay the current overage rate of $2.65 per 1000 gallons. They will not be charged a monthly assessment for watering the field area. After 10-years, the owners will be charged $40/acre-foot in a similar fashion matching the agreement with Pecks. They will continue to pay for the watering around the house as a separate connection and bill. Funding for this expense is included within the budget as follows: $1,542.90 for the two-inch meter will come from the pending Open Space sale funds from Wimbleton as the open space will have the benefit of the ditch abandonment.

Council Member Smith referenced previous actions similar to what is being proposed tonight and asked if those have proved to be beneficial to the City. Mr. Spencer answered yes and discussed arrangements with other landowners on the ditch system and the benefit of the additional water the City has experienced. There have been no problems with access to water and eventually the ditch can be filled in. Council Member Smith inquired as to the timeline for filling in the ditch. Mr. Spencer stated that upon the completion of needed improvements to ensure adequate irrigation of abutting properties, Lehi Irrigation can work with property owners and developers to abandon the ditch and fill it in.

Council Member Scott L. Smith MOVED that City Council approve the Agreement, updated on July 19, 2022, with Beth Larsen Wilson and fund the cost of the 2" meter from proceeds from the sale of property from the Wimbleton Subdivision.

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 Sarah D. Petersen	*Yes*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Yes*

The motion passed 5:0.

Mayor Ostler thanked Mr. Spencer for his efforts to negotiate this agreement with the Wilson family.

8. ACTION: REVISED ENCROACHMENT POLICY AND MAINTENANCE AGREEMENT *Legislative – Rob Patterson, City Attorney*

The City Council will continue its consideration of policies regarding existing and future encroachment by residents onto city-owned property. The City Council will also consider modifications to the standard Maintenance Agreement that allows residents to improve and maintain private landscaping on city-owned property to ensure the Agreement conforms to the Encroachment Policy. The Council will take appropriate action.

City Attorney Patterson explained the City Council has discussed private encroachments on City property on numerous occasions. The Council previously established a committee with Councilmembers Bills and Petersen to provide suggestions to the Council regarding a formal encroachment policy. On April 19, 2022, the City Council considered the draft Encroachment Policy and revised Maintenance Agreement. After discussion, the Council provided suggestions on language in the draft Policy and Maintenance Agreement. In particular, the Council was concerned regarding punitive versus positive language and the proposed process and criteria for reviewing and allowing encroachments, and asked that the Committee re-evaluate those documents and then come back to the Council for continued review and discussion. The Committee thereafter met and made updates to the documents for Council's review. Mr. Patterson summarized the policy and the terms of the revised maintenance agreement and facilitated high level discussion among the Mayor and Council regarding such; the major change to the maintenance agreement is that sprinklers can only extend to a maximum of 2,500 square feet of irrigated area in order to reduce the cost and demand on the City's pressurized irrigation system. There was a brief focus on topic such as the cost to enter into the agreement, transferability of the agreement upon a property sale, five-year term of the agreement, record keeping for past maintenance agreements, and recording fee.

Council Member Smith suggested that the City proceed slowly and address subdivisions in which encroachment has occurred on an individual basis rather than trying to address the entire City at the same time. The Council and staff agreed this is the most appropriate method for proceeding and the Council indicated they will develop a list of properties and prioritization for addressing encroachment on them.

Council Member Smith stated that it is true that taxpayer funds have been used to acquire open space, and bonding has been used to develop park space, but it is his understanding that for the original 18 open space neighborhoods, there was a requirement for the developer to donate property in order to secure density. He asked if there is documentation that the City actually purchased the property. He stated the City did not actually spend taxpayer money to get the property and it is important to adjust the language in the maintenance agreement so there is no misunderstanding of how the property was received by the City. City Attorney Patterson stated that he actually used the word 'acquired' because it does not mean 'purchase'; there are many different methods by which the City can acquire property.

Council Member Sarah D. Petersen MOVED that City Council approve the Resolution adopting the Highland City Encroachment Policy, the Maintenance Agreement template, and $25 application fee, and the recording fee.

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 Sarah D. Petersen	*Yes*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Yes*

The motion passed 5:0.

The Council requested an item on the August 2 agenda to begin reviewing the list of areas in which enforcement action will occur. Council Member Peterson requested a map of the areas so that she can walk through the areas before discussing and considering action.

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9. RESOLUTION: ADOPTION OF THE DESIGNATION OF DISPOSABLE PROPERTIES *Legislative – Kellie Smith, Planner & GIS Analyst*

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.

Planner and GIS Analyst Smith summarized prior Council direction regarding this matter; on June 15, 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. She summarized 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.

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 (P.I.) system. The City's consultant engineer that works with the P.I. system did a brief analysis of the existing P.I. system in the Twin Bridges area. Mayor Ostler and Councilmember Brittney Bills met to discuss the possible disposal of the property. They have recommended that the property in orange be sold as shown below:

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Mayor Ostler invited input from Amalia Cook. Ms. Cook identified the location of her home on the image above; she wants to preserve her access to the open space as this was something that was very appealing to her when she purchased the property. She stated that when she installed a retaining wall, she also installed steps with the idea that she could eventually buy the property and continue to access it. She is comfortable with the surplus action so long as she can preserve her access.

Mel Cook stated that he is Amalia's husband and he agreed with her comments; he respects the public property, but he likes to access the trails and public property from his own property.

Mayor Ostler addressed the triangle shaped property and asked if all five property owners who abut the triangle have agreed on how to split the property if it is purchased. Mr. and Mrs. Cook stated that has been discussed, but a final decision has not been made.

Brady Giles stated that he owns one of the properties that touches the triangle property, and he does not want the Council to have to make the decision on how the property will be divided. He believes that the property owners can continue to work with one another to decide upon how the property will be divided and bring that proposal back to the City. Mayor Ostler and Council Member Rodela indicated that if those negotiations are difficult and may harm relationships between neighbors, the Council is willing to make the decision for them. Mr. Giles stated the neighbors have tried to figure out where to draw property lines and they will continue to work toward that end. Mayor Ostler stated that the Council can act on the surplus action tonight, with the stipulation that residents will continue to negotiate the property split and bring a final proposal back to the Council. Mr. Giles stated his only concern is that the price per square foot has been adjusted since the matter was first discussed. Mayor Ostler stated the price per square foot last year was $2.74 and this year it is $3.14. The Council indicated they will hold the $2.74 price per square foot for this transaction.

Grant Carlson stated that he has discussed this matter with his neighbors and he and Mr. Giles did have some disagreements about how it should be divided. He stated he is willing to continue those discussions and bring a formal recommendation back to the Council. He agrees with the Cook about the biggest issue being the desire to preserve access to the open space.

Ms. Cook stated that the past meetings between residents have been chaotic; each property owner has their own interests, and she suggested a meeting between all residents and a member of City staff that could possibly mediate. Council Member Bills stated that she would like all five parties to individually create their own plan and submit that to the Council for consideration.

The Mayor and Council then provided the residents with a rough idea of how they propose to divide the land among the neighbors; Mayor Ostler indicated that he feels that the Council's proposal would actually increase their individual property values.

Kristin Giles stated she believes all residents are interested in preserving the open feeling around their property; no one wants to put in a fence or a sports court that would detract from the view of the homeowners. However, if someone sells their home, she wondered if a future owner would build something that would impact the neighboring property owner. She stated that it is important to understand that the decision that is made will not only impact the property now, but for the next 20 years.

Mayor Ostler stated that he feels there may be some hard feelings among the residents, and he suggested the Council make the decision on how the property will be divided to avoid hurt feelings. Mr. Giles stated he feels the residents can reach an agreement together. Council Member Rodela stated she is comfortable acting on the surplus action and allowing the residents to work together to come up with a recommendation regarding how the property will be divided among the five of them.

Ms. Cook asked that the Council include conditions on the surplus action that would prevent fencing or other improvements that would impact neighboring property owners. City Attorney Patterson stated that the City can record restrictions on the property upon direction from the Council. This led to discussion among the Council and staff regarding the need for a conservation easement to preserve City access to the property; there was also discussion about fencing and landscaping restrictions that may be appropriate.

Council Member Peterson stated she feels the Council should only vote on the surplus action and the sales price and all other matters can be discussed and acted upon in the future after the residents provide their recommendation to the City.

Council Member Sarah D. Petersen MOVED that the Council ADOPT the resolution to designate the parcels as disposable, as shown in the exhibit in the staff report, at the $2.74 per square foot rate, to be purchased before July 19, 2023.

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 Sarah D. Petersen	*Yes*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Yes*

The motion passed 5:0.

Council Member Bills invited any of the five residents to email Council Members individually if they have recommendations about the property division.

10. ACTION: CONTRACTOR SELECTION FOR COUNCIL CHAMBER AV UPGRADE *Administrative – Erin Wells, Assistant City Administrator*

The City Council will select a vendor for the AV upgrade in the City Council chambers.

Assistant City Administrator Wells explained that on May 3, City Council gave direction for staff to solicit bids on the following repairs and upgrades:

- Replace the non-functional mic
- Fix damaged mic connections causing crackling noise
- Replace the projector
- Update the recording system for better quality and user control
- Replace the dias monitor with individual monitors that have annotating capabilities
- Add a countdown timer on screen for public comments

GENCOMM was the low bidder and she played a video that illustrates their plans for the AV upgrade. There was brief discussion among the Council and Ms. Wells regarding certain improvements to the audio-visual equipment, after which Shawn Sandberg of GENCOMM, provided a brief description of the improvements to the Zoom interface, which will allow any remote participant to get a direct feed of the meeting. YouTube participation will also still be allowed, but that will be for viewing only, not participation.

Mayor Ostler inquired as to the recurring costs the City will experience following completion of the upgrade cost. Mr. Sandberg stated the City will pay ongoing cost for Zoom licenses; ongoing maintenance agreements are an option with GENCOMM, but that is not a requirement.

Council Member Ball asked if fuel surcharges can be capped. Mr. Sandberg stated that he does not expect to bill a large fuel surcharge given that GENCOMM is very close to the Highland City offices and there will not be a great deal of travel involved.

There was then brief discussion about the timeline for installation of the upgrades and opportunities for proceeding with future upgrades without a great deal of effort or cost. Mr. Sandberg stated he will provide options for further upgrades for Council review.

Council Member Scott L. Smith MOVED that the City Council authorize staff to sign a contract with GENCOMM for the Council Chambers AV upgrade for an amount of $45,348, with the stipulation that we address possible upgrades in the future.

Council Member Timothy A. Ball SECONDED the motion.

The vote was recorded as follows:

Council Member Timothy A. Ball	*Yes*
Council Member Brittney P. Bills	*Yes*
Council Member Sarah D. Petersen	*Yes*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Yes*

The motion passed 5:0.

11. AGREEMENT: MEMORANDUM OF UNDERSTANDING - HEAT PROGRAM

Administrative – Candice Linford, Treasurer & Business Licensing Official and Tyler Bahr, Finance Director

The City Council will consider participation in the State's HEAT program. The Council will take appropriate action.

Treasurer and Business Licensing Official Linford explained that throughout the process of developing the FY2023 budget, the Council expressed desire for a program to assist residents who are on a fixed income or otherwise struggle to afford rising utility costs. In council meetings and work sessions on May 3, May 17, and June 6, the Council directed staff to identify such a program. The Utah Department of Workforce Services manages the Home Energy Assistance Target (HEAT) program which provides year-round energy and water assistance as well as energy and water-related crisis assistance for eligible low-income household throughout the State. Qualified applicants may be eligible for assistance with culinary water, sewer, stormwater, and TSSD utility charges. The program does not cover other utility-related charges such as pressurized irrigation, public safety fee, and road fee. Eligibility for HEAT assistance is determined as follows:

- The total household income is at or below 150% of the Federal Poverty Level;
- The household is responsible for paying home energy costs; and
- The household contains at least one US citizen or qualified non-citizen.

Residents can apply for the HEAT program by completing an application online, delivering a hardcopy application to a local HEAT office, or calling the HEAT program line. They will be required to provide:

- A copy of their power, heat and water bills
- Proof of ALL income received by all household members in the month prior to the month of application
- Proof of any eligible medical expenses, child support and alimony paid in the month prior to the month of application
- Proof of disability, if applicable
- Additional document, if required.

If the Council desires to move forward with the program, staff will communicate its availability through the City newsletter, utility bill messages, social media, and the City's website. Once the program is implemented, staff will monitor requests for assistance and evaluate if there is a need to establish additional relief options for charges and fees that are not HEAT eligible. Staff and legal have reviewed and approved the proposed Memorandum of Understanding (MOU) as to form and participation in the HEAT program will have no fiscal impact on the City other than potentially assisting residents in paying utility bills more timely.

The Council and staff discussed eligibility for the program and a potential hybrid program that would allow the City to provide support for residents who are not accepted into the State's program. Ms. Linford stated staff currently does work with individuals who are struggling to pay their utility bills; she offers extensions and negotiates bill/late fee amounts.

Council Member Bills inquired as to the number of Highland residents who would actually qualify for this program. Finance Director Bahr noted that depends on household size and income; it is his understanding that six to seven percent of City residents would qualify for participation in the State's program.

Council Member Timothy A. Ball MOVED that City Council approve and direct the City Administrator to execute the Memorandum of Understanding with the Utah Department of Workforce Services to participate in the HEAT program, to be used in conjunction with current city programs.

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 Sarah D. Petersen	*Yes*
Council Member Kim Rodela	*Yes*

Council Member Scott L. Smith Yes

The motion passed 5:0.

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. Draft Trail Maintenance Plan – *Andy Spencer, City Engineer/Public Works Director*

City Engineer/Public Works Director Spencer summarized the intent of the Trail Maintenance Plan; Mr. Spencer stated this is a draft of the Plan and he invited the Mayor and Council to review it and provide feedback regarding desired changes.. Staff looks forward to discussing Council priorities for completion of projects.

b. General Fund Financial Sustainability and Capital Facility Plan – *Nathan Crane, City Administrator/Community Development Director*

Mayor Ostler announced this item will be discussed at a later date.

c. Park Impact Fees – *Tyler Bahr, Finance Director*

Finance Director Bahr reported the City's Financial Advisor, Lewis Young, Robertson Burningham (LYRB) has provided assessments for Park Impact Fees; this will come back to the Council for formal action, but it is important to understand the level of buy-in and the manner in which park impact fee revenues can and should be used. There was a brief discussion about the use of revenues for debt service and capital projects.

d. Commercial Fire Sprinkler Requirements – *Brian Patten, Fire Chief*

Mayor Ostler announced this item will be discussed at a later date.

e. FY22 Expenditures – *Tyler Bahr, Finance Director*

Finance Director Bahr provided the Council with the Fiscal Year (FY) 2022 expenditure report; the report is preliminary in nature and will change upon further transfers, purchases, and delivery of ordered equipment.

f. Sales Tax Review – *Tyler Bahr, Finance Director*

Finance Director Bahr reported that the City's sales tax revenue projection has been increased by $300,000 to $3.325 million; this is an 8.3 percent increase over last year sales tax revenues continue to exceed expectations and could reach $3.6 million at the end of FY22. He provided a chart illustrating a month-to-month comparison of sales tax revenues.

g. Mountain Ridge Park Door Recognition Wall – *Nathan Crane, City Administrator/Community Development Director*

Mayor Ostler announced this item will be discussed at a later date.

h. Future Meetings

- July 26, Planning Commission Meeting, 7:00 pm, City Hall

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- August 2, City Council Meeting, 7:00 pm, City Hall
- August 10, Lone Peak Public Safety District Meeting, 7:30 am, City Hall
- August 16, City Council Meeting, 7:00 pm, City Hall
- August 23, Planning Commission Meeting, 7:00 pm, City Hall

i. Moderate Income Housing

Planner & GIS Analyst Smith reported on the need to consider appropriate action to comply with moderate-income housing laws in the State of Utah; the City must identify three strategies for providing moderate income housing with a measurable timeline and the date for submitting these strategies to the State is October 1. The Planning Commission is working on the issue and will be providing a recommendation to the Council in August.

13. CLOSED SESSION

The City Council may recess to convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, and pending or reasonably imminent litigation, as provided by Utah Code Annotated §52-4-205.

At 10:23 pm Council Member Scott L. Smith MOVED that the City Council recess to convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, and pending or reasonably imminent litigation, as provided by Utah Code Annotated §52-4-205.

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 Sarah D. Petersen	*Yes*
Council Member Kim Rodela	*Yes*
Council Member Scott L. Smith	*Yes*

The motion passed unanimously.

Council Member Scott L. Smith MOVED to adjourn the CLOSED SESSION and Council Member Timothy A. Ball SECONDED the motion. All voted in favor and the motion passed unanimously. All voted in favor and the motion passed unanimously.

The CLOSED SESSION adjourned at 12:40 am.

ADJOURNMENT

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

The meeting adjourned at 12:40 am.

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 July 19, 2022. This document constitutes the official minutes for the Highland City Council Meeting.

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Stephannie Cottle
City Recorder

DRAFT

AGENDA NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #3b

DATE: September 6, 2022
TO: Honorable Mayor and Members of the City Council
FROM: Donna Cardon, Library Director
SUBJECT: Library Board Appointment
TYPE: **ADMINISTRATIVE:** The Council is acting in its capacity to give advice and consent to the Mayor to appoint members to the Library Board.

PURPOSE:
City Council will consider the appointment of Rachel Farnsworth to the Library Board.

BACKGROUND:
The Highland City Library Board consists of seven members who serve for a three-year term. Each year at the end of June, some of the terms expire. This June, three terms expired: Seat 2 held by Briawna Hugh, Seat 3 held by Kevin Tams and Seat 6 held by Roger Dixon. On August 16th the Council appointed Wesley Warren to fill seat 6 and Kevin Tams to fulfill another term in seat 3.

The Library Board has received a Volunteer Statement of Interest from Rachel Farnsworth. Ms. Farnsworth is a successful entrepreneur who owns her own online business related to cooking with 100 million users each year. She is also the author of two cookbooks. She stated in her application, "I am actively looking to volunteer in my community and the Library Board is a fit for me as an avid reader, author, and supporter of public libraries."

On August 25, 2022, the Library Board considered Ms. Farnsworth's application and decided to recommend her to the Mayor and City Council for appointment to the Library Board to fill Seat 2. Mayor Ostler has met Ms. Farnsworth and is recommending her to the Council for their approval and consent. If Ms. Farnsworth is appointed, all the seats on the Library Board will be filled.

FISCAL IMPACT:
None

MOTION TO APPROVE
I propose that Rachel Farnsworth be appointed to fill Seat 2 on the Highland City Library Board.

ATTACHMENTS:

1. Rachel Farnsworths Volunteer Statement of Interest (redacted)
2. Library Board Members August 16, 2022

HIGHLAND CITY

5400 W. Civic Center Dr., Suite 1 • Highland, UT 84003
(801) 756-5751 • Fax (801) 756-6903

Highland City Volunteer Statement of Interest

The residents of Highland have great pride in their City. The City utilizes many volunteers in numerous capacities to improve the overall quality of life in our town. In order to encourage this participation, the Mayor is requesting statement of interests from those who are willing to serve. As vacancies or needs arise within the City, the Mayor will review the statements, conduct interviews and make selections. If you are interested in serving as a volunteer within Highland City, please submit this statement of interest to the City Offices.

Name: Rachel Farnsworth Date: 08/09/2022

Residence address: [redacted]

Phone number: [redacted] Email: [redacted]

Please fill out the following or attach a resume listing expertise, experience, interests, etc.

How long have you resided in Highland City? 4 years

Occupation: Self Employed Entrepeneur

Education: BS Marriage Family and Human Development, BYU

Are you able to meet in the evenings? yes Semi-monthly: yes Monthly: yes

List any background and experience you have that you think would be helpful to the Committee or Commission you would like to serve: I'm a best selling author and have published two cookbooks. I built an online publication that is used by approximately 100 million people each year, has over 11 million followers across social media, and employs 7 people. Over the years I have consulted for numerous businesses, including Meta, Inc. I have experience managing budgets up to seven figures and have experience in public relations, event planning, and business management.

Please state why you would like to serve: I am actively looking for ways to volunteer in my community and the library board is a fit for me as an avid reader, author, and supporter of public libraries. Libraries are the keepers of knowledge and I am enthusiastic in my support of librarians and library services and the benefits they bring to our community.

If not selected for an immediate opening, do you wish to be considered for the next opening? yes

Additional comments: _____

Please select which committee(s) you are interested in serving on: *(submittal of this form does not guarantee an appointment)*

Standing Committees

- ☐ Arts Council
- ☐ Friends of the Library
- ☐ Highland Fling
- ☐ Historical Society
- ☐ Library
- ■ Library Board
- ☐ Parks, Trails & Tree Commission
- ☐ Planning Commission
- ☐ Youth Council

Ad Hoc Committees

- ☐ Beautification Committee
- ☐ Inclusivity Committee

Highland City Library Board Seats and Expiration Dates				
Seat	*Current Board Member*	*Appointed*	*Term Expiration*	*Notes*
1 (City Council)	Kim Rodela	01/14/2020	06/30/2023	Serving first full term.
2		06/18/2019	06/30/2022	Seat vacated by Briawna Hugh after one full term of service.
3	Kevin Tams	8/16/2022	06/30/2025	Filled the vacant seat left by Edgar Tooley for February-June 2022. Mr. Tams was reappointed 8/16/2022 to serve his first full-term.
4	Claude Jones	07/17/2018	06/30/2024	Serving his second full term
5	Lynn Lonsdale	9/7/2021	06/30/2024	Serving first her full term
6	Wesley Warren	08/16/2022	06/30/2025	Serving his first full term
7	Jessica Anderson	09/18/2018	06/30/2023	Originally appointed to a 2-year term to even out the term lengths. Serving her second full term.

AGENDA NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #3c

DATE: September 6, 2022

TO: Honorable Mayor and Members of the City Council

FROM: Kellie Smith, Planner & GIS Analyst

SUBJECT: **RESOLUTION/AGREEMENT:** Interlocal Cooperation Agreement – Active Transportation Plan with MAG & Alpine City

TYPE: **ADMINISTRATIVE:** The City Council will be acting administratively to enter into an interlocal agreement.

PURPOSE:

The City Council will consider entering into an interlocal cooperation agreement with Mountainland Association of Governments (MAG) and Alpine City for an Active Transportation Plan. The Council will take appropriate action.

PRIOR COUNCIL DIRECTION:

On June 21st, 2022, the City Council adopted the budget for FY2023. The budget included $3,400 in Special Projects for Planning & Zoning to use toward funding the Active Transportation Plan.

BACKGROUND:

In October 2021, Highland and Alpine applied for State funding for a joint Active Transportation Plan.

On February 3rd, 2022, the Mountainland MPO Regional Planning Committee added the Alpine/Highland Joint Active Transportation Plan to the Transportation Improvement Plan (TIP). The approved maximum cost for the project was $100,000.

Five proposals were submitted to MAG for the project. After reviewing and ranking each of the proposals, the steering committee met and decided to award the project to Horrocks Engineers. The total cost of the Active Transportation Plan is $100,000.

The Interlocal Cooperation Agreement details the required 6.77% match of the total cost of the project. The match was agreed by the steering committee to be split between Highland and Alpine with Highland paying 60% and Alpine 40%. This brings the total cost for Highland City to $4,062.

FISCAL IMPACT:

The cost of Highland City's portion of the 6.77% match for the Active Transportation Plan is $4,062. Funding for this expense is included in GL 10-52-25, Special Projects for Planning & Zoning within the FY2023 budget. This exceeds the budgeted amount by $662. The unbudgeted amount will be taken from savings elsewhere.

STAFF RECOMMENDATION:

Staff recommends the City Council **APPROVE** the Interlocal Cooperation Agreement with Mountainland Association of Governments and Alpine City for an Active Transportation Plan.

MOTION TO APPROVE:

I move that the City Council **APPROVE** the Interlocal Cooperation Agreement with Mountainland Association of Governments and Alpine City for an Active Transportation Plan.

ATTACHMENTS:

1. Resolution – Exhibit A: Interlocal Cooperation Agreement between Mountainland Association of Governments and Alpine City and Highland City
2. Horrocks – Alpine/Highland Active Transportation Plan Proposal

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF THE INTERLOCAL COOPERATION AGREEMENT WITH MOUNTAINLAND ASSOCIATION OF GOVERNMENTS AND ALPINE CITY REGARDING THE JOINT ACTIVE TRANSPORATION PLAN

WHEREAS, On February 3rd, 2022, the Mountainland MPO Regional Planning Committee has approved the Alpine/Highland Joint Active Transportation Plan and added it to the Transportation Improvement Plan;

WHEREAS, the Mountainland Association of Governments ("MAG") authorized up to $100,000 for the Active Transportation Plan;

WHEREAS, Horrocks Engineers has been awarded the project to complete the Active Transportation Plan;

WHEREAS, Highland City and Alpine City are required to provide a 6.77% match of the total cost of the project, with Highland paying 60% and Alpine paying 40% of the match;

WHEREAS, Highland City desires to enter into an interlocal agreement with MAG to accomplish the transportation project and provide for Highland City's matching contribution;

WHEREAS, the City Council finds that the execution and performance of the interlocal agreement will help the City provide for the safety, welfare, and wellbeing of its residents;

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

1. The City Council approves of Highland City entering into the Interlocal Cooperation Agreement Between Mountainland Association of Governments and Alpine City and Highland City For a Project Known as Alpine/Highland Active Transportation Plan, which agreement is attached hereto as Exhibit A.

2. The City Council authorizes the Mayor and City Staff, as necessary, to execute and carry out the Interlocal Agreement according to the terms set forth therein.

3. This resolution shall take effect immediately upon adoption.

RESOLVED AND PASSED BY THE CITY COUNCIL OF HIGHLAND CITY, UTAH, this _____ day of _____, 2022.

_____
Kurt Ostler, Mayor

ATTESTED:

_____
Stephannie Cottle, City Recorder

COUNCIL MEMBER	YES	NO
Timothy A. Ball	☐	☐
Brittney P. Bills	☐	☐
Sarah D. Petersen	☐	☐
Kim Rodela	☐	☐
Scott L. Smith	☐	☐

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EXHIBIT A

Agreement No. 2022-1
Account No. AT 2022

INTER-LOCAL COOPERATION AGREEMENT
between
MOUNTAINLAND ASSOCIATION OF GOVERNMENTS and
ALPINE CITY AND HIGHLAND CITY

For A Project Known As

ALPINE/HIGHLAND ACTIVE TRANSPORTATION PLAN

THIS AGREEMENT, made and entered into this 10 day of August 2022, by and between **MOUNTAINLAND ASSOCIATION OF GOVERNMENTS (Program Manager)**, an inter-local agencyof the State of Utah, with principle offices located at 586 East 800 North, Orem UT and **ALPINE CITY AND HIGHLAND CITY (Project Sponsors)**, each a political subdivision of the State of Utah, with principle offices located at 20 North Main Street Alpine, UT, and 5400 Civic Center Dr, Highland, UT, respectively.

RECITALS:

WHEREAS, the Utah Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated (1953), as amended, permits local governmental units including cities, counties, inter-local agencies and political subdivisions of the State of Utah to make the most efficient use of their powers by enabling them to cooperate with other public entities on the basis of mutual advantage and to exercise joint cooperative action for the benefit of their respective citizens; and

WHEREAS, the Program Manager and the Project Sponsors desire to facilitate the completion of a comprehensive Active Transportation planning project known as ALPINE/HIGHLAND ACTIVE TRANSPORTATION PLAN which consists of planning for the safe, integrated and feasible Active Transportation elements of each entity's community; and

WHEREAS, the Project Sponsor approved this Agreement by the commission, board, council, or other body or officer vested with the executive power of the public agency.

WHEREAS, the Program Manager approved this Agreement by the commission or officer

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vested with the executive power.

NOW THEREFORE, in consideration of the covenants and agreements contained herein and other valuable consideration, the sufficiency of which is hereby acknowledged, the Program Manager and the Project Sponsor hereby agree as follows:

Section 1. PURPOSES.

This Agreement has been established and entered into between the Program Manager and the Project Sponsor for the purpose of outlining the respective rights and responsibilities of the Program Manager and the Project Sponsor in the construction of the Approved Project.

Section 2. ADMINISTRATION OF AGREEMENT.

The parties hereto agree that, pursuant to Section 11-13-207, Utah Code Annotated, 1953 as amended, the Mountainland Association of Governments TIP Projects Manager shall act as the administrator responsible for the administration of this Agreement. The parties further agree that this Agreement does not anticipate nor provide for any organizational changes in the parties. The administrator agrees to keep all books and records in such form and manner as the Mountainland Financial Manager/Auditor shall specify and further agrees that said books shall be open for examination by the parties hereto at all reasonable times.

Section 3. MULTIPLE JURISDICTIONS.

If a project is within multiple jurisdictions and/or agencies, each agency will enter in to this interlocal agreement and interface with the Program Manager as Joint Project Sponsors. Each Joint Project Sponsor will be responsible for payment of their individually assessed portion of the required local matching funds.

Section 4. EFFECTIVE DATE; DURATION.

This Agreement shall become effective and shall enter into force within the meaning of the Interlocal Cooperation Act, upon the submission of this Agreement to, and the approval and execution hereof by the governing bodies of the Program Manager and the Project Sponsor. The term of this Agreement shall be from the date of execution hereof until the terms and obligations identified herein are completed, but in no event longer than 3 years from the execution date.

Section 5. NO SEPARATE LEGAL ENTITY.

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The Program Manager and the Project Sponsor do not contemplate nor intend to establish a separate legal or administrative entity under the terms of this Agreement.

Section 6. TERMS.

1) **Project Scope –** Production of Active Transportation Plans that address the needs of each community jointly and separately.

2) **Procurement** - The Project Sponsors hereby designate Mountainland Association of Governments (MAG) as the Project Manager. Project Manager shall procure consultant planning services for and in behalf of the Project Sponsors, and will follow established MAG procurement policies and procedures.

3) **Project Completion** - Program Manager will work with Project Sponsors in order to establish the proper and satisfactory completion of the Project.

4) **Project Hold** - The Program Manager has the authority to place a project on hold at any time during the project development process or withhold reimbursement of invoices during the planning process if the Program Manager deems that the Approved Project is not within the Approved Project scope or budget. The Program Manager shall notify the Project Sponsors of the hold in writing and will work with the Project Sponsors to rectify the issues promptly. If the Project Sponsors and Program Manager cannot bring the Approved Project back into scope or if additional funding is needed above what the Program Manager or the Project Sponsors can provide, the issues will be brought to the Mountainland MPO committees for their review, recommendations, resolutions, and approvals.

5) **Total Project Cost** - Both the Program Manager and Project Sponsors acknowledge that the Approved Project has been authorized by the Mountainland MPO Regional Planning Committee (Utah County Commission must also approve if county funds are used) to be funded at an amount not to exceed $100,000 (Total Project Cost) for the direct costs of the Approved Project.

    a) **Matching Funds -** The Project Sponsors are required to pay a match or portion of the Total Project Cost. This amount is 6.77% of the Total Project Cost, or $6770.00. The Project Sponsors have agreed that Alpine City will pay 40% of the total, or $2708.00, and that Highland City shall pay 60% of the total, or $4062.00. MAG shall invoice each Project Sponsor for their respective shares. Should the Project be completed under the budgeted amount, the Project Sponsors shall be reimbursed on a pro-rata basis.

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b) **Funding Availability** - MAG Exchange funds are distributed to the MPO generally in October each year through a cooperative agreement with UDOT. The exchange process requires that MPO federal funds be exchanged with UDOT for state funds on an annual basis. The federal funds are made available by congress, the release of funds can fluctuate yearly. County Transportation Sales Tax funds are generally available each January and are generated by sale tax revenue, which can fluctuate with the economy. MAG will not reimburse expenses on an Approved Project unless funding is made available by UDOT and Utah County. This could require the Approved Project to be placed on hold by the Program Manager or that the Project Sponsor advance their own funds toward the Approved Project with reimbursement to be made by the Program Manager upon receipt of available funding from UDOT and/or Utah County.

c) **Cost Overruns -** The Project Sponsors may request additional funds above the approved Total Project Cost with supporting documentation demonstrating the need for additional funds. The Program Manager may approve up to 10% of the Total Project Cost up to a maximum of $500,000. The MPO Regional Planning Committee can approve higher amounts (Utah County Commission must also approve if county funds are used). The addition of these contingency funds would require a modification to this Agreement. If no additional funds are awarded or the Approved Project still requires additional funds, the Project Sponsors will be responsible to fund the overrun.

d) **Surplus Funds -** Any surplus funds remaining after the completion of the Approved Project will be returned to the Mountainland or Utah County fund balance to be reallocated to other projects selected through the MPO project selection process. Note that Mountainland and Utah County selects and funds projects, not project sponsors. Surplus funds cannot be moved to a new project not already approved though the MPO project selection process. Any surplus funds paid by the Project Sponsor shall be returned to the Project Sponsor.

6) **Liability, Ownership and Maintenance of Approved Project** - The Project Sponsors bear all liability through all stages of project development. The Project Sponsors shall own and be responsible for all uses of the completed project.

7) **Other Expenses -** Except as otherwise expressly stated herein, all expenses not identified as a part of the Approved Project or executed prior to the Agreement shall be the sole responsibility of the Project Sponsors.

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8) **No Third-Party Rights** - The obligations of the parties set forth in this Agreement shall not create any rights in or obligations to any persons or parties other than to the Project Sponsors and Program Manager. This Agreement is not intended to nor shall it be construed to benefit any third party.

9) **Recitals -** The Recitals portion of this Agreement constitutes a part of this Agreement.

Section 7. FILING OF INTERLOCAL COOPERATION AGREEMENT.

Executed copies of this Agreement shall be placed on file with the official keeper of records of the Program Manager and the Project Sponsors, and shall remain on file for public inspection during the term of this Agreement.

Section 8. AMENDMENTS.

1) **Amending this Agreement** - This Agreement may not be amended, changed, modified or altered except by an instrument in writing which shall be one of the following: (a) approved by Resolution of the governing body of each of the parties, (b) executed by a duly authorized official of each of the parties, and (c) filed in the official records of each party.

2) **Change Orders** - Changes can occur throughout a project. Changes that are outside the scope outlined in this Agreement must be amended as stated above. Minor changes and adjustments that fall within the original project scope can be addressed with a change order. A change order does not require amending this agreement. A change order is defined as that additional effort necessary by reason of changed conditions which are radical, unforeseen, and completely beyond the control of the Project Sponsor. The Project Sponsor shall create the change order and keep records of them. Any additional costs incurred can be covered by the project contingency or by added local funding and should be addressed in the change order. If additional costs are more than the construction contingency and available local funds, the Project Sponsor shall contact the Program Manager to review funding options.

Section 9. SEVERABILITY.

If any term or provision of this Agreement or the application thereof shall to any extent be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to circumstances other than those with respect to which it is invalid or unenforceable, shall not be affected thereby, and shall be enforced to the extent permitted by law. To the extent permitted by applicable law, the parties hereby waive any provision of law, which would render

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any of the terms of this Agreement unenforceable.

Section 10. GOVERNING LAW.

All questions with respect to the construction of this Agreement, and the rights and liability of the parties hereto, shall be governed by the laws of the State of Utah.

Section 12. INDEMNIFICATION.

The Project Sponsors shall indemnify and hold the Program Manager harmless from any and all claims of liability for any injury or damage to any person or property whatsoever occurring in, on or about the Approved Project or any part thereof. The Project Sponsor shall further indemnify and hold the Program Manager harmless from and against any and all claims arising from any breach or default in the performance of any obligation on the Project Sponsor's part to be performed under the terms of this Agreement, or arising from any act or negligence of the Project Sponsor, or any of the Project Sponsor's agents, employees, contractors, subcontractors, or invitees and from and against all costs, reasonable attorney's fees, expenses and liabilities incurred in the defense of any such claim or any action or proceeding brought thereon. Both the Project Sponsor and Program Manager agree that the terms of this Agreement are subject to, and not a waiver of, the protections, immunities and liability limits of the Governmental Immunity Act, U.C.A. 63G-1-101, et. seq. The Project Sponsor's obligations under this provision shall survive the expiration or other termination of this Agreement.

Section 13. ENTIRE AGREEMENT

This Agreement shall constitute the entire agreement between the parties and any prior understanding or representation of any kind preceding the date of this Agreement shall not be binding upon either party except to the extent incorporated in this Agreement.

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IN WITNESS WHEREOF, the parties have signed and executed this Agreement, on the dates listed below:

For MOUNTAINLAND ASSOCIATION OF GOVERNMENTS:

DocuSigned by:
Jim Price 8/22/2022
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Jim Price, Project Manager

DocuSigned by:
Shawn Eliot 8/24/2022
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Shawn Eliot, Transportation Director

DocuSigned by:
LaNiece Davenport 8/25/2022
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LaNiece Davenport, Planning and Policy Director

DocuSigned by:
Michelle Carroll 8/25/2022
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Michelle Carroll, Deputy Executive Director

For ALPINE CITY:

DocuSigned by:
Carla Merrill 8/25/2022
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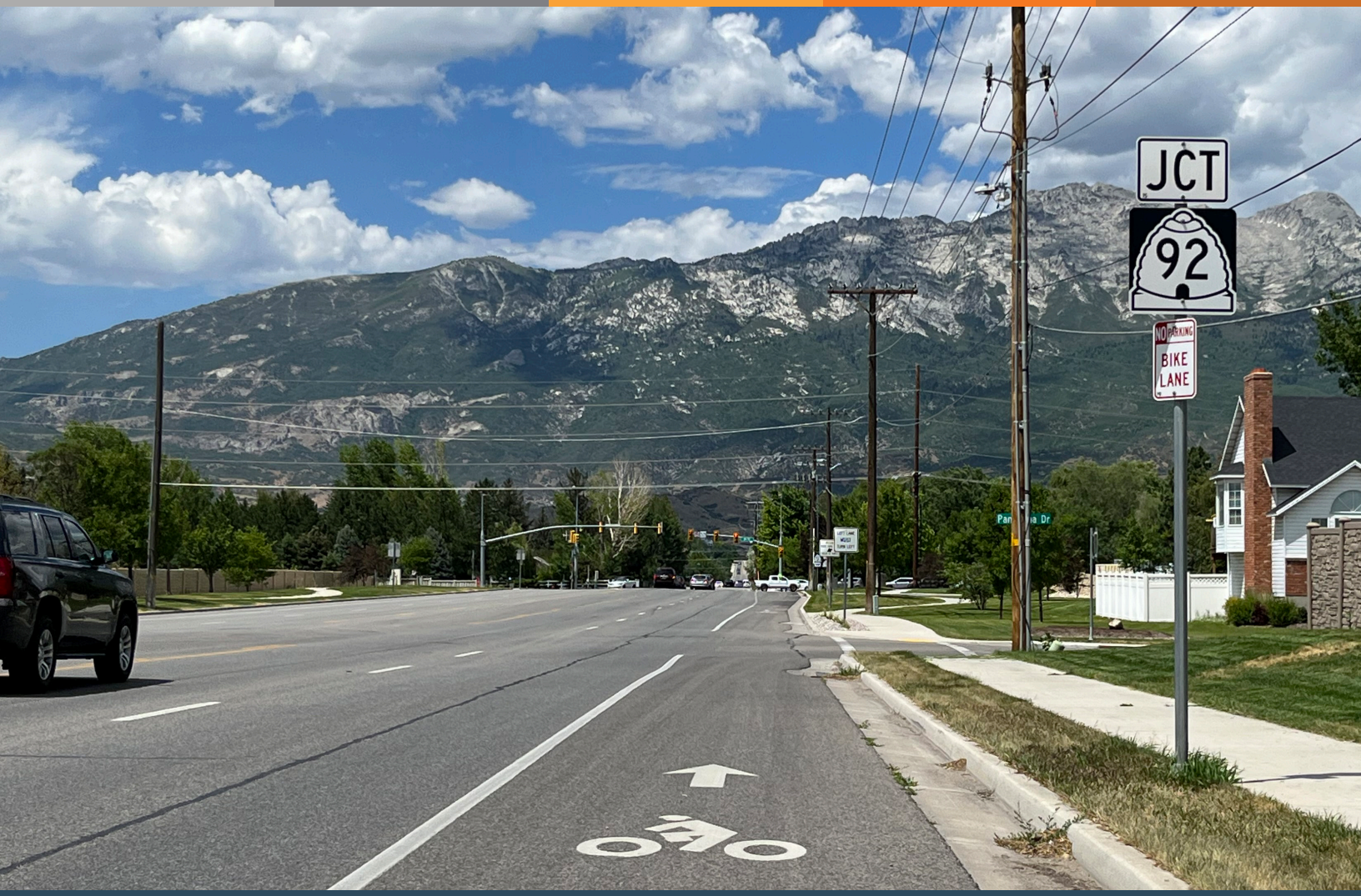
Carla Merrill, Mayor

For HIGHLAND CITY:

_____
Kurt Ostler, Mayor

ATTACHMENT #2:

HORROCKS
ENGINEERS



ALPINE/HIGHLAND

ACTIVE TRANSPORTATION PLANS STUDY

JULY 7, 2022

HORROCKS
ENGINEERS

July 7, 2022

Jim Price, AICP, Project Manager
586 East 800 North
Orem, UT 84097
t.801/400-8736
jprice@mountainland.org

SUBJECT: Mountainland MPO Alpine/Highland Active Transportation Plans Study

Dear Mr. Price:

In response to Mountainland Metropolitan Planning Organization (MMPO) request for proposals, we are excited to present our approach for the Alpine/Highland Active Transportation Plans Study. The following elements make us uniquely qualified to develop a unified active transportation planning document for the Cities of Alpine and Highland:

- **Project Team:** Horrocks' planning team is passionate about community-driven transportation planning to create meaningful plans that represent the cities they name. We have decades of experience in active transportation plans, trail networks, complete street design, feasibility studies, and cost estimating. We value reimagining right-of-way to create comfortable space for non-motorized users and enhance the livability for all ages and abilities. We have planning and design experience at the intersection, corridor, city, and regional levels knowing that connectivity and accessibility is key to a thriving active transportation network.
- **Local Context:** the team assembled for this effort has close relationships with both the cities of Alpine and Highland, and has worked closely with MMPO on a variety of projects including the recent Mountainland Association of Governments (MAG) Highway Grid Study, the SR-92 Tech Corridor Pedestrian Pathway, the Murdock Canal Connector, the Provo River Pathway, and others. We bring an advantage in that we know key players, have relationships with stakeholders, and are versed in many of the network needs of these communities.
- **Implementation and Funding:** Our backgrounds working in the public sector developing programs, plans, projects, and budgets makes us experts at crafting fundable plans, identifying a variety of grant sources, and providing any needed support for grant writing in the future. We have over a decade of FTA, FHWA, MPO, and DOT grant writing experience. We know what narratives make a project compelling, including the need for robust community input, adoption into local plans, and coordination with partners like UDOT and Utah Transit Authority (UTA).

Horrocks has had relationships with jurisdictions in Utah County for more than 50 years and we can confidently say we have assembled a strategic team to address the tasks indicated in this request for proposals. We are grateful for this opportunity and look forward to exceeding your expectations and continuing our long-term relationship. If you need any other information to assist you in the evaluation process, please let me know at Shane.Marshall@horrocks.com or 801-763-5164.

Sincerely,

Shane Marshall, PE
Principal-in-Charge, Horrocks Engineers
P: 801-763-5164 | E: Shane.Marshall@Horrocks.com

Horrocks-designed pedestrian bridge, part of SR-92 Tech Corridor Pedestrian Pathway.

PAST PERFORMANCE AND REFERENCES

Our team offers MMPO, Alpine City, Highland City and surrounding communities a well-rounded portfolio of relevant and local experience. We know what is required to make a plan actionable while ensuring it is easy to understand. We identify and provide a suite of tools for decision-making with the goal of arriving at consensus. Our decades of experience in active transportation planning and engineering, land use and transportation connections, master planning, and community engagement can help MMPO, key stakeholders, and the community develop a connected and comfortable active transportation network. The following showcases a small sampling of Horrocks' relevant project experience for both Utah County and with active transportation planning.

BRIAN HEAD MULTIMODAL CORRIDOR STUDY

Our team produced a final project list for Brian Head that included paved multi-use trials, new crosswalks, traffic calming facilities such as bulbouts and roundabouts, new connections to recreation trails, and elements of complete streets. A strategy for phased implementation was provided as part of the final project list. The study's focus was on visioning and stakeholder engagement, as well as identifying multimodal transportation, parking, and placemaking needs. As project manager, Alexis worked closely with the town and UDOT to create unified goals and to make project recommendations that added community value and helped Brian Head realize their vision for their commercial corridor while respecting the natural context of an outdoor resort town. Deliverables included a StoryMap, a PDF of the study, and project recommendations that were ranked against project goals using UDOT's Quality of Life Framework. Each project recommendation received phasing and cost estimates, and several engineer-level designs and renderings of alternative concepts were produced. Completed 2022.

Key Personnel: *Alexis Verson, Matt Seipold, Emily Andrus, Mehrnaz Fereydouni, Zach Starkey, Jordan De Mik*

Reference: *Chris Hall, UDOT Region 4 Planning • chall@utah.gov • 435-592-4243*

MAG HIGHWAY GRID STUDY

This study identified a regional transportation grid network for Utah County and highlighted the mobility benefits of new roadway connections to accommodate future growth. Horrocks modeled an ideal grid system beyond Regional Transportation Plan recommendations, and identified collector and arterial spacing and cross sections. The study focused primarily on the benefits and applications of gridded highway networks and identifying best practices for spacing roadways, bike lanes, transit and pedestrian walkways, access management standards, cross sections by area type, and conversions from non-gridded to gridded networks. Horrocks developed an exclusive GIS-based mapping tool that shows the benefits of a gridded network including economic (access to jobs), mobility (commute time savings), and safety (reduced EMS response times) benefits. As project manager, Alexis facilitated stakeholder meetings at key milestones with cities throughout Utah County to provide input and review for the completion of the GIS tool. Horrocks also created an animated video series that explains benefits and why this network is paramount to mobility in Utah County. The tool was developed to aid elected officials, city planning and engineering staff, and the public in realizing project benefits and obtaining buy-in for infrastructure investment. Completed 2022.

Key Personnel: *Alexis Verson, Emily Andrus*

Reference: *Tim Hereth • thereth@mountainland.org • 801-229-3843 • www.connectingutahroads.com*

PLEASANT GROVE BOULEVARD ENVIRONMENTAL STUDY

Horrocks is assisting UDOT with an environmental study which will quantify impacts and consider improvements to modify the interchange area at I-15 and Pleasant Grove Boulevard in Utah County. Alexis, as the Active Transportation Lead, facilitated a walk audit and active transportation workshop to discuss active transportation network benefits and understand community needs and connectivity gaps. The study team is identifying the long-term mobility needs of the project area, working with all stakeholders in a transparent and inclusive process, identifying solutions that address a broad range of perspectives while identifying and minimizing impacts to ROW and the natural and built environment, and will complete a defensible environmental document for UDOT. Beau and Courtney have overseen public involvement, including managing the public comment period. Major tasks include establishing the logical termini and studying two previously identified concepts, traffic analysis (purpose and need for the year 2050), conducting environmental surveys (historical, wetlands/waters of the U.S., threatened and endangered species, ROW/property ownership, and land use), public and stakeholder engagement activities, IACR preparation, concept reports, cost estimates, and phasing implementation plans. Scheduled completion 2023.

Key Personnel: *Alexis Verson, Beau Hunter, Courtney Bovee, Mehrnaz Fereydouni, Zach Starkey, Jordan de Mik*

Reference: *Eric Mason, UDOT Region 3• emason@utah.gov • 801-680-9472*

MANAGEMENT PLAN

Alexis Verson will be responsible for managing all aspects of this project, including scope, schedule, budget, and team member collaboration. Through online biweekly meetings, she will ensure the project stays on schedule and within budget. Alexis will lead a project Steering Committee, with representatives appointed by MMPO, to guide goal-setting, something she did with stakeholders like Utah County Cities, UTA, UDOT, and MMPO on the **South Valley Transit Study** in 2021. Alexis will prepare meeting agendas and summaries. A project administrator will assist with documentation, invoicing, reporting, and contract administration. The schedule on the following page indicates project milestones, deliverables, stakeholder meetings, workshops, and agency coordination. The schedule will be updated to reflect changes and/or risk that impact it beyond two weeks. Alexis and the project team will also develop a critical path schedule as necessary to ensure future deadlines are not compromised.

RISK AND MITIGATION

Our team understands that producing a multijurisdictional active transportation plan is not just putting lines down on a map. Each identified project has to serve community members of all ages and abilities. We have experience working on multiagency and multijurisdictional active transportation plans like the **Mid-Valley Active Transportation Plan**, and the **Summit County Active Transportation Plan**-both of which required a firm but nuanced grasp of the communities' competing needs and priorities. Consensus was necessary for the approval of the plans and the identified projects.

Unforeseen issues and risks may present themselves as the study progresses, posing a threat to building consensus. Our team will proactively address and mitigate any future obstacles that may hinder the progress of the Alpine/Highland Active Transportation Plans Study. The following table identifies preliminary risks and potential mitigation strategies.

Potential Risk	Mitigation Strategy
Goals, objectives, and policies (GOPs) are different for each city	It may be likely there are a few disparate GOPs from each community, as each may have unique items and obstacles to address. However, it is the main vision of the combined active transportation plans that will be the focus of consensus and unity from the beginning of the project. A guiding vision statement will be the seed from which the GOPs grow, and it will not be adopted without buy-in from both communities.
Public participation cannot occur in person	Courtney Bovee, our Public & Stakeholder Involvement Lead, and her support personnel have an extensive toolkit of engagement techniques and strategies that have been refined and improved upon since the beginning of 2020. The PI team is adaptable and responsive to alternative approaches to public engagement.
Obstacles, gaps, or barriers along the identified backbone network cannot be addressed in the near term	If specific roads or locations prove essential to the connectivity of the main backbone system but need long term solutions, whether due to cost or ROW, etc., we will provide creative and effective short-term alternative designs including wayfinding, traffic calming, and quick-build projects.
Uncertainties in inflation and material costs	As we prioritize projects we will identify projects that may be implemented as a lower grade or lower comfort facility but still provide a needed level of safety and protection from vehicles.
Maintenance is perceived or realized as too costly for the recommended facility	If maintenance is too costly for a recommended facility, alternative facilities may be recommended, or the project may be broken into smaller phased projects where what is implemented first is determined by what portion of the facility serves the best and greatest use to the community.
Conflicting opinions exist about the final project network within each community, preventing full consensus	We will identify a collective vision at the beginning to start the consensus building process, and follow through with frequent communication and transparency with the public, stakeholders, and the Steering Committee as to how the proposed network is developing.
There is difficulty soliciting feedback from diverse communities	We will produce an extensive list of outreach opportunities through a meeting with the Steering Committee as well as utilize our own internal and local knowledge of Utah County to ensure that our PI team will be able to connect to a myriad of members of the community, including those who are less familiar with active transportation or those who do not use it to meet their daily needs.
AASHTO and NACTO guidelines do not align with local context for design needs	National best practices may be where we start as we prepare design recommendations, cross sections, and the Design Matrix. However, it is the local community context that defines how projects should ultimately be designed and implemented. One of our key strengths is knowing how to identify the best designs and be innovative within constraints.
Financial constraints for construction of bicycle and pedestrian facilities are different in each community	Design standards will address this issue. With direction and guidance from the Steering Committee, we will provide affordable standards that are customized to the physical constraints of each city. In addition, the Design Matrix will help each city determine the appropriate type of facility or traffic calming installation.
Mitigating immediate safety risks that are costly or complex	If it appears certain locations need costly redesign measures to make them permanently safe, then alternative, short-term recommendations will also be offered, including wayfinding, traffic calming, and quick-build projects.

STATEMENT OF QUALIFICATIONS

Since 1968, Horrocks has developed a long history and reputation of providing planning, design, inter-agency facilitation, engineering services, visionary guiding documents, and actionable plans for constituents along the Wasatch Front. Our core values of **Integrity, Quality, Unity, Empowerment**, and **Service** reflect our commitment to exceeding the expectations of our clients.

Our experience in walkable/bikeable community planning includes trail design and planning, bicycle lane design, sidewalk design, traffic calming measures, first-mile-last-mile connections, and more. We make sure facilities are comfortable, connected, safe, and convenient by combining successful visioning and goal setting, public involvement, community needs, thorough analysis, and economic practicality.

We have backgrounds working for and with the public sector and know the value of consensus-building, creating connected community networks, and identifying funding sources for projects. **Our clients for recent active transportation planning and projects include: Salt Lake City; Park City; Holladay City; Utah County; the cities of the Mid-Valley Active Transportation Plan *(Cottonwood Heights, Holladay, Midvale, Taylorsville, and Murray)*; Brian Head Town; West Valley City; Grantsville; Lewiston, ID, and more.**

The Horrocks' planning team is currently leading the Connected Communities (non-motorized transportation) portion of the I-15 Environmental Impact Statement (EIS) from Farmington to Salt lake City, to make **recommendations for reducing I-15 as a barrier and creating a network of multimodal facilities from Salt Lake County into Davis County.** The team has analyzed pedestrian and bicycle data from StreetLight to look at active trip patterns, origin and destination hot spots, and circuitous problem areas.

Walk audits and stakeholder workshops connected UDOT and designers to local staff and boots on the ground observations. Our work spent on defining and implementing equitable outreach and planning yields substantive results and raises the bar in Utah for sustainable multimodal transportation networks.

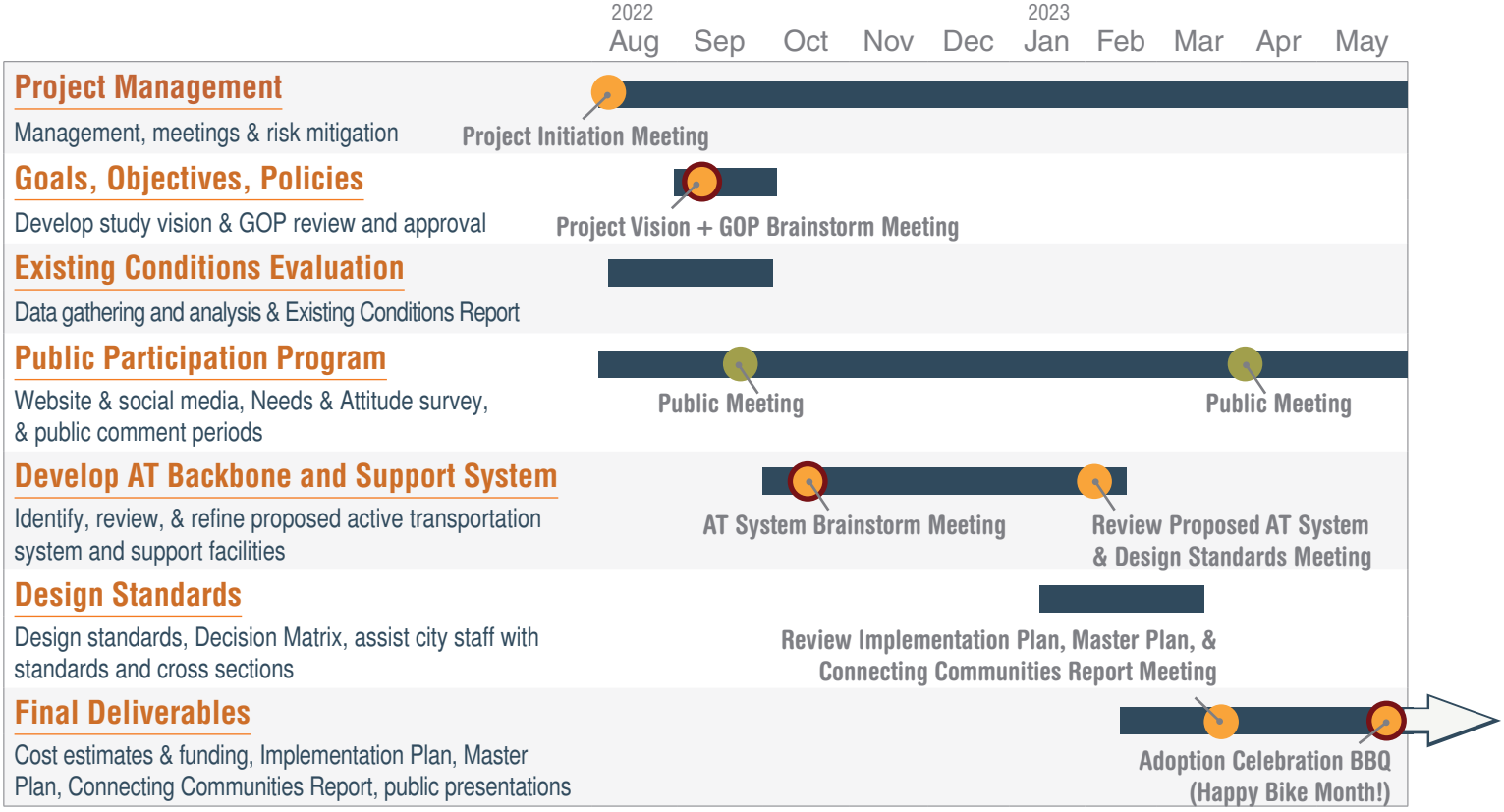
PUBLIC AND STAKEHOLDER ENGAGEMENT

Our team of 22 engagement professionals possess skills in public and stakeholder outreach, community visioning, strategic planning, facilitation, events, conflict resolution, consensus building, online engagement, and social and mass media relations. We have 10 graphic designers and five programmers/GIS experts who are dedicated to delivering public-friendly graphics, websites, interactive maps, surveys, presentations and final reports. We use GIS effectively for analysis and as a public-facing communication tool.

Our in-house staff can translate materials into multiple languages to ensure equitable outreach. We have extensive knowledge of virtual and online tools to reach the most people and meet the CDC and Health Department guidelines for COVID-19, having planned and conducted dozens of online public events in recent years.

SCHEDULE

We believe our proposed ten month schedule provides the appropriate amount of time to complete the tasks included in our tailored approach while maintaining a high-value and competitive budget.



We pride ourselves on being responsive and diligent to the needs of each project regardless of size and complexity. We will act as a seamless extension of MMPO as subject matter experts with the resources and availability to produce comprehensive active transportation plans for Alpine and Highland. We will deliver a connected, comfortable, and safe active transportation system, appropriate design standards, and goals, objectives, and policies that support the vision of each community.

ORGANIZATIONAL CHART

BIOS OF KEY PERSONNEL

ALEXIS VERSON, AICP | PROJECT MANAGER

Availability: *30%*

BS: *Urban Planning* ***MS:*** *Strategic Communications, Westminster College*

Alexis is a Senior Transportation Planner with 10 years experience in both the public and private sectors. Alexis is skilled in multimodal planning at all scales including intersection, corridor, neighborhood, and region. She has experience creating safe and accessible pedestrian and bicycle networks for Park City, assessing and improving first/last mile connections to transit and trails with UTA and SLC, facilitating system wide bus stop improvements for Park City Transit and park-and-ride facilities, managing expansion of the GREENbike bike share program, and facilitating concept design at the corridor level like with the Highland Drive Complete Streets Study in Holladay. Alexis has managed complex planning and capital projects, and understands the value of placemaking, community input, and consensus-building. Alexis worked in the Salt Lake City Transportation Department and the resort community of Park City, UT and has implemented many peak day planning strategies including TDM, mobility hubs, multiuse pathway networks, and peak day transit service. She has secured millions of dollars in grants for communities from FHWA, FTA, MPO, and DOT sources.

BEAU HUNTER | CLIENT LIAISON ***Availability:*** *20%*

MS: *Experiential Education, University of Utah*

With 17 years of public involvement and stakeholder facilitation experience, Beau has managed communication strategy and outreach efforts for more than 150 projects. He is known for his ability to develop and execute strategic outreach efforts to engage stakeholders and the general public throughout the life of a project. He will work closely with the project team and anticipate issues or concerns throughout the planning process and proactively works to minimize and address issues before they arise.

MATT SEIPOLD | PLANNING LEAD ***Availability:*** *30%*

MS: *Masters of City and Metropolitan Planning University of Utah*

Matt is a Transportation Planner with five years of combined private and public experience. The majority of that time has been spent working on active transportation plans, programing, and outreach. He has worked on several local multijurisdictional active transportation plans, including the South Jordan/West Jordan Active Transportation Plan and the Mid-Valley Active Transportation Plan, which included the six cities of Cottonwood Heights, Holladay, Midvale, Millcreek, Murray, and Taylorsville.

COURTNEY BOVEE | PUBLIC & STAKEHOLDER INVOLVEMENT LEAD ***Availability:*** *25%*

BA: *Communications, University of Connecticut*

With over nine years of experience, Courtney has led or supported public involvement efforts for many local government and UDOT transportation projects. She is an expert in communicating and skillfully navigates controversial situations by adapting public involvement strategies to ever-changing schedules and stakeholder needs.

EMILY ANDRUS | AT DESIGN LEAD & COST ESTIMATING ***Availability:*** *25%* ***BS:*** *Civil Engineering*

Emily will bring her experience with active transportation planning, traffic calming, street lighting analysis, and traffic modeling and analysis. She is familiar with the needs and constraints of Utah County communities and roads, having worked extensively on the MAG Grid Study. She helped develop the multimodal transportation project list and cost for Brian Head, which included multiple concept designs, and worked on the SR-7 Active Transportation Plan, the St. George Master Traffic and Transportation Study, and multiple other transportation studies.

MEHRNAZ FEREYDOUNI | MULTIMODAL PLANNING AND DATA ANALYSIS ***Availability:*** *35%*

MS: *Master of City and Metropolitan Planning, University of Utah*

Mehrnaz will research existing plans, studies, and data, including crashes and the active transportation network to analyze existing conditions and identify future needs. She will prepare high-quality graphics and reports, and is experienced using analytical tools such as StreetLight Insight. Mehrnaz is experienced in active transportation planning, corridor studies, multimodal network analysis, and urban design.

ZACH STARKEY | GIS / SPATIAL ANALYSIS

Availability: *25%* ***BS:*** *Geography, University of Utah*

Zach has 11 years of experience as a GIS technician with a focus in transportation and land studies utilizing GIS capabilities. He frequently supports the planning team with community involvement on local and statewide levels by producing websites and StoryMaps, online surveys, and project specific web-based tools.

JORDAN DE MIK | GRAPHICS ***Availability:*** *25%*

BFA: *Graphic Design*

Jordan has seven years experience as a designer. He works closely with Public Involvement and Planning by making graphics, documents, videos, and other public facing materials that are informative, engaging, and distill complex information into easy to understand, friendly visualizations.

PROJECT PROPOSAL

Horrocks has a close relationship with Utah County, including working with Alpine, Highland, and MMPO on a variety of projects. We understand the community needs here. Good active transportation facilities exist in both communities with the Murdock Canal Trail, 5300 West, and parts of SR-92 completed. The focus for this approach is on connecting the gaps, improving the level of comfort of on-street facilities, identifying opportunities to increase network connectivity, and providing access to trailheads and other destinations. Additional focus should be given to pedestrian connectivity, safety, and comfort levels.

A section of the Provo River Parkway designed by Horrocks

SCOPE OF WORK

TASK 1: PROJECT INITIATION

A kick-off meeting with the Study Team (Horrocks) facilitated by our PM Alexis Verson, MMPO and the identified Steering Committee will be held immediately after Notice to Proceed (NTP), where communication channels will be established for the course of the project. Key meetings, deliverables, a list of stakeholders, contacts for data needs, and other important project elements and milestones will be discussed to make sure expectations are met and clearly understood.

The Steering Committee will consist of representatives from Alpine/ Highland City Councils, Planning Commissions, Staff, appointed residents, businesses, UTA, and UDOT. A broader group of stakeholders will be identified at the kick-off meeting that will include a spectrum of community members selected to provide local insight to the Study.

As part of the kick-off meeting, the Steering Committee and Study Team will draft a collective vision statement for the project. This will be modified to obtain collective buy-in and help build understanding and consensus from the beginning of the project.

In a similar example from a study led by the PM Alexis, the vision statement for the Brian Head Commercial Corridor Study included input from UDOT, planning commission, city council, business owners, developers, and city staff. It was the basis for developing goals that were weighted and helped to prioritize projects for implementation.

EXAMPLE VISION STATEMENT

Vision Statement for the Brian Head Commercial Corridor Transportation Study

"A vibrant and walkable community corridor with a sense of arrival that is sensitive to preserving natural features and mountain town aesthetics, while making way for long-term vitality for the commercial corridor; achieved through continuing partnership between Brian Head Town, residents, local businesses, Brian Head Resort, future developments, and Utah Department of Transportation by implementing focused strategies that improve quality of life for all."

Task 1 Deliverables:

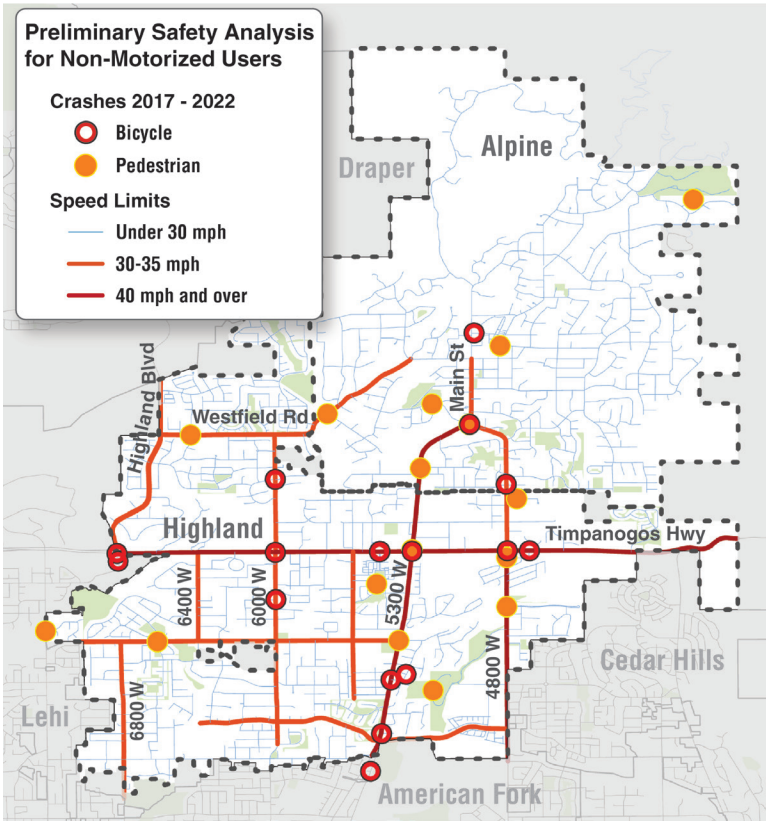
- Project schedule, including meetings and deadlines for deliverables
- List of stakeholders
- List of data needs and existing sources (assume no new data collection)
- Project vision statement

TASK 2: GOALS, OBJECTIVES, AND POLICIES

Our project team will incorporate the GOPs found in existing plans and develop additional ones that will provide the guidance and direction needed to effectively advance Alpine and Highland's future connected active transportation system. Two impactful GOPs that will guide the Study and be used as a foundation to build upon are:

1. **The Alpine General Plan 2021-2041's Transportation Goal #1:** Create and maintain a multimodal transportation system that is pedestrian friendly, safe and efficient, and **Policy 1.2:** Connect neighborhoods and open spaces of the City with appropriate trails, sidewalks and bike lanes that support alternate forms of local transportation and recreation.

2. **The 2008 Highland City General Plan Update's Goal:** To provide a safe and pedestrian-friendly local street system, and the corresponding **Policy:** To plan for and construct Highland City streets so that they accommodate all users, including vehicles, pedestrians, and bicyclists and provide maximum safety for all.



Existing conditions analysis is an essential step towards developing an active transportation network that is connected, comfortable, convenient, and truly benefits Alpine and Highland. Safety will be a top priority when determining a project's location and recommended facility type.

Existing GOPs like these will be folded into the fabric of the Public Participation Program, stakeholder input, act as a lens to view existing conditions through, and frame the process of creating the active transportation network. The additional GOPs developed during the Study will be refined so they provide future vision and means to measure success. They will include specific initiatives, actions, and procedures. Our team will ensure they carry intent, purpose, and aspiration and support a multijurisdictional active transportation network and an elevated quality of life.

A **GOP Brainstorm Workshop** (Brainstorm Workshop #1) will be held in-person with the Steering Committee and stakeholders to develop the additional GOPs to address connectivity between Alpine and Highland and the surrounding communities and recreation trails. The Vision Statement for the Alpine/Highland Active Transportation Plans Study will also be reviewed and a final version will be developed.

We have found great success in identifying GOPs and then nestling them underneath UDOT's Quality of Life Framework. In situations with strong UDOT partnerships, cost-sharing, or plans on state facilities, this creates universal buy-in and positions future projects to be scored for TIF/TIFF grant funds.

Task 2 Deliverables:

- GOP Brainstorm Workshop
- Draft GOPs
- Final GOPs

TASK 3: EXISTING CONDITIONS EVALUATION

Our team has extensive experience collecting and interpreting existing conditions data as it pertains to active transportation. We understand the importance of harvesting local knowledge and collecting quantitative data to produce an authentic snapshot of existing conditions. Led by our planning lead Matt Seipold, we will focus on the current connectivity issues between and among Alpine/Highland and the surrounding communities. Gaps, barriers, strengths, and opportunities (such as Alpine's nationally recognized Safe Routes to School program) will be identified. Specific data may be desired from each city, such as parcel ownership, to help the project team identify potential active transportation connections and recommended locations for land preservation.

We will compile this information into a report that includes compelling maps and graphics and share it for review with the Steering Committee. This information will be vital as the team moves toward developing a proposed project list and map for the active transportation network. Understanding existing conditions in Alpine and Highland will enable the team to make sure gaps and barriers are addressed and proper and needed connections are made.

As an example, our team is involved in groundbreaking active transportation work with UDOT and Smart Growth American for the I-15 EIS from Farmington to Salt Lake City. The team is progressing the integration of non-motorized transportation into the UDOT EIS process by evaluating existing conditions along the I-15 corridor for bicyclists and pedestrians of all ages and creating non-motorized alternatives that provide better connectivity and reduce barriers for users. Specifically, north to south travel and each of the 18 crossings in the study are being thoroughly analyzed using qualitative and quantitative data including StreetLight data to understand bicycle and pedestrian activity, origin and destination analysis, demographics of users, and out of direction travel for users; as well as stakeholder workshopping, walk audits, crash analysis, street level of comfort, and adopted plans.

We know the understanding gained through the existing conditions process will be essential for guiding the development of the active transportation system for Alpine and Highland.

Task 3 Deliverables:

- Existing Conditions Report
  - GIS based maps, graphics, and narrative

Streetlight origin and destination analysis can help identify ideal connections for new active transportation facilities that provide the greatest benefit to each community. One potential analysis is identifying where trips along the Murdock Canal Trail originate or end within Alpine and Highland.

TASK 4: NEEDS AND ATTITUDE SURVEY

As an extension of Task 5: Public Participation Program, Courtney Bovee, our public and stakeholder involvement lead, will work with the Steering Committee to develop a needs and attitude survey to gather feedback and opinions from both communities. We will have the survey available on the project website and will utilize appropriate media and unique local and common communication resources to make sure we connect to a broad range of individuals and organizations.

The survey can be customized to include multiple ways to respond, including placing comment pins on a GIS-based map, multiple choice questions, and questions with open-ended responses. The information gathered through this survey will help identify tailored GOPs, provide substantial insight to existing conditions, and contribute greatly to identifying projects for the proposed active transportation system.

Task 4 Deliverables:

- Draft and final Needs and Attitude Survey
- Results of GIS and web-based Survey

TASK 5: PUBLIC PARTICIPATION PROGRAM

Our team understands and is committed to delivering a high-quality and interactive public and stakeholder participation program by utilizing a variety of opportunities and tools to educate and gather feedback from all stakeholders in Alpine and Highland. Courtney will support the study goals by establishing and managing basic communication tools (website, hotline, email) and she will develop clear and understandable key messages to be used in all forms of outreach. Our team will build trust with citizens by continually reporting back about what we heard and how feedback will shape the final plans. Other qualities that set us apart include:

Depth of staff: Our team comprises 22 communication professionals, 10 graphic designers, and five programmers/GIS experts with extensive transportation-related communication experience and are dedicated to developing and implementing strategic, comprehensive and public-friendly graphics, websites, interactive maps, custom surveys, presentation materials and final reports.

Diverse offering: Our team possesses a wide variety of backgrounds, experience and skills. We have experts in what it will take to successfully reach all stakeholders: grassroots outreach, strategic planning, facilitation, event planning, relationship building, online engagement tools and social and mass media relations for broader reach.

Strategic planning: Courtney will take lessons learned from her extensive experience (including recent work within Utah County) to develop and implement a transparent, comprehensive and effective public and stakeholder participation program. The program will be tactic based, with measurable objectives for success and a combination of online and in-person events when possible.

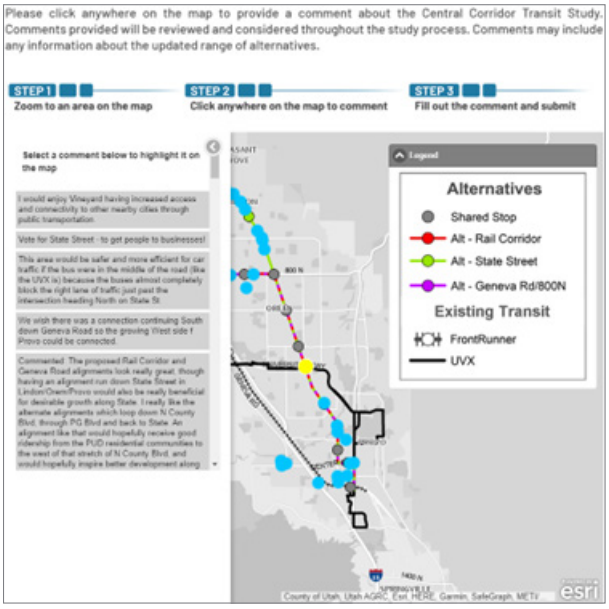
Approach to the project: In order to inform and engage with as many community members from as many groups as possible, we propose implementing the following public participation tactics:

Social and mass media relations – development and distribution of social media content tailored to existing city, neighborhood and community group channels (Nextdoor, Facebook, Twitter, etc.); deskside briefings with key newspaper reporters; media tours and events for print surrounding comment periods and planning milestones.

Agency and stakeholder partnerships – working closely with key stakeholder and agency groups like Alpine's Trail Committee, Highland's Parks, Trails and Tree Commission, UDOT, UTA, Bike Utah and others early and often throughout the planning process to provide information and tap into their existing communication channels to link the study website to their sites, provide social media and newsletter content.

Custom feedback and documentation tools – Horrocks has developed a web-accessible database with a GIS front-end for the public to view maps and provide meaningful feedback throughout the planning process. This tool is highly customizable and would also incorporate renderings, prioritization tools and surveys for stakeholders and the public to utilize.

We will work closely with the Steering Committee and MMPO to develop clear, direct, and specific questions and then build them into this tool. Once we have incorporated the questions, we will deploy two official comment periods: 1 – to gather initial input on active transportation within the cities, and 2 – to share the draft plans and get public feedback which will ultimately assist the plans' adoption process with the Planning Commissions and City Councils.



Horrocks' designed the interactive survey and comment map for Utah County's Central Corridor Transit Study

The back-end of the same database is viewable only by our team and other study members, and holds a detailed record of all stakeholder and public contact information as well as a record of all public interactions and activities, which will be critical to completing the administrative record for the cities in a final report.

Public meetings – Horrocks will facilitate two public meetings to engage all citizens and allow an opportunity for them to ask questions to the study team and the cities. Both public meetings will have an in-person and virtual option ensuring everyone has an opportunity to attend and participate. The virtual option can be saved and hosted on the study website where it can be shared with even more citizens.

Grassroots outreach – Outreach would include pop up events at busy places like Alpine Days, Creekside Park, Highland Fling, and Bike Utah events. Sidewalk stickers or chalk paint in various neighborhoods or parks like Beck's Hill Park would drive residents and businesses to the study website to provide feedback. Other opportunities include: community council visits and presentations; city council presentations; online or in-person stakeholder tours; person on the street surveys; canvassing efforts; and online or in-person open houses.

Alexis Verson and Mehrnaz Fereydouni lead a walk audit for the I-15 EIS: Salt Lake City to Farmington Study.

Innovative scope ideas – In addition to the work plan items listed, our team can provide innovative, value-added communications tools at the discretion of Alpine and Highland. Beneficial tactics outside the outlined scope for engagement could include: a series of educational videos for social media with drone footage and stakeholder interviews; geo-targeted, online ads placed on popular local websites and social media pages; neighborhood ambassadors and focus groups designed to provide input on and review planning tools and assist with engaging community members.

Task 5 Deliverables:

- Two public meetings
- Project website
- Media releases
- Media communications
- High quality graphics and GIS mapping for public presentations
- Grassroots outreach items
- Innovative scope tactics

TASK 6: PROPOSED ACTIVE TRANSPORTATION SYSTEMS AND SUPPORT FACILITIES DEVELOPMENT

Our team will develop a proposed active transportation system consisting of a main, regional backbone network and localized support facilities. The universe of proposed projects will include the practical and pragmatic, the high-comfort and low-stress routes, the connections for commuters and for recreation, the direct utilitarian routes, and the big and visionary ideas. Public participation, existing conditions analysis, and Steering Committee and stakeholder input will be essential for identifying needed and appropriate new routes and facilities. This system will also connect the two communities to neighboring cities and surrounding trailheads.

Alpine and Highland have a great opportunity to develop a cohesive backbone network that is supported by more granular, localized facilities. This complete active transportation system will consist of arterial, collector, and local roads, paved surface trails, sidewalks, recommendations for traffic calming, and wayfinding. We understand now is the time to be proactive and create plans that will set the cities up well to seek and secure funding. As Alpine, Highland, and the surrounding communities grow, there is a great opportunity to make the active transportation system more connected through land preservation and advanced planning, before development occurs and removes locations for potential connections.

For this process, an in-person **Active Transportation Brainstorm Workshop** (Brainstorm Workshop #2) will be held, where the Steering Committee and stakeholders will be able to draw on and mark-up maps. This mapping exercise will help identify gaps, barriers, and opportunities. The information collected from the maps will be incorporated into the proposed active transportation system.

The proposed system will be mapped out in GIS and made available to the Steering Committee to review and comment on.

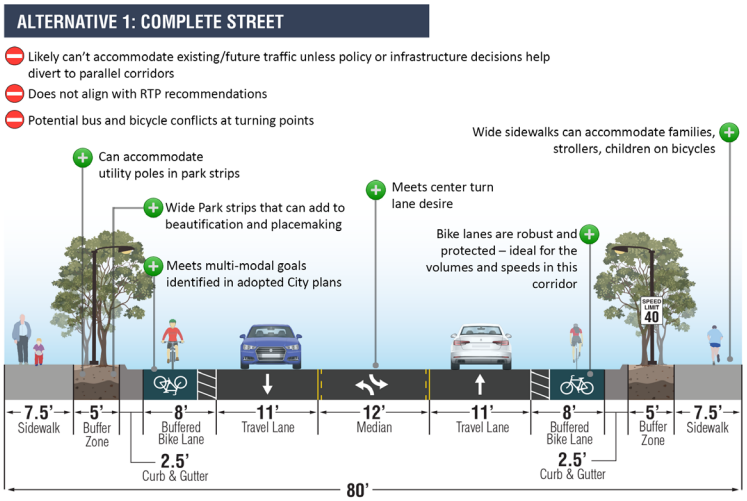
Task 6 Deliverables:

- GIS-Based Proposed Active Transportation System
  - Backbone network with supporting facilities

We will host an Active Transportation System Brainstorm Workshop similar to the five we held in five different communities for the I-15 EIS: Farmington to Salt Lake City Study.

TASK 6.2: DESIGN STANDARDS

Our team will produce design standards that speak specifically to the needs of Alpine and Highland and take into account the physical and financial constraints of the two cities. The design standards will address existing safety deficiencies, be highly functional, and bring welcoming aesthetics to each community's streetscape. We will review existing cross sections and produce alternatives that offer a more safe and welcoming environment to non-motorized users of all ages and abilities. We will look to AASHTO and NACTO for best practices and customize their recommendations to suit the context of Alpine and Highland.



We will develop cross sections for Alpine and Highland, like we did for Highland Drive in Holladay City.

A Decision Matrix will be developed that will include various facility types and traffic calming measures. The Decision Matrix will be a resource that will provide guidance when selecting appropriate facility types for specific issues. A buffered bike lane may be safe and appropriate at one location, but a shared use path may be ideal on an adjacent street. Curb bulbouts may best suit an intersection along a smaller collector or local road, while a mid-block crossing with a pedestrian refugee island my be the best solution for a wide, multilane main road.

We will work with city staff to integrate and institutionalize the design standards and cross sections into each community. A focus will be on ensuring there is consistency with design standards and definitions across the communities. In the future, as projects move from plan to implementation, this consistency in standards and definitions will be of high importance because it will streamline the process, improve communication and understanding, and set appropriate expectations.

Task 6.2 Deliverables:

- Design Standards document
- Decision Matrix
- Cross sections

TASK 7: PROJECT COST ESTIMATES AND FUNDING SOURCES

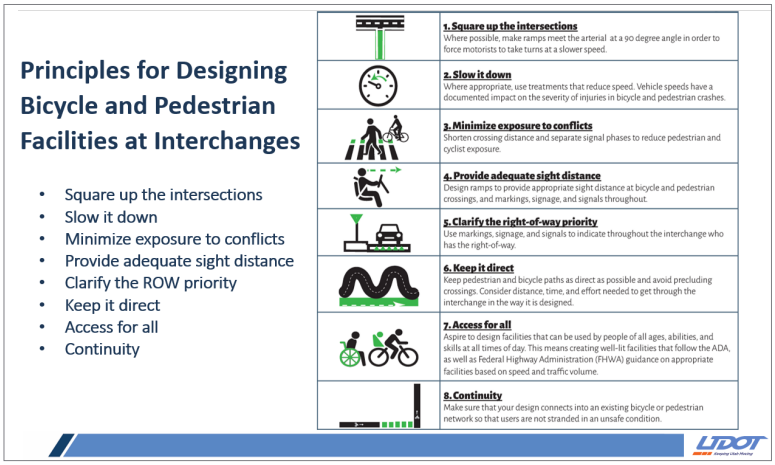
We understand the importance of planning-level costs because they help inform how and when to pursue project funding. We will provide a full project list that has individual project costs and identify appropriate funding sources. We have extensive experience costing design, materials, and construction management in the current environment, navigating material shortages and inflation trends.

Real-world ongoing maintenance costs will be provided by facility type. This will be accomplished by utilizing our in-house knowledge and comparing and researching costs for similar communities within Utah.

In addition to costs, we will provide a matrix table that identifies federal, state, and local funding sources. The matrix table will indicate the best way to leverage and use each source of funding.

Task 7 Deliverables:

- Planning-level construction cost estimates
- Real-world maintenance costs by facility type
- Funding matrix of sources and opportunities



The image above is from a presentation for a Traffic Calming and Active Transportation Toolkit our planning team recently developed for a UDOT project.

TASK 8: IMPLEMENTATION PLAN

An Implementation Plan will be created for the recommended project list. It will identify a backbone priority system of routes as well as strategies and guidance for coordinated growth of bicycle and pedestrian facilities for recreation, commuting, and utilitarian trips. The main backbone network will be considered the central priority, although other low-cost, easy to implement projects may also be deemed high priority. The Implementation Plan will also prioritize immediate safety hazards and projects that align with the requirements, timing, and availability of funding.

Integration of the Alpine/Highland Active Transportation Plans into other planning documents will be a significant factor for project prioritization. A project's implementation may be predicated on the timeline of a road, trail, housing, or land development project that is also moving through the planning and construction process. The Implementation Plan will also consider possible locations for future land preservation as a means to ensure multimodal connectivity.

In addition, a standalone document will be delivered that provides recommendations for monitoring and evaluating the performance of the active transportation system. It will include recommendations such as locations of pedestrian and bicycle counters, types of counters, and other successful and appropriate monitoring and evaluating methodologies. Starting performance monitoring at the beginning of each Plan's implementation will provide priceless data for each community.

The information gathered may be used to make future decisions that influence project prioritization, as the success of one facility may warrant the need to prioritize connections seen as essential to the growth of the system.

Task 8 Deliverables:

- Implementation Plan
- Performance Monitoring and Evaluation Plan

TASK 9: DRAFT MASTER PLAN

The draft Master Plan will summarize and incorporate all work on the Alpine/Highland Active Transportation Plans up to this point, including GOPs, existing conditions analysis, the Public Participation Program, the needs and attitude aurvey, and the proposed active transportation system, from brainstorm, to cost, to recommendations for implementation. This document will be free of jargon and rich with graphics and maps, making it usable for a broad range of community members, city employees, and elected officials. This document will be submitted to the Steering Committee for review and comments. A meeting will be scheduled where the Steering Committee and project team can discuss the document and all its components before the Master Plans are finalized.

Task 9 Deliverables:

- Draft Master Plan which includes:
  - Goals, Objectives and Policies
  - Evaluation of Existing Conditions
  - Needs and Attitudes Survey
  - Public Participation Program
  - Proposed System
  - Project Cost Estimates and Funding Sources
  - Implementation Plan
  - Performance Monitoring and Evaluation Plan
  - Visual graphics including routes and connections in map format

TASK 10: FINAL MASTER PLAN

Once the Master Plan has been approved by the Steering Committee the project team will present the Alpine City and Highland City Active Transportation Master Plans to the Alpine and Highland City Planning Commissions and City Councils for approval and adoptions. We understand that this will involve several public meetings and presentation dates will be determined by each city.

Task 10 Deliverables:

- A digital PDF of each final adopted plan and associated drawings, maps, and diagrams will be provided to each city and the MMPO.
- A minimum of five color hard copies of the final plan and associated maps/diagrams will be delivered to each city.

TASK 11: CONNECTIVITY BETWEEN ADJACENT COMMUNITIES

Based on the qualitative and quantitative data and information collected, we will provide a Connecting Adjacent Communities Toolkit that will include recommendations on best methods and practices for ameliorating identified gaps, barriers, and opportunities between Alpine/Highland and adjoining communities. Recommendations for communication, monitoring, inventorying, and advancing the active transportation network will be included. In addition, GOPs that address intermunicipal connectivity through a safe and friendly non-motorized transportation network will be central to this deliverable. The GOPs included in this Toolkit will have been previously vetted by the Steering Committee and suitable for adoption.

Task 11 Deliverables:

- Connecting Adjacent Communities Toolkit
  - Best methods and practices
  - GOPs specific to intermunicipal connectivity

BUDGET CONSIDERATIONS

To achieve the high-quality, implementable, and community-driven active transportation plans as outlined in the published RFP, our team believes a budget of $100,000 is feasible.

All scoping items shall be discussed and refined during a pre-kick off meeting with the clients to ensure all items are prioritized and the budget and scope assumptions are understood with clarity before the team proceeds.

Items like cost estimations, maintenance assumptions, inflation calculations, and the robust public outreach program for two cities requires an elevated level of effort and involvement.

Recommendations for ensuring we stay on time and under budget include:

1. Reducing the scope for public involvement including reducing formal public meetings and pivoting to online formats and social media campaigns to solicit input.

2. Providing cost estimates for priority facilities only.

3. Finding efficiencies in stakeholder involvement at certain phases.

AGENDA NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #4

DATE: September 6, 2022

TO: Honorable Mayor and Members of the City Council

FROM: Kellie Smith, Planner & GIS Analyst

SUBJECT: **PUBLIC HEARING/ORDINANCE: GENERAL PLAN AMENDMENT -** Moderate Income Housing Element & Implementation Plan

TYPE: **LEGISLATIVE:** The City Council will act in their capacity as a legislative body to adopt or approve an amendment to the General Plan as outlined in Section 10-9a-404 of State Code.

PURPOSE:

The City Council will hold a public hearing to consider a proposal by Highland City staff to amend the Moderate Income Housing element of the General Plan to update strategies and include an implementation plan. The Council will take appropriate action.

PRIOR COUNCIL DIRECTION:

On August 16, 2022, the City Council discussed possible adjustments to existing Moderate Income Housing (MIH) strategies in the General Plan as well as an implementation plan for each of the strategies. The City Council indicated that they wanted to keep the existing implementation measures and did not want to add any new strategies.

BACKGROUND:

The Highland City General Plan was adopted in 2008 and included a Moderate Income Housing (MIH) element. During the legislative session in 2018, HB 259 provided specific strategies cities must consider adopting in their MIH plans. In 2019, the City Council updated the General Plan to be consistent with this update.

In 2022, HB462 updated those strategies from HB259 in 2018 and required implementation elements that include a timeline that has specific benchmarks for each chosen strategy, but provides flexibility for the municipality to make adjustments. Municipalities are required to update their general plans by October 1, 2022.

SUMMARY OF THE REQUEST:

The following are the existing implementation measures in the MIH element of the General Plan along with proposed timelines (in red) to fulfill the implementation plan requirement from HB462.

Original proposal:

Implementation Measure: Examine regulations for Senior Housing projects in the land

use code with the specific examination of parking requirements for such.
Timeline: Within the next five (5) years, the City will update the Development Code to add regulations for an age-restricted senior housing residential zone. Over the next ten (10) years, if the last large undeveloped properties in Highland are proposed to be developed, the City will review the properties for potential Senior Housing projects.

Implementation Measure: Review and consider updating the regulations in mixed-use zones in the land use code to provide for a greater variety of housing types.
Timeline: As most of Highland's mixed-use developments are relatively new, over the next twenty (20) years, the City will continue to monitor the mixed-use developments for potential redevelopment.

Implementation Measure: Explore potential programs or partnerships with the Mountainlands Association of Governments (MAG).
Timeline: Within the next five (5) years, the City will do a comprehensive update of the General Plan. As part of this comprehensive update, the City will work with MAG to qualify for the Community Development Block Grant (CDBG) to help Highland City identify regional MIH priorities. This will help the City make goals, policies, and implementation measures to address those priorities.

I**mplementation Measure:** Review and update the regulations for the Accessory Dwelling Unit (ADU) within the land use code for potential modifications and incentives to encourage the creation of additional housing options for residents.
Timeline: On an ongoing basis, the City will monitor ADUs and will also seek citizen input on ways to facilitate ADUs in unique circumstances.

The Planning Commission recommended the following changes to the amendment above:

Implementation Measure: Examine regulations for Senior Housing projects in the land use code with the specific examination of parking requirements for such.
Timeline: Within the next five (5) years, the City will update the Development Code to modify or add regulations for ~~an~~ age-restricted senior housing options compatible with current zoning, including exploring options for detached accessory dwelling units. ~~residential zone. Over the next ten (10) years, if the last large undeveloped properties in Highland are proposed to be developed, the City will review the properties for potential Senior Housing projects.~~

I**mplementation Measure:** Review and update the regulations for the Accessory Dwelling Unit (ADU) within the land use code for potential modifications and incentives to encourage the creation of additional housing options for residents.
Timeline: ~~On an ongoing basis,~~ Within the next 5 years, the City will monitor ADUs and will also seek citizen input on ways to facilitate ADUs in unique circumstances and for senior housing options.

STAFF REVIEW:

HB462 requires that a municipality include a minimum of three (3) of the 24 strategies listed in Utah Code. Municipalities that select at least five (5) strategies would qualify for enhanced prioritization of state TIF/TTIF (Transportation Investment Fund/Transit Transportation Investment Fund) and ARPA (American Rescue Plan Act) local match program funds.

To be compliant with Utah Code, the City Council should determine relative timelines with benchmarks for each implementation measure for the MIH element in the General Plan.

The Department of Workforce Services provided a writing guide for the recent legislative updates. "An implementation plan sets out a clear course of achievable, measurable actions that can be taken within a given time period. While the implementation plan should set the guidance, it should also be flexible to allow the jurisdiction to modify timing or actions based on changes over time."

Below are the moderate income strategies for municipalities from HB 462 that are related to implementation measures in the existing General Plan (see Attachment #3 for the rest of the suggested strategies from HB462).

E. create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones;

- *Implementation Measure: Review and update the regulations for the Accessory Dwelling Unit (ADU) within the land use code for potential modifications and incentives to encourage the creation of additional housing options for residents.*

F. zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers;

- *Implementation Measure: Review and consider updating the regulations in mixed-use zones in the land use code to provide for a greater variety of housing types.*

H. amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities;

a. *Implementation Measure: Examine regulations for Senior Housing projects in the land use code with the specific examination of parking requirements for such.*

O. apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing;

- *Implementation Measure: Explore potential programs or partnerships with the Mountainlands Association of Governments (MAG).*

U. develop a moderate income housing project for residents who are disabled or 55 years old or older;

- *Implementation Measure: Examine regulations for Senior Housing projects in the land use code with the specific examination of parking requirements for such.*

FISCAL IMPACT:

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

FINDINGS:

The proposed amendment addresses the following:

- Provides at least three (3) strategies specified in HB462.
- Adds the implementation plans required by HB462.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission held a public hearing on August 23, 2022. There was no public comment on the proposed amendment. The Commissioners discussed each of the timelines proposed by Staff. Commissioners expressed concerns that developers would expect to be able to rezone low density residential to senior housing with the way the proposed amendment was worded. Chairman Abbott expressed support for detached accessory dwelling units as being an option for the strategies related to senior housing and ADUs.

The Planning Commission voted 6:0 to recommend APPROVAL of the proposed amendment with the following changes to the first and fourth timelines:

> **Implementation Measure:** Examine regulations for Senior Housing projects in the land use code with the specific examination of parking requirements for such.
> **Timeline:** Within the next five (5) years, the City will update the Development Code to modify or add regulations for ~~an~~ age-restricted senior housing options compatible with current zoning, including exploring options for detached accessory dwelling units. ~~residential zone. Over the next ten (10) years, if the last large undeveloped properties in Highland are proposed to be developed, the City will review the properties for potential Senior Housing projects.~~
>
> I**mplementation Measure:** Review and update the regulations for the Accessory Dwelling Unit (ADU) within the land use code for potential modifications and incentives to encourage the creation of additional housing options for residents.
> **Timeline:** ~~On an ongoing basis,~~ Within the next 5 years, the City will monitor ADUs and will also seek citizen input on ways to facilitate ADUs in unique circumstances and for senior housing options.

STAFF RECOMMENDATION:

Staff recommends the City Council hold a public hearing, review the proposed amendments, and **APPROVE** the proposed amendment from Planning Commission or Staff, or a combination of the two.

MOTIONS TO APPROVE:

OPTION 1 – Original Proposal:

I move that City Council accept the findings and **APPROVE** the amendment in the original proposal to the Moderate Income Housing element of the General Plan that updates strategies and includes an implementation plan for each strategy.

OPTION 2 – Planning Commission:
I move that City Council accept the findings and **APPROVE** the amendment proposed by the Planning Commission to the Moderate Income Housing element of the General Plan that updates strategies and includes an implementation plan for each strategy.

OPTION 3 – Combination
I move that City Council accept the findings and **APPROVE** the amendment proposed by Staff to the Moderate Income Housing element of the General Plan with the following changes recommended by the Planning Commission: (The Council will need to specify the changes).

ALTERNATIVE MOTION:

I move that the City Council **CONTINUE** the proposed General Plan amendment to the September 20th City Council meeting and direct staff to prepare changes to the following: (The Council will need to list the appropriate implementation measures or plans).

ATTACHMENTS:

1. Ordinance
2. Existing MIH Element from the General Plan
3. HB462 Strategies
4. HB462 Housing Affordability Amendments Summary prepared by ULCT and WFRC

ATTACHMENT #1:

AN ORDINANCE OF THE HIGHLAND CITY COUNCIL AMENDING THE MODERATE INCOME HOUSING ELEMENT IN THE HIGHAND CITY GENERAL PLAN AS SHOWN IN FILENAME (GP-22-02).

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 August 16, 2022; and

WHEREAS, the City Council held a public meeting on this Ordinance on September 6, 2022.

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, September 9, 2022.

HIGHLAND CITY, UTAH

_____

Kurt Ostler
Highland City
Mayor

ATTEST:

Stephannie Cottle
Highland City Recorder

COUNCIL MEMBER	YES	NO
Timothy A. Ball	☐	☐
Brittney P. Bills	☐	☐
Sarah D. Petersen	☐	☐
Kim Rodela	☐	☐
Scott L. Smith	☐	☐

Goals and Policies

With the zoning pattern already established and a mostly infill expectation for new development, support for alternative housing types is a difficult goal to achieve. The City can still find creative ways to make a reasonable allowance for affordable housing types that would be acceptable and even welcomed by residents. The City may choose to focus on solutions, such as basement accessory dwelling units, senior housing (some of which may include deed restrictions to maintain affordability) and multi-family housing mixed-use developments The goals, policies, and implementation measures below build on these ideas.

Goal: Support for alternative housing type.

Policy: Proactively encourage the development of moderate income and senior housing as follows:

Implementation Measure: Examine regulations for Senior Housing projects in the land use code with the specific examination of parking requirements for such.
Timeline: Within the next five (5) years, the City will update the Development Code to add regulations for an age-restricted senior housing residential zone. Over the next ten (10) years, if the last large undeveloped properties in Highland are proposed to be developed, the City will review the properties for potential Senior Housing projects.

Implementation Measure: Review and consider updating the regulations in mixed-use zones in the land use code to provide for a greater variety of housing types.
Timeline: As most of Highland's mixed-use developments are relatively new, over the next twenty (20) years, the City will continue to monitor the mixed-use developments for potential redevelopment.

Implementation Measure: Explore potential programs or partnerships with the Mountainlands Association of Governments (MAG).
Timeline: Within the next five (5) years, the City will do a comprehensive update of the General Plan. As part of this comprehensive update, the City will work with MAG to qualify for the Community Development Block Grant (CDBG) to help Highland City identify regional MIH priorities. This will help the City make goals, policies, and implementation measures to address those priorities.

I**mplementation Measure:** Review and update the regulations for the Accessory Dwelling Unit (ADU) within the land use code for potential modifications and incentives to encourage the creation of additional housing options for residents.
Timeline: On an ongoing basis, the City will monitor ADUs and will also seek citizen input on ways to facilitate ADUs in unique circumstances.

Policy: Maintain quality housing stock and the current aesthetic style of Highland City.

Implementation Measure: Adopt design guidelines for medium and higher density housing based on residents' opinions and perceptions of the community character. The guidelines should not be cost prohibitive to affordable housing.

Moderate Income Housing Element 6

Introduction and Background

The Moderate-Income Housing Element is one of the required components of a general plan as outlined by Utah State Code Section 10-9a-403 Part 4. The community is required to create a plan to "facilitate reasonable opportunities for a variety of housing, including moderate-income housing." This plan addresses the demographic forces shaping housing needs and outlines policies for addressing moderate-income housing in Highland City.

Demographic and Housing Data

The cost of housing in Highland City is high. The majority of Highland City's housing stock is composed of owner-occupied single-family housing units. Highland City had a total of 4,320 housing units in 2017. Owner occupied units comprised 4,206 of those total units with 426 being renter occupied units.

Rent vs Own

89% 2017 HOMEOWNERSHIP

89.8% 2016 HOMEOWNERSHIP

In 2017, 89% of the housing units in Highland, UT were occupied by their owner. This percentage declined from the previous year's rate of 89.8%. The percentage of owner-occupation is higher than the national average of 63.9%. This chart from the Census Bureau shows the ownership percentage in Highland compared to neighboring communities.

- Highland's estimated population in 2019 is 19,183 according to the most recent United States census estimates. Highland is the 43rd largest city in Utah based on official 2017
estimates from the US Census Bureau.

- As of 2017 there were an estimated 6,986 jobs located in Highland City. The largest industries in Highland are Retail Trade (980 people), Health Care & Social Assistance (815 people), and Educational Services (774 people), and the highest paying industries are Utilities ($195,208), Wholesale Trade ($127,917), and Information ($121,944).

- The median household income in Highland City was $128,938 in 2017. The Utah County Area Median Income (AMI) was $78,937.00 significantly lower than the average for Highland City.

- Monthly housing costs for owner occupied units was estimated at $1,900. Median gross rent in 2017 was $1,750.

- Average household size was 4.27 and 4.55 for rental units.

- The median home value in 2019 in Highland is $585,900. Highland home values have gone up 8.7% over the past year and Zillow predicts they will rise 5.0% by 2020.

- There are 10,582 adults (1,317 of whom are seniors) in Highland as of 2018.

Highland Median Age

23.8 Total

22.9 Male

24.8 Female

Moderate Income Housing Requirements

The Utah State Code requires all municipalities to propose a plan for moderate-income housing as part of a General Plan. "Moderate-income housing" is defined as "housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80 percent of the median gross income or "area median income (AMI)" for households of the same size in the county in which the City is located.

According to the Department of Housing and Urban Development for housing to be considered affordable, no more than 30 percent of a household's income should go towards paying for housing. The median household income in Highland City was $128,938 in 2017. The Utah County Area Median Income (AMI) was $78,937.00, significantly lower than average for the Highland City.

The intent of the statute passed in 2019 is to ensure that moderate-income households have a reasonable opportunity to live in Utah's growing communities. Cities should provide reasonable opportunities for moderate income households to obtain housing in their municipality. Cities should also ensure that moderate-income households be able to benefit from and fully enjoy all aspects of neighborhood and community life.

PLANNING FOR POPULATION GROWTH

- Utah's population is projected to increase by 2.8 million people in the next 45 years.
- Projected growth is most prevalent in Salt Lake and Utah County.
- By 2065, 28% of the state's population will reside in Utah County.
- Highland's population is projected to be 20,252, by 2026.

2017 Area Median Income Utah County	2017 Area Median Income Highland City
$78,937	$128,938
80% OF AMI = $63,150	80% OF AMI = $103,150
50% OF AMI = $43,469	50% OF AMI = $64,469
30% OF AMI = $23,682	30% OF AMI = $38,682

The intent of the statute passed in 2019 is to ensure that moderate-income households have a reasonable opportunity to live in Utah's growing communities. Cities should provide reasonable opportunities for moderate income households to obtain housing in their municipality. Cities should also ensure that moderate-income households be able to benefit from and fully enjoy all aspects of neighborhood and community life.

To better understand who moderate-income households are the table below has been included as a sampling of professions that qualify as moderate-income. This table includes the median income for the Provo-Orem Metropolitan Statistical Area, (MSA) as well as the monthly cost of housing that would be considered affordable for each household assuming 30 percent of gross monthly income goes to housing costs.

HOUSING COSTS FOR WORKERS IN SELECTED OCCUPATIONS Provo-Orem MSA June 2019

Job Title	Average (Median) Annual Wages	(% of AMI)	Affordable Housing Costs per Month*
Elementary School Teachers, Except Special Education	$28,310	36%	$ 708
Police	$53,864	68%	$1,347
Office Clerk	$30,340	38%	$ 759
Firefighters	$44,171	56%	$1,104
Executive Secretaries and Administrative Assistants	$51,380	65%	$1,285
Machinists	$51,510	66%	$1,288
Real Estate Sales Agent	$51,900	66%	$1,297
Registered Nurses	$61,160	77%	$1,529
Bank Loan Officer	$59,250	75%	$1,481

Barriers Moderate Income Housing

The high price of land is a major barrier to affordable housing in Highland. Highland is also close to being built out, under the current zoning strategy. A partial solution that may assist in reducing land costs could be to allow for higher density housing to offset the land cost per unit, however, this does not guarantee affordable housing. To achieve moderate income affordability, the City may have to require a developer to sell at affordable prices through some sort of agreement, given the market conditions.

Since Highland City has a unique character in comparison to Utah County as a whole it is unreasonable to assume the City will be home to the same percentage of affordable housing as is found in the overall county. To find a more accurate measure for affordable housing opportunity in Highland City, the Utah County percentage of affordable housing will be adjusted using the basic owner and renter-occupied housing rates found in the City. This methodology assumes that Highland City should reasonably provide the same opportunity for affordable housing by a percent for both owned and rental housing stock as is observed in the county as a whole.

The zoning ordinance does allow for accessory dwelling units which provide a partial solution to the affordable housing deficit. Consideration to examine potential barriers will be examined in the Goals and Policies section of this element.

Goals and Policies

With the zoning pattern already established and a mostly infill expectation for new development, support for alternative housing types is a difficult goal to achieve. The City can still find creative ways to make a reasonable allowance for affordable housing types that would be acceptable and even welcomed by residents. The City may choose to focus on solutions, such as basement accessory dwelling units, senior housing (some of which may include deed restrictions to maintain affordability) and multi-family housing mixed-use developments The goals, policies, and implementation measures below build on these ideas.

Goal: Support for alternative housing type.

Policy: Proactively encourage the development of moderate income and senior housing as follows:

Implementation Measure: Examine regulations for Senior Housing projects in the land use code with the specific examination of parking requirements for such.

Implementation Measure: Review and consider updating the regulations in mixed-use zones in the land use code to provide for a greater variety of housing types.

Implementation Measure: Explore potential programs or partnerships with the Mountainlands Association of Governments (MAG).

I**mplementation Measure:** Review and update the regulations for the Accessory Dwelling Unit (ADU) within the land use code for potential modifications and incentives to encourage the creation of additional housing options for residents.

Policy: Maintain quality housing stock and the current aesthetic style of Highland City.

Implementation Measure: Adopt design guidelines for medium and higher density housing based on residents' opinions and perceptions of the community character. The guidelines should not be cost prohibitive to affordable housing.

ATTACHMENT #3:

Below are the moderate income strategies for municipalities from HB 462 that as outlined in Utah Code. The bolded strategies are those that are related to implementation measures in the existing General Plan.

A. rezone for densities necessary to facilitate the production of moderate income housing;
B. demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing;
C. demonstrate investment in the rehabilitation of existing uninhabitable housing stock into moderate income housing;
D. identify and utilize general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the municipality for the construction or rehabilitation of moderate income housing;
E. create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones;
    - *Implementation Measure: Review and update the regulations for the Accessory Dwelling Unit (ADU) within the land use code for potential modifications and incentives to encourage the creation of additional housing options for residents.*
F. zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers;
    - *Implementation Measure: Review and consider updating the regulations in mixed-use zones in the land use code to provide for a greater variety of housing types.*
G. amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors;
H. amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities;
    b. Implementation Measure: Examine regulations for Senior Housing projects in the land use code with the specific examination of parking requirements for such.
I. amend land use regulations to allow for single room occupancy developments;
J. implement zoning incentives for moderate income units in new developments;
K. preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or establishing a housing loss mitigation fund;

L. reduce, waive, or eliminate impact fees related to moderate income housing;
M. demonstrate creation of, or participation in, a community land trust program for moderate income housing;
N. implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality;
O. apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing;
    - *Implementation Measure: Explore potential programs or partnerships with the Mountainlands Association of Governments (MAG).*
P. demonstrate utilization of a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing;
Q. create a housing and transit reinvestment zone pursuant to Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act;
R. eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in Section 10-9a-530;
S. create a program to transfer development rights for moderate income housing;
T. ratify a joint acquisition agreement with another local political subdivision for the purpose of combining resources to acquire property for moderate income housing;
U. develop a moderate income housing project for residents who are disabled or 55 years old or older;
    - *Implementation Measure: Examine regulations for Senior Housing projects in the land use code with the specific examination of parking requirements for such.*
V. develop and adopt a station area plan in accordance with Section 10-9a-403.1;
W. create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones; and
X. demonstrate implementation of any other program or strategy to address the housing needs of residents of the municipality who earn less than 80% of the area

median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing;

HB462 Housing Affordability Amendments
(Rep. Waldrip / Sen. Anderegg)

The bill is a collaborative effort among numerous stakeholders, including the Commission on Housing Affordability, the Utah League of Cities and Towns, Wasatch Front Regional Council and Mountainland Association of Governments, Property Rights Coalition, Division of Housing and Community Development, the Utah Transit Authority, and various other public and private sector organizations, to help Utah to address its significant challenges on housing availability and affordability.

This summary breaks down bill changes into the following sections:

1. Moderate Income Housing Plan Changes (update to SB34 from 2019)
2. Station Area Plan Requirements
3. Changes to Internal Accessory Dwelling Units
4. Changes to Point of the Mountain
5. Changes to the Olene Walker Board
6. Other Changes and Appropriations

Moderate Income Housing Planning Changes (update to SB34 from 2019) (lines 571-819, 1053-1262; 1893-2409 (counties)):

Although all municipalities, metro townships, and counties are encouraged by law to plan for moderate income housing plan (MIHP); Senate Bill 34 (2019) created specific criteria that certain cities had to adopt in a plan and penalties for non-compliance. HB 462 makes changes to these criteria.

Highlights of MIHP Changes:

- Modifies and expands the menu items and requires that municipalities review their moderate income housing plans and update items with implementation elements by October 1, 2022. The December reporting period no longer applies.
- Reporting forms will change and the reporting period will be tied to the municipal fiscal year with subsequent reports due by October 1.
- Implementation elements must include a timeline that has specific benchmarks for each chosen strategy, but provides flexibility for the municipality to make adjustments.
- Increases the number of menu strategies from which municipalities may select, including creating an HTRZ, creating a station area plan, creating a program for transfer of development rights, eliminating certain ADU impact fees, promoting “missing middle” housing, etc..
- Menu items remain at 3 for cities without fixed guideway transit and 5 for those with fixed guideway transit (one of which is required to be the adoption of Station Area Plan). If a city selects 5 (or 6 for fixed rail cities), then those cities would qualify for enhanced prioritization of state TIF/TTIF and ARPA local match program funds.

- The Department of Workforce Services shall be responsible for creating a moderate income housing database and be responsible for providing housing data to municipalities, metro townships and counties. DWS is hiring a new staffer to manage the database and will work with ULCT on building a new form for reporting and other specifics.

Report components

SB 34 (2019) required applicable municipalities, metro townships, and counties to submit an annual report to the Department of Workforce Services annually on December 1. HB 462 updates the reporting process. Instead of requiring reports on December 1 of each year, reports will be due on October 1st of each year. The reporting period will be tied to a city's fiscal year. The initial year (2022) submittal must include a description of each adopted MIHP strategy selected by the municipality and a specific implementation timeline for each strategy. Subsequent reports must include for each fiscal year period:

- MIHP strategies and implementation plans;
- A description of each action, one time or ongoing, taken by the municipality during the previous fiscal year (or past years if applicable) to implement the MIHP strategies.
- A description of each land use regulation or decision made by the municipality during the previous fiscal year (or past years if applicable) to support their MIHP strategies.
- A description of any barriers encountered by the municipality during the previous fiscal year (or past years if applicable) in implementing MIHP strategies.
- A description of how the private sector and market have responded to the selected MIHP strategies, including the number of entitled residential units and other relevant data.
- Information regarding the number of accessory dwelling units located within the municipality issued a business license or construction permit.
- Recommendations on how the state can support the municipality in implementing MIHP strategies.

This updated data collection and report should help cities complete the narrative on land use planning and housing policy.

Report review

HB 462 requires DWS to approve the reporting form each year and make the form available on or before July 1 of each year the report is required. Reporting jurisdictions are then required to submit their reports to DWS on or before October 1 of that same year. HB 462 removes the requirement for reporting entities to submit their reports to their AOG or MPO. Within 90 days of DWS receiving a report, the division must post the report on their website; send a copy to UDOT, GOPB, the jurisdiction's AOG and (if applicable) MPO; and review the report to determine compliance with the updated list of menu items. HB 462 states that a jurisdiction's report complies with the requirement if the report:

- Includes the stated information required in the report
- demonstrates to DWS that the municipality made plans to implement MIHP strategies
- includes a reasonable timeline for the selected strategies.
- meets the requirement of incorporating one of the transit sub-menu items if the city has a fixed guideway public transit station.

- Is completed in the form provided by DWS.
- Provides sufficient information for the division to:
    - Assess the municipality's progress in implementing strategies,
    - Monitor the municipality's compliance with their implantation timeline,
    - Identify a clear correlation between the municipality's land use decisions and their efforts in implementing selected strategies, and
    - Identify if and how the market has responded to the municipality's MIHP strategies.

Prioritization and penalties
If DWS reviews the report and determines the municipality complies with the minimum requirements (5 strategies for cities with fixed guideway transit, 3 for cities without fixed guideway transit) and the municipality has adopted two additional menu item strategies, the municipality may receive priority consideration for funding from the Transportation Investment Fund (TIF), Transit Transportation Investment Fund (TTIF), and the COVID-19 local assistance matching grant program. If the municipality only complies with the minimum number of strategies (5 or 3), their requests for TIF projects, TTIF projects, and local matching grant funding will not be prioritized, but they are still eligible to be funded.

If DWS determines the municipality's MIHP fails to comply with the requirements, they must send a notice to the municipality, UDOT, and GOPB. The notice shall include that municipality is ineligible to receive funds, which funds they are ineligible to receive, the fiscal year that the municipality is ineligible for, and the basis for DWS' determination. The SB 34 provision that UDOT may not program TIF or TTIF funds on projects within municipalities that fail to comply with reporting requirements still applies. HB 462 adds ineligibility for the COVID-19 Local Assistance Matching Grant Program as a consequence for noncompliance.

HB 462 does provide municipalities with an opportunity to correct reporting deficiencies and come into compliance. In the notice given to the municipality, DWS must provide a description of each deficiency in the report and the actions needed to cure each deficiency. The legislative body of the municipality will be given 90 days from the day the notice is sent to cure the identified deficiencies, or they will lose eligibility for TIF/TTIF funding.

(TIF/TTIF provisions are at lines 3583-3844)

Station Area Planning Requirements (lines 820-1052):

Objective: Advance shared goals by maximizing development potential in appropriate areas through a collaborative city-led planning approach, allowing cities to determine how best to meet shared objectives without mandating a specific approach or zoning.

Overview

- If a city has a fixed-guideway public transit station (rail or brt), it is required to develop a Station Area Plan (SAP) for that station and update its general plan and zoning to implement the Station Area Plan.
- Station area plans are intended to promote shared objectives such as housing availability and affordability, access to opportunities, sustainable environmental conditions, and transportation choices and connections. Plans are reviewed by the relevant Metropolitan Planning Organization (MPO), and are incorporated into the MIHP review architecture.
- Adopting a Station Area Plan is one of the actions a municipality may take to qualify for enhanced prioritization for state transportation and local match program funding. Funding from the state Industrial Assistance Account through the Governor's Office of Economic Opportunity (GOEO) will be provided to Metropolitan Planning Organizations to provide technical assistance to assist cities in developing their plans.
- Zoning changes within the Station Area will have increased referendum thresholds.

Plan Objectives (lines 949 - 981)

Station Area Plans shall promote the following objectives:

1. Increasing the **availability and affordability of housing**, including moderate income housing. The municipality may consider actions including:
    a. Aligning SAP with MIHP element of general plan
    b. Providing for densities necessary to facilitate the development of moderate income housing
    c. Providing for affordable costs of living in connection with housing, transportation and parking
2. Promoting **sustainable environmental conditions**. The municipality may consider actions including:
    a. Conserving water resources through efficient land use
    b. Improving air quality by reducing fuel consumption and motor vehicle trips
    c. Establishing parks, open space, and recreational opportunities
3. Enhancing **access to opportunities**. The municipality may consider actions including:
    a. Maintaining and improving the connections between housing, employment, education, recreation, and commerce
    b. Encouraging mixed-use development
    c. Enabling employment and educational opportunities in proximity to the transit station
    d. Encouraging and promoting enhanced broadband connectivity
4. Increasing **transportation choices and connections**. The municipality may consider actions including:
    a. Supporting investment in infrastructure for all modes of transportation
    b. Increasing utilization of public transit
    c. Encouraging safe streets through the designation of pedestrian walkways and bike lanes
    d. Encouraging manageable and reliable traffic conditions
    e. Aligning the SAP with the MPO-adopted regional transportation plan.

Plan Requirements

1. Cities with "fixed guideway public transit" are required to plan ½ mile radius around a rail (FrontRunner, Trax, Streetcar) station, and ¼ mile radius around a bus rapid transit (which uses a separate right-of-way) station, and adopt any appropriate land use regulations to implement the station area plan. (864-868, 851-859)
    a. SAPs may also be developed for multiple stations through an integrated process. If a station area covers more than one municipality each shall develop a SAP for their area, or coordinate together to develop a shared SAP. (933-941)
    b. The radius is calculated from the center of the public transit station platform.
2. Station area plans shall include the following components (993-1023):
    a. A **Station Area Vision** that is consistent with the station area plan objectives (described above), and which includes:
        i. Constraints and opportunities for the development of land given existing conditions
        ii. The city's objectives, and description for the future transportation systems, land uses, public and open spaces, and the use and development of land in the station area.
    b. A **Station Area Map** that depicts the areas within the municipality and station area subject to the plan, and where actions are needed to implement the plan (*i.e.,* the actual implementation plan may be for selected portions of the area, and vision and plan can be greater than ½ or ¼ mile radius).
    c. An **Implementation Plan** that identifies and describes actions over the next five years the city intends to take, and action needed by others, needed to implement the station area plan, including:
        i. modifying land use regulations;
        ii. making infrastructure and public space improvements;
        iii. modifying deeds or other relevant legal documents;
        iv. securing funding or developing funding strategies;
        v. applying applicable design standards for development; or
        vi. providing environmental remediation.
    d. A **statement of how the Station Area Plan promotes the plan objectives** (see above).
3. Development of a SAP must include public outreach and community engagements, and involve relevant stakeholders, including impacted landowners, other impacted communities, MPOs, UDOT, UTA, residents and business owners. (1029-1037)
4. The requirements to develop a station area plan and appropriate zoning can also be satisfied if the municipality adopts a resolution demonstrating that (869-887, 1024-1028):
    a. Fulfilling some or all of the SAP objectives or required components are ***impracticable***, due to conditions including existing development, entitlements, land ownership, land uses that make opportunities for new development and long-term redevelopment infeasible, environmental limitations, market readiness, development impediment conditions, or other similar conditions.
    b. The city has already satisfied the Station Area Plan requirements – in whole or in part – based on ***prior actions*** taken before June 1, 2022, such as prior public and stakeholder engagement processes, market assessments, visioning, planning, implementation activities, capital programs, or adopted land use regulations or other actions.

5. The bill updates station area plan references in UTA's code. (2497-2686)

City Development and Approval Timeline, and MPO certification

1. Municipalities are required to adopt a station area plan for existing public transit stations and adopt any appropriate land use regulations no later than December 31, 2025. (864-868; 888-903)
    a. Cities with more than four existing stations shall complete the plan requirements for four stations by Dec. 2025, and complete no less than two plans each year thereafter.
    b. A city with a new station (that is not yet under construction by May 2022) must adopt a station area plan before the station opens for service.
2. A "***qualifying land use application***" received by a city can trigger a one-year timeline for completion of a station area plan. (904-918)
    a. A qualifying land use application (836-850) is one that:
        i. involves land located within a rail-based station area;
        ii. involves land located within a station area for which the municipality has not yet satisfied the requirements of station area plans;
        iii. proposes the development of an area greater than five contiguous acres;
        iv. would require the municipality to amend the municipality's general plan or change a zoning designation for the land use application to be approved;
        v. would require a higher density than the density currently allowed by the municipality;
        vi. proposes the construction of new residential units, at least 10% of which are dedicated to moderate income housing; and
        vii. the applicant requests the initiation of a station area plan development process.
    b. If a municipality receives a qualifying land use application *on or before* July 1, 2022, the municipality must satisfy the SAP requirements by July 1, 2023.
    c. If a municipality receives a qualifying land use application *after* July 1, 2022, the municipality must satisfy the SAP requirements no later than 12 months after the first day of the month after the land use application is submitted.
    d. If multiple qualifying land use applications are received, municipalities are not required to satisfy SAP requirements for more than two station areas in a 12-month period.
3. The required time period for completion of a station area plan and appropriate zoning may be extended once for a 12-month period if the municipality demonstrates to the applicable MPO that conditions exist that make doing so ***infeasible*** despite the good faith efforts of the municipality, and the MPO certifies such extension. (925-932)
4. A station area plan is to be adopted and submitted to the Metropolitan Planning Organization (WFRC or MAG) and UTA. The MPO, in consultation with UTA, shall review whether the plan satisfies the statutory conditions and if it does, shall certify such compliance. (1038-1052)
    a. The MPO may certify a SAP based on *prior actions* taken by the municipality or the *impracticability* of completing elements of the SAP due to impediments.
    b. Following adoption of the plan, and certification by the MPO, the municipality shall submit evidence of the plan adoption to DWS as part of the MIHP reporting requirements.

    c. The MPO is not responsible for reviewing the zoning changes made by the city to implement the SAP. Steps taken by the city to implement the SAP, including zoning changes, would be incorporated into the regular annual MIHP reporting process.
5. The municipal general plan land use and transportation elements must consider and coordinate with the municipality's station area plans and the regional transportation plan developed by the MPO (781 - 790).

Technical Assistance (942-948)

1. Municipalities required to develop and adopt a station area plan may request technical assistance from their relevant MPO. (This technical assistance may include consultant or staff time, model ordinances, analyses, etc.)
2. Funding will be provided to the MPOs from GOEO through the Industrial Assistance Account to provide this technical assistance (lines 3503 - 3520). Technical assistance from MPOs funded through the Industrial Assistance Fund shall give priority consideration to station area plans developed pursuant to the receipt of a qualifying land use application.

Station Area Developments Will Be Propelled

1. Within a station area where a municipality has complied with the station area plan requirements, a ⅔ approval by the legislative body of a land use law would make the legislative action non-referable (consistent with state law about legislative acts that are non-referable) (lines 2842-2884).
2. The signature thresholds are increased for a referendum for zoning to adopt a station area plan, or for zoning changes within a station area, after the city adopts the SAP or the resolution demonstrating that the SAP requirements are satisfied (lines 2688-2841).
    a. *Note: By adopting a Station Area Plan and updated General Plan and Zoning, it reduces the likelihood that a subsequent specific development proposal will be subject to referendum.*
3. If a residential development application that would require the municipality to change a zoning designation for the land use application to be approved is within an area for which the SAP requirements have not yet been satisfied, the city will process the completed application for the residential development within the SAP on a first priority basis. (lines 919-924)

Changes to Internal Accessory Dwelling Units (IADU) (1353 - 1409)

Prohibits local governments from charging impact fees to IADUs constructed within an existing dwelling.

Changes to Point of the Mountain (lines 1410 - 1446):

HB 462 requires the Point of the Mountain State Land Authority to incorporate housing affordability into their strategic planning, and report to the Unified Economic Opportunity Commission.

Changes to The Olene Walker Board (lines 2885 - 2956)

HB 462 modifies the Olene Walker housing board to specify:

- One of the two members from local governments shall be a local elected official residing in a county of the first or second class. The other local government member shall be a locally elected official residing in a county of the third, fourth, fifth, or sixth class.
- One of the two members from the mortgage lending community shall have expertise in single family mortgage lending than the other shall have expertise in multifamily mortgage lending.
- One of the two members from home builder interests shall have expertise in single family residential development and one member shall have expertise in multifamily residential development.
- One of the two members from housing advocacy interests shall reside in a county of the first or second class; and one member shall reside in a county of the third, fourth, fifth, or sixth class.

Other Changes & Appropriations:

Rural Housing Fund Changes
HB 462 makes several changes to the rural predevelopment grant program created in SB 164 (2021). The bill makes technical changes and caps the grant amount that a single project may receive at $50,000. HB 462 also creates a rural housing fund with legislative appropriations, private contributions, donations or grants from public and private entities and money returned to the department from 35A-8-512(3)(b). Funds can be used to make loans for projects that:

1. Are located within a county of the third, fourth, fifth, or sixth class or a municipality within a county of the second class with a population ≤10,000.
2. Include moderate income housing units for households whose income is no more than 80% AMI for households of the same size in the county or municipality where the project is located

Housing affordability data and methodology (lines 3229 - 3277, 3366 - 3403)
The DWS Division of Housing and Community Development is required to establish and maintain a database of moderate income housing units located within the state.

It is also required, by December 1, 2022, to develop and submit to the Subgroup on Housing Affordability (SHA, formerly known as CHA) a methodology for determining whether a municipality or county is taking sufficient measures to promote moderate income housing in accordance with municipal moderate income housing plans.

Granting Real Property for Affordable Housing (lines 3459 - 3503)
HB 462 expands the 'Grant of Real Property for Affordable Housing' provision created in SB 164 last year to clarify that government entities may grant real property to an entity that for the development of one or more affordable housing units, when ≥20% of the housing units meet the definition of moderate income housing units (housing affordable to households earning <80% of county area median income).

Public transit hub (lines 2134-2137, 3578-3582)
HB462 requires a county that has created a transit district by January 1, 2022 (i.e., Summit County), and which has a bus hub in unincorporated areas serving more than four routes (i.e., Kimball Junction) to create a Housing and Transit Reinvestment Zone (HTRZ) at that hub by December 31, 2022.

Appropriations (lines 3845 - 3900)

- $500,000 to the Dept. of Workforce Services for the development of a statewide database for moderate income housing units.
- $750,000 to the Dept. of Workforce Services to provide assistance to landlords under the DWS Section 8 landlord incentive program for two years of funding ($375,000 each year).
- $132,000 to the Dept. Workforce Services to hire one additional FTEs.
- $250,000 to the Dept. Workforce Services to appropriate to a non-profit entity for the purpose of education on regional land use training workshops for local officials and policymakers on housing issues.
- $250,000 to the Dept. Workforce Services to appropriate to a nonprofit entity that engages in efforts to increase housing affordability.

HB462 has an effective date of June 1, 2022

AGENDA NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #6

DATE: September 6, 2022

TO: Honorable Mayor and Members of the City Council

FROM: Tyler Bahr, Finance Director

SUBJECT: **ACTION:** Mountain Ridge Park Funding Sources

TYPE: **ADMINISTRATIVE:** The Council will consider potential funding sources for the completion of Mountain Ridge Park.

PURPOSE:

The City Council will review funding sources for Mountain Ridge Park and consider a request to transfer eligible sources to the Parks Capital Fund.

PRIOR COUNCIL DIRECTION:

On August 16, staff presented a preliminary list of potential funding sources to complete construction of Mountain Ridge Park. The Council provided feedback and directed staff to refine the estimates of available funding and transfer certain funds to the Parks Capital Fund in preparation for Mountain Ridge Park construction.

BACKGROUND:

The purpose of this item is to outline the sources of funding the Council desires to use for completion of Mountain Ridge Park. In subsequent items scheduled for consideration in the same Council meeting, staff will then present an overview of the project costs, including changes orders for approval.

Based on the Council's direction, staff has identified funding sources in the table below. Sources currently not in the Parks Capital Fund that staff would recommend transferring are highlighted in blue:

Source	Amount	Notes
Remaining from Sale of Spring Creek Park	1,402,668	In Parks Capital Fund
Sale to Patterson Storage	358,055	In Parks Capital Fund
Dry Creek Property Sale	400,000	In Parks Capital Fund
Street Tree Account	95,700	
Enterprise Fund Eligible Portions	87,300	
B&C Road Money Eligible Portions	144,390	
Patterson Donation	10,000	Prior year GF balance
ARPA Funds	2,269,373	In General Fund
Parks Tax	135,000	FY23 projected revenue

Source	Amount	Notes
Reimbursement for 6800 West Project	550,000	Anticipated by end of FY23
Remainder from Town Center Exaction Fund	300,000	
FY22 General Fund Net Revenue	Pending Closeout	
FY23 General Fund Net Revenue	400,000	Budgeted for $780,000
General Fund Balance	750,000	Would put GF unrestricted balance at 27.5% of annual revenues. ($100,000 roughly equivalent to 1%.)
Private Donation	100,000	Pavilion
Highland Foundation Donations	45,000	
FY23 Parks Impact Fee Revenue	1,000,000	Budgeted for $1,500,000 in FY23. We are unable to pay off the bond early.
Parks Capital Fund Balance	1,000,000	This would leave approximately $2.6 million in the Fund to pay for remaining $3.6 million owed on the bond through 2027, with $1,000,000 in additional impact fee revenue anticipated by FY2028 to fund remaining bond payments.
American Fork Debris Basin Landscaping Funds	104,558	
Total Available Funding	**$9,152,044**	

FISCAL IMPACT:

A number of the funding estimates have been recently identified for this project or otherwise revised. As they were not included in the FY2023 budget, they will need to be included as part of the mid-year budget adjustments unless otherwise directed by the Council.

STAFF RECOMMENDATION:

Staff recommends the Council:

- Approve the use of sources noted above to fund construction of Mountain Ridge Park; and
- Authorize staff to transfer to the Parks Capital Fund the sources highlighted in blue.

MOTION TO APPROVE:

I move that City Council approve the use of the sources identified by staff to fund construction of Mountain Ridge Park and authorize staff to transfer funds to the Parks Capital Fund as noted.

ATTACHMENTS:

None

AGENDA NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #7

DATE: September 6, 2022

TO: Honorable Mayor and Members of the City Council

FROM: Andy Spencer
City Engineer/Public Works Director

SUBJECT: **CONTRACT:** Mountain Ridge Park Change Order

TYPE: **ADMINISTRATIVE:** The council is acting in an administrative capacity in providing a park system per the Municipal code.

PURPOSE:

The City Council will consider a change order with Stratton and Bratt Landscapes, LLC for Mountain Ridge Park construction. The Council will take appropriate action.

PRIOR COUNCIL DIRECTION:

On April 19, 2022, the Council awarded the Phase 1 Construction project to Stratton and Bratt Landscapes, LLC in an authorized construction amount up to $2,095,416.

On August 16, 2022, the Council was presented with a funding and cost summary for the uncontracted portions of Mountain Ridge Park construction. The Council directed the that the construction items be presented to the Council for consideration on the September 6, 2022 Council meeting.

BACKGROUND:

Following the award of the Phase 1 construction contract, the Council directed that several changes be made to the Mountain Ridge Park plans. Notable among these changes were the addition of a much larger playground area that required different grading than had been previously contemplated, the change to xeriscape along the 10400 North and 5600 West frontages, and the addition of the basketball courts. Additionally, it was requested that the plan be modified to provide power for food trucks and the stage and vendor areas planned for Highland Fling at the park.

With the award of the phase 1 contract, playground contract, restroom contract,

pavilion contract, it has left several areas in which the work needs to be completed to allow for the contracted improvements to be functional. In working to come up with pricing for these areas, the scope of work has been divided into 5 areas. These areas have been termed "Gap Areas" because they represent gaps in the scopes/projects that have already been awarded. The Gap Areas are numbered according to priority per staff's understanding and for the overall flow of the park.

Stratton and Bratt have provided change order pricing for the items necessary to modify the Phase 1 contract to accommodate the Council directed changes. These are

- COPR #2 – Grading and Drainage changes and providing the structural footings and concrete pads for the pavilions.
- COPR #3 – Electrical modifications to accommodate the stage, vendor areas, food truck areas, and installation of the pickleball area lighting.
- COPR #4 – Modifying the 10400 N and 5600 W frontage landscape to xeriscape.

Stratton and Bratt also provided pricing for the Gap Areas. These areas are as follows (see also the provided map):

- Gap #1 – Area surrounding the playground
- Gap #2 – Area surrounding the baseball fields
- Gap #3 – Area surrounding the pickleball and basketball courts
- Gap #4 – Area south and west of the playground
- Gap #5 – Area surrounding the baseball and soccer field on the south and west.

FISCAL IMPACT:

Cost Breakdown of Proposed Change Order

COPR #2	$	78,160
COPR #3	$	302,338
COPR #4	$	113,810
Gap #1	$	737,578
Gap #2	$	207,358
Gap #3	$	220,606
Gap Area Bond Costs	$	17,225
Subtotal	$	1,677,074
Contingency	$	251,561
Total Change Order	$	1,928,635

The project cost of $1,928,635 will be paid from the Parks Capital account by the funds designated by the City Council for Mountain Ridge Park.

STAFF RECOMMENDATION:

Staff recommends that the City Council APPROVE the change order with Stratton and Bratt Landscapes, LLC for COPR numbers 2, 3, 4 and GAP AREA 1, 2, and 3 in the amount of $1,677,074 allocating a 15% project contingency of $251,561 to be administered by staff, for a maximum authorized change order amount of $1,928,635 and AUTHORIZE the Interim City Administrator to execute the necessary contract documents for the project.

MOTION TO APPROVE:

I move that the City Council **APPROVE** the contract with change order with Stratton and Bratt Landscapes, LLC for COPR numbers 2, 3, 4 and GAP AREAS 1, 2, and 3 in an amount up to $1,928,635 for the Mountain Ridge Park project and **AUTHORIZE** the Interim City Administrator to execute the contract documents.

ATTACHMENTS:

1. Park Rendering
2. Gap Area Map
3. Change Order Estimate Documents for COPR numbers 2, 3, 4 and GAP AREA 1, 2, 3, 4, 5,

CONTINUED SIDEWALK ALONG 10400 N

10400 NORTH

BASKETBALL COURT

PICKLEBALL COURTS, TYP.

PARKING

ALL ABILITIES PLAYGROUND

PARKING

LARGE PAVILION

RESTROOM

MEDIUM PAVILION, TYP.

MULTI-USE FIELD

MULTI-USE FIELD

BALL FIELD

5600 WEST

PERIMETER WALKWAY

Mountain Ridge Park

HIGHLAND CITY

blū line designs
8719 S. Sandy Parkway
Sandy, UT 84070
p.801.679.3157

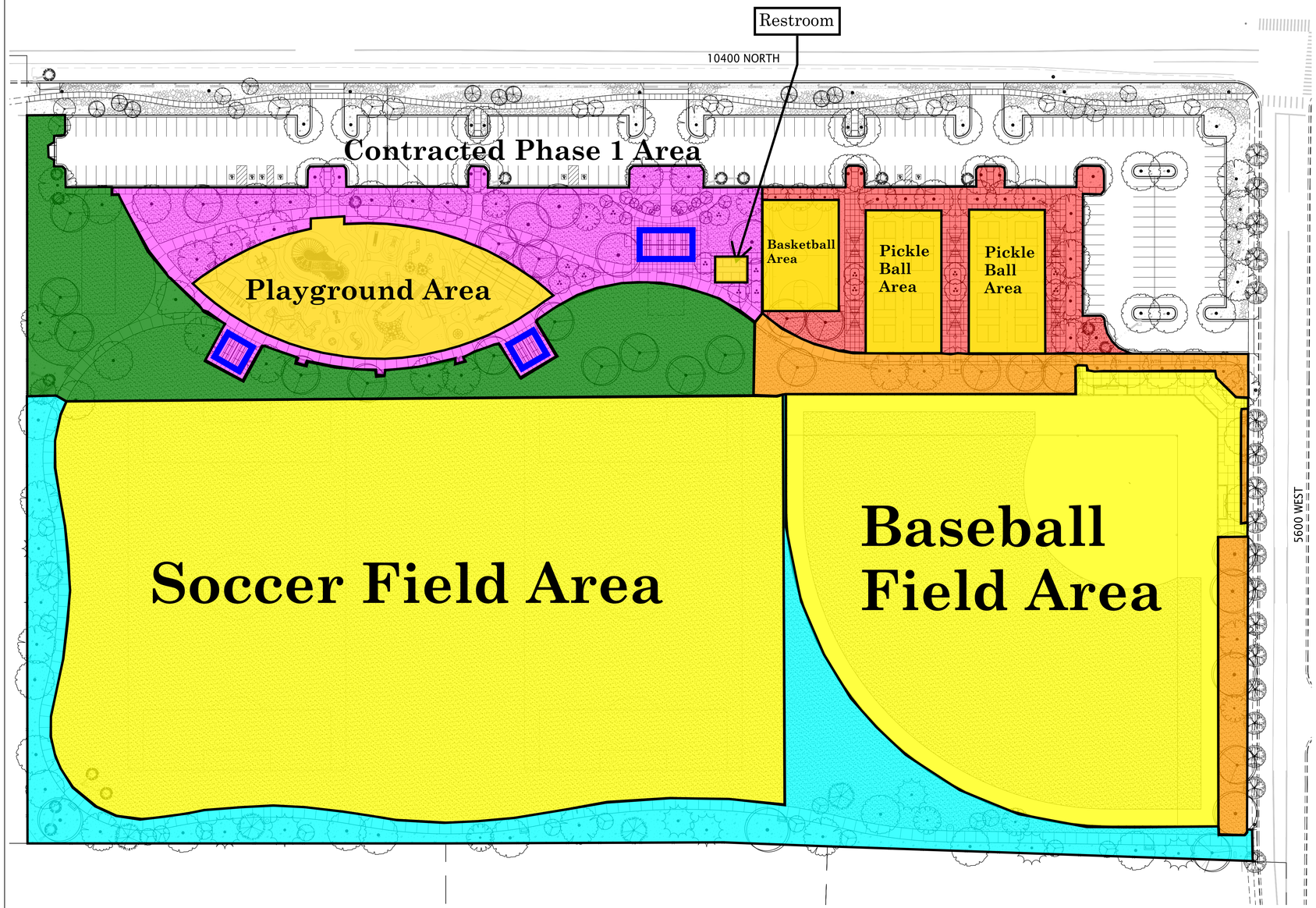
Master Plan

07.27.2022

0 20 40 80 120

n

Contracted Pavillion Purchase



PLANT SCHEDULE (OVERALL)

TREES	BOTANICAL / COMMON NAME
	AMELANCHIER X GRANDIFLORA `AUTUMN BRILLIANCE` / `AUTUMN BRILLIANCE` SERVICEBERRY (MULTI-TRUNK)
	CERCIS CANADENSIS / EASTERN REDBUD
	EXISTING TREE TO REMAIN / EXISTING TREE TO REMAIN
	FRAXINUS PENNSYLVANICA `CIMARRON` / GREEN ASH
	GLEDITSIA TRIACANTHOS INERMIS `SHADEMASTER` TM / SHADEMASTER LOCUST
	MALUS X `PRAIRIFIRE` / PRAIRIFIRE CRAB APPLE
	MALUS X `SPRING SNOW` / SPRING SNOW CRAB APPLE
	PLATANUS X ACERIFOLIA `BLOODGOOD` / LONDON PLANE TREE
	PRUNUS VIRGINIANA `CANADA RED` / CANADA RED CHOKECHERRY (MULTI-TRUNK)
	QUERCUS MACROCARPA 'JFS-KW3' TM / URBAN PINNACLE OAK
	ZELKOVA SERRATA `GREEN VASE` / SAWLEAF ZELKOVA

EVERGREEN TREES	BOTANICAL / COMMON NAME
	PICEA ABIES / NORWAY SPRUCE
	PICEA GLAUCA PENDULA / WEEPING WHITE SPRUCE
	PICEA PUNGENS / COLORADO SPRUCE
	PINUS FLEXILIS `VANDERWOLF`S PYRAMID` / VANDERWOLF`S PYRAMID PINE
	PINUS NIGRA / AUSTRIAN BLACK PINE

GROUND COVERS	BOTANICAL / COMMON NAME
	POA PRATENSIS / KENTUCKY BLUEGRASS
	ROCK MULCH TYPE 1 / 1-1/2" CRUSHED BONNEVILLE BLEND
	ROCK MULCH TYPE 2 / 2-4" SOUTH TOWNE COBBLE
	SHREDDED BARK MULCH / SHREDDED BARK MULCH

Gap Area Phasing

- #1
- #2
- #3
- #4
- #5

CONSTRUCTION DRAWINGS

Scale: 1" = 50'-0"

0 25 50 100 150

blu line designs
planning | landscape architecture | design
8719 S. Sandy Parkway
Sandy, UT 84070
p 801.913.7994

OWNER:
HIGHLAND CITY
5400 W CIVIC CENTER DRIVE
HIGHLAND, UT 84003

CONTACT:
ANDY SPENCER
PH: 801-772-4508

HIGHLAND CITY

HIGHLAND CITY MOUNTAIN RIDGE PARK

10400 N 5600 W
HIGHLAND, UT 84003

REVISIONS

NO.	DATE	DESCRIPTION
1	07/27/22	REVISED_LANDSCAPE_& IRRIGATION

Stamp

STATE OF UTAH
CORY A. SHUPE
No. 5410044-5301
07/27/22
Licensed Landscape Architect

Designed By:	RBD
Drawn By:	BP
Date:	07.27.22
Checked By:	CAS
Project No:	18-224

Drawing Title

OVERALL LANDSCAPE PLAN

Drawing number

L1.0

STRATTON & BRÄTT

To:	Highland City	**Contact:**	A Spencer
Address:	Highland City, UTAH	**Phone:**	
		Fax:	
Project Name:	Mountain Ridge Park - (COPR# 2 Strom Drain & Misc.)	**Bid Number:**	
Project Location:	Highland, UT	**Bid Date:**	8/22/2022
Addendum #:	Bid Per Plans Dated 07/27/2022		

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
1	Bonding (Additional Bond Costs)	1.00	UNIT	$1,172.00	$1,172.00
2	Pavillions (3) (Concrete Footings And Concrete Pads)	1.00	EACH	$62,518.00	$62,518.00
4	6" PVC SDR-35 (Item 23 On Bid Form) Credit	120.00	LF	($81.50)	($9,780.00)
4	8" PVC SDR-35 (Item 22 On Bid Form) Credit	33.00	LF	($93.50)	($3,085.50)
5	Catch Basins With Grates (8 @ 3' X 3'); 1 COB W/ Grate @ 4' X 4'; 158 LF Of 15" Pipe; 45 LF Of 6" Pipe To Be Connected To Slot Drains; Additional Core Drilling; NOTE: This Is More Than Our 8.30.22 Quote Because Perry Had Left Off The 3' X 3' X 6' Boxes And Grates.	1.00	LS	$67,035.00	$67,035.00
6	Sumps Added (5)	5.00	EACH	$7,940.00	$39,700.00
7	Sumps By JW Excavation (Credit) 3' X 5' X 5' Boxes By S&B	10.00	EACH	($7,940.00)	($79,400.00)

Total Bid Price: $78,159.50

Notes:

- Please note the following parameters and exclusions from our proposal.
  1. Prices valid for 30 days.
  2. Due to the volatility in PVC pipe and plant material prices, assumes we will be able to submit a pay application for Stored Materials within 30 days of the date of this proposal.
  3. Items not included in the line item proposal are excluded.

ACCEPTED:

The above prices, specifications and conditions are satisfactory and hereby accepted.

Buyer: _____

Signature: _____

Date of Acceptance: _____

CONFIRMED:

Stratton And Bratt Landscapes

Authorized Signature: _____

Estimator: Richard Elizarraraz
Richard@Strattonandbratt.com

To:	Highland City	**Contact:**	A Spencer
Address:	Highland City, UTAH	**Phone:**	
		Fax:	
Project Name:	Mountain Ridge Park - (COPR#3 Electrical Changes)	**Bid Number:**	
Project Location:	Highland, UT	**Bid Date:**	8/29/2022
Addendum #:	Bid Per Plans Dated 07/27/2022		

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
1	Bonding (Additional Bond Costs)	1.00	UNIT	$4,468.00	$4,468.00
2	RFI #1 Additional Light Poles	5.00	EACH	$5,833.00	$29,165.00
3	Electrical Quote (10 Ground Boxes PG-12; 3 Pedestals PP1G' 2 Actuator Poles; 3 Outlet Pedestals 20 Amp PP2B; Pavilion Lights	1.00	EACH	$189,982.00	$189,982.00
4	Musco Lights (Lights And Controlls Supplied By Others)	1.00	LS	$18,771.00	$18,771.00
5	Excavation (Trenching, Light Poles & Prep For Pedestals Pads)	1.00	UNIT	$38,940.00	$38,940.00
6	Concrete Bases (2 Acturator Pole Bases (Detail 5/ES503), 3 Power Pedestals El Bases (4/ES104), 3 Power Pedestal Bases (3/ES502), 2 Concrete Bases For Mounted Strong Boxes (1/ES502).	1.00	LS	$14,874.00	$14,874.00
7	Adding Additional Conduit (1.5") From Northeast Corner To West Side Of Restroom For Future Data Cable.	620.00	LF	$9.90	$6,138.00

Total Bid Price: $302,338.00

Notes:

- Please note the following parameters and exclusions from our proposal.
  1. Prices valid for 30 days.
  2. Due to the volatility in PVC pipe and plant material prices, assumes we will be able to submit a pay application for Stored Materials within 30 days of the date of this proposal.

ACCEPTED: The above prices, specifications and conditions are satisfactory and hereby accepted. **Buyer:** _____ **Signature:** _____ **Date of Acceptance:** _____	**CONFIRMED:** **Stratton And Bratt Landscapes** **Authorized Signature:** _____ **Estimator:** Richard Elizarraraz Richard@Strattonandbratt.com

To:	Highland City	**Contact:**	A Spencer
Address:	Highland City, UTAH	**Phone:**	
		Fax:	
Project Name:	Mountain Ridge Park - (COPR#4 Landscaping Phase 1 Addition)	**Bid Number:**	
Project Location:	Highland, UT	**Bid Date:**	8/31/2022
Addendum #:	Bid Per Plans Dated 07/27/2022		

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
1	Plants (Deciduous Trees 2" Cal)	20.00	EACH	$529.00	$10,580.00
2	Plants (Ornamental Trees 2" Cal)	29.00	UNIT	$529.00	$15,341.00
3	Plants (Shrubs 5 Gal)	561.00	EACH	$55.00	$30,855.00
4	Plants (Perennials 1 Gal)	392.00	EACH	$18.00	$7,056.00
5	Plants (Ornamental Grasses 1 Gal)	603.00	EACH	$19.00	$11,457.00
6	Bonneville Blend Rock Mulch (4" Depth)	15,131.00	SF	$1.49	$22,545.19
7	South Town Cobble (4" Depth)	14,537.00	SF	$1.88	$27,329.56
8	Weed Barrier Fabric	29,668.00	SF	$0.32	$9,493.76
9	12" Depth Topsoil (Shrub Bed)	1,114.00	CY	$36.00	$40,104.00
10	90 Days Maintenance **(per Specs)**	1.00	LS	$3,164.00	$3,164.00
11	Irrigation System	1.00	LS	$151,474.00	$151,474.00
12	Bonding (Additional Bond Costs)	1.00	UNIT	$1,681.00	$1,681.00
13	Credit For Original Contract (Landscaping--See Accompanying Credit Details For Base Bid And 2 Alternates)	1.00	UNIT	($217,270.86)	($217,270.86)

Total Bid Price: $113,809.65

Notes:

- Please note the following parameters and exclusions from our proposal.
  1. Prices valid for 30 days.
  2. Due to the volatility in PVC pipe and plant material prices, assumes we will be able to submit an invoice for these items before pricing increases.

ACCEPTED:	**CONFIRMED:**
The above prices, specifications and conditions are satisfactory and hereby accepted.	**Stratton And Bratt Landscapes**
Buyer: _____	
Signature: _____	**Authorized Signature:** _____
Date of Acceptance: _____	**Estimator:** Perry Bratt

To:	Highland City	**Contact:**	A Spencer
Address:	Highland City, UTAH	**Phone:**	
		Fax:	
Project Name:	Mountain Ridge Park - (COPR#5 Grading, Concrete, Landscaping)	**Bid Number:**	
Project Location:	Highland, UT	**Bid Date:**	8/30/2022
Addendum #:	Bid Per Plans Dated 07/27/2022		

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
1	Bonding (Additional Bond Costs)	1.00	UNIT	$28,483.00	$28,483.00
2	Gap 1 Excavation W/ Playground (Including Survey, Compaction, Roadbase [for Playground @ 4"?), Water Truck) 9,999 CY Less 950 CY On Site = 9,049 CY	1.00	LS	$218,041.00	$218,041.00
3	Gap 1 Concrete (Flatwork, Roadbase, Prep)	19,678.00	SF	$9.82	$193,237.96
4	Gap 1 Concrete Curb Walls Around Playground Budget (48" X 12" X 342' On North Side, 54" X 12" X 356' On South Side & Excavation) Includes Roadbase And Excavation.	698.00	LS	$208.00	$145,184.00
5	Gap 1 Landscaping & Irrigation (See Break Down)	1.00	EACH	$139,241.00	$139,241.00
6	Gap 1 Railing Estimate/Budget (Powder Coated, Steel--South Side Only)	342.00	LS	$122.44	$41,874.48
7	Gap 2 Excavation (Including Survey, Compaction, Roadbase, Water Truck) 925 CY)	1.00	LS	$19,248.00	$19,248.00
8	Gap 2 Concrete (Flatwork, Roadbase, Prep)	9,336.00	SF	$9.82	$91,679.52
9	Gap 2 Landscaping & Irrigation (See Break Down)	1.00	LS	$96,430.00	$96,430.00
10	Gap 3 Excavation (Including Survey, Compaction, Roadbase, Water Truck) 925 CY)	1.00	LS	$19,248.00	$19,248.00
11	Gap 3 Concrete (Flatwork, Roadbase, Prep)	12,184.00	SF	$9.82	$119,646.88
12	Gap 3 Landscaping & Irrigation (See Break Down)	1.00	LS	$49,719.00	$49,719.00
13	Gap 4 Excavation (Including Survey, Compaction, Roadbase, Water Truck) 2,316 CY	1.00	LS	$44,505.00	$44,505.00
14	Gap 4 Concrete (Flatwork, Roadbase, Prep)	2,660.00	SF	$9.82	$26,121.20
15	Gap 4 Landscaping & Irrigation (See Break Down)	1.00	LS	$172,105.00	$172,105.00
16	Gap 5 Excavation (Including Survey, Compaction, Roadbase, Water Truck. Clear & Grub) 1,439 CY	1.00	LS	$54,442.00	$54,442.00
17	Gap 5 Concrete (Flatwork, Roadbase, Prep)	14,768.00	LS	$9.82	$145,021.76
18	Gap 5 Landscaping & Irrigation (See Break Down)	1.00	UNIT	$286,387.00	$286,387.00
19	Slot Drain	258.00	LS	$124.00	$31,992.00
20	Granite Sign Monument (Includes Concrete Base @ 6" With Rebar @ 12" O.C. And Granite. Does Not Include Signs Or Engraving.)	0.00	LS	$0.00	$0.00
21	Patrol Grade Soccer Field If Desired After Belly Dump Work	1.00	LS	$4,750.00	$4,750.00

Total Bid Price: $1,927,356.80

Notes:

- Please note the following parameters and exclusions from our proposal.
  1. Prices valid for 30 days.
  2. Due to the volatility in PVC pipe and plant material prices, assumes we will be able to submit a pay application for Stored Materials within 30 days of the date of this proposal.
  3. Items not included in the line item proposal are excluded.

ACCEPTED: The above prices, specifications and conditions are satisfactory and hereby accepted. **Buyer:** _____ **Signature:** _____ **Date of Acceptance:** _____	**CONFIRMED:** **Stratton And Bratt Landscapes** **Authorized Signature:** _____ **Estimator:** Richard Elizarraraz Richard@Strattonandbratt.com

AGENDA NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #8

DATE: September 6, 2022

TO: Honorable Mayor and Members of the City Council

FROM: Andy Spencer
City Engineer/Public Works Director

SUBJECT: **CONTRACT:** Mountain Ridge Park Pickleball and Basketball Courts

TYPE: **ADMINISTRATIVE:** The council is acting in an administrative capacity in providing a park system per the Municipal code.

PURPOSE:

The City Council will consider awarding a construction contract for pickleball courts and a basketball court to L.E.R. Renner Sports Surfaces. The Council will take appropriate action.

PRIOR COUNCIL DIRECTION:

On August 16, 2022, the Council was presented with a funding and cost summary for the uncontracted portions of Mountain Ridge Park construction. The Council directed the that the construction items be presented to the Council for consideration on the September 6, 2022 Council meeting.

BACKGROUND:

One of the components of Mountain Ridge Park that has not yet been contracted by the City is the pickleball and basketball courts. The courts consisting of eight (8) pickleball courts and one (1) basketball court were recently bid. The scope of work consists of the court, surfacing, fencing, and basketball standards. It does not include any of the concrete outside of the court areas. Three bids were received, L.E.R. Renner Sports Surfaces was the lowest bidder. The recommended bid award is for the base bid and bid alternative 1.

FISCAL IMPACT:

The project cost of $422,081.00 will be paid from the Parks Capital account by the funds designated by the City Council for Mountain Ridge Park.

STAFF RECOMMENDATION:

Staff recommends that the City Council APPROVE the contract with L.E.R. Renner Sports Surfaces for $383,710.00 allocating a 10% project contingency of $38,371.00 to be administered by staff, for a maximum authorized project construction amount of $422,081.00 and AUTHORIZE the Interim City Administrator to execute the necessary contract documents for the project.

MOTION TO APPROVE:

I move that the City Council **APPROVE** the contract with L.E.R. Renner Sports Surfaces and authorize a contract amount up to $422,081.00 for the Mountain Ridge Park pickleball and basketball court project including the base bid and bid alternative 1 and **AUTHORIZE** the Interim City Administrator to execute the contract documents.

ATTACHMENTS:

1. Park Rendering
2. Bid Summary
3. L.E.R. Renner Sports Surfaces Bid
4. Pickleball and Basketball Court Plans

CONTINUED SIDEWALK ALONG 10400 N

10400 NORTH

BASKETBALL COURT

PICKLEBALL COURTS, TYP.

PARKING

PARKING

ALL ABILITIES PLAYGROUND

LARGE PAVILION

RESTROOM

MEDIUM PAVILION, TYP.

Basketball Court

Pickleball Courts

MULTI-USE FIELD

MULTI-USE FIELD

BALL FIELD

5600 WEST

PERIMETER WALKWAY

Mountain Ridge Park

HIGHLAND CITY

blū line designs
8719 S. Sandy Parkway
Sandy, UT 84070
p: 801.679.3157

Master Plan

07.27.2022

0 20 40 80 120

n

MOUNTAIN RIDGE PARK PICKLEBALL COURTS | BID RESULTS

		S & L				Parkin Tennis Courts				L.E.R. Renner Sports Surfaces			
BASE BID		Qty	Unit	Unit Price	Total Price	Qty	Unit	Unit Price	Total Price	Qty	Unit	Unit Price	Total Price
1	Mobilization	1	LS	$ 30,000.00	$ 30,000.00	1	LS	$ 10,000.00	$ 10,000.00	1	LS	$ 12,343.98	$ 12,343.98
2	Permitting	1	LS	$ 1,500.00	$ 1,500.00	1	LS	$ -	$ -	1	LS	$ -	$ -
3	Testing	1	LS	$ 4,000.00	$ 4,000.00	1	LS	$ -	$ -	1	LS	$ -	$ -
4	Surveying and Layout	1	LS	$ 4,000.00	$ 4,000.00	1	LS	$ 1,500.00	$ 1,500.00	1	LS	$ -	$ -
5	Other	1	LS	$ 2,000.00	$ 2,000.00	1	LS	$ -	$ -	1	LS	$ -	$ -
6	Compacted Base	17802	Sq. Ft.	$ 1.50	$ 26,703.00	17802	Sq. Ft.	$ 0.78	$ 13,885.56	17802	Sq. Ft.	$ 1.04	$ 18,514.08
7	Post Tensioned Slab	17802	Sq. Ft.	$ 13.00	$ 231,426.00	17802	Sq. Ft.	$ 11.25	$ 200,272.50	17802	Sq. Ft.	$ 8.89	$ 158,259.78
8	Court Surfacing & Striping	17408	Sq. Ft.	$ 4.00	$ 69,632.00	17408	Sq. Ft.	$ 2.25	$ 39,168.00	17408	Sq. Ft.	$ 1.58	$ 27,504.64
9	8' Fencing	336	Ln. Ft.	$ 92.00	$ 30,912.00	336	Ln. Ft.	$ 78.00	$ 26,208.00	336	Ln. Ft.	$ 69.45	$ 23,335.20
10	6' Fencing & Gates	392	Ln. Ft.	$ 83.00	$ 32,536.00	392	Ln. Ft.	$ 68.00	$ 26,656.00	392	Ln. Ft.	$ 63.80	$ 25,009.60
11	4' Fencing	168	Ln. Ft.	$ 70.00	$ 11,760.00	168	Ln. Ft.	$ 60.00	$ 10,080.00	464	Ln. Ft.	$ 47.98	$ 22,262.72
12	Maintenance Access Gates	2	Each	$ 6,000.00	$ 12,000.00	2	Each	$ 5,000.00	$ 10,000.00	2	Each	$ 2,890.00	$ 5,780.00
13	Net and Posts	8	Each	$ 1,200.00	$ 9,600.00	8	Each	$ 1,500.00	$ 12,000.00	8	Each	$ 716.00	$ 5,728.00
14	Other												
				SUBTOTAL =	$ 466,069.00			**SUBTOTAL =**	$ 349,770.06			**SUBTOTAL =**	$ 298,738.00
BID ALTERNATE 1													
A1	Compacted Base	6900	Sq. Ft.	$ 1.50	$ 10,350.00	6900	Sq. Ft.	$ 1.00	$ 6,900.00	6900	Sq. Ft.	$ 1.04	$ 7,176.00
A2	Post Tensioned Slab	6900	Sq. Ft.	$ 13.00	$ 89,700.00	6900	Sq. Ft.	$ 9.25	$ 63,825.00	6900	Sq. Ft.	$ 8.88	$ 61,272.00
A3	Court Surfacing & Striping	5600	Sq. Ft.	$ 4.00	$ 22,400.00	5600	Sq. Ft.	$ 2.25	$ 12,600.00	5600	Sq. Ft.	$ 1.55	$ 8,680.00
A4	Basketball Standards	2	Each	$ 4,500.00	$ 9,000.00	2	Each	$ 3,000.00	$ 6,000.00	2	Each	$ 3,922.00	$ 7,844.00
A5	Other	1	LS	$ 10,000.00	$ 10,000.00	1	LS	$ -	$ -	1	LS	$ -	$ -
				SUBTOTAL =	$ 141,450.00			**SUBTOTAL =**	$ 89,325.00			**SUBTOTAL =**	$ 84,972.00
BID ALTERNATE 2													
B1	Install Musco Lighting	1	LS	$ 65,000.00	$ 65,000.00	1	LS	$ 61,855.00	$ 61,855.00	0	LS	$ -	$ -
B2	Install Strobe Light & Activator - Pickleball	1	LS	$ 5,000.00	$ 5,000.00	1	LS	$ 3,600.00	$ 3,600.00	0	LS	$ -	$ -
B3	Install Strobe Light & Activator - Basketball	1	LS	$ 5,000.00	$ 5,000.00	1	LS	$ 3,200.00	$ 3,200.00	0	LS	$ -	$ -
B4	Other	1	LS	$ 10,000.00	$ 10,000.00	1	LS	$ -	$ -	0	LS	$ -	$ -
				SUBTOTAL =	$ 85,000.00			**SUBTOTAL =**	$ 68,655.00			**SUBTOTAL =**	$ -

DOCUMENT 00 41 43
BID FORM

PART 1 GENERAL

1.1 BIDDER

A. The Bidder is as follows

Name: L.E.R. Renner Sports Surfaces

Address: 3096 S Davis Dr. Salt Lake City, UT 84115

Telephone number: 801-269-991 Fax number: 801-269-4588

Tax identification number: 84-1416605

B. Bidder holds license number 9683739-5501, issued on the 30 day of November, 2017, by the Utah State Department of Commerce, Division of Occupational and Professional Licensing. Bidder is licensed to practice as a (B-100) General Contractor. License renewal date is the 30 day of November, 2023.

C. The undersigned hereby acknowledges receipt of the following Addenda.

1

(list Addenda numbers here)

1.2 BID PROPOSAL

A. After having personally and carefully examined all conditions surrounding the Work and the Contract Documents, the undersigned proposes to furnish all labor, equipment, tools and machinery and to furnish and deliver all materials not specifically mentioned as being furnished by the OWNER, which is required in and about the construction of the Construction Contract known as

HIGHLAND CITY
Mountain Ridge Park | Pickleball & Basketball Courts

B. All pricing shall include all work, materials, labor, fees, etc. as required to fully complete the work per the plans and specifications whether specifically listed as a

bid item on this schedule or not. Additional blank lines have been provided in the schedule in each section for any necessary work not listed that the Contractor would like to itemize.

C. The undersigned proposes to complete the Work for the price or prices listed in the Bid Schedule and understands that quantities for Unit Price Work are not guaranteed.

D. The undersigned proposes to furnish bonds with the Contract, signed by a surety company satisfactory to the OWNER, in an amount equal to the Contract amount conditioned to ensure compliance with all requirements of the Contract Documents.

E. The undersigned proposes to execute the attached contract within ten (10) days after the Notice of Award, and to begin work within ten (10) days after being notified to do so by the OWNER.

F. If OWNER finds it necessary to further define the Work, Contract Price, Contract Time or some other portion of the Construction Contract, after Bid opening, the Bidder promises to execute an Agreement Supplement prior to or concurrent with the execution of the Agreement, if the Agreement Supplement is acceptable to the Bidder.

G. It is understood that the OWNER has the right to reject this proposal or to accept it, or any portion therein, at the prices listed in the Bid Schedule.

1.3 REFERENCES

A. APWA 01 29 00: Payment Procedures.

B. Document 00 52 43: Agreement.

1.4 SCHEDULE TO BE ADDED TO THE AGREEMENT

A. This document will be added to the Agreement by reference.

PART 2 BID SCHEDULE

2.1 BASE BID

A. Location: The Base Bid covers work on the following projects:

Base Bid Schedule – Mountain Ridge Park | Pickleball Courts

Item No.	Item	Estimated Quantity	Unit	Unit Price	Total Estimated Price
Mobilization and Regulatory					
1	Mobilization	1	LS	$ 12,343.98	$ 12,343.98
2	Permitting	1	LS	$ 0	$ 0
3	Testing	1	LS	$ 0	$ 0
4	Survey and Layout	1	LS	$ 0	$ 0
5	Other			$ 0	$ 0
Pickleball Courts					
6	Compacted Base	17,802	Sq. Ft.	$ 1.04	$ 18,514.08
7	Post Tensioned Slab	17,802	Sq. Ft.	$ 8.89	$158,259.78
8	Court Surfacing & Striping	17,408	Sq. Ft.	$ 1.58	$ 27,504.64
9	8' Fencing	336	Ln. Ft.	$ 69.45	$ 23,335.20
10	6' Fencing & Gates	392	Ln. Ft.	$ 63.80	$ 25,009.60
11	4' Fencing 464 Ln. Ft.	~~168~~	Ln. Ft.	$ 47.98	$ 22,262.72
12	Maintenance Access Gates	2	Each	$ 2,890.00	$ 5,780.00
13	Net and Posts	8	Each	$ 716.00	$ 5,728.00
14	Other			$ 0	$ 0
TOTAL BASE BID SCHEDULE		=		**$** 298,738.00	

TOTAL BASE BID PRICE FOR BID SCHEDULE

Two hundred ninety-eight thousand, seven hundred thirty-eight DOLLARS ($ 298,738.00)
(use words)

Bid Alternate No. 1 Schedule – Mountain Ridge Park | Basketball Court

Item No.	Item	Estimated Quantity	Unit	Unit Price	Total Estimated Price
Bid Alternate 1					
Basketball Court					
A1	Compacted Base	6,900	Sq. Ft.	$ 1.04	$ 7,176.00
A2	Post Tensioned Slab	6,900	Sq. Ft.	$ 8.88	$ 61,272.00
A3	Court Surfacing & Striping	5,600	Sq. Ft.	$ 1.55	$ 8,680.00
A4	Basketball Standards	2	Each	$ 3,922.00	$ 7,844.00
A5	Other			$	$
TOTAL BID ALTERNATE 1 SCHEDULE		=		$ 84,972.00	

TOTAL BID ALTERNATE 1 PRICE FOR BID SCHEDULE

Eighty-four thousand, nine hundred seventy-two DOLLARS ($ 84,972.00)
(use words)

Bid Alternate No. 2 Schedule – Mountain Ridge Park | Musco Lighting

Item No.	Item	Estimated Quantity	Unit	Unit Price	Total Estimated Price
Bid Alternate 2					
Musco Lighting					
B1	Install Musco Lighting including poles, fixtures, controls, panel, etc.	1	LS	$	$
B2	Install Strobe Light and Activator Bollard/Button for Pickleball Courts including conductors and connection to Musco panel.	1	LS	$	$
B3	Install Strobe Light and Activator Bollard/Button for Basketball Court including conductors and connection to Musco panel.	1	LS	$	$
B4	Other			$	$
TOTAL BID ALTERNATE 2 SCHEDULE		=		**$** No Bid	

TOTAL BID ALTERNATE 2 PRICE FOR BID SCHEDULE

_____

_____ DOLLARS ($ No Bid)

(use words)

Respectfully Submitted,

RENNER SPORTS SURFACES
Bidder

(Corporate Seal)
If bid is by corporation

By: CFO
Name and Title

Witness

Estimate Proposal

Project Information	
Project #	
Title	Mountain Ridge Park
Address	
City, State, Zip	Highland, UT
Country	

Estimate Information	
Estimate #	**001**
Description	Scope Specified below
Plans Available	N/A
Est. Start Date	TBD

From	
Contact	Dylan Bird
Company	L.E.R., Inc. dba Renner Sports Surfaces
Address	PO Box 651477
City, State, Zip	Salt Lake City, UT 84165
Country	United States
Phone	801-381-8385
Fax	

To	
Contact	Robert Donigan
Company	
Address	
	8719 S Sandy Parkway
City, State, Zip	Sandy City, UT 84070
Country	
Phone	
Email	rob@bluelinedesigns.com

We are pleased to quote the following labor, equipment, and materials in accordance with the plans and specifications listed above. This proposal is subject to exclusions that may be listed below.

Scope of work for the project to be constructed as depicted in the plans and details as described herein:

Inclusions, Exclusions, Clarifications

Post Tensioned Courts

Inclusions

1. **Permits to be by others.**
2. **Sikaflex at post tension slab/concrete walk interface to be by others.**
3. Provide payment and performance bonds.
4. Supply and install (4") base material, laser grade and compact.
5. Supply and install (2) layers 6 mil. Plastic.
6. Supply and install (2) post tensioned concrete pickleball court slabs (69'x129'), 4000 PSI design, reinforced with ½" steel tendons placed as engineered, edges thickened to (12") inches, (2) #4 continuous rebar in perimeter beam.
7. Supply and install (8) Douglas Premier net posts, footings.
8. Supply and install (8', 6', and 4') foot (black) chain link perimeter tennis court fence and (4') foot (black) chain link divider fence. Top rail to be (black) (1 5/8") "LG-40" pipe or equivalent, with bottom wire. Corner Posts, Terminal Posts and Line Posts to be (2-7/8") inches "LG-40" pipe or equivalent. All fabric to be 2" black coated 9 gauge core. **All perimeter fence posts to be direct set in perimeter beam as per submitted detail.**
9. After 30 day curing period, acid wash concrete then apply acrylic primer coat.
10. Apply one (1) coat acrylic resurfacer with silica sand.
11. Apply two (2) coats acrylic color with silica sand. Colors to be chosen by owner. Middle:_____ Outside: _____.
12. Paint playing lines per owner specification.
13. Supply and install (8) Douglas Pickleball nets.
14. Clean up job site

TOTAL: $298,738.00

Alternate 1 Basketball Court

15. **Permits to be by others.**
16. **Sikaflex at post tension slab/concrete walk interface to be by others.**
17. Provide payment and performance bonds.
18. Supply and install (4") base material, laser grade and compact.
19. Supply and install (2) layers 6 mil. Plastic.
20. Supply and install (1) post tensioned concrete basketball court slab (69'x100'), 4000 PSI design, reinforced with ½" steel tendons placed as engineered, edges thickened to (12") inches, (2) #4 continuous rebar in perimeter beam.

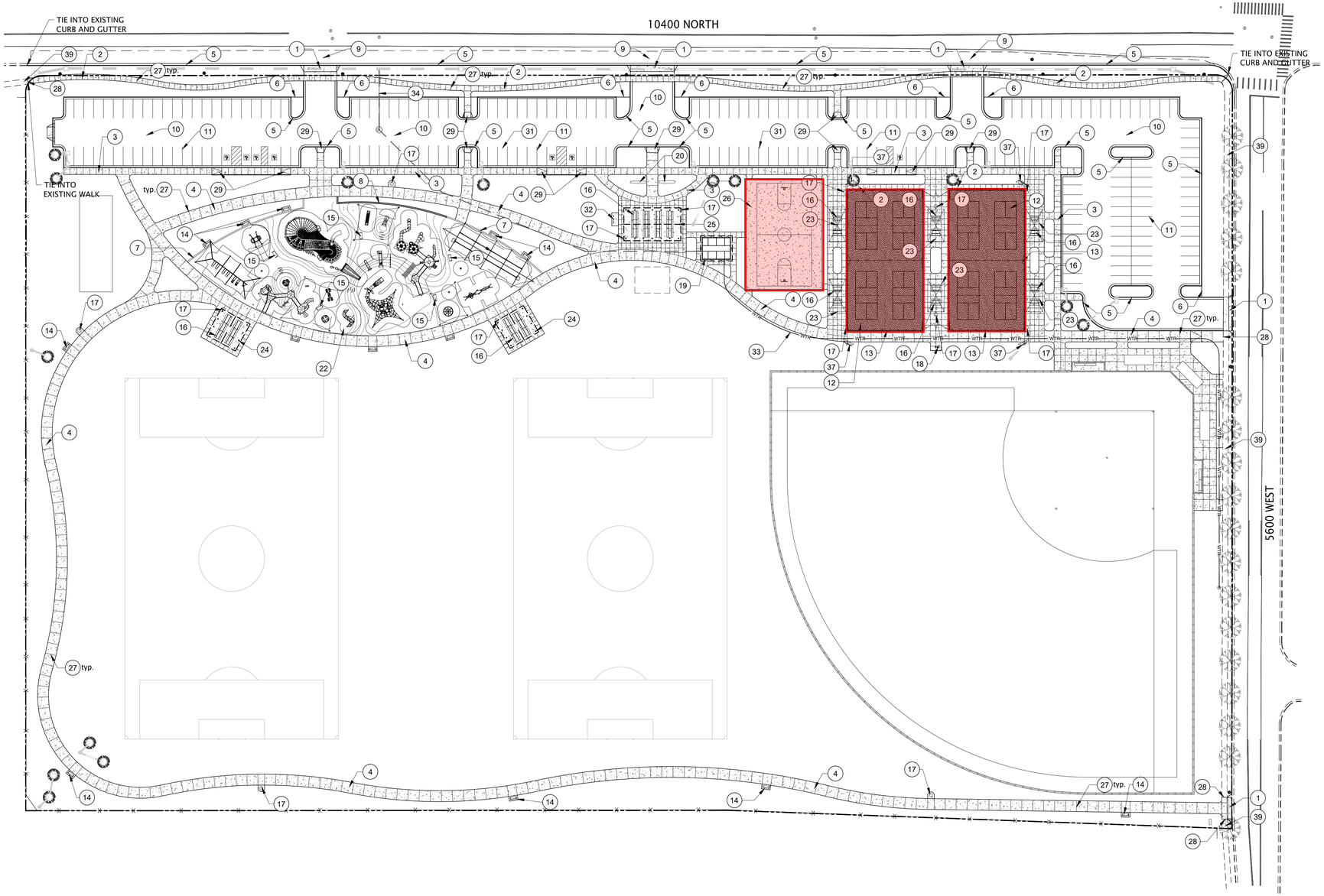
21. Supply and install (2) Some Serious Hoop basketball standards Model H8
22. After 30 day curing period, acid wash concrete then apply acrylic primer coat.
23. Apply one (1) coat acrylic resurfacer with silica sand.
24. Apply two (2) coats acrylic color with silica sand. Colors to be chosen by owner. Middle:_____ Outside: _____.
25. Paint playing lines per owner specification.
26. Clean up job site

TOTAL: $84,972.00

Note: **Due to the uncertainty and volatility in raw materials supplies, material costs, and shipping delays, this proposal is valid for 30 days. All pricing is based on current market value. Prices subject to change when job materials are ordered at market value.**

Exclusions

All permits, excavation, site access roads and site access repair, sub-grade and sub-base prep., concrete and compaction testing, **caulking joints**, sidewalks, patios, viewing area concrete, surveys and staking, landscaping, irrigation, lighting, parking lot, curbing and road damages and all repairs thereof. If permits and testing are required by the Owner they will be billed at cost in excess of this proposal upon written change order between Renner Sports and GC/Owner.



REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	DETAIL
1	CONCRETE DRIVE APPROACH	SEE CIVIL
2	5` CONCRETE WALK	1/SP5.2
3	6` CONCRETE WALK	1/SP5.2
4	10` CONCRETE WALK	1/SP5.2
5	CURB AND GUTTER	SEE CIVIL
6	6" CONCRETE EDGER	2/SP5.2
7	PLAYGROUND EDGER	
8	PLAYGROUND WALL	
9	ASPHALT ROAD	SEE CIVIL
10	ASPHALT PARKING	SEE CIVIL
11	PARKING LOT STRIPING	SEE CIVIL
12	PICKLEBALL COURT	1/SP5.1
13	PICKLEBALL FENCE	2, 4-6/SP5.1
14	PARK BENCH WITH BACK	3/SP5.2
15	BACKLESS PARK BENCH	
16	PICNIC TABLE	--
17	TRASH RECEPTACLE	4/SP5.2
18	DRINKING FOUNTAIN	SEE CXT PLANS
19	RESTROOM	7-8/SP5.2
20	ENTRY MONUMENT	
21	DONOR RECOGNITION WALL	
22	PLAYGROUND, EQUIP. & SURFACING BY OTHERS (N.I.C.)	~~3/SP5.3~~ 5/SP5.2
23	SHADE STRUCTURE	2/SP5.3
24	PAVILION	1/SP5.3
25	LARGE PAVILION	
26	BASKETBALL COURT	
27	CONCRETE CONTROL JOINT	~~1/SP5.2~~, 6/SP5.2
28	CONCRETE EXPANSION JOINT	SEE CIVIL
29	ADA RAMP	SEE CIVIL
30	PEDESTRIAN CROSSING	SEE CIVIL
31	ADA STRIPING/SIGNAGE	--
32	BIKE RACK	SEE CIVIL
33	WATER LINE	SEE CIVIL
34	SEWER LINE	SEE CIVIL
35	STORM LINE	SEE CIVIL, IRRIGATION
36	IRRIGATION POC	SEE ELECTRICAL
37	PICKLEBALL COURT LIGHT	SEE ELECTRICAL
38	OVERHEAD LIGHT	--
39	EXISTING CONCRETE WALK TO REMAIN	

EXISTING TREE TO REMAIN AND BE PROTECTED

EXISTING TREE TO BE REMOVED

CONSTRUCTION DRAWINGS

SCALE: 1" = 50'

0' 25' 50' 100' 150'

blu line designs
planning | landscape architecture | design

8719 S. Sandy Parkway
Sandy, UT 84070
p 801.913.7994

OWNER:
HIGHLAND CITY
5400 W CIVIC CENTER DRIVE
HIGHLAND, UT 84003

CONTACT:
TODD TRANE
PH: 801-756-5751

HIGHLAND CITY

HIGHLAND CITY MOUNTAIN RIDGE PARK

10400 N 5600 W
HIGHLAND, UT 84003

REVISIONS

NO.	yy/mm/dd	DESCRIPTION

Stamp

STATE OF UTAH
CORY A. SHUPE
No. 5410044-5301
06/23/22
Licensed Landscape Architect

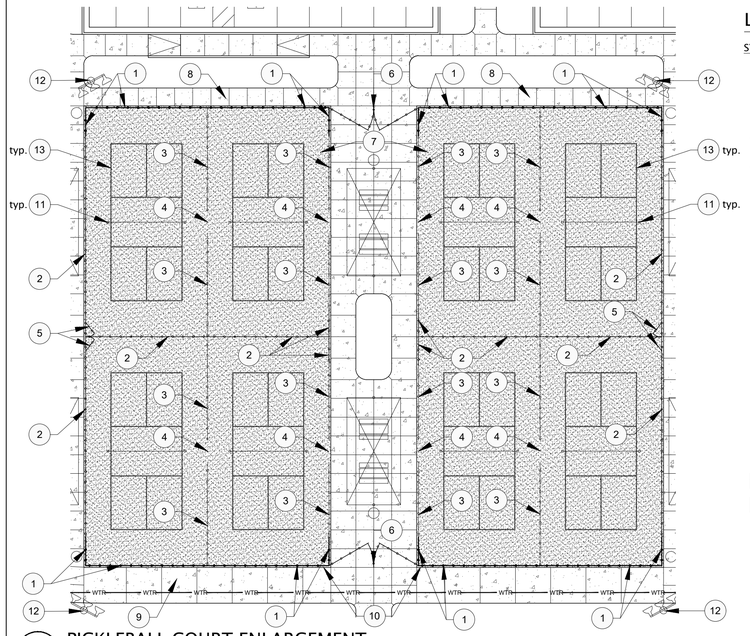
Designed By:	RBD
Drawn By:	BP
Date:	06.23.22
Checked By:	CAS
Project No:	18-224

Drawing Title

OVERALL SITE PLAN

Drawing number

SP1.0

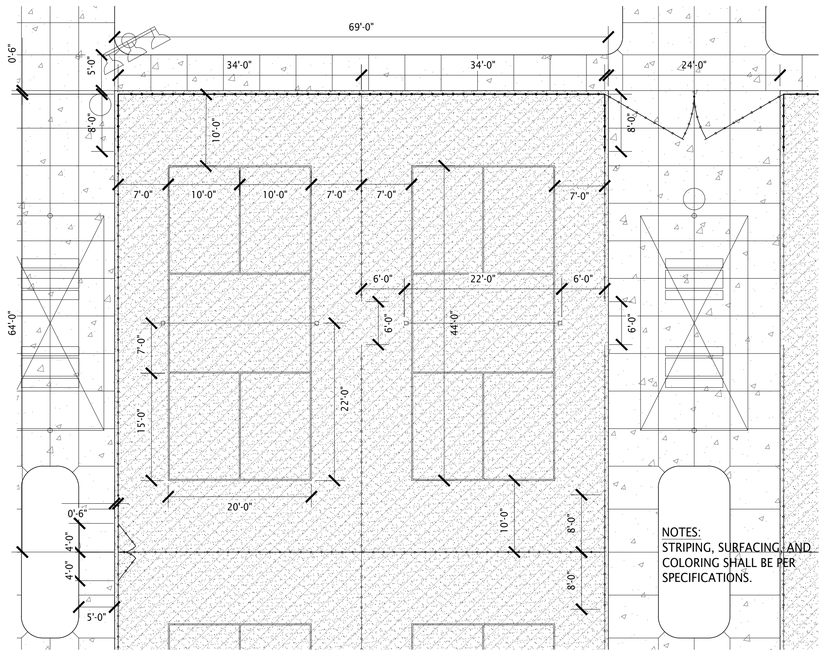


LEGEND

SYMBOL	DESCRIPTION
1	8` PICKLEBALL COURT PERIMETER FENCE, SEE DETAIL 7 SHEET SP5.1
2	6` PICKLEBALL COURT PERIMETER FENCE, SEE DETAIL 2 SHEET SP5.1
3	4` PICKLEBALL COURT INTERIOR FENCE, SEE DETAIL 4 SHEET SP5.1
4	6` WIDE FENCE OPENING
5	4' WIDE 6' TALL MAN GATES, SEE DETAIL 3 SHEET SP5.1
6	MAINTENANCE ACCESS GATE, SEE DETAIL 3 SHEET SP5.2
7	POST-TENSION CONCRETE SLAB. SET OF 4 COURTS SHALL BE ONE CONTIGUOUS POST-TENSION SLAB. SEE CIVIL FOR DETAIL.
8	5` CONCRETE WALK
9	10` CONCRETE WALK
10	EXPANSION JOINT, AROUND ENTIRE COURT, SEE DETAIL 2 SHEET SP5.2
11	NET AND POST, SEE DETAIL 6 SHEET SP5.1
12	LIGHT POST (TYP.), SEE ELECTRICAL PLANS
13	PICKLEBALL COURT STRIPING
	POST TENSION SLAB
	COURT SURFACING

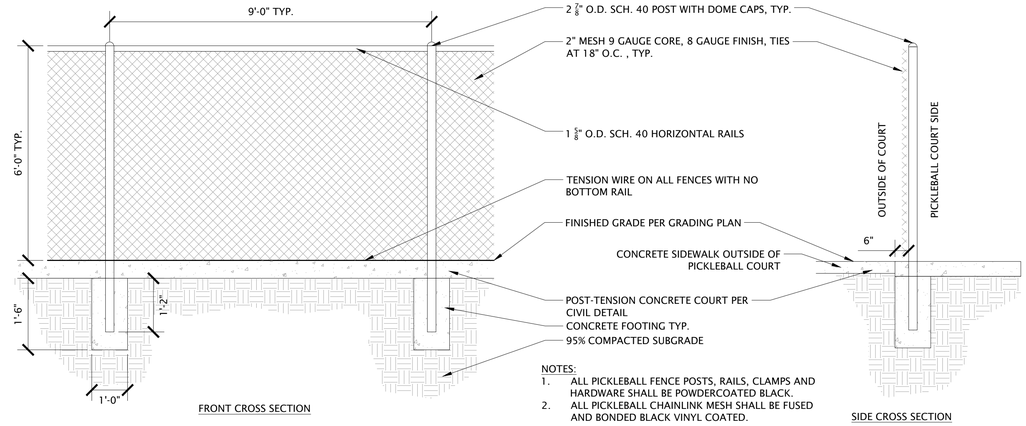
1 PICKLEBALL COURT ENLARGEMENT

SCALE: 1" = 20'



3 PICKLEBALL COURT TYPICAL LAYOUT AND STRIPING PLAN

SCALE: 1" = 10'



FRONT CROSS SECTION

SIDE CROSS SECTION

NOTES:
1. ALL PICKLEBALL FENCE POSTS, RAILS, CLAMPS AND HARDWARE SHALL BE POWDERCOATED BLACK.
2. ALL PICKLEBALL CHAINLINK MESH SHALL BE FUSED AND BONDED BLACK VINYL COATED.

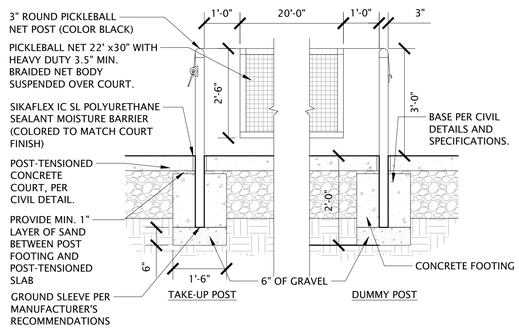
2 PICKLEBALL COURT PERIMETER FENCE - 6' TALL

NOT TO SCALE

NOTES
1. ALL PICKLEBALL FENCE POSTS, RAILS, CLAMPS AND HARDWARE SHALL BE POWDERCOATED BLACK.
2. ALL PICKLEBALL CHAIN LINK MESH SHALL BE FUSED AND BONDED BLACK VINYL COATED.

4 PICKLEBALL MAN-GATES -6' TALL

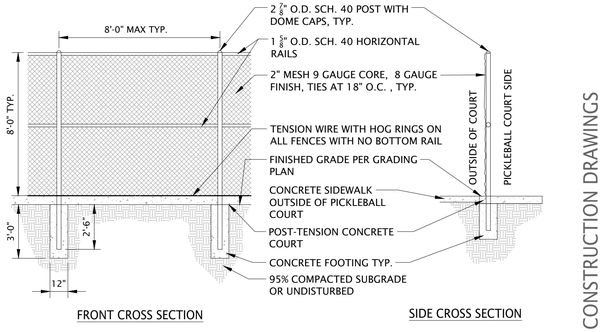
NOT TO SCALE



PICKLEBALL COURT NOTES:
1. CONTRACTOR SHALL CONSULT MANUFACTURER FOR RECOMMENDED INSTALLATION OF NET POSTS AND SHALL CONSULT WITH OWNER ON VARIATIONS FROM DETAIL.
2. VERTICAL AND HORIZONTAL LOCATIONS OF NET POSTS ON THE COURT SURFACE SHALL BE IN ACCORDANCE WITH THE INTERNATIONAL FEDERATION OF PICKLEBALL (IFP) OFFICIAL TOURNAMENT RULE BOOK.
3. NETS AND POSTS SHALL BE PER SPECIFICATIONS.

5 PICKLEBALL COURT INTERIOR FENCE - 4' TALL

NOT TO SCALE



FRONT CROSS SECTION

SIDE CROSS SECTION

NOTES
1. ALL PICKLEBALL FENCE POSTS, RAILS, CLAMPS AND HARDWARE SHALL BE POWDERCOATED BLACK.
2. ALL PICKLEBALL CHAIN LINK MESH SHALL BE FUSED AND BONDED BLACK VINYL COATED.

6 PICKLEBALL NET AND POSTS

NOT TO SCALE

7 PICKLEBALL COURT PERIMETER FENCE - 8' TALL

NTS

P-18-224-34

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8719 S. Sandy Parkway
Sandy, UT 84070
p 801.913.7994

OWNER:
HIGHLAND CITY
5400 W CIVIC CENTER DRIVE
HIGHLAND, UT 84003

CONTACT:
TODD TRANE
PH: 801-756-5751

HIGHLAND CITY

HIGHLAND CITY MOUNTAIN RIDGE PARK

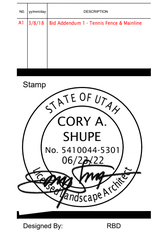
10400 N 5600 W
HIGHLAND, UT 84003

CONSTRUCTION DRAWINGS

REVISIONS

NO.	(yr/mm/dd)	DESCRIPTION
A1	11/8/18	Bid Addendum 1 - Tennis Fence & Mainline

Stamp



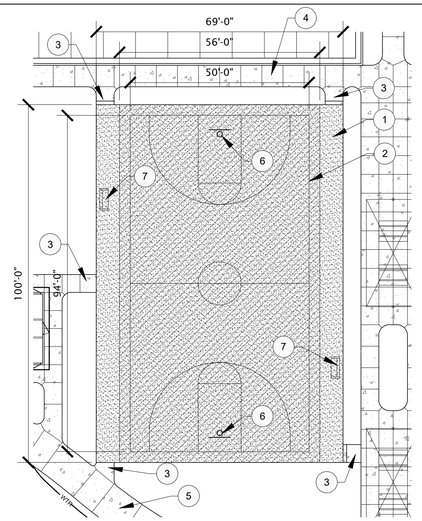
Designed By:	RBD
Drawn By:	BP
Date:	06.23.22
Checked By:	CAS
Project No:	18-224

Drawing Title

SITE DETAILS

Drawing number

SP5.1



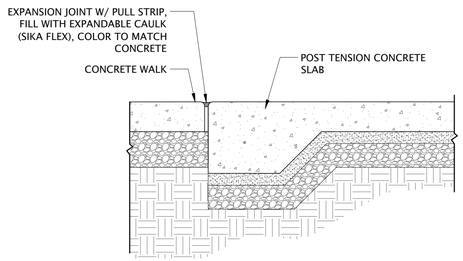
LEGEND

SYMBOL	DESCRIPTION
1	POST-TENSION CONCRETE SLAB. SEE CIVIL FOR DETAIL.
2	BASKETBALL COURT STRIPING
3	5` CONCRETE WALK
4	6' CONCRETE WALK
5	10` CONCRETE WALK
6	BASKETBALL HOOP
7	PARK BENCH
	POST TENSION SLAB
	COURT SURFACING

NOTES:
STRIPING, SURFACING, AND COLORING SHALL BE PER SPECIFICATIONS.

1 BASKETBALL COURT ENLARGEMENT

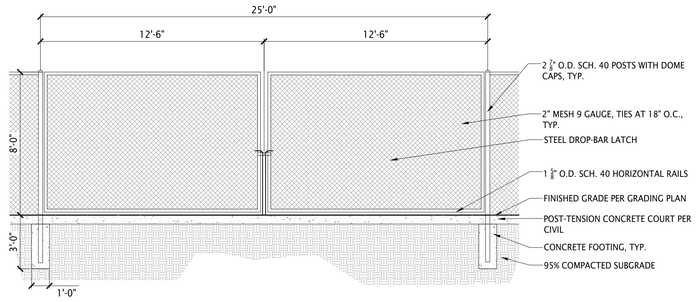
SCALE: 1" = 20'



NOTES:
1. CONCRETE SHALL MEET ALL CITY AND APWA SPECIFICATIONS.
2. EXPANSION JOINT BETWEEN PT SLAB AND ADJACENT CONCRETE WALK SHALL BE FILLED WITH SIKA FLEX EXPANDABLE CAULK AS APPROVED BY OWNER.

2 EXPANSION JOINT AT POST TENSIONED SLAB

NOT TO SCALE



NOTES:
1. CONTRACTOR SHALL PROVIDE ROLLING WHEELS FOR SUPPORT AS REQUIRED.
2. ALL PICKLEBALL FENCE POSTS, RAILS, CLAMPS AND HARDWARE SHALL BE POWDERCOATED BLACK.
3. ALL CHAINLINK MESH SHALL BE FUSED AND BONDED BLACK VINYL COATED.
4. MAINTENANCE GATES SHALL BE INSTALLED AFTER GENERAL CONTRACTOR HAS INSTALLED CONCRETE FLATWORK BETWEEN PICKLEBALL COURTS.

3 PICKLEBALL MAINTENANCE GATE

SCALE: 1/4" = 1'-0"

P-18-224-27

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OWNER:
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5400 W CIVIC CENTER DRIVE
HIGHLAND, UT 84003

CONTACT:
TODD TRANE
PH: 801-756-5751

HIGHLAND CITY

HIGHLAND CITY MOUNTAIN RIDGE PARK

10400 N 5600 W
HIGHLAND, UT 84003

CONSTRUCTION DRAWINGS

REVISIONS

NO.	MM/DD/YY	DESCRIPTION

Stamp

STATE OF UTAH
CORY A. SHUPE
No. 5410044-5301
06/23/22
Registered Landscape Architect

Designed By:	RBD
Drawn By:	BP
Date:	06.23.22
Checked By:	CAS
Project No:	18-224

Drawing Title

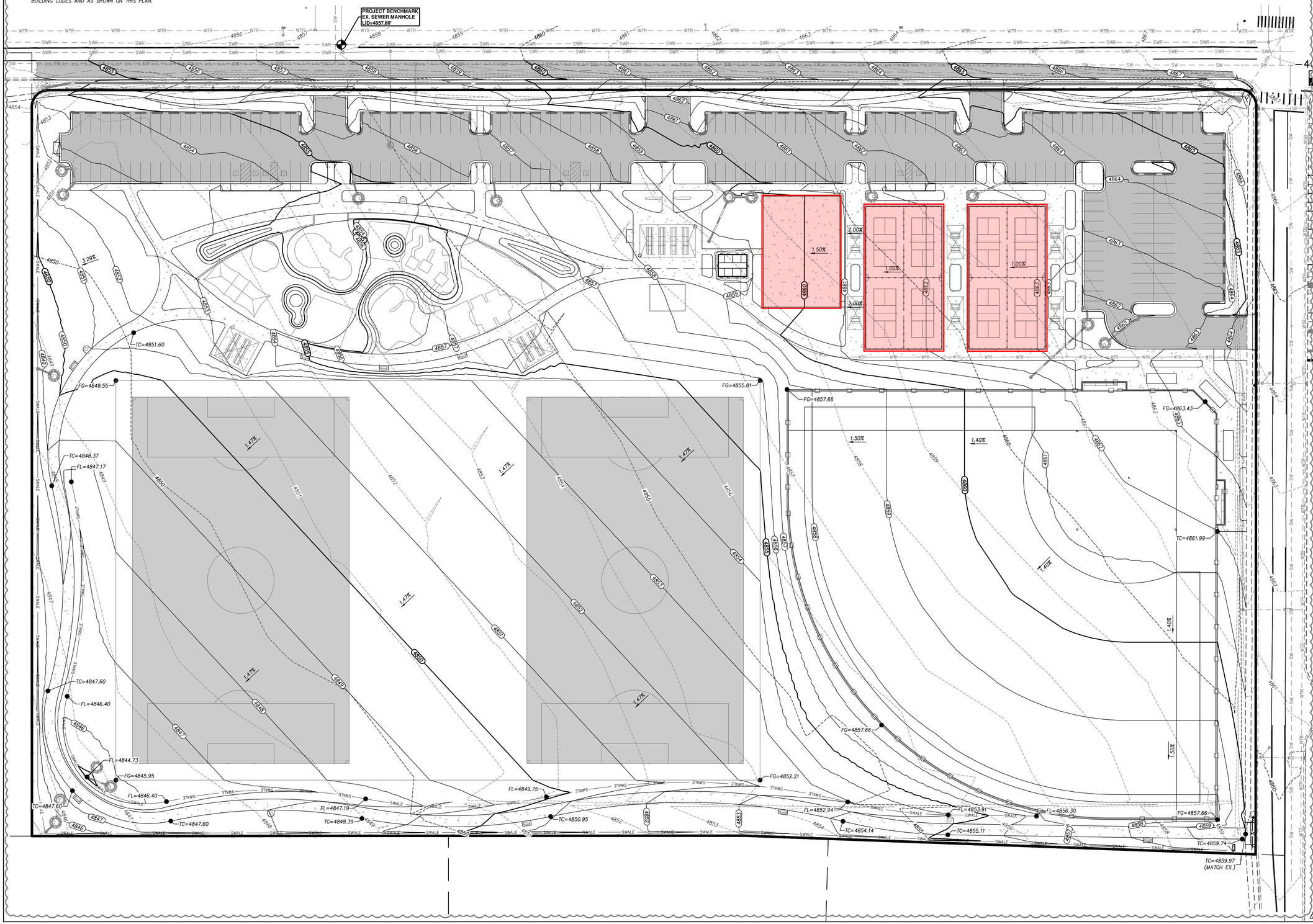
SITE DETAILS

Drawing number

SP5.2

GRADING NOTES

1. ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND SPECIFICATIONS.
2. THE CONTRACTOR SHALL STRIP AND CLEAR THE TOPSOIL, MAJOR ROOTS AND ORGANIC MATERIAL FROM ALL PROPOSED BUILDING AND PAVEMENT AREAS PRIOR TO SITE GRADING. (THE TOPSOIL MAY BE STOCKPILED FOR LATER USE IN LANDSCAPED AREAS.)
3. THE CONTRACTOR IS WARNED THAT AN EARTHWORK BALANCE WAS NOT NECESSARILY THE INTENT OF THIS PROJECT. ANY ADDITIONAL MATERIAL REQUIRED OR LEFTOVER MATERIAL FOLLOWING EARTHWORK OPERATIONS BECOMES THE RESPONSIBILITY OF THE CONTRACTOR.
4. THE CONTRACTOR SHALL GRADE THE PROJECT SITE TO PROVIDE A SMOOTH TRANSITION BETWEEN NEW AND EXISTING ASPHALT, CURB AND GUTTER, AND ADJOINING SITE IMPROVEMENTS.
5. CONTRACTOR SHALL ENSURE FINISHED GRADE SLOPES AWAY FROM ALL STRUCTURES ACCORDING TO BUILDING CODES AND AS SHOWN ON THIS PLAN.



LEGEND

- EX. 5' CONTOUR
- EX. 1' CONTOUR
- EX. CURB & GUTTER
- EX. SIDEWALK
- EX. FENCE
- EX. EDGE OF ASPHALT
- EX. SEWER LINE
- EX. STORM DRAIN LINE
- EX. WATER LINE
- EX. TELEPHONE LINE
- EX. GAS LINE
- EX. CONCRETE PAD
- EX. BUILDING PAD
- EX. TOP OF BANK
- EX. WATER
- EX. STORM DRAIN
- EX. SEWER
- PROP. CURB & GUTTER
- PROP. SPILL C&G
- PROP. SIDEWALK
- PROP. FENCE
- PROP. 5' CONTOUR
- PROP. 1' CONTOUR
- PROP. STORM DRAIN
- PROP. WATER
- PROP. SEWER
- PROPERTY BOUNDARY

CONSTRUCTION DRAWINGS

Blue Stakes of UTAH 811 Bluestakes.org

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OWNER:
HIGHLAND CITY
5400 W CIVIC CENTER DRIVE
HIGHLAND, UT 84003

CONTACT:
TODD TRANE
PH: 801-756-5751

HIGHLAND CITY

HIGHLAND CITY MOUNTAIN RIDGE PARK | PHASE 1

10400 N 5600 W
HIGHLAND, UT 84003

REVISIONS

NO.	DATE(YR/MO)	DESCRIPTION
1	20/05/21	GRADING, SITE, UTILITY, & IRRIGATION REVISIONS
2	20/08/01	GRADING, SITE, PLAYGROUND REVISIONS

Stamp

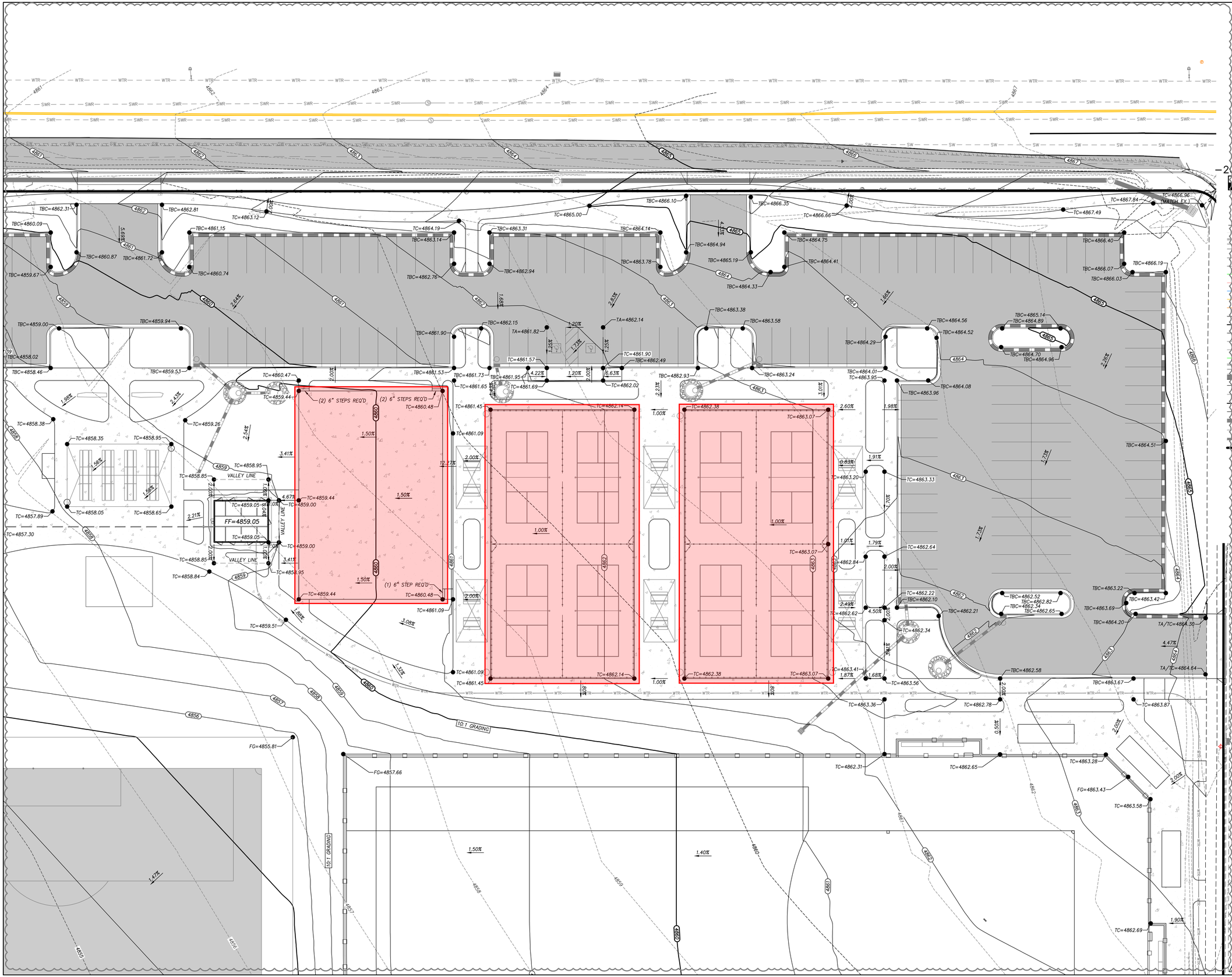
Designed By:	RB
Drawn By:	RB
Date:	09.03.21
Checked By:	RK
Project No:	18-224

Drawing Title

OVERALL GRADING PLAN

Drawing number

C3.0



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p 801.679.3157

OWNER:
HIGHLAND CITY
5400 W CIVIC CENTER DRIVE
HIGHLAND, UT 84003

CONTACT:
TODD TRANE
PH: 801-756-5751

HIGHLAND CITY

N

−20 0 20 40
SCALE IN FEET

LEGEND

- 5200 — EX. 5' CONTOUR
- EX. 1' CONTOUR
- EX. CURB & GUTTER
- EX. SIDEWALK
- EX. FENCE
- EX. EDGE OF ASPHALT
- EX. SEWER LINE
- EX. STORM DRAIN LINE
- EX. WATER LINE
- EX. TELEPHONE LINE
- EX. GAS LINE
- EX. CONCRETE PAD
- EX. BUILDING PAD
- EX. TOP OF BANK
- EX. WATER
- EX. STORM DRAIN
- EX. SEWER
- PROP. CURB & GUTTER
- PROP. SPILL C&G
- PROP. SIDEWALK
- PROP. FENCE
- 5200 PROP. 5' CONTOUR
- 5201 PROP. 1' CONTOUR
- PROP. STORM DRAIN
- PROP. WATER
- PROP. SEWER
- PROPERTY BOUNDARY

HIGHLAND CITY
MOUNTAIN RIDGE PARK | PHASE 1
10400 N 5600 W
HIGHLAND, UT 84003

CONSTRUCTION DRAWINGS

REVISIONS		
NO.	DATE/YEAR	DESCRIPTION
1	10/06/21	GRADING, SITE, UTILITY, & IRRIGATION REVISIONS
2	12/28/21	GRADING, SITE, PLAYGROUND REVISIONS

Stamp

REGISTERED PROFESSIONAL ENGINEER
No. 7544732
RYAN KITCHEN
9-3-21
STATE OF UTAH

Designed By:	RB
Drawn By:	RB
Date:	09.03.21
Checked By:	RK
Project No:	18-224

Drawing Title

GRADING PLAN

Drawing number

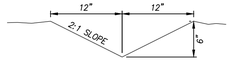
C3.2

Blue Stakes of UTAH 811 Bluestakes.org

KEYNOTE LEGEND

1. PERIMETER SWALE REQ'D (SEE DETAIL THIS SHEET)
2. SELF-CONTAINING DRAINAGE AREA (6" DEPTH REQ'D)
3. EX. POWER POLE (TO REMAIN, DO NOT DISTURB)

PERIMETER SWALE DETAIL



10400 NORTH

5600 WEST

NOTE: ALL IRRIGATION PIPE TO BE INSTALLED BEFORE APRIL 1

CB #14
3'x5.5' COMBINATION BOX REQ'D
GRATE=4853.79
FL=4850.79

SUMP #14
6'ø SUMP REQ'D
RIM=4854.32
BOTTOM=4841.82

24" RCP SD REQ'D (O.A.E.) (24LF AT 1.76%)

EX. CURB INLET

24" ADS SANITITE SD REQ'D (O.A.E.) (357LF AT 1.76%)

SS/SD CROSSING
8" SS FL=4849.50
TOP 8" SS=4850.20
24" SD FL=4853.65
CLEARANCE=3'±

CB #3
4'x4' COB REQ'D
GRATE=4859.19
FL=4854.99

24" ADS SANITITE SD REQ'D (O.A.E.) (380LF AT 1.30%)

CB #4
4'x4' COB REQ'D
GRATE=4864.55
FL=4859.99

24" ADS SANITITE SD REQ'D (O.A.E.) (261LF AT 1.10%)

CB #5
4'x4' COB REQ'D
GRATE=4867.44
FL=4862.91

24" ADS SANITITE SD REQ'D (O.A.E.) (37LF AT 2.00%)

EX. CURB INLET

COB #2
4'x4' COB REQ'D
GRATE=4854.75
FL=4848.64

COB #1
4'x4' COB REQ'D
GRATE=4854.43
FL=4848.20

CONNECT TO EX. IRRIGATION PIPE

CB #5
3'x5.5' COMBINATION BOX REQ'D
GRATE=4852.50
FL=4849.50

CB #4
3'x5.5' COMBINATION BOX REQ'D
GRATE=4852.24
FL=4849.24

SUMP #4
6'ø SUMP REQ'D
RIM=4852.50
BOTTOM=4834.00

SUMP #5
6'ø SUMP REQ'D
RIM=4852.75
BOTTOM=4840.25

CB #6
3'x5.5' COMBINATION BOX REQ'D
GRATE=4854.60
FL=4851.60

SUMP #6
6'ø SUMP REQ'D
RIM=4855.50
BOTTOM=4842.40

CB #7
3'x5.5' COMBINATION BOX REQ'D
GRATE=4855.95
FL=4852.95

SUMP #7
6'ø SUMP REQ'D
RIM=4856.50
BOTTOM=4844.00

CB #8
3'x5.5' COMBINATION BOX REQ'D
GRATE=4859.05
FL=4856.05

SUMP #8
6'ø SUMP REQ'D
RIM=4859.66
BOTTOM=4847.16

SUMP #9
6'ø SUMP REQ'D
RIM=4859.97
BOTTOM=4846.97

CB #9
2'x2' CATCH BASIN REQ'D
GRATE=4859.10
FL=4856.30

CONNECT SUMPS WITH 15" PIPE (S=0.0%) (SEE CITY DETAIL SD-01)

15" RCP (OR ADS SANITITE) REQ'D. (50 LF AT 0.50% SLOPE)

CB #10
3'x5.5' COMBINATION BOX REQ'D
GRATE=4861.25
FL=4858.25

SUMP #10
6'ø SUMP REQ'D
RIM=4861.71
BOTTOM=4849.21

CONNECT SLOT DRAIN TO SUMP #11 WITH 25LF 6" PVC SD REQ'D (MIN. SLOPE=1.00%)

CONNECT SLOT DRAIN TO CB #10 WITH 21LF 6" PVC SD REQ'D (MIN. SLOPE=1.00%)

129 LF 4" SLOT DRAIN REQ'D CONNECT TO COMBINATION BOX REQ'D

129 LF 4" SLOT DRAIN REQ'D CONNECT TO SUMP REQ'D

SUMP #11
6'ø SUMP REQ'D
RIM=4862.76
BOTTOM=4850.76

CB #11
3'x5.5' COMBINATION BOX REQ'D
GRATE=4862.76
FL=4859.76

CONNECT 24" RCP SD TO EX. IRRIGATION INLET BOX 1
EX. GRATE=4867.67
24" FL=4864.70

CB #12
3'x5.5' COMBINATION BOX REQ'D
GRATE=4861.60
FL=4858.60

SUMP #12
6'ø SUMP REQ'D
RIM=4862.40
BOTTOM=4849.40

CB #13
3'x5.5' COMBINATION BOX REQ'D
GRATE=4861.83
FL=4858.83

SUMP #13
6'ø SUMP REQ'D
RIM=4862.90
BOTTOM=4849.40

CB #14
2'x2' CATCH BASIN REQ'D
GRATE=4861.90
FL=4858.90

67 LF 15" RCP (OR ADS SANITITE) REQ'D. CONNECT TO SUMP #12 & CB #14.

EX. CURB INLET

NOTE: 15" RCP SD (LENGTH VARIES) AT 1.00% MINIMUM SLOPE REQUIRED BETWEEN ALL CATCH BASINS/INLETS AND STORM DRAIN SUMPS. 15" ADS SANITITE PIPE MAY BE USED IF RCP IS UNAVAILABLE.

CB #3
2'x2' CATCH BASIN REQ'D
GRATE=4848.31
FL=4845.31

SUMP #3
6'ø SUMP REQ'D
RIM=4849.50
BOTTOM=4836.10

5' MIN.

DRAINAGE SWALE REQ'D (SEE FLOWLINE INFORMATION ON SHEET C3.0)

NOTE: IF ANY PIPING IS CONSTRUCTED WHILE ADJACENT SUMPS ARE ON BACK-ORDER, A 3'x3'x3' QUANTITY OF 1-1/2" MINUS DRAIN ROCK SHALL BE PROVIDED AGAINST THE EXPOSED EDGE OF PIPE.

NOTE: SUMPS CIRCLED IN GREEN ARE TO BE PRIORITIZED IN ORDERING SCHEDULE AND CONSTRUCTION.

RETENTION BASIN
TOP (BACK OF WALK)=4847.60
BOTTOM=4844.73
CAPACITY=10,000 FT³

SUMP #2
6'ø SUMP REQ'D
RIM=4845.20
BOTTOM=4832.70

CB #2
2'x2' CATCH BASIN REQ'D
GRATE=4844.73
FL=4841.73

SUMP #15
6'ø SUMP REQ'D
RIM=4846.62
BOTTOM=4832.93

SUMP #14
6'ø SUMP REQ'D
RIM=4845.40
BOTTOM=4832.90

DRAINAGE SWALE REQ'D (SEE FLOWLINE INFORMATION ON SHEET C3.0)

6'

CONNECT SUMPS WITH 15" PIPE AT 1.00% MINIMUM (SEE CITY DETAIL SD-01)

SUMP #1
6'ø SUMP REQ'D
RIM=4845.43
BOTTOM=4832.93

CB #1
2'x2' CATCH BASIN REQ'D
GRATE=4845.28
FL=4842.28

NOTE: 10FT MINIMUM DISTANCE BETWEEN SUMPS (MEASURED FROM EDGE OF GRAVEL)

RETENTION VOLUME REQ'D
(100 YEAR STORM): 14,111 FT³
SUMP RETENTION VOLUME PROVIDED: 6,870 FT³
LANDSCAPE RETENTION VOLUME PROVIDED: 10,000 FT³
TOTAL RETENTION VOLUME PROVIDED: 16,870 FT³

N

-40 0 40 80
SCALE IN FEET

LEGEND

- EX. CURB & GUTTER
- EX. SIDEWALK
- EX. FENCE
- EX. EDGE OF ASPHALT
- EX. SEWER LINE
- EX. STORM DRAIN LINE
- EX. WATER LINE
- EX. CONCRETE PAD
- EX. WATER
- EX. STORM DRAIN
- EX. SEWER
- PROP. CURB & GUTTER
- PROP. SPILL C&G
- PROP. SIDEWALK
- PROP. FENCE
- PROP. STORM DRAIN
- PROP. WATER
- PROP. SEWER
- PROPERTY BOUNDARY

CONSTRUCTION DRAWINGS

HIGHLAND CITY MOUNTAIN RIDGE PARK | PHASE 1

10400 N 5600 W
HIGHLAND, UT 84003

blu line designs
planning | landscape architecture | design
8719 S. Sandy Parkway
Sandy, UT 84070
p 801.679.3157

OWNER:
HIGHLAND CITY
5400 W CIVIC CENTER DRIVE
HIGHLAND, UT 84003

CONTACT:
TODD TRANE
PH: 801-756-5751

HIGHLAND CITY

REVISIONS

NO	DATE(YR/MO/DY)	DESCRIPTION
1	20/05/22	GRADING, SITE, UTILITY, & IRRIGATION REVISIONS
2	20/08/31	GRADING, SITE, PLAYGROUND REVISIONS
3	20/07/11	STORM DRAIN & SUMP REVISIONS

Stamp

LICENSED PROFESSIONAL ENGINEER
No. 7544732
RYAN KITCHEN
9-3-21
STATE OF UTAH

Designed By:	RB
Drawn By:	RB
Date:	09.03.21
Checked By:	RK
Project No:	18-224

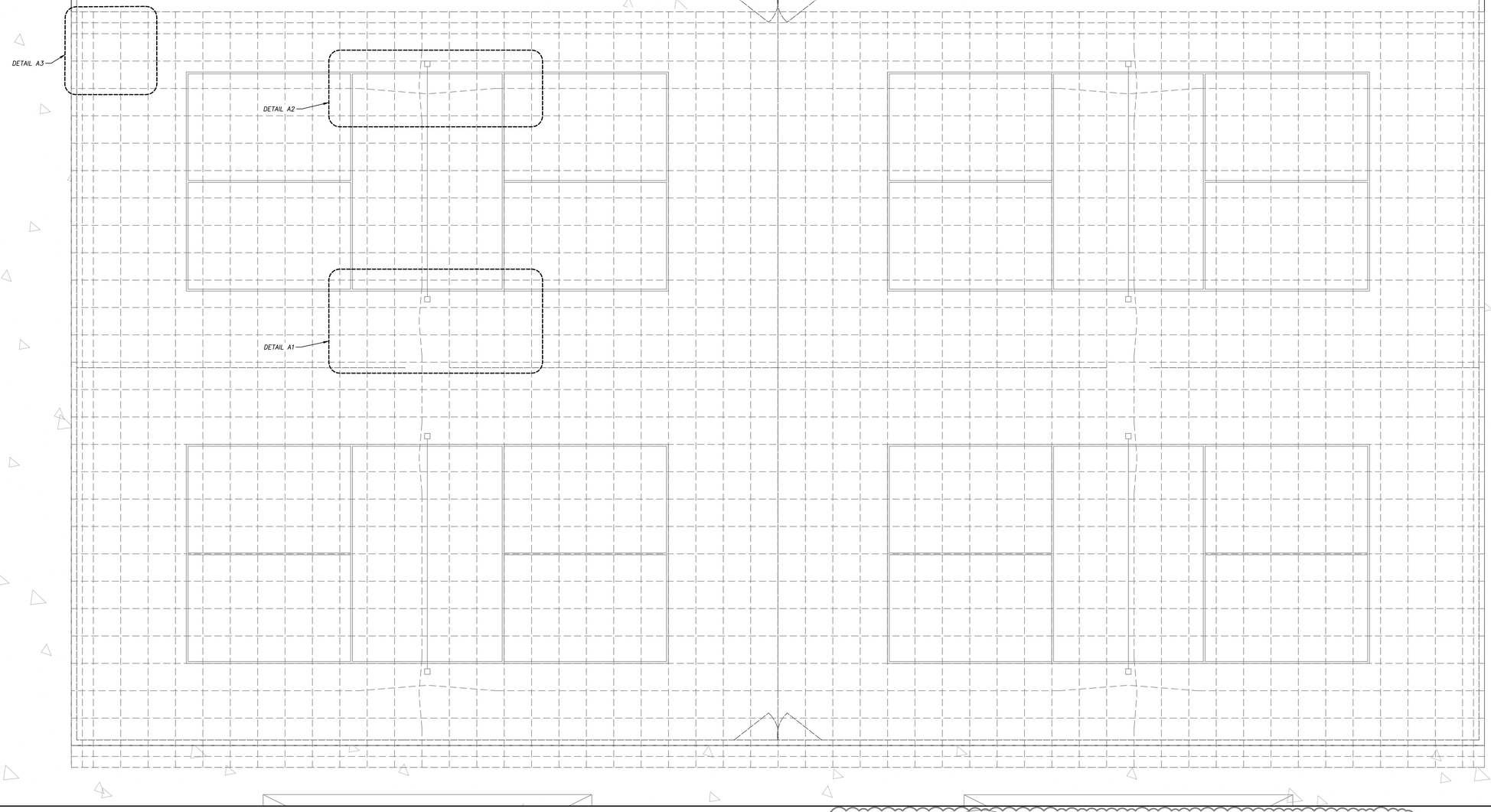
Drawing Title

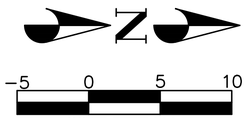
DRAINAGE PLAN

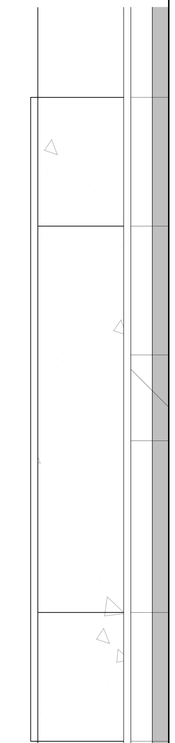
Drawing number

C4.0

Blue Stakes of UTAH 811 Bluestakes.org







blu line designs
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8719 S. Sandy Parkway
Sandy, UT 84070
p 801.679.3157

OWNER:
HIGHLAND CITY
5400 W CIVIC CENTER DRIVE
HIGHLAND, UT 84003

CONTACT:
TODD TRANE
PH: 801-756-5751

HIGHLAND CITY

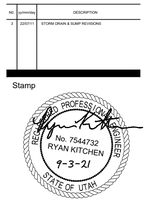
MOUNTAIN RIDGE PARK | PHASE 1

10400 N 5600 W
HIGHLAND, UT 84003

REVISIONS

NO.	APPROVED	DESCRIPTION
3	12/07/21	STORM DRAIN & SUMP REVISIONS

Stamp



Designed By:	RB
Drawn By:	RB
Date:	09.03.21
Checked By:	RK
Project No:	18-224

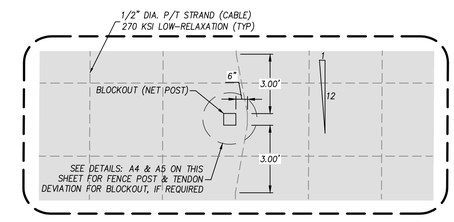
Drawing Title

POST-TENSION CONCRETE PLAN

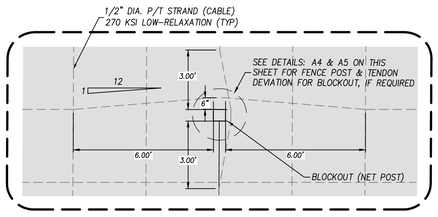
Drawing number

C6.0

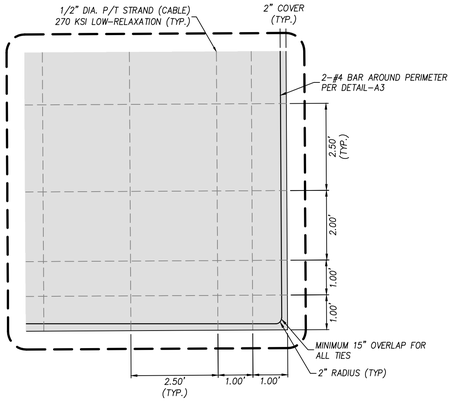
CONSTRUCTION DRAWINGS



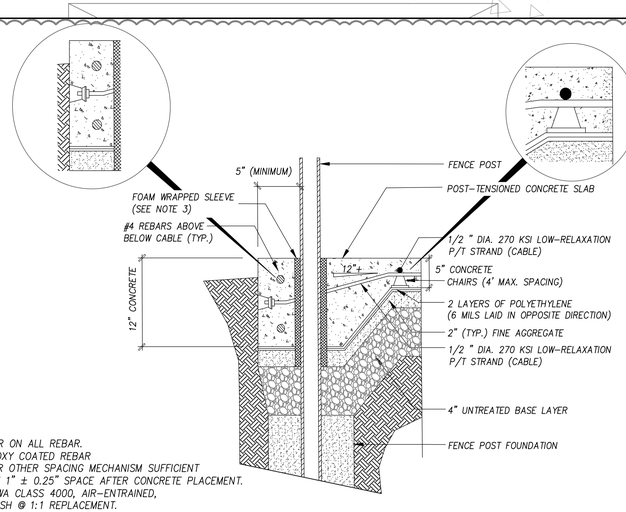
DETAIL-A1
POST TENSION CABLE BLOCK SHIFT FOR NET POST
(NOT TO SCALE)



DETAIL-A2
POST TENSION CABLE BLOCK SHIFT FOR NET POST
(NOT TO SCALE)



DETAIL-A3
POST TENSION CONCRETE REBAR REINFORCEMENT
(NOT TO SCALE)

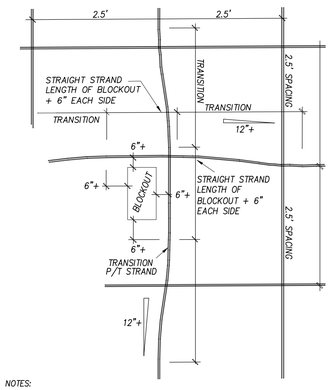


NOTES:

1. 2" COVER ON ALL REBAR.
2. USE EPOXY COATED REBAR
3. FOAM OR OTHER SPACING MECHANISM SUFFICIENT TO ACHIEVE 1" ± 0.25" SPACE AFTER CONCRETE PLACEMENT.
4. USE APWA CLASS 4000, AIR-ENTRAINED, 20% FLY-ASH @ 1:1 REPLACEMENT.

SECTION 1 – THICKENED PT SLAB EDGE WITH INTEGRATED FENCE POST

DETAIL-A4
PAVEMENT DESIGN AND FENCE POST BLOCK SECTION
(NOT TO SCALE)



NOTES:

1. BLOCKOUT MAY BE RECTANGULAR OR ROUND.
2. USE MINIMUM DIMENSION 2" GREATER THAN OBSTRUCTION, CENTER OBSTRUCTION IN BLOCKOUT.
3. BLOCKOUT MAY BE FORMED OR ESTABLISHED WITH FOAM.

PLAN-STRAND (TENDON) DEVIATION

DETAIL-A5
TENDON DEVIATION FOR BLOCKOUT
(NOT TO SCALE)

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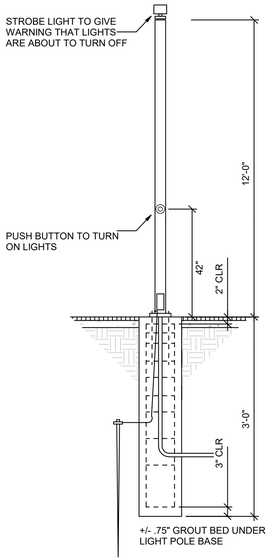
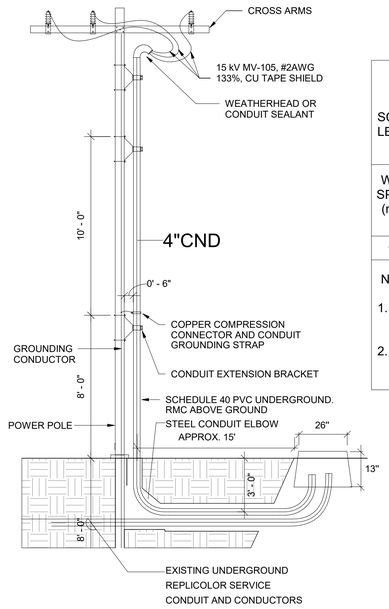


5 ACTUATOR POLE & BASE DETAIL

SCALE: NTS



3 CONDUIT POWER POLE DETAIL

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

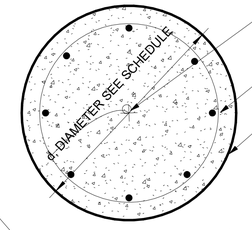
LIGHT POLE PIER FOOTING SCHEDULE 1

SCHEDULE LEGEND
X^X ← SUPERSCRIPT, SEE CORRESPONDING NOTE

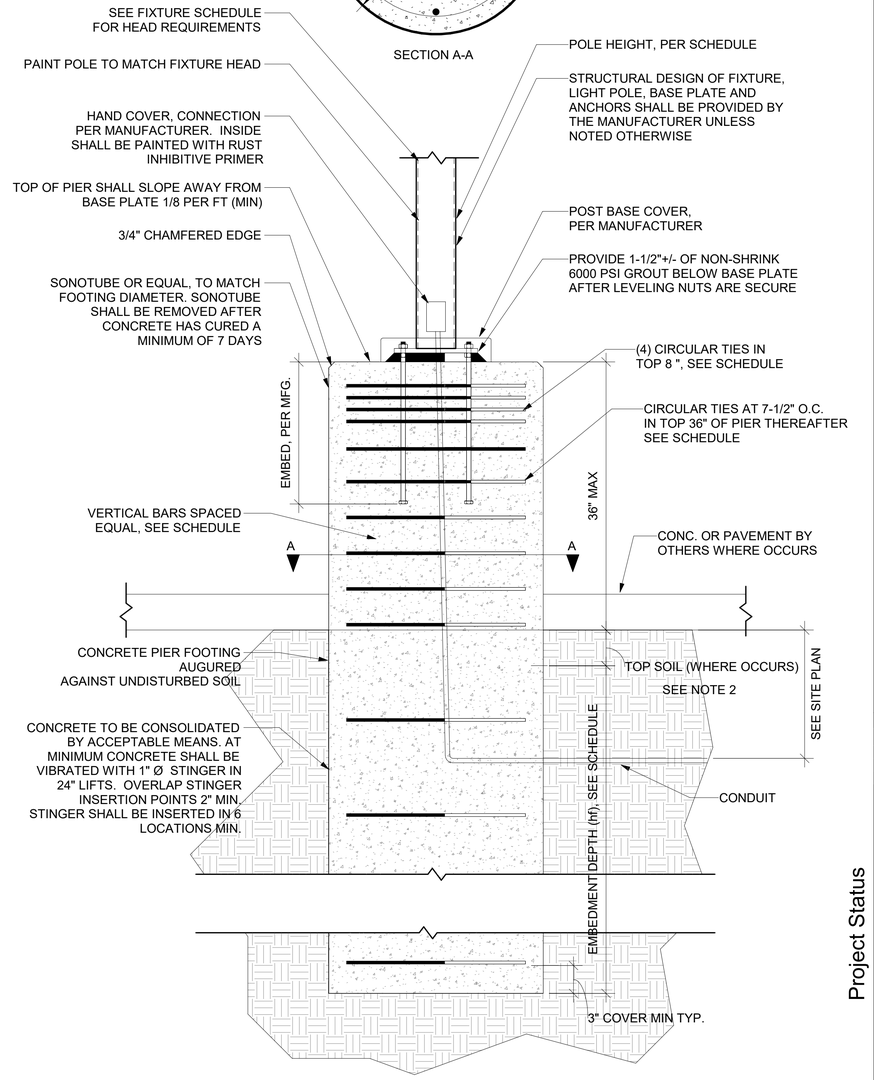
WIND SPEED (mph)	MAX EPA (FT^2)	LIGHT POLE HEIGHT (ft)	LIGHT POLE DIA (in) max	FOOTING DIAMETER, d (in)	MIN. FOUNDATION EMBED DEPTH (ft)	VERTICAL REINF. BAR SIZE	VERTICAL BAR QUANTITY	CIRCULAR TIE BAR SIZE	CIRCULAR TIE SPACING (in)
115	2	30	5	24	5'-0"	#5	8	#4	12" O.C.

NOTE:

1. SCHEDULE ASSUMES GRANULAR SOILS CONDITIONS WITH SEISMIC SITE CLASS D OR E. SOIL PARAMETERS PER SOILS REPORT
2. TOP SOIL SHALL NOT BE USED TO RESIST LATERAL LOAD IN FOOTING. THE EMBED DEPTH IN THE TABLE SHALL BE BEGIN BELOW THE BASE OF THE TOP SOIL AS SHOWN IN THE ELEVATION.



SECTION A-A



1 TYPICAL LIGHT POLE FOOTING SCHEDULE

SCALE: 1" = 1'-0"

4 PARKING LOT LIGHT POLE BASE DETAIL1

SCALE: 3/16" = 1'-0"

2 WALKWAY LIGHT POLE BASE DETAIL - POLE TOP

SCALE: 3/16" = 1'-0"

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SANTAQUIN, UT 84655

CONTACT:
Jon Lundell
P: 801-754-3211

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Project Name

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REVISIONS

NO.	APPROVAL	DESCRIPTION

Stamp

LICENSED PROFESSIONAL ENGINEER — No. 7258088 — SPENCER C. LITTLE — 07-13-2022 — STATE OF UTAH

Project Status

Designed By:	MCF
Drawn By:	SAC
Date:	Issue Date
Checked By:	SCL
Project No:	21-105

Drawing Title

ELECTRICAL SITE LIGHTING DETAILS

Drawing number

EE503

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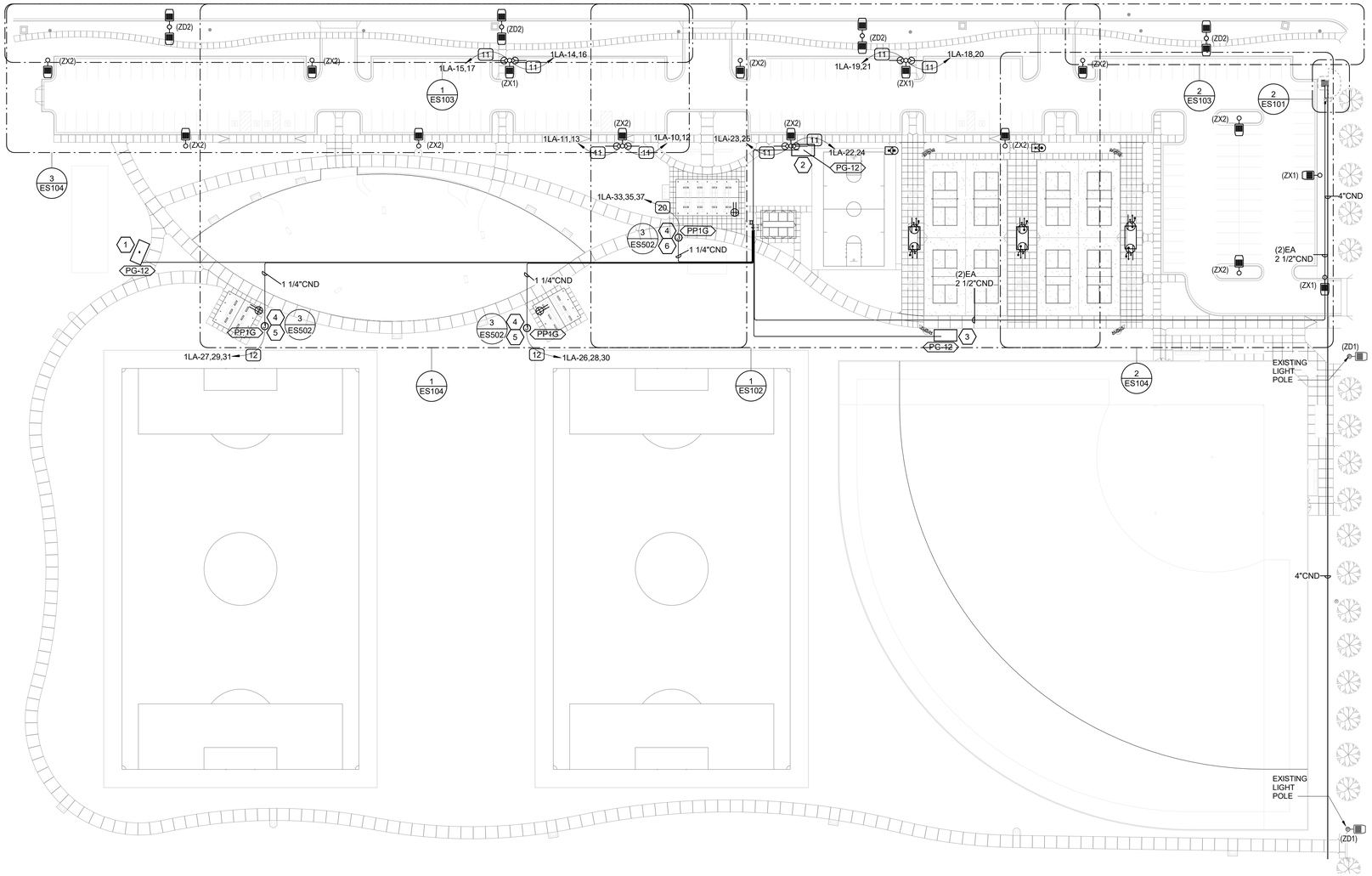
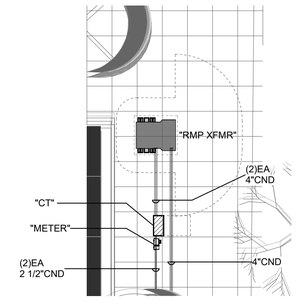


1 ELECTRICAL SITE PLAN - OVERALL
SCALE: 1" = 50'-0"



2 ENLARGED METER
SCALE: 3/32" = 1'-0"

GENERAL SHEET NOTES

1 THE ELECTRICAL CONTRACTOR SHALL MEET WITH AND COORDINATE WITH ALL SERVICE PROVIDERS (POWER, COMMUNICATION, CABLE/SATELLITE, ETC.)TO THE FACILITY ON SITE PRIOR TO ANY WORK BEING PREFORMED. CONFIRM WITH EACH SERVICE PROVIDER EXACT LOCATIONS EQUIPMENT AND ROUTING. COMPLY WITH ALL SERVICE PROVIDER'S CURRENT STANDARDS AND REQUIREMENTS. PROVIDE THE REQUIRED EQUIPMENT, RACEWAYS, BOXES, CABLE, ETC. AS REQUIRED BY THE SERVICE PROVIDER WEATHER SHOWN ON THE DRAWINGS OR NOT.

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3 CONTRACTOR IS RESPONSIBLE FOR ALL TRENCHING, BACKFILL, AND COMPACTION ASSOCIATED TO ALL ELECTRICAL UNDERGROUND RACEWAYS AND CABLES. COORDINATE WITH ARCHITECTURAL AND CIVIL DRAWINGS. SEE UNDERGROUND RACEWAY DETAILS FOR REQUIREMENTS FOR EACH TRENCH.

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6 PROVIDE BATTERY PACKS IN ALL EXTERIOR FIXTURES ADJACENT TO EGRESS DOORS.

7 PROVIDE PHOTOCELL ON NORTH SIDE OF FACILITY TO CONTROL EXTERIOR LIGHTS.

8 ALL EXTERIOR RECEPTACLES SHOWN SHALL BE NEMA 5-20R GFCI "WEATHER RESISTANT" RECEPTACLE WITH "WEATHER PROOF IN-USE COVER."

9 THE ELECTRICAL CONTRACTOR IS RESPONSIBLE FOR ALL CONCRETE/ASPHALT CUTTING AND REPLACEMENT OF CONCRETE/ASPHALT TO MATCH EXISTING ASSOCIATED WITH UNDERGROUND RACEWAYS PROVIDED AS PART OF THIS PROJECT.

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SHEET KEYNOTES

1 PROVIDE IN GROUND JUNCTION BOX AND CONDUIT ROUGH-IN FOR FUTURE POWER.

2 PROVIDE IN GROUND JUNCTION BOX WITH ROUGH-IN CONDUIT FOR BASKETBALL COURT.

3 PROVIDE ROUGH-IN TO THIS LOCATION FOR FUTURE BALLFIELD/SNACKBAR BUILDING. PROVIDE IN GROUND JUNCTION BOX WITH ROUGH-IN CONDUIT.

4 COORDINATE EXACT LOCATION OF PEDESTAL WITH OWNER/ARCHITECT.

5 PROVIDE PEDESTAL WITH 50A FEEDER.

6 PROVIDE PEDESTAL WITH 100A FEEDER

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CONTACT:
TODD TRANE
PH:
801-756-5751

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HIGHLAND, UT 84003

CONSTRUCTION DOCUMENTS

REVISIONS

NO.	APPROVED	DESCRIPTION

Stamp
LICENSED PROFESSIONAL ENGINEER
No. 7258080
SPENCER C. LITTLE
07-13-2022
STATE OF UTAH

Designed By:	SAC
Drawn By:	MCF
Date:	07.09.2022
Checked By:	SCL
Project No:	18-224

Drawing Title
ELECTRICAL SITE PLAN OVERALL

Drawing number
ES101

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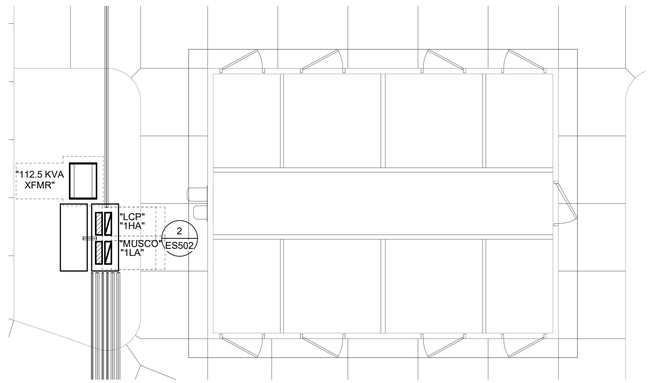
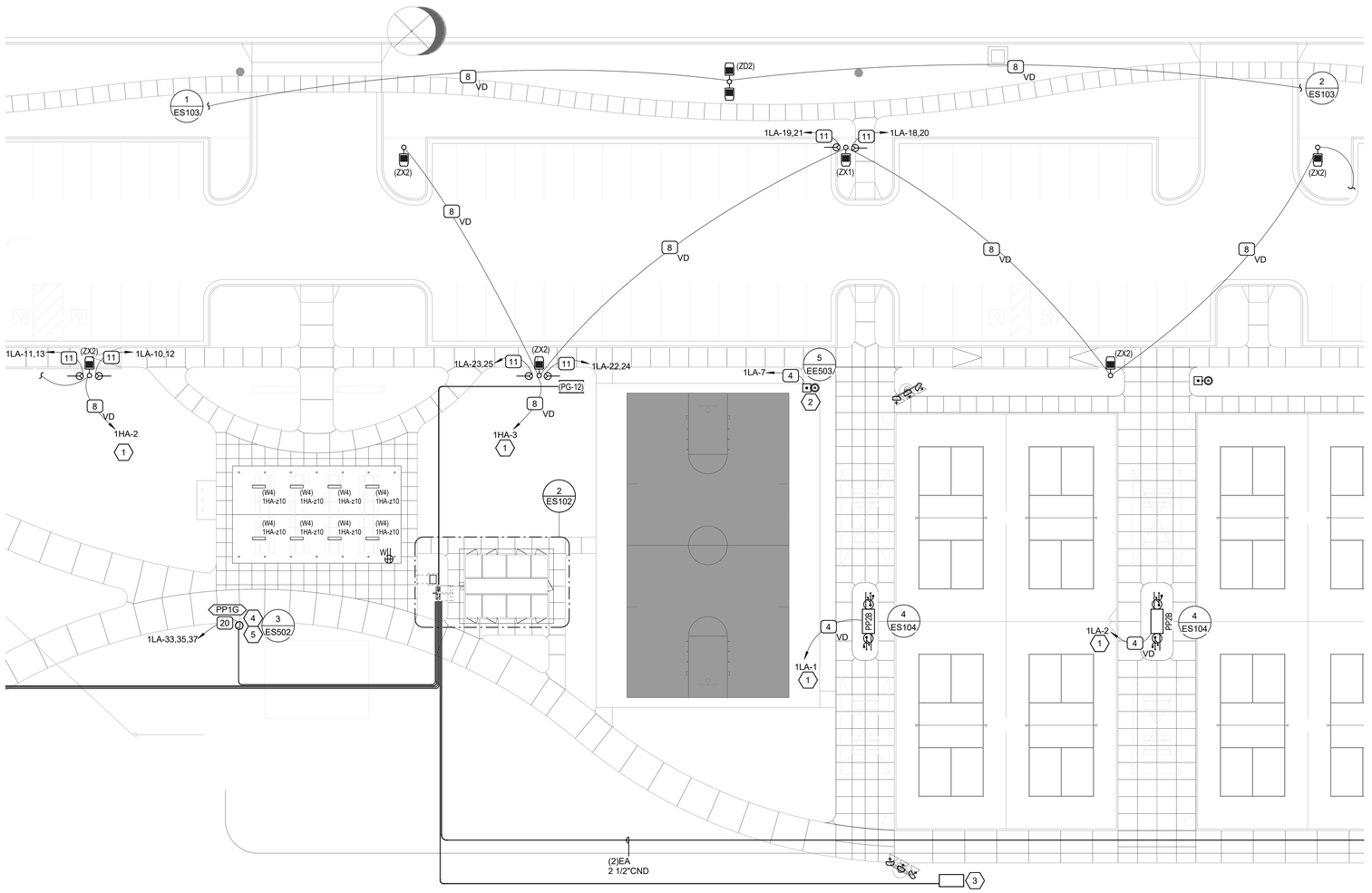


2 ENLARGED RESTROOM BLDG

SCALE: 3/16" = 1'-0"



1 ELECTRICAL SITE PLAN - ENLARGED (PHASE 1)

SCALE: 1" = 20'-0"

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SHEET KEYNOTES

1 CIRCUIT THROUGH LIGHTING CONTROL RELAY PANEL. COORDINATE WITH CITY AND ARCHITECT FOR EXACT PROGRAMMING AND CONTROL SETTINGS.

2 PROVIDE (5) #10 CONDUCTORS FOR OVERRIDE SWITCH AND STROBE BACK TO MUSCO PANEL.

3 PROVIDE ROUGH-IN TO THIS LOCATION FOR FUTURE BALLFIELD/SNACKBAR BUILDING. PROVIDE IN GROUND JUNCTION BOX WITH ROUGH-IN CONDUIT.

4 COORDINATE EXACT LOCATION OF PEDESTAL WITH OWNER/ARCHITECT.

5 PROVIDE PEDESTAL WITH 100A FEEDER

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HIGHLAND, UT 84003

CONSTRUCTION DOCUMENTS

REVISIONS

NO.	07/07/22	DESCRIPTION

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UTAH PROFESSIONAL ENGINEER
No. 7258080
SPENCER C. LITTLE
07-13-2022
STATE OF UTAH

Designed By:	SAC
Drawn By:	MCF
Date:	07.09.2022
Checked By:	SCL
Project No:	18-224

Drawing Title

ELECTRICAL SITE PLAN ENLARGED

Drawing number

ES102

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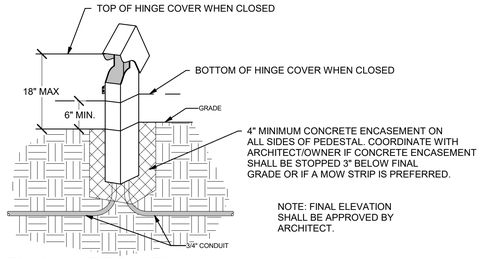
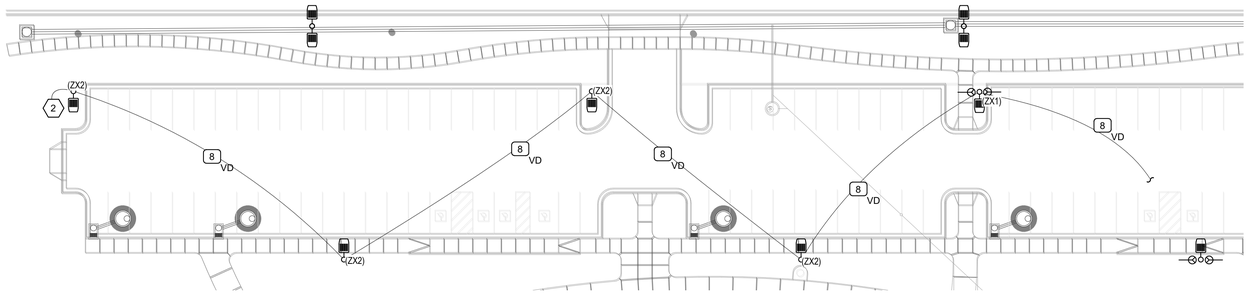
HINGE TOP POWER PEDESTAL		
TAG	MANUFACTURER	CATALOG NUMBER
PP2B	PEDOC POWER SOLUTIONS	5P18-C-HT-3-B OR APPROVED EQUAL



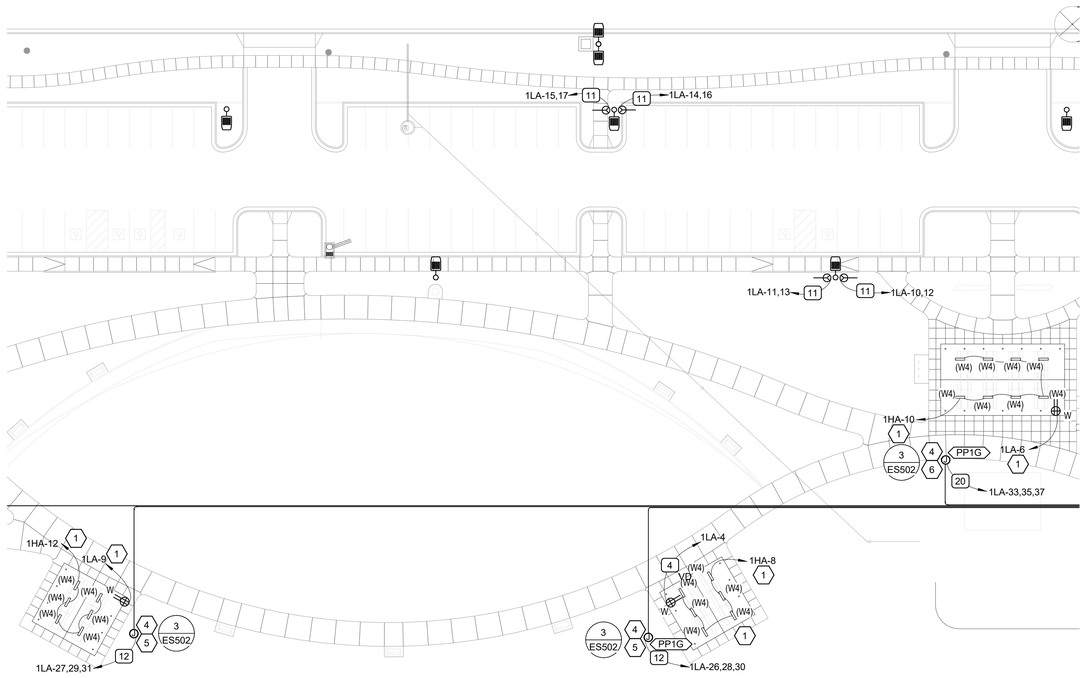
4 HINGE TOP POWER PEDESTAL DETAIL AND SCHEDULE

SCALE: NTS



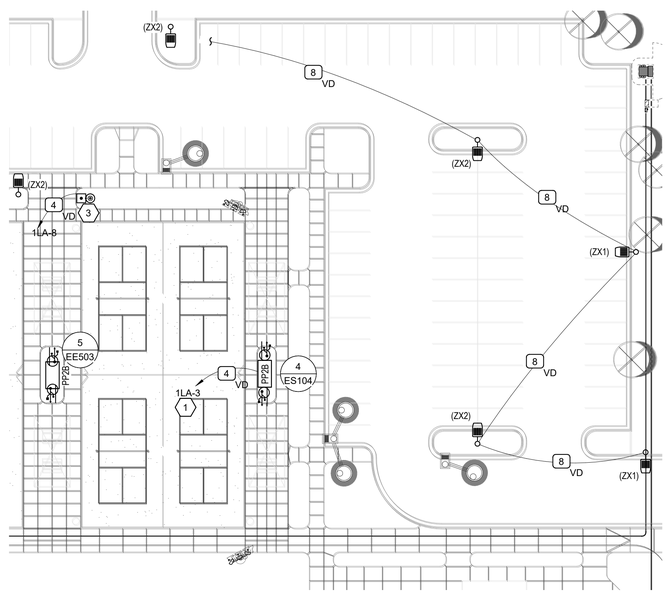
3 ELECTRICAL SITE PLAN - ENLARGED

SCALE: 1" = 30'-0"



1 ELECTRICAL SITE PLAN - ENLARGED 2

SCALE: 1" = 30'-0"



2 ELECTRICAL SITE PLAN - ENLARGED 1

SCALE: 1" = 30'-0"

SHEET KEYNOTES

1 CIRCUIT THROUGH LIGHTING CONTROL RELAY PANEL. COORDINATE WITH CITY AND ARCHITECT FOR EXACT PROGRAMMING AND CONTROL SETTINGS.

2 PROVIDE SPARE CONDUIT STUBBED OUT FOR FUTURE LIGHTING CIRCUIT EXPANSION.

3 PROVIDE (5) #10 CONDUCTORS FOR OVERRIDE SWITCH AND STROBE BACK TO MUSCO PANEL.

4 COORDINATE EXACT LOCATION OF PEDESTAL WITH OWNER/ARCHITECT.

5 PROVIDE PEDESTAL WITH 50A FEEDER.

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CONSTRUCTION DOCUMENTS

REVISIONS

NO	APPROVAL	DESCRIPTION

Stamp

LICENSED PROFESSIONAL ENGINEER
No. 7258080
SPENCER C. LITTLE
07-13-2022
STATE OF UTAH

Designed By:	SAC
Drawn By:	MCF
Date:	07.09.2022
Checked By:	SCL
Project No:	18-224

Drawing Title
ELECTRICAL SITE PLAN ENLARGED

Drawing number
ES104

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Mountain Ridge Park Pickleball
Highland,UT

Lighting System

Area / Fixture Summary					
Area Label	Qty	Mtg Height	Fixture Tag	Lamps/Fixt	Total Watts
Pickleball	16	30'	A	TLC-LED-640	5,120 W
		30'	J	TLC-LED-960	1,19 kW
P2, P4	10'	30'	H	TLC-LED-640	3,84 kW
P1, P3		30'	G	TLC-LED-640	3,84 kW
			37		17,99 kW

Controls Summary			
Label	Description	Load	Fixture Qty
A	Pickleball	14,34 kW	78
B	Basketball	3,58 kW	4

Fixture Type Summary							
Type Label	Source	Wattage	Lumens	Lift	Lift	Lift	Quantity
TLC-LED-640	LED 525W - FC UNI	4000K	64,000	>120,000	>120,000	>120,000	37

Light Level Summary

Calculation Summary								
Grid Name	Calculation Metric	Avg	Min	Maximum Uniformity			Ghosts	Fixture Qty
				Max/Min	Avg/Min	Min/Max		
100' Facility Spill	Horizontal	0	0	N/A	0.00		4,4	20
100' Facility Spill	Max Candela (by Fixture)	79,5	0	1184	0.00		4,4	20
100' Facility Spill	Vertical Perpendicular Plane	0,1	0	5,0	0,00	0,00	4,4	20
Pickleball	Vertical Perpendicular Plane	26,7	15	50	1,78	2,33	4	4
Pickleball	Horizontal Illuminance	50,5	35	62	1,79	1,44	A	16

From Hometown to Professional

ENGINEERED DESIGN By: C.Hensley - File #212070C - 24-Jun-22

PROJECT SUMMARY

EQUIPMENT LIST FOR AREAS SHOWN

qty	catalog	arr	fixture	aiming	mtg	lamps	watts
4	TLC-LED-640	SP	TLC-LED-640	0, 0, 0	30'	525 LED 4K	525 W
16	TLC-LED-640	SP	TLC-LED-640	0, 0, 0	30'	525 LED 4K	525 W
16	TLC-LED-640	SP	TLC-LED-640	0, 0, 0	10'	525 LED 4K	525 W

Mountain Ridge Park Pickleball
Highland,UT

GRID SUMMARY

Name:	Pickleball
Size:	344' x 328'
Spacing:	10.0' x 10.0'
Height:	3.0' above grade

ILLUMINATION SUMMARY

Guaranteed Average:	50
Scan Average:	50.5
Maximum:	62
Minimum:	35
Avg / Min:	1.44
Max / Min:	1.78
Uniformity Ratio:	
UG (adjacent pts):	1.39
UG (all pts):	1.44
No. of Points:	144
Ambient Conditions:	
No. of Luminaires:	16
Total Load:	14.34 kW

Guaranteed Performance: The ILLUMINATION described above is guaranteed per your Musco Warranty document and includes a 0.90 site depreciation factor.

Field Measurements: Individual field measurements may vary from computer calculated predictions, and should be taken in accordance with IESNA RP-6-15.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the **"Musco Control System Summary"** for electrical sizing.

Installation Requirements: Results assume ± 3% nominal voltage at the side of the driver and structures located within 4 feet (1m) of design locations.

Pole locations: ● dimensions are relative to (0,0) reference point(s) ⊕

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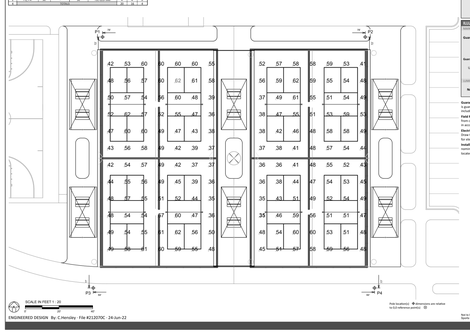
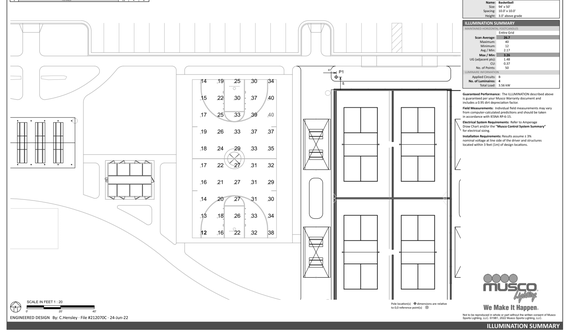
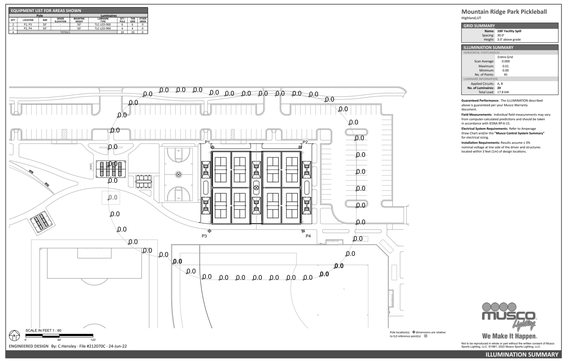
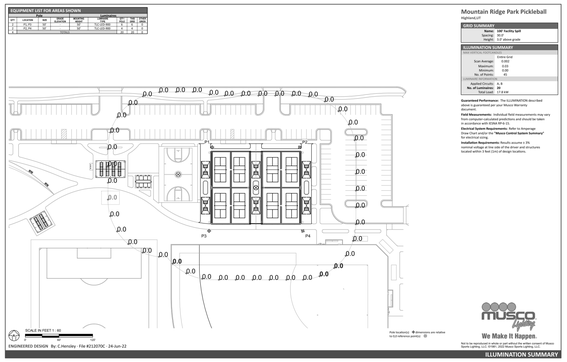
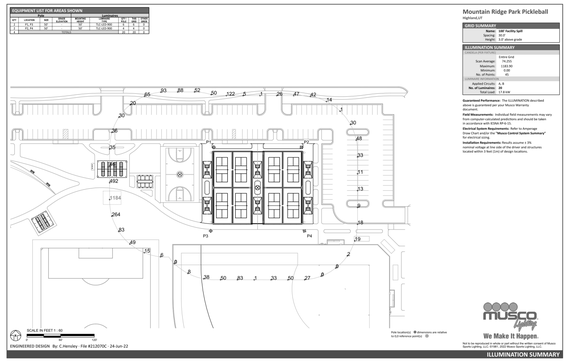
ILLUMINATION SUMMARY

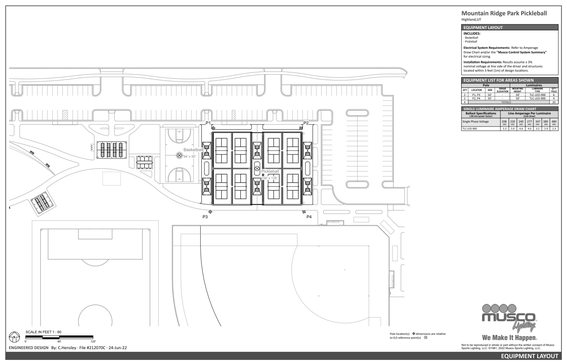












EQUIPMENT LAYOUT

INCLUDES:
Luminaires
Hardware

Electrical System Requirements: Refer to Amperage Draw Chart and/or the **"Musco Control System Summary"** for electrical sizing.

Installation Requirements: Results assume ± 3% nominal voltage at the side of the driver and structures located within 4 feet (1m) of design locations.

EQUIPMENT LIST FOR AREAS SHOWN

qty	catalog	arr	fixture	aiming	mtg	lamps	watts
4	TLC-LED-640	SP	TLC-LED-640	0, 0, 0	30'	525 LED 4K	525 W
16	TLC-LED-640	SP	TLC-LED-640	0, 0, 0	30'	525 LED 4K	525 W
16	TLC-LED-640	SP	TLC-LED-640	0, 0, 0	10'	525 LED 4K	525 W

Basketball Illuminance Summary (Horizontal Plane)							
Calculation Area	Lift	Average (fc)	Min (fc)	Max (fc)	Avg/Min	Max/Min	Min/Max
Target Design Voltage	480	480	480	480	480	480	480
Basketball	50	50.5	35	62	1.44	1.78	0.69

EQUIPMENT LAYOUT

blu line designs
planning | landscape architecture | design
8719 S. Sandy Parkway
Sandy, UT 84070
p 801.679.3157

OWNER:
HIGHLAND CITY
5400 W CIVIC CENTER DRIVE
HIGHLAND, UT 8003

CONTACT:
TODD TRANE
PH:
801-756-5751

HIGHLAND CITY

SPECTRUM ENGINEERS
Celebrating 35 years of Engineering Excellence

HIGHLAND CITY MOUNTAIN RIDGE PARK

10400 N 5600 W
HIGHLAND, UT 84003

CONSTRUCTION DOCUMENTS

REVISIONS

NO.	yy/mm/dd	DESCRIPTION

Stamp

LICENSED PROFESSIONAL ENGINEER
No. 7258080
SPENCER C. LITTLE
07-13-2022
STATE OF UTAH

Designed By:	SAC
Drawn By:	MCF
Date:	07.09.2022
Checked By:	SCL
Project No:	18-224

Drawing Title

PICKELBALL COURT LIGHTING

Drawing number

ES402

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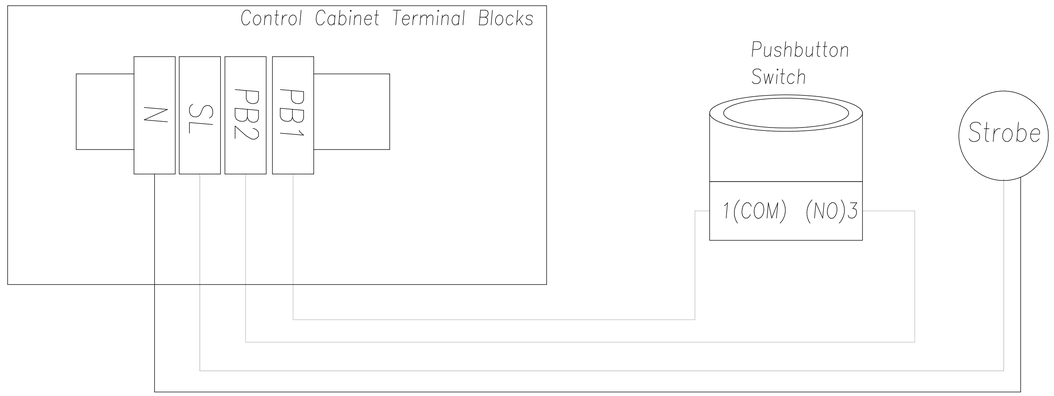
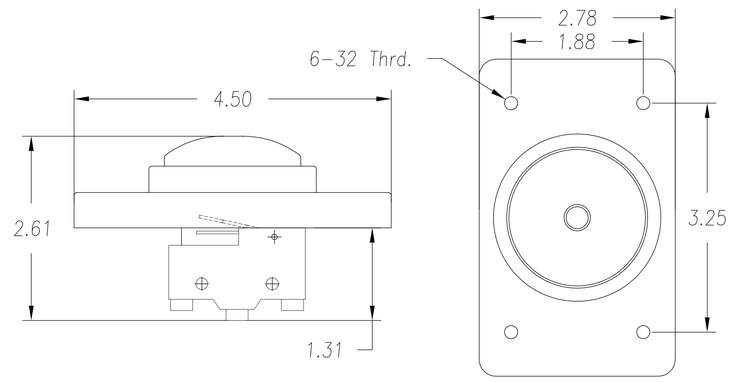
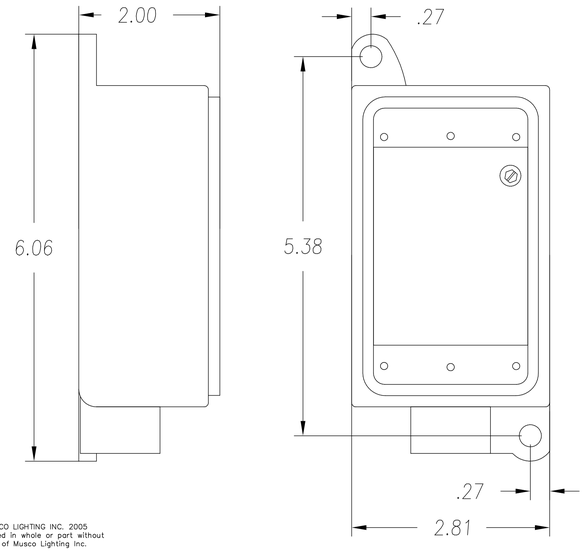


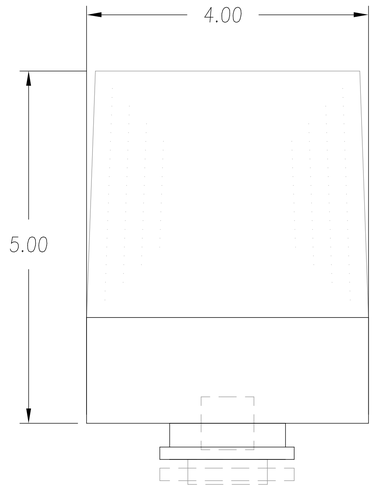
Contractor Wiring
2 wires for the pushbutton (12 AWG)
2 wires for the strobe light (12 AWG)



Controller



Pushbutton
Dimensions in inches
Color: Black bezel and gray housing.
Silver actuator
Material: Machined SS actuator.
Machined AL bezel
Malleable iron housing
Contact Current Rating: 15A (125VAC)
Internal Ground Screw
Torx Cover Screws (T-10)

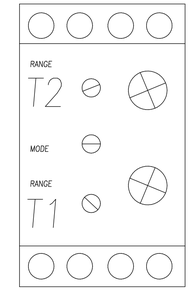


Strobe Light
Dimensions in inches

Color: Amber
Flash Rate/Minute: 90
Candlepower Peak: 1,000,000
Effective Candlepower: 300

MEYERS HUB, 1/2"NPT
NIPPLE, 1/2"NPT CLOSE

Strobe



SEQUENCE OF OPERATION (Control-Link):

1. The OOA needs to be in the AUTO position. A schedule begins and the REC closes the I/O relay which sends control power to the pushbutton.
2. The pushbutton is pressed to turn on the lights. The contactors pull in, which also activates the holding circuit. The lights remain ON for the preset amount of time dictated by the timer dial T1 (Bottom Dial).
3. The timer times out and performs 2 functions.
   - 3.1. Power from the timer is sent to the strobe as a warning that the lights will extinguish in 'X' amount of time (dictated by dial T2 (Top Dial)),
   - 3.2. The timer activates a count down for the circuit to turn off.
4. If the pushbutton is pressed again, before the strobe turns off, the lights will remain ON for another cycle.
5. If the pushbutton is NOT pressed again the strobe and lights will extinguish.

TIMER SETTINGS:
- Mode: A
- T2 (Time setting for Strobe Light)
  - Range: 1M (6 sec to 6 min)
  - Turn dial to 5 (5 min)
- T1 (Playing Time)
  - Range: 1H (6 min to 6 hr)
  - Turn dial to 1 (1 Hr)

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1 MUSCO PUSH-BUTTON STROBE PRESALE CUTSHEET
SCALE: NTS

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Sandy, UT 84070
p 801.679.3157

OWNER:
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5400 W CIVIC CENTER DRIVE
HIGHLAND, UT 8003

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HIGHLAND CITY

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HIGHLAND CITY
MOUNTAIN RIDGE PARK
10400 N 5600 W
HIGHLAND, UT 84003

CONSTRUCTION DOCUMENTS

REVISIONS

NO.	APPROVAL	DESCRIPTION

Stamp
LICENSED PROFESSIONAL ENGINEER
No. 7258080
SPENCER C. LITTLE
07-13-2022
STATE OF UTAH

Designed By:	SAC
Drawn By:	MCF
Date:	07.09.2022
Checked By:	SCL
Project No:	18-224

Drawing Title
MUSCO ACTUATOR CUTSHEET

Drawing number
ES503

Mountain Ridge Park Pickleball

Highland,UT

Lighting System

Pole / Fixture Summary

Pole ID	Pole Height	Mtg Height	Fixture Qty	Luminaire Type	Load	Circuit
P1, P3	50'	50'	4	TLC-LED-900	3.56 kW	A
		50'	2	TLC-LED-900	1.78 kW	B
P2, P4	50'	50'	4	TLC-LED-900	3.56 kW	A
4			***20***		***17.80 kW***	

Circuit Summary

Circuit	Description	Load	Fixture Qty
A	Pickleball	14.24 kW	16
B	Basketball	3.56 kW	4

Fixture Type Summary

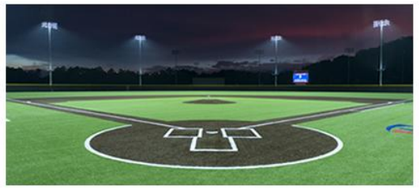
Type	Source	Wattage	Lumens	L90	L80	L70	Quantity
TLC-LED-900	LED 5700K - 75 CRI	890W	89,600	>120,000	>120,000	>120,000	20

Light Level Summary

Calculation Grid Summary

Grid Name	Calculation Metric	Illumination					Circuits	Fixture Qty
		Ave	Min	Max	Max/Min	Ave/Min		
100' Facility Spill	Horizontal	0	0	0.01	0.00		A,B	20
100' Facility Spill	Max Candela (by Fixture)	74.3	0	1184	0.00		A,B	20
100' Facility Spill	Max Vertical Illuminance Metric	0	0	0.03	0.00		A,B	20
Basketball	Horizontal Illuminance	26.7	12	40	3.26	2.23	B	4
Pickleball	Horizontal Illuminance	50.5	35	62	1.78	1.44	A	16

From Hometown to Professional



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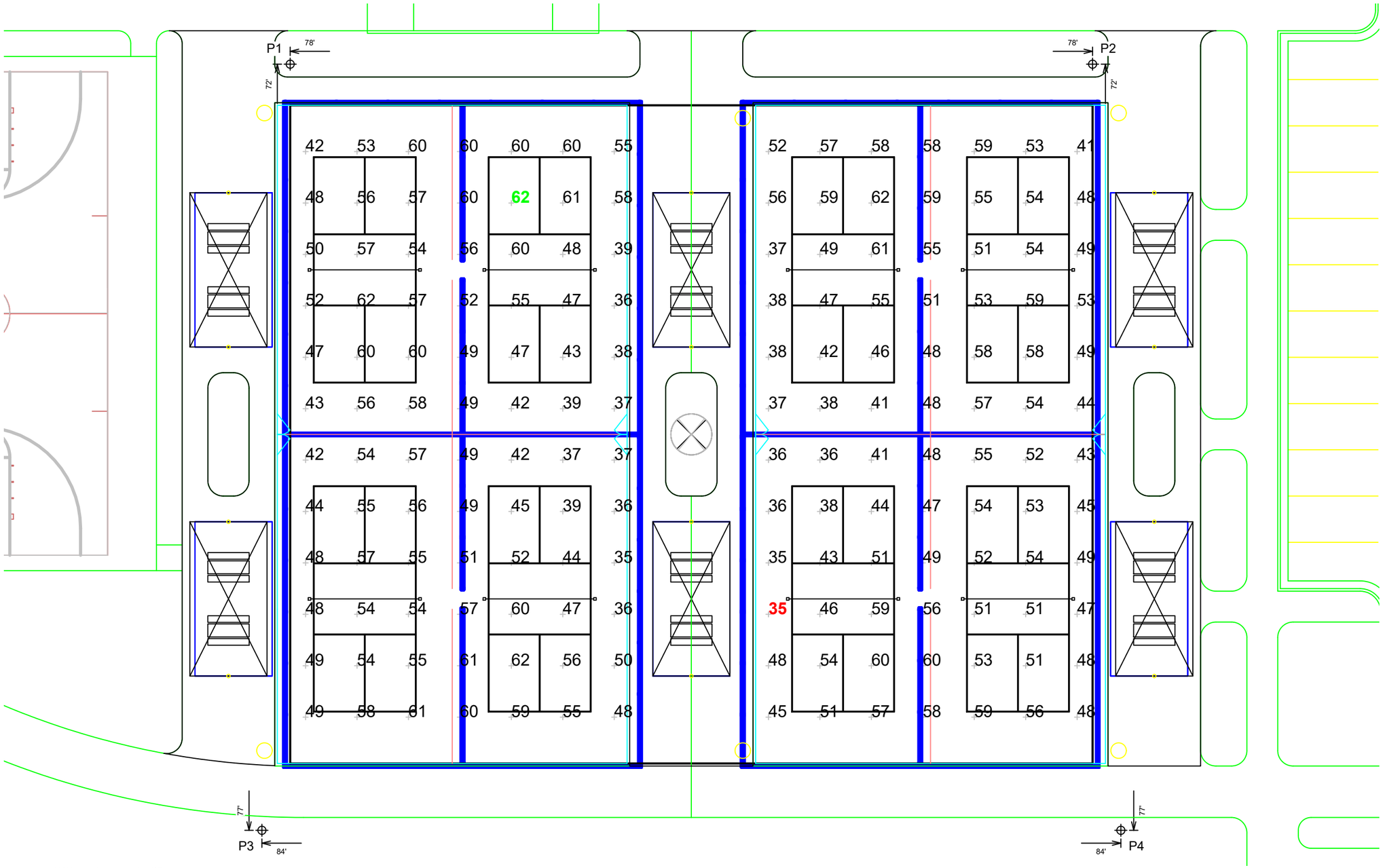
EQUIPMENT LIST FOR AREAS SHOWN

Pole				Luminaires				
QTY	LOCATION	SIZE	GRADE ELEVATION	MOUNTING HEIGHT	LUMINAIRE TYPE	QTY / POLE	THIS GRID	OTHER GRIDS
2	P1, P3	50'	-	50'	TLC-LED-900	6	4	2
2	P2, P4	50'	-	50'	TLC-LED-900	4	4	0
4	TOTALS					20	16	4



SCALE IN FEET 1 : 20

0' 20' 40'

Pole location(s) ⊕ dimensions are relative to 0,0 reference point(s) ⊗

ENGINEERED DESIGN By: C.Hensley · File #212070C · 24-Jun-22

Mountain Ridge Park Pickleball

Highland,UT

GRID SUMMARY

Name:	**Pickleball**
Size:	156' x 128'
Spacing:	10.0' x 10.0'
Height:	3.0' above grade

ILLUMINATION SUMMARY

MAINTAINED HORIZONTAL FOOTCANDLES

	Entire Grid
Guaranteed Average:	**50**
Scan Average:	50.5
Maximum:	62
Minimum:	35
Avg / Min:	1.45
Guaranteed Max / Min:	**2**
Max / Min:	1.78
UG (adjacent pts):	1.50
CU:	0.57
No. of Points:	168

LUMINAIRE INFORMATION

Applied Circuits:	A
No. of Luminaires:	**16**
Total Load:	14.24 kW

Guaranteed Performance: The ILLUMINATION described above is guaranteed per your Musco Warranty document and includes a 0.95 dirt depreciation factor.

Field Measurements: Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with IESNA RP-6-15.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the **"Musco Control System Summary"** for electrical sizing.

Installation Requirements: Results assume ± 3% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.

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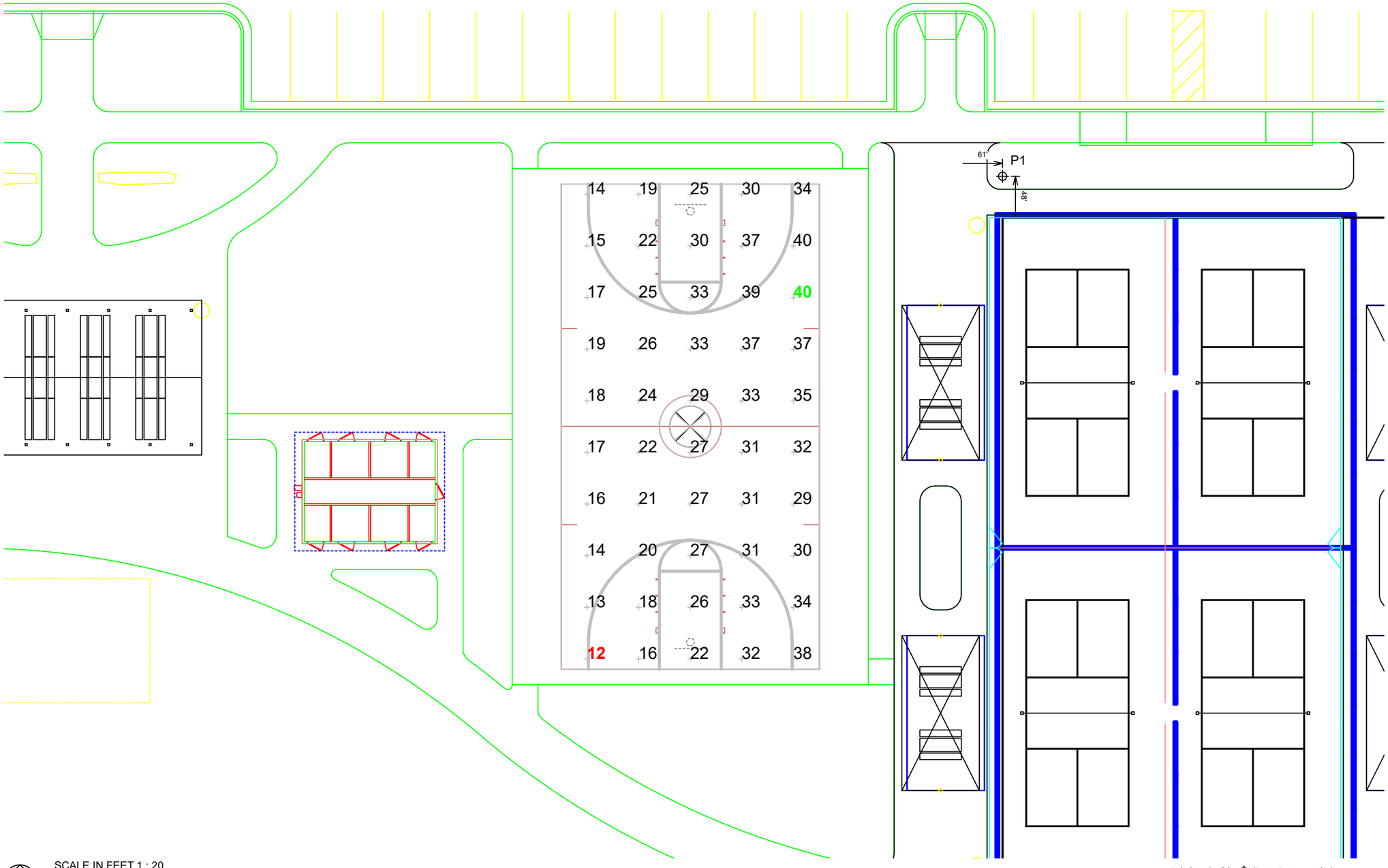
EQUIPMENT LIST FOR AREAS SHOWN

Pole				Luminaires				
QTY	LOCATION	SIZE	GRADE ELEVATION	MOUNTING HEIGHT	LUMINAIRE TYPE	QTY / POLE	THIS GRID	OTHER GRIDS
2	P1, P3	50'	-	50'	TLC-LED-900	6	2	4
2	TOTALS					12	4	8



Mountain Ridge Park Pickleball

Highland,UT

GRID SUMMARY

Name:	**Basketball**
Size:	94' x 50'
Spacing:	10.0' x 10.0'
Height:	3.0' above grade

ILLUMINATION SUMMARY

MAINTAINED HORIZONTAL FOOTCANDLES

	Entire Grid
Scan Average:	**26.7**
Maximum:	40
Minimum:	12
Avg / Min:	2.17
Max / Min:	**3.26**
UG (adjacent pts):	1.48
CU:	0.37
No. of Points:	50

LUMINAIRE INFORMATION

Applied Circuits:	B
No. of Luminaires:	**4**
Total Load:	3.56 kW

Guaranteed Performance: The ILLUMINATION described above is guaranteed per your Musco Warranty document and includes a 0.95 dirt depreciation factor.

Field Measurements: Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with IESNA RP-6-15.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the **"Musco Control System Summary"** for electrical sizing.

Installation Requirements: Results assume ± 3% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.

SCALE IN FEET 1 : 20

0' 20' 40'

Pole location(s) ⊕ dimensions are relative to 0,0 reference point(s) ⊗

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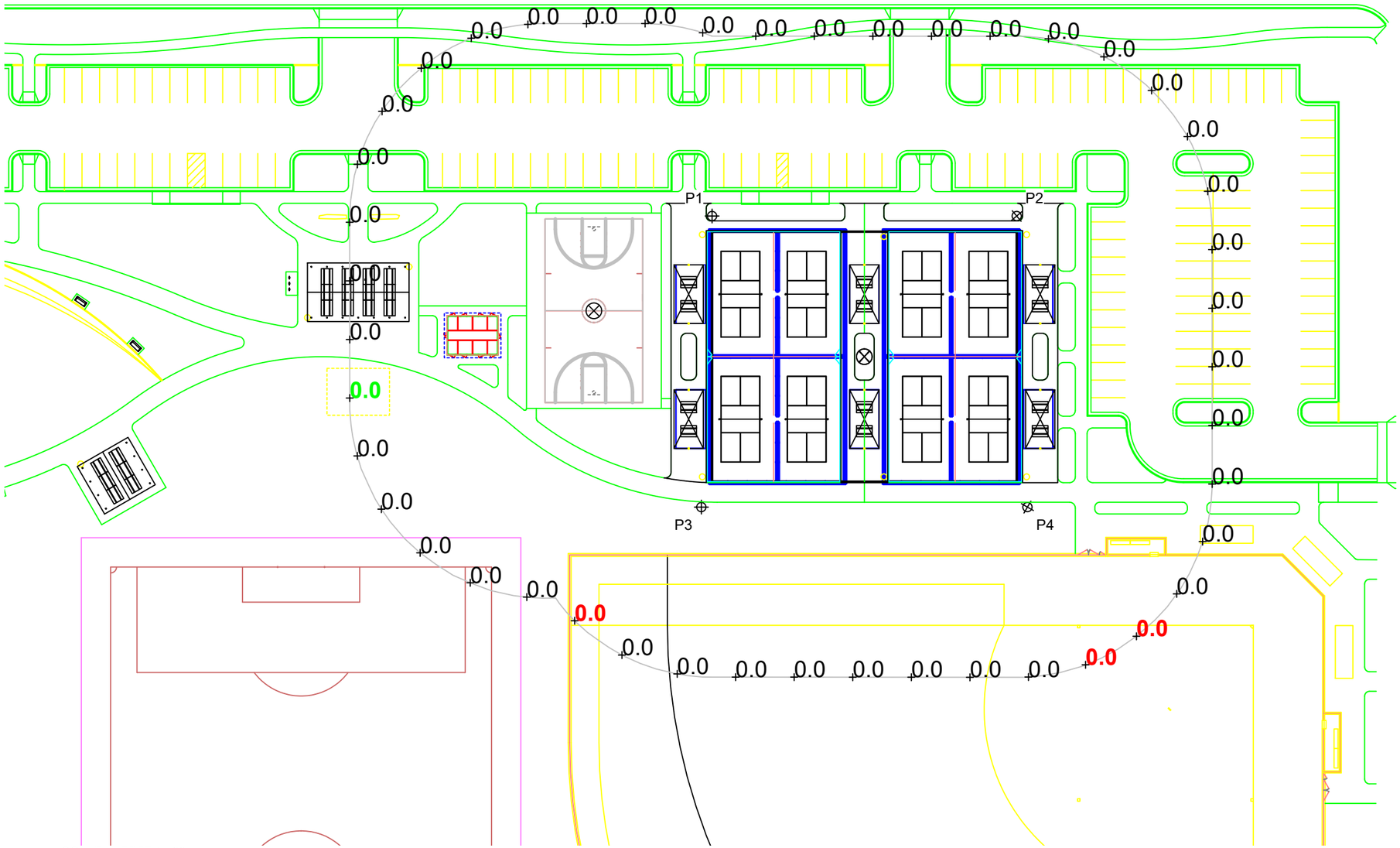
EQUIPMENT LIST FOR AREAS SHOWN

Pole				Luminaires				
QTY	LOCATION	SIZE	GRADE ELEVATION	MOUNTING HEIGHT	LUMINAIRE TYPE	QTY / POLE	THIS GRID	OTHER GRIDS
2	P1, P3	50'	-	50'	TLC-LED-900	6	6	0
2	P2, P4	50'	-	50'	TLC-LED-900	4	4	0
4	TOTALS					20	20	0



SCALE IN FEET 1 : 60

0' 60' 120'

Mountain Ridge Park Pickleball

Highland,UT

GRID SUMMARY

Name:	**100' Facility Spill**
Spacing:	30.0'
Height:	3.0' above grade

ILLUMINATION SUMMARY

HORIZONTAL FOOTCANDLES

	Entire Grid
Scan Average:	0.000
Maximum:	0.01
Minimum:	0.00
No. of Points:	45

LUMINAIRE INFORMATION

Applied Circuits:	A, B
No. of Luminaires:	**20**
Total Load:	17.8 kW

Guaranteed Performance: The ILLUMINATION described above is guaranteed per your Musco Warranty document.

Field Measurements: Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with IESNA RP-6-15.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the **"Musco Control System Summary"** for electrical sizing.

Installation Requirements: Results assume ± 3% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.

Pole location(s) ⊕ dimensions are relative to 0,0 reference point(s) ⊗

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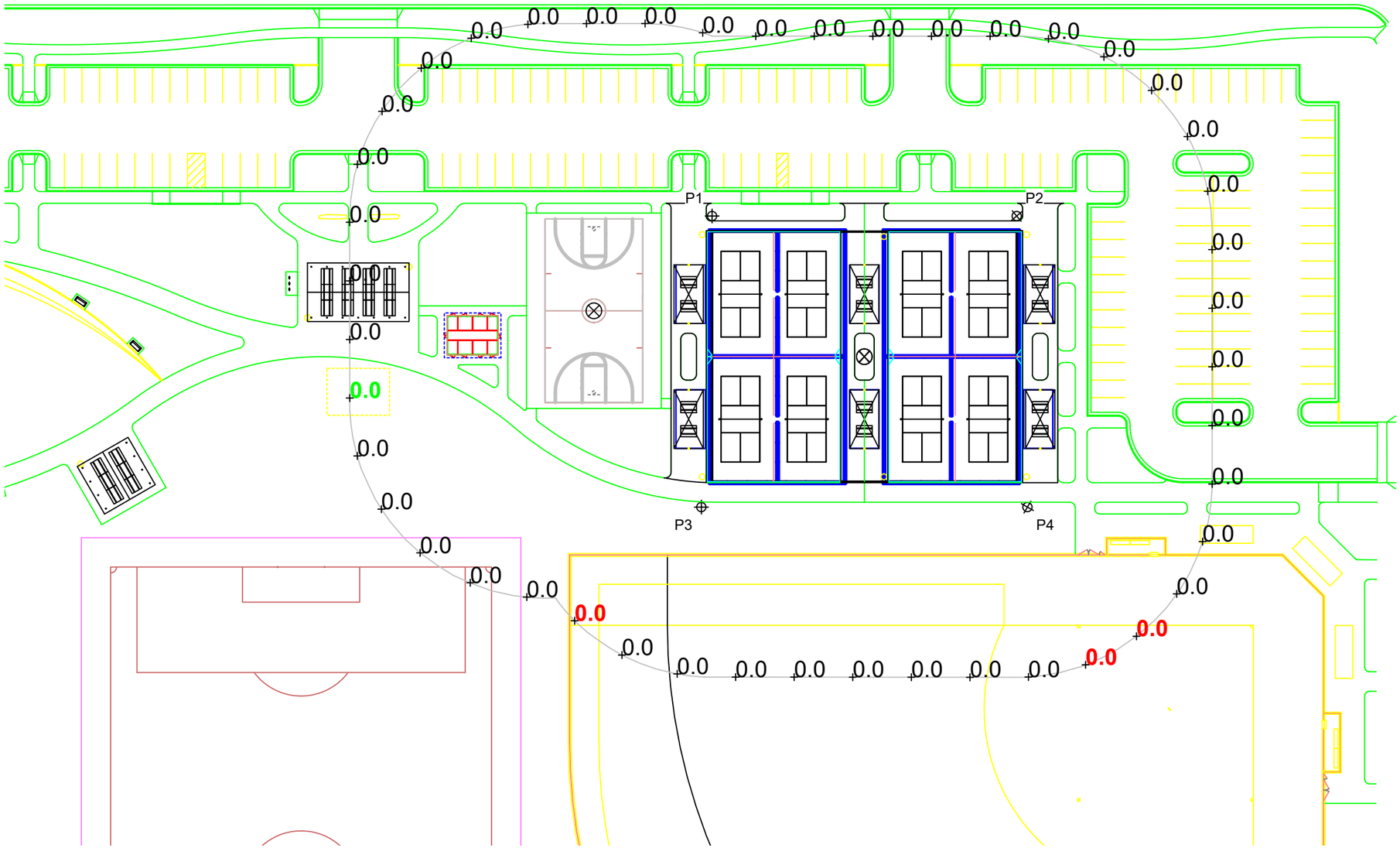
EQUIPMENT LIST FOR AREAS SHOWN

Pole				Luminaires				
QTY	LOCATION	SIZE	GRADE ELEVATION	MOUNTING HEIGHT	LUMINAIRE TYPE	QTY / POLE	THIS GRID	OTHER GRIDS
2	P1, P3	50'	-	50'	TLC-LED-900	6	6	0
2	P2, P4	50'	-	50'	TLC-LED-900	4	4	0
4	TOTALS					20	20	0



SCALE IN FEET 1 : 60

0' 60' 120'

Mountain Ridge Park Pickleball

Highland,UT

GRID SUMMARY

Name:	**100' Facility Spill**
Spacing:	30.0'
Height:	3.0' above grade

ILLUMINATION SUMMARY

MAX VERTICAL FOOTCANDLES

	Entire Grid
Scan Average:	0.002
Maximum:	0.03
Minimum:	0.00
No. of Points:	45

LUMINAIRE INFORMATION

Applied Circuits:	A, B
No. of Luminaires:	**20**
Total Load:	17.8 kW

Guaranteed Performance: The ILLUMINATION described above is guaranteed per your Musco Warranty document.

Field Measurements: Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with IESNA RP-6-15.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the **"Musco Control System Summary"** for electrical sizing.

Installation Requirements: Results assume ± 3% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.

Pole location(s) ⊕ dimensions are relative to 0,0 reference point(s) ⊗

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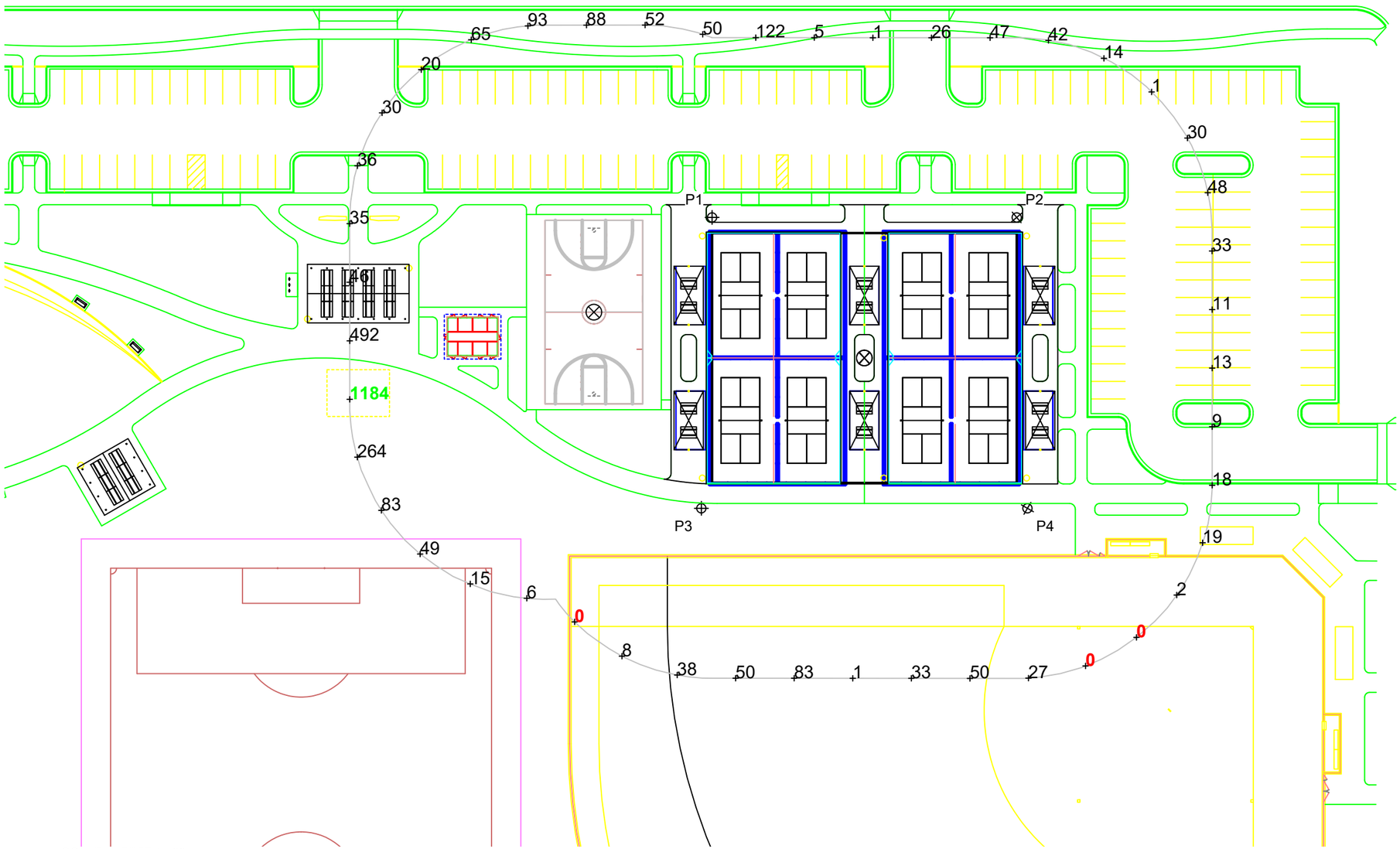
EQUIPMENT LIST FOR AREAS SHOWN

Pole				Luminaires				
QTY	LOCATION	SIZE	GRADE ELEVATION	MOUNTING HEIGHT	LUMINAIRE TYPE	QTY / POLE	THIS GRID	OTHER GRIDS
2	P1, P3	50'	-	50'	TLC-LED-900	6	6	0
2	P2, P4	50'	-	50'	TLC-LED-900	4	4	0
4	TOTALS					20	20	0



SCALE IN FEET 1 : 60

0' 60' 120'

Pole location(s) ⊕ dimensions are relative to 0,0 reference point(s) ⊗

ENGINEERED DESIGN By: C.Hensley · File #212070C · 24-Jun-22

Mountain Ridge Park Pickleball

Highland,UT

GRID SUMMARY

Name:	**100' Facility Spill**
Spacing:	30.0'
Height:	3.0' above grade

ILLUMINATION SUMMARY

CANDELA (PER FIXTURE)

	Entire Grid
Scan Average:	74.255
Maximum:	1183.90
Minimum:	0.00
No. of Points:	45

LUMINAIRE INFORMATION

Applied Circuits:	A, B
No. of Luminaires:	**20**
Total Load:	17.8 kW

Guaranteed Performance: The ILLUMINATION described above is guaranteed per your Musco Warranty document.

Field Measurements: Individual field measurements may vary from computer-calculated predictions and should be taken in accordance with IESNA RP-6-15.

Electrical System Requirements: Refer to Amperage Draw Chart and/or the **"Musco Control System Summary"** for electrical sizing.

Installation Requirements: Results assume ± 3% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.

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Mountain Ridge Park Pickleball

Highland,UT

EQUIPMENT LAYOUT

INCLUDES:
· Basketball
· Pickleball

Electrical System Requirements: Refer to Amperage Draw Chart and/or the **"Musco Control System Summary"** for electrical sizing.

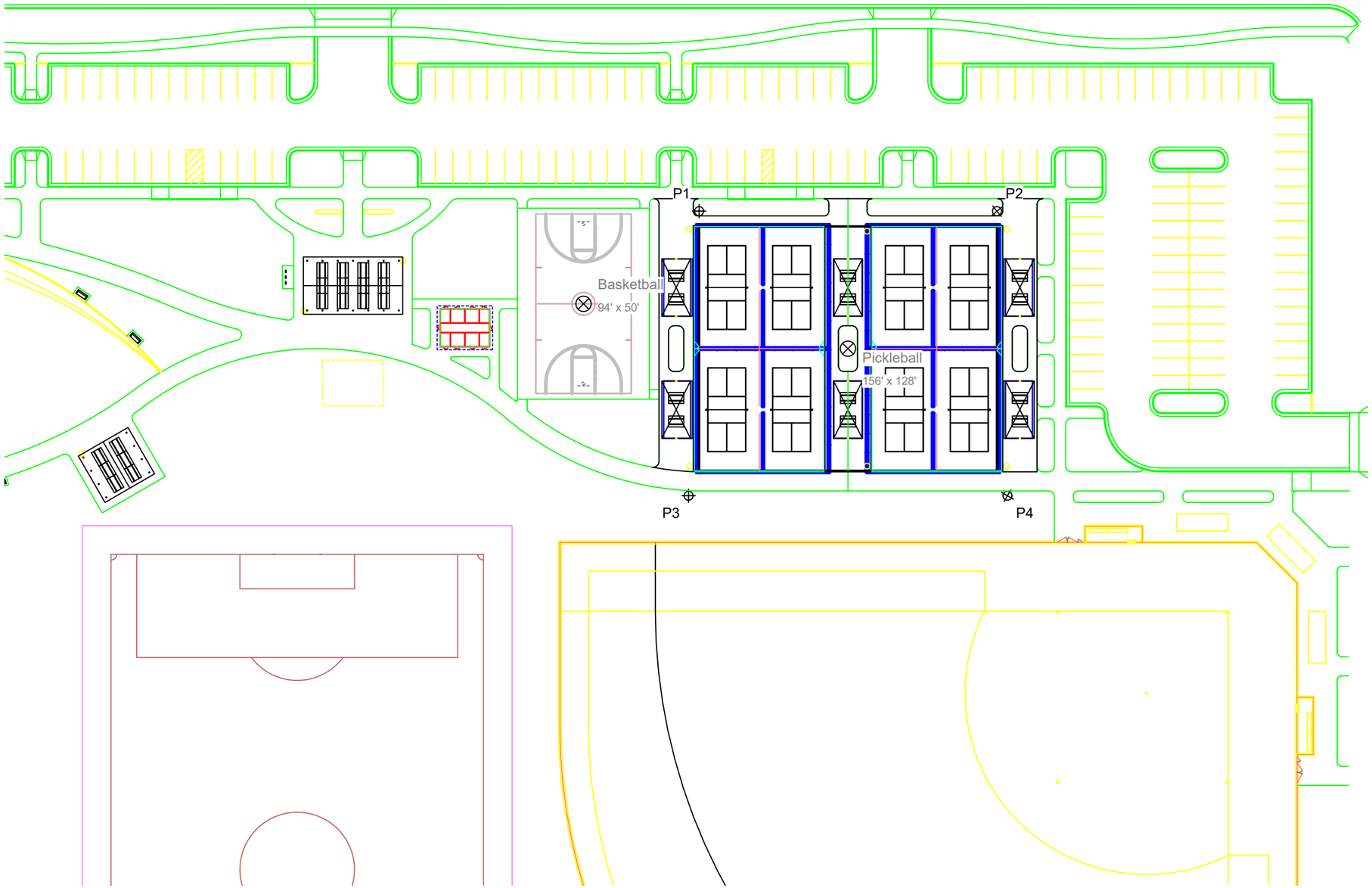
Installation Requirements: Results assume ± 3% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.

EQUIPMENT LIST FOR AREAS SHOWN

Pole				Luminaires		
QTY	LOCATION	SIZE	GRADE ELEVATION	MOUNTING HEIGHT	LUMINAIRE TYPE	QTY / POLE
2	P1, P3	50'	-	50'	TLC-LED-900	6
2	P2, P4	50'	-	50'	TLC-LED-900	4
4	TOTALS					20

SINGLE LUMINAIRE AMPERAGE DRAW CHART

Ballast Specifications (.90 min power factor)	Line Amperage Per Luminaire (max draw)						
Single Phase Voltage	208 (60)	220 (60)	240 (60)	277 (60)	347 (60)	380 (60)	480 (60)
TLC-LED-900	5.3	5.0	4.6	4.0	3.2	2.9	2.3



SCALE IN FEET 1 : 60

0' 60' 120'

Pole location(s) ⊕ dimensions are relative to 0,0 reference point(s) ⊗

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AGENDA NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT ITEM #9

DATE: Tuesday, September 6, 2022

TO: Honorable Mayor and Members of the City Council

FROM: Erin Wells, Interim City Administrator

SUBJECT: **ACTION:** Council Chambers AV Upgrades Change Order

TYPE: **ADMINISTRATIVE:** The Council is determining whether to approve change orders for the Council Chamber AV upgrade.

PURPOSE:

The City Council will hold a public meeting to consider whether to approve change orders for the recently approved Council Chambers AV upgrade. The Council will take appropriate action.

PRIOR COUNCIL DIRECTION:

On July 19, 2022, Council approved awarding the Council Chambers AV upgrade contract to GENCOMM for a total price of $45,348.

BACKGROUND:

GENCOMM's approved bid for the Council Chambers AV upgraded includes the following:

- Replace the non-functional mic at the Recorder's desk
- Fix damaged mic connections causing crackling noise
- Replace the projector
- Update the recording system for better quality and user control
- Replace the dais monitor with individual monitors that have annotating capabilities
- Add a countdown timer on screen for public comments

Staff recently held a kickoff meeting with GENCOMM and during the discussion, it became apparent to staff that there were a few additional features which should be added to the system to ensure the greatest overall usability. Staff asked GENCOMM to provide a bid for the following additions to the system:

- Replace the mic at the lectern with an array mic. This type of mic will pick up individuals who address the Council much more clearly and will allow for multiple presenters to be heard at a single time.
- Add an annotation touch screen at the lectern. This will allow individuals addressing the Council to also have the ability to annotate on a screen.
- Add a credenza rack to clear the staff desk space and make the equipment easier to mount and access.
- Add the capability to use the annotating screens to the HDMI lectern input, Clickshare, or the staff PC. Annotation would otherwise be only usable with the staff PC.

- Add the capability of using the staff PC audio to participate in Zoom calls. Rather than dial in each meeting, the meeting can be run completely from the Zoom application which will eliminate audio issues and feedback and feedback and provide a much better sound.

The total cost for these changes is $10,778.55 and is broken out in the attached change orders. As the original contract was for $45,348, this change order amount exceeds the discretionary change allotted by the purchasing policy and thus staff is bringing it back for Council approval. If approved, the total contracted amount would be $56,126.55 which is still lower than the other original bids on the project.

FISCAL IMPACT:

Including the change orders, the total cost for of the Council Chamber AV system upgrade is $56,126.55. Funding for this expense was included in the FY23 budget under GL 10-43-75 in an amount of $50,000. As this $6,126.55 cost increase was not included in the budget, it will need to be funded by previous year carryover and will be included as part of the mid-year budget adjustments, unless otherwise directed by the Council.

STAFF RECOMMENDATION:

Staff recommends Council approve the change orders with GENCOMM for the Council Chamber AV system upgrade.

MOTION TO APPROVE:

I move that the Highland City Council authorize the change orders with GENCOMM in the amount of $10,788.55 for the Council Chambers AV system upgrades.

ATTACHMENTS:

1. Change Order 1 (Array mic, lectern screen, and credenza rack)
2. Change Order 2 (Annotation capability on all inputs, Zoom through Staff PC)
3. Original Approved Proposal

GENCOMM™

DATE 8/19/2022

Quotation For:

Name Erin Wells
Account Highland City
Address 5400 Civic Center Dr,
City, State Zip Highland, UT 84003
Phone

Quotation valid until: 9/18/2022
Prepared by: Shawn Sanderg

Quotation

Comments or Special Instructions:

Adds a touch display with annotation capability to the Lectern with a new array mic and a standing credenza rack to clean up staff table.

SALES REP	Quote Number	SHIP DATE	SHIP VIA	F.O.B.	TERMS
Shawn Sandberg	24978				

QTY	DESCRIPTION	UNIT PRICE	TAX?	AMOUNT
1	QSC QIO ML2x2 - Mic/ Line input expander	588.00		588.00
1	Beyerdynamic MPR 210B - Lectern Array Mic	624.00		624.00
1	Visionary Solutions - Decoder for Lectern Display	1,252.00		1,252.00
2	Kramer - High Bandwidth HDMI Cables	58.00		116.00
1	Kramer - USBC to HDMI Cable for Lectern	68.00		68.00
1	Kramer - USB to USBC Cable - Lectern Annotation	26.00		26.00
1	Middle Atlantic U1V Rack Shelf	55.00		55.00
1	Tech Flex - Cable wrap	85.00		85.00
1	Touch Screen with Annotation at Lectern	588.00		588.00
1	Middle Atlantic MFR-2027GC 20RU = $1359 MSRP	629.00		629.00
1	Cable and Materials	586.00		586.00
1	Labor, Programming, Engineering, Drafting, PM	1,895.00		1,895.00

	SUBTOTAL	$ 6,512.00
If you have any questions concerning this quotation please contact	TAX RATE	
Shawn Sandberg	SALES TAX	-
(801) 404-4111	SHIPPING	224.00
ssandberg@gencomminc.com	**TOTAL**	$ 6,736.00

A 1.3% processing fee will be assessed for use of credit cards, or 3% fee for use of American Express.

GENCOMM™

DATE 8/19/2022

Quotation For:

Name Erin Wells
Account Highland City
Address 5400 Civic Center Dr,
City, State Zip Highland, UT 84003
Phone

Quotation valid until: 9/18/2022
Prepared by: Shawn Sanderg

Quotation

Comments or Special Instructions:
Provides ability for any input (Lectern or clickshare) to also be used with the timer and annotator and not just the Staff PC. This also allows Zoom to use the PC audio for the room without dialing in.

SALES REP	Quote Number	SHIP DATE	SHIP VIA	F.O.B.	TERMS
Shawn Sandberg	24978				

QTY	DESCRIPTION	UNIT PRICE	TAX?	AMOUNT
1	Visionary Solutions - Decoder for Annotator	1,252.00		1,252.00
1	Visionary Solutions - Encoder for Annotator	1,252.00		1,252.00
1	Communa - USB Audio for Zoom on Staff PC	544.00		544.00
1	Cable and Materials	121.00		121.00
1	Labor, Programming, Engineering, Drafting, PM	788.00		788.00

	SUBTOTAL	$ 3,957.00
If you have any questions concerning this quotation please contact	TAX RATE	
Shawn Sandberg	SALES TAX	-
(801) 404-4111	SHIPPING	85.55
ssandberg@gencomminc.com	**TOTAL**	$ 4,042.55

A 1.3% processing fee will be assessed for use of credit cards, or 3% fee for use of American Express.

Council Chambers AV Upgrade

Highland City

6.23.2022

Shawn Sandberg
Systems Engineer
SSandberg@gencomminc.com
(801) 404-4111
GENCOMM, 12393 S. Gateway Park Place, Suite 400, Draper, UT 84020

State Contract #MA513

Current Situation

Highland City has a beautiful building that hosts several offices as well as the city's Council Chambers. The Council Chambers is currently functional but running on antiquated technology that is not upgradable nor expandable. GENCOMM has included solutions that will enhance the chambers functionality and allow for the city to easily expand and grow along with the city as their needs change.

GENCOMM is a premier design firm with full integration capabilities. Established in 1957 GENCOMM was built upon Passion, Integrity and Excellence. These three values are the foundation for the company. GENCOMM employs degreed and certified engineers for all system designs, degreed and certified IT professionals, and degreed and certified programmers. While uncommon in the industry, these form the basis for the GENCOMM Way, a standard that is uncompromised ensuring customer satisfaction.

Proposal Video Summary

https://drive.google.com/file/d/1L9eJchOJJsj3e69p93NJb1bTmUss8Nny/view?usp=sharing

Similar Scope of Work References

West Jordan City
Robert Allred
IT Director
Robert.Allred@westjordan.utah.gov
(801) 569-5200

Eagle Mountain City
Lianne Pengra
Chief Deputy Recorder
lpengra@emcity.org
(801) 789-6611

Orem City
Ernesto Lazalde
IT Manager
ELazalde@orem.org
(801) 229-7173

Mapleton City
Camille Brown
City Recorder
cbrown@mapleton.org
(801) 806-9106

Alpine City
Shane Sorensen
City Manager
ssorensen@alpinecity.org
(801) 763-9862

Logan City
Jeff Compton
IT Manager
jeff.compton@loganutah.org
(435) 716-9050

Scope of Work

The following proposal includes the plan for the requested AV upgrades and head-end processing. The fee for installation, consulting, training, engineering, programming, and commissioning are included. GENCOMM™ will closely follow the AV9000 standards as set forth by AQAV during the execution of the project.

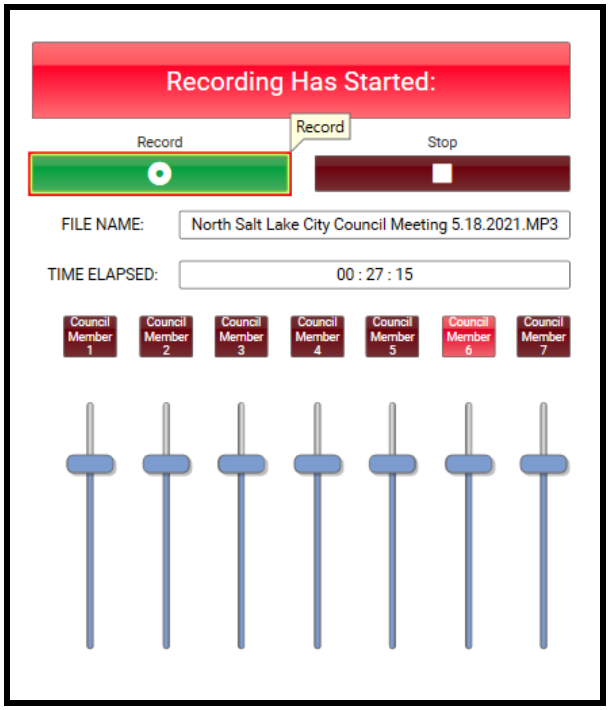
GENCOMM will conduct an initial and ongoing scope development meetings with the city with the goal of defining the following items:

- Review goals, objectives, and desired key outcomes for the project
- Discuss and determine the inclusion and convergence of various design layout options in the planning process and the benefits of each
- Discuss issues, criteria, special considerations, and vital components to be included in the design file
- Develop minimum design standard solution sets
- Determine planning and implementation timelines
- Identify specific deliverables, including technical memorandums
- Establish project communication protocols

Audio and Video System Upgrades

Council Chambers AV Upgrades

Leveraging the processing power of Digital Audio and Control processors. This will replace the existing analog system with a digital system that will allow audio from any video conferencing system over USB. Just plug it in and it works. Recording is no longer reliant on an analog DAC, this system will remove the old DSP and allow for a full digital signal all the way to the record. Record a direct feed from each individual mic, or from groups with multitrack recording, you'll never miss another word on the record. This also has a built-in AEC or Automatic Acoustic Cancellation built into the system. This will allow for Zoom, Teams, or any other conferencing system to use the DSP without feedback in the room. You can still use the built-in Voip to make calls from the touch panel.



The current system has many different parts and manufacturers, Crestron, AMX, Audia, etc. This will replace the current system control and provide a completely new 100% customizable solution that will allow the city to control each mic individually. This will give flexibility to select the source, turn the system on, make a call, start a recording, and anything else the city wants to automate or have control over. This will provide a new touchscreen that can be set with a simple "Start meeting" button that will turn on the mics,

start the recording, turn on the projector, ect. This is easy to customize and can be changed as needed to give the city functionality as their needs change.

Video over IP provides an extremely flexible, and highly reliable video system for any situation. Whether using one or one hundred sources, they can easily be routed to any destination. This is the backbone of a good video system that allows flexibility to grow and add sources such as cameras, digital media players, laptops or even mobile devices can be sent to destinations like a projector in the same room or to another display in a conference room for overflow. Whatever the needs, the system can grow and adapt accordingly. Longevity is a key player with these systems and they've been built with future proof technology such as imperceivable latency, 4K resolution, USB transmission, and control built into each device. These video encoders and decoders will also allow for digital snapshots to be shown as previews on the touch screen to ensure that the source being selected is ready for playback. These snapshots show exactly what destinations are getting which video sources. Through the use of incredible control programming, and excellent hardware, frustration free video that "just works" is for any room that needs flexibility and reliability. This equipment is also extremely energy efficient and being fully networked allows GENCOMM to know within seconds of a single device falling offline, unplugged, or otherwise compromised.

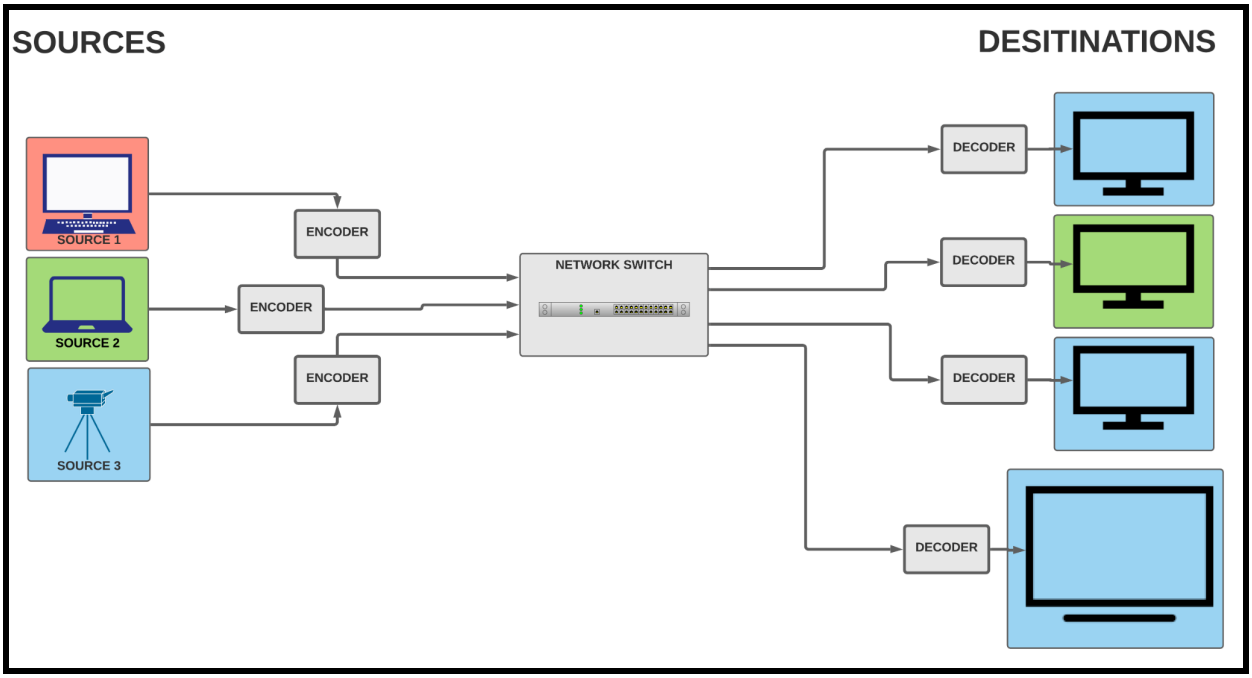
4k Encoders for:

- Clerk PC
- Clickshare
- Dais Input

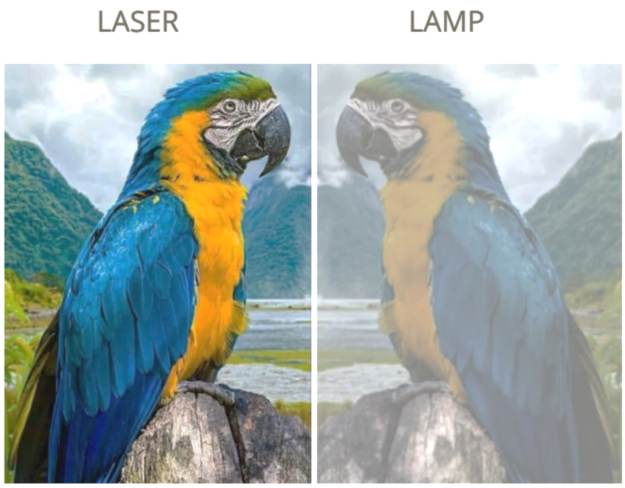
4k Decoders for:

- Projector
- Dias Display

- Both staff end table displays
- Media/camera operator output

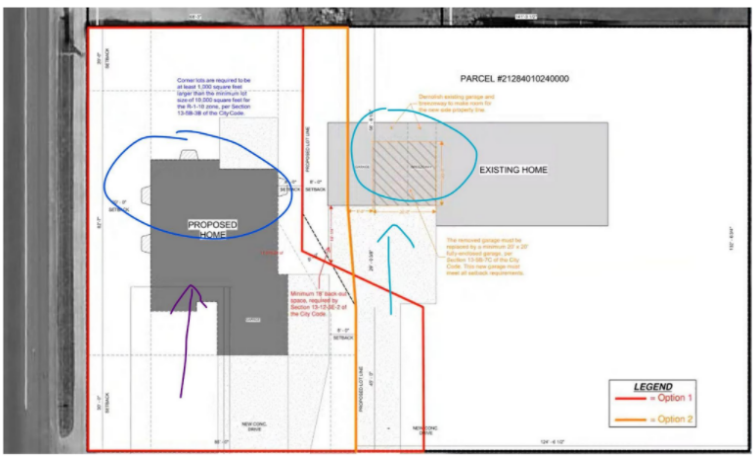


The existing projector is washed out and provides a low contrast ratio making it difficult to read any text especially on white. This makes it difficult for citizens to attend and be informed as it's hard to actually read what is being shown and discussed. A new 7,500 Lumen Laser Projector will allow for a huge quality upgrade and will provide an image 5x brighter and clearer than the existing projector. Laser Projectors don't require maintenance and have a 20,000 hour lifespan without replacing any parts or bulbs. Laser also provides an exceptional contrast at a 50,000:1 ratio. The existing mount will be reused and control will be provided for allowing the system to be turned on with the touch panel controls.

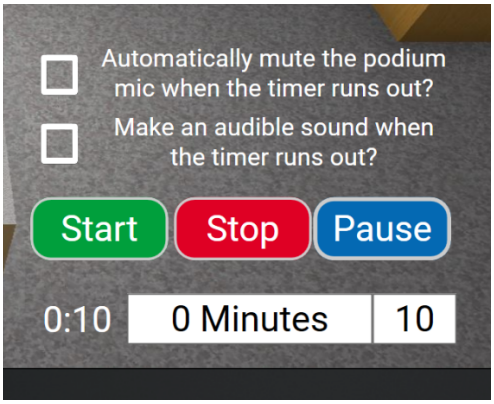


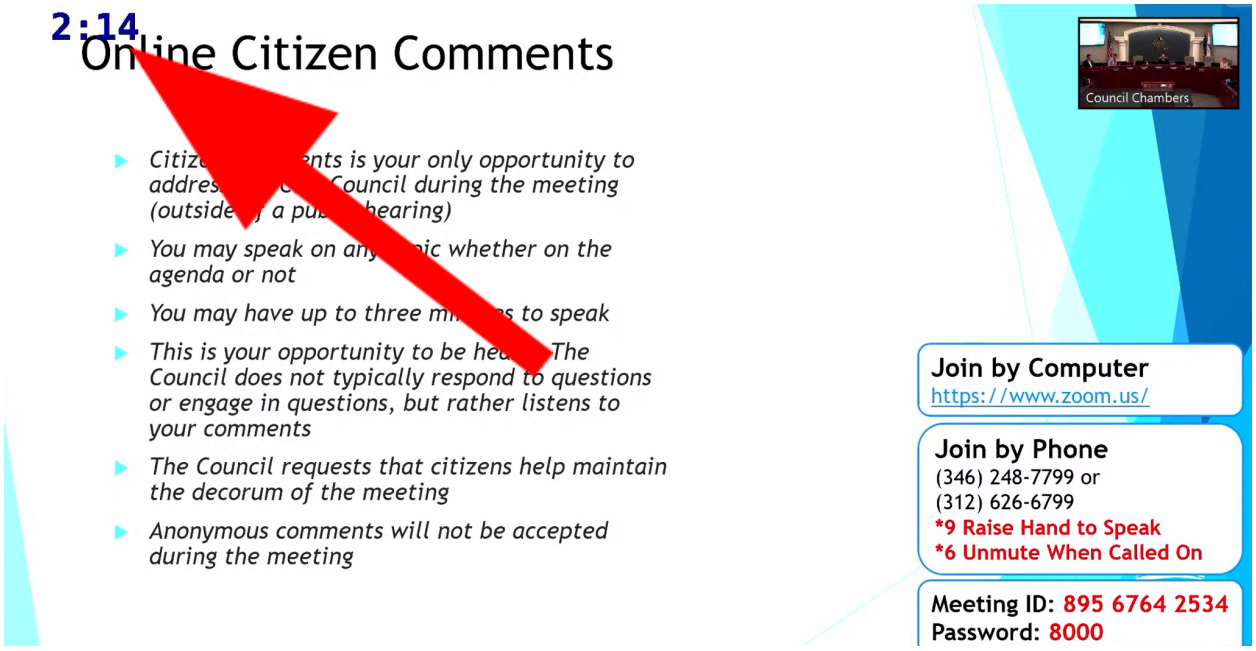
Dias monitors make it easy for each council member to see what is being presented on their own personal display. Just like a computer monitor they are close and easy to read while allowing flexibility to tilt down and still be visible at indirect angles. These monitors are commercial grade at a 16/7 operation and have an extended 5 year warranty. Additionally they have a builtin kickstand that allows them to be adjusted for optimal viewing with a low profile form factor.

Annotation allows for anyone at the dias to use the monitor in front of them as a touch interface and draw over the content shown from the clerk PC. The original content remains unaffected but everyone in the room and on zoom, and youtube will then be able to see in real time the conversation that is taking place. As they each touch the monitor they will show up in different colors and can collaborate with each other so there is no confusion. Planning meetings, or council meetings alike will be able to have a clear picture of what is being discussed and that will be sent in HD perfectly captured to all remote participants. The days of using a camera to record what's shown on a projector are long over. These images can be printed, saved, or recorded with the meeting minutes.



The on-screen text will show up as an overlay. This would make it so anyone in the room or on youtube or even Zoom could see an on screen display of the citizen timer. This would be customized on the touch panel and flash red when getting under 15 seconds.





Four new wireless microphones will be installed along with a receiver and a charging station. This will provide a dock where all the microphones can be placed after each meeting to always ensure that they are fully charged and ready to go.

An additional two wired desktop microphones will be added, one that will replace a broken microphone and another that will be added to the existing wired microphones around the room.

The existing wireless portable microphone will receive an easy to access mic jack so that the portable system can come and go as needed without disruption to any microphones in the room.

All microphone jacks around the room will be tested and fixed as needed GENCOMM will ensure the audio system is setup optimally and will equalize the room finding the rooms harmonic resonant frequencies and notching them out of the room so you have clean audio that doesn't feedback or cause echo.

Training

A formal system training will be conducted by GENCOMM to the facility's coordinators, technical support and/or other employees that wish to attend. The training will include a half day of the GENCOMM engineer onsite for the formal training as well additional questions the staff has. This time should be sufficient to cover the basics of the system and individual room functionality and how the head-end equipment can be used for more advanced functions.

Services

- Installation of equipment specified above.
- Test for proper installation.
- Training for new equipment.
- Cabling and connectors

Exclusions

- High voltage wiring will need to be performed by a licensed electrician and is not included in this proposal.
- Surface and finish work (i.e. concrete, tile, wallboard, ceiling tile, etc).

Fees and Options

Listed below are the prices for the main system components, any additional options, and warranties.

_____ **ACCEPT - $45,348.00 - Council Chambers AV Upgrades**

Warranty

GENCOMM™ warrants the system under normal use, to be free of defects in material and workmanship for the period of one (1) year from the date of substantial inspection and will repair or replace at GENCOMM™'s option any equipment to be found defective. Warranty will include telephone support for assistance. Service or repair by an agency or person not authorized by GENCOMM™ renders the warranty void releasing GENCOMM™ from any further responsibility or obligation. The warranty will not apply to damage or deterioration or malfunction resulting from: 1) Accident, misuse, abuse, neglect, fire, water, lightning or other acts of nature, unauthorized product modification or failure to follow instructions; 2) Problems caused by associated equipment not supplied under this contract; 3) Problems with owner-furnished equipment. Some of the major suppliers of equipment for this project may provide additional warranties that do not apply to GENCOMM™'s warranty.

Please note, extended warranty and annual maintenance are not required and can be removed if desired prior to final contract award. The included standard warranty is 90-days from substantial completion.

Fuel Surcharge:

With respect to the fees charged for transportation of Product by truck, GENCOMM may add a reasonable surcharge to reflect increased fuel costs. The fuel surcharge will be calculated on a monthly basis, using as the base index price, the February 1, 2022 Weekly Retail On-Highway Gas Prices-Averages All Types for Midwest of $3.45 per gallon as set out in the Energy Information Administration - DOE public website, as follows the number of full $0.10 increases of the applicable Weekly Retail On-Highway Diesel Prices-Averages All Types for Midwest as set out in the Energy Information Administration - DOE public website for the month of delivery over $3.45 per gallon. An estimate of 15 gallons per week will apply for each project vehicle. The weekly estimated fuel usage will be adjusted to be specific for this project.

Supply Chain Surcharge COVID-19 Implications:

With respect to the pricing included for all material supply for this project, GENCOMM may add a reasonable surcharge to reflect manufacture price increases. Many manufacturers are implementing product price increases on a quarterly basis. A written document from the manufacturer will be provided to justify the required price adjustment. The current quote for this project is based on **March 1, 2022** manufacturer pricing schedules.

Terms

The total cost for this system package is the sum of the selected options above, amounting to: $_____. Payment terms must be chosen from one of the following:

- ❑ 30% down with a signed contract, 30% due upon receipt of goods in our warehouse (client may inspect property), monthly progress billing based on work performed, payable within 30 days from date of invoice. A 1.5% monthly interest fee will be assessed for late payments after 30 days from date of invoice.
- ❑ 90% down, and 10% upon project completion, payable within 30 days from date of invoice. A 1.5% monthly interest fee will be assessed for late payments after 30 days from date of invoice.
- ❑ 50% down, and 50% upon project completion, payable within 30 days from date of invoice. A 1.5% monthly interest fee will be assessed for late payments after 30 days from date of invoice.
- ❑ Lease Option. Please discuss this option with your GENCOMM™ representative for monthly payment options. Separate lease agreement required.
- ❑ Credit card. A 1.3% processing fee will be assessed for use of credit cards, or 3% fee for use of American Express. (Note: 100% will be billed on the card upfront unless one of the 30% or 50% options is also selected above)
- ❑ Card Number: _____
- ❑ Expiration Date: _____ / _____ Security Code: _____
- ❑ Name on Card: _____
- ❑ Billing Address: _____

Proposal is guaranteed for 30 days.

Installation can begin typically six (6) to eight (8) weeks from signed contract being received by GENCOMM™, but is based on availability and cannot be guaranteed.

Owner Acceptance

In accepting this Proposal, Owner agrees to the terms and conditions contained herein including those on the following page. It is understood that they shall prevail over any variation in terms and conditions on any purchase order or other document that the Owner may issue. Any changes in the system requested by the Owner after the execution of this Agreement shall be paid for by the Owner and such changes shall be

authorized in writing. In accepting this Proposal, Owner agrees to the terms and conditions contained herein including those on the reverse side. It is understood that they shall prevail over any variation in terms and conditions on any purchase order or other document that the Owner may issue. Any changes in the system requested by the Owner after the execution of this Agreement shall be paid for by the Owner and such changes shall be authorized in writing.

This Agreement is not binding unless approved in writing by an authorized Representative of GENCOMM™. In the event of failure of such approval, the only liability of GENCOMM™ shall be to return to the Owner the amount, if any, paid to GENCOMM™ upon signing of this Agreement.

Owner Signature	Printed Name	Title	Date

GENCOMM BD Signature	Printed Name	Title	Date

GENCOMM Signature	Printed Name	Title	Date

Project and Billing Contact Information

Project Onsite Contact (Scheduling, Access, etc.)	
Name	Phone
E-mail	
Project Address	

Billing Contact	
Name	Phone
E-mail	
Billing Address	

General Provisions

The Contract represents the entire and integrated agreement between the Parties and supersedes prior negotiations, representations or agreements, either written or oral. The Contract may be amended or modified only by a written modification. The term “Work” means the construction and services required by the Contract Documents, and includes all other labor, materials, equipment and services provided by GENCOMM™ to fulfill GENCOMM™’s obligations. The intent of the Contract Documents is to include all items necessary for the proper execution and completion of the Work by GENCOMM™.

If requested by GENCOMM™, the Owner shall furnish and pay for a survey and a Legal description of the site. Except for permits and fees which are the responsibility of GENCOMM™ under the Contract Documents, the Owner shall obtain and pay for other necessary approvals, easements, assessments and charges. If GENCOMM™ fails to correct Work which is not in accordance with the Contract Documents, the Owner may direct GENCOMM™ in writing to stop the work until the correction is made. If GENCOMM™ defaults or neglects to carry out the Work in accordance with the Contract Documents and fails within a seven day period after receipt of written notice from the Owner to correct such default or neglect with diligence and promptness, the Owner may, with prejudice to other remedies, correct such deficiencies. In such a case, a Change Order shall be issued deducting the cost of correction from payments due GENCOMM™. GENCOMM™ shall coordinate and cooperate with separate contractors employed by the Owner. Costs caused by delays or by improperly timed activities or defective construction shall be borne by the party responsible therefore.

Execution of the Contract by GENCOMM™ is a representation that GENCOMM™ has visited the site, become familiar with local conditions under which the Work is to be performed and correlated personal observations with requirements of the Contract Documents. GENCOMM™ shall carefully study and compare the Contract Documents with each other and with information furnished by the Owner. Before commencing activities, GENCOMM™ shall: (1) take field measurements and verify field conditions; (2) carefully compare this and other information known to GENCOMM™ with the Contract Document; and (3) promptly report errors, inconsistencies or omissions, discovered to the Owner. GENCOMM™ shall supervise and direct the Work, using the GENCOMM™’s best skill and attention. GENCOMM™ shall be solely responsible for and have control over construction means, methods, techniques, sequences and procedures, and for coordinating all portions of the Work. Unless otherwise provided in the Contract Documents, GENCOMM™ shall provide and pay for labor, materials, equipment, tools, utilities, transportation, and other facilities and services necessary for proper execution and completion of the Work. GENCOMM™ shall deliver, handle, store and install materials in accordance with manufacturer's’ instructions. The Owner shall be responsible to provide the following: (1) All electrical requirements for the project including but not limited to conduit, raceway, back boxes, proper ground wire, proper breakers, etc. (2) Core drilling and penetration of concrete (3) Furniture or building modifications to accommodate contracted equipment unless stated in the Contract. GENCOMM™ shall pay sales, consumer, use and similar taxes that are legally required when the Contract is executed. GENCOMM™ shall obtain and pay for the building permit and other permits and governmental fees, licenses and inspections necessary for proper execution and completion of the Work. GENCOMM™ shall confine operations at the site to areas permitted by law, ordinances, permits, the Contract Documents and the Owner. GENCOMM™ shall be responsible for cutting, fitting or patching required to complete the Work or to make its parts fit together properly. The Owner may agree to patch portions of the work as stated in the Contract. GENCOMM™ shall keep the premises and surrounding area free from accumulation of debris and trash related to the Work. To the extent permitted by law, GENCOMM™ shall indemnify and hold harmless the Owner from and against claims, damages, losses and expenses arising out of or resulting from performance of the Work, provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property (other than the Work itself), but only to the extent caused solely by negligent acts or omissions of GENCOMM™, a Subcontractor, anyone directly or indirectly employed by them or anyone for whose acts they may be liable. GENCOMM™’s liability shall be limited to actual property damages caused by GENCOMM™. GENCOMM™ shall not be responsible for consequential damages.

After execution of the Contract, changes in the Work may be accomplished by Change Order or by order for a minor change in the Work. The Owner, without invalidating the Contract, may order changes in the Work within the general scope of the Contract consisting of additions, deletions or other revisions, the Contract Sum and Contract Time being adjusted accordingly. A Change Order shall be a written order to GENCOMM™ signed by the Owner to change the Work, Contract Sum or Contract Time. If concealed or unknown physical conditions are encountered at the site that differ materially from those indicated in the Contract Documents or from those conditions ordinarily found to exist, the Contract Sum and Contract Time shall be subject to equitable adjustment.

Time limits stated in the Contract Documents are of the essence of the Contract. If GENCOMM™ is delayed at any time in progress of the Work by changes ordered in the Work, or by Labor disputes, strikes, fire, riots, acts of God, unusual delay in deliveries, unavoidable casualties or other causes beyond the GENCOMM™'s control, the Contract Time shall be extended by Change Order for a reasonable time. Owner shall pay for Contract extensions exceeding 90 days. The Owner shall pay schedule compression fees to GENCOMM™ in the event the timeline is accelerated which will include overtime for all personnel associated with the project.

Upon execution of the Contract, the Owner shall make an initial payment of 30% of the Contract Sum. A second payment of 30% will be made upon receipt of the products in our warehouse for this project, (the client is welcome to inspect the material to verify receipt). Afterwards, based on Applications for Payment submitted by GENCOMM™, the Owner shall make progress payments on account of the Contract Sum to GENCOMM™ as provided in the conditions of the Contract as follows: Once each calendar month, the Owner shall make a progress payment to GENCOMM™ on the basis of a duly certified and approved estimate of the Work performed during the preceding calendar month under this Contract; but to insure the proper performance of this Contract, the Owner shall retain five percent (5%) of each estimate until final completion and acceptance of all Work covered by this Contract: provided that the Owner, at any time after fifty percent (50%) of the Work has been completed, finds that satisfactory progress is being made, may make any of the remaining progress payments in full. Final payment, constituting the entire unpaid balance of the Contract Sum, shall be paid by the Owner to GENCOMM™ thirty (30) days after Substantial Completion of the Work, provided the Work has then been completed, and the Contract fully performed and approved by the Owner. A 1.5% monthly interest charge will be assessed for any payments received after 30 days from date of invoice.

GENCOMM™ warrants that title to all Work covered by an Application for Payment will pass to the Owner no later than the time of payment. GENCOMM™ further warrants that upon submittal of an Application for Payment, all Work for which Certificates for Payment have been previously issued and payments received from the Owner shall, to the best of GENCOMM™'s knowledge, information and belief, be free and clear of liens, claims, security interests or other encumbrances adverse to the Owner's interests. Substantial Completion is the stage in the progress of the Work when the Work or designated portion thereof is sufficiently complete in accordance with the Contract Documents so that the Owner can occupy or utilize the Work for its intended use. When the Work or designated portion thereof is substantially complete, the Owner and GENCOMM™ shall establish the date of Substantial Completion, shall establish the responsibilities of the Owner and GENCOMM™, and shall fix the time within which GENCOMM™ shall finish all items. Warranties required by the Contract Documents shall commence on the date of Substantial Completion of the Work. Upon receipt of a final Application for Payment, the Owner will inspect the Work. When the Owner finds the Work acceptable and the Contract fully performed, the Owner will promptly issue a final Payment.

GENCOMM™ shall be responsible for initiating, maintaining and supervising all safety precautions and programs, including all those required by law in connection with performance of the Contract. GENCOMM™ shall promptly remedy damage and loss to property caused by GENCOMM™, or by anyone for whose acts GENCOMM™ may be liable.

Neither party to the Contract shall assign the Contract as a whole without written consent of the other. Tests, inspections and approvals of portions of the Work required by the Contract Documents or by laws, ordinances, rules, regulations or orders of

public authorities having jurisdiction shall be made at an appropriate time. The Owner shall pay for tests except for testing Work found to be defective for which the Contractor shall pay. The Contract shall be governed by the laws of the State of Utah.

Intellectual Property. GENCOMM™ owns and retains ownership of all intellectual property, engineering, programming, etc. Any software or system setup written to manage the various systems for the client is owned by GENCOMM™. A conditional use license is granted to the Owner for the equipment installed under this contract. The Client may not backward engineer, copy, or reuse the system design, software, object code, software and other intellectual property created by GENCOMM™.

Software, settings and hardware configuration changes

If owner, owner representative or any other person not authorized by GENCOMM makes changes to software code, settings and/or hardware configuration supplied by GENCOMM, they will assume all responsibility and expenses to restore the software code, settings and/or hardware configuration to specifications outlined in the contract. Any unauthorized changes to software code, settings and/or hardware configuration made will void all warranties outlined in the contract.

The owner shall not solicit, recruit, hire or otherwise employ or retain the employees of the other Party without the prior written consent of the other Party during the term of this Agreement and for two (2) years following the termination or expiration of this Agreement.

If the Owner fails to make payment when due or substantially breaches any other obligation of this Contract, following seven days' written notice to the Owner, GENCOMM™ may terminate the Contract and recover from the Owner payment for Work executed and for proven loss with respect to materials, equipment, tools, construction equipment and machinery, including reasonable overhead, profit and damages for the entire project.

GENCOMM™ will file a Preliminary Notice (otherwise known as a "Pre Lien") or Mechanic's Lien, as indicated by state where work is carried out, with the Owner, General Contractor or other parties Generally speaking, in order to advise the property owner, and in some states, the owner's general contractor, and construction lender, that GENCOMM™ may have the right to attach a lien to the Owner's property if he or she is not paid for their services. This notice is meant to give the owner an opportunity to insure that GENCOMM™ is paid in full. This is a standard measure, carried out with all contracts to protect the interests of all parties.

If the Owner cancels the Contract prior to the commencement of actual work on the project, the Owner agrees to compensate GENCOMM™ 20% of the value of the contract amount as a cancellation fee to compensate for all work performed in preparation for the project. Any products purchased for the project will be returned to the vendor and all costs associated with return of equipment will be charged to the Client as an additional fee beyond the cancellation fee.

As a condition to this proposal, the Parties agree to execute and accept the terms and conditions of GENCOMM™'s license agreement and the terms of a non-disclosure non-compete as they relate to the work performed on this project.

This Contract falls within the jurisdiction of Salt Lake City, Utah. Any conflict resolution associated with this contract must be held in Salt Lake City, Utah.

If any term or condition of this Contract does not comply with current law, all other terms and conditions remain in full effect and are not voided.

In mutual consideration of the covenants and conditions contained in this Agreement, the Parties additionally agree as follows:

DEFINITIONS.

Confidential Information. "Confidential Information" shall include but not be limited to any facts, opinions, conclusions, projections, data, or trade secrets relating to either Party's work in progress, future work, product marketing, or financial matters transmitted by one Party ("Disclosing Party") to the other Party ("Receiving Party"), in written or other tangible form (including magnetic or optical media), or by oral, visual or other means. If confidential information is disclosed in writing, it must be clearly labeled as "confidential." If it is disclosed orally, the Disclosing Party must summarize the information in writing and confirm that is confidential within 10 days after its oral disclosure to the Receiving Party.

Exceptions to Definition of Confidential Information. Confidential Information as defined in this Agreement shall not include information that:

(i) was known to the Receiving Party without obligation to keep confidential at the date of disclosure by the Disclosing Party;

(ii) is after the date of disclosure acquired by the Receiving Party in good faith from an independent third party who is not subject to any obligation of confidentiality in respect of such Confidential Information;

(iii) was, in its entirety and at the time of its disclosure, in the public knowledge or has become public knowledge during the term of this Agreement otherwise than by reason of the Receiving Party's neglect or breach of this Agreement or any other agreement; or

(iv) is independently developed by the Receiving Party without access to any or all of the Confidential Information.

TERM/TERMINATION/RETURN OF DOCUMENTS.

Term. This Agreement shall begin on the Effective Date and continue in full force and effect for a period of two (2) years on which date this Agreement shall expire and not automatically renew, unless earlier terminated by either Party as set forth herein. Nevertheless, the terms and conditions of this Agreement shall survive the expiration or termination of this Agreement and shall continue for a period of three (3) years.

Termination. Either Party may terminate this Agreement for any reason with five (5) days prior written notice.

Return of Documents. Upon the date of expiration or termination of this Agreement, or at any time during the term of this Agreement upon written request by the Disclosing Party, the Receiving Party shall return or destroy, in the Disclosing Party's sole discretion, all Confidential Information in its possession, including all copies, within five (5) days and provide a written confirmation of the action taken.

DUTY OF NON DISCLOSURE.

Description of Duty. The Receiving Party shall do the following:

(i) keep in strict confidence and in safe custody any Confidential Information disclosed to the Receiving Party by the Disclosing Party, exercising the same duty of care used to maintain as confidential the Receiving Party's own Confidential Information and at a minimum a reasonable duty of care;

(ii) not use or exploit any Confidential Information other than as described herein or as is reasonably necessary for the Purpose;

(iii) not copy or reproduce any or all of the Confidential Information except as is reasonably necessary for the Purpose;

(iv) not distribute, disclose or disseminate Confidential Information to anyone except with the prior written consent of the other party; and

(v) not embody any Confidential Information in other work or otherwise use Confidential Information to develop anything except as provided herein.

Disclosure within Receiving Party. The Receiving Party may only disclose Confidential Information on a need to know basis to its employees.

Disclosure by Law or Regulation. The Receiving Party shall have no such duty to keep Confidential Information where the Receiving Party is required by law, judicial order, the regulations of a government department or agency or other regulatory authority to disclose Confidential Information to a third party, in which event the Receiving Party shall take all reasonable steps to consult and take into account the reasonable requirements of the Disclosing Party in relation to such disclosure. In the event a Secrecy Order pertaining to Confidential Information is issued by the U.S. Patent and Trademark Office, and Confidential Information is disclosed accordingly, the terms of such Secrecy Order shall take precedence over this Agreement. In the event Confidential Information is subject to U.S. export control laws and regulations, Confidential Information shall be disclosed only in compliance with such export laws and regulations.

EXCLUSION OF WARRANTIES/IP INDEMNIFICATION. Neither Party warrants the accuracy or completeness of any Confidential Information. All implied warranties or representations to that effect are hereby excluded. Notwithstanding the foregoing, the Disclosing Party warrants that it possesses sufficient rights to disclose to the Receiving Party as set forth herein any third party intellectual property contained in Confidential Information, and the Disclosing Party shall defend, indemnify and hold harmless the Receiving Party from any claims by third parties of infringement of intellectual property rights or wrongful disclosure arising from use of Confidential Information by the Receiving Party as described herein and as is otherwise reasonably necessary for the Purpose. As a condition to the foregoing indemnity obligations, the indemnified Party (Receiving Party) shall provide the indemnifying Party (Disclosing Party) with prompt notice of any claim for which indemnification shall be sought hereunder and shall cooperate in all reasonable respects with the indemnifying Party (Disclosing Party) in connection with any such claim. The indemnifying Party (Disclosing Party) shall be entitled to control the handling of any such claim and to defend or settle any such claim, in its sole discretion, with counsel of its own choosing and at the indemnifying Party's (Disclosing Party's) expense.

NON TRANSFERENCE OF RIGHTS. Nothing in this Agreement shall be construed as transferring any rights, title or license to Confidential Information, except for use of Confidential Information as described herein or as is otherwise reasonably necessary for the Purpose. All Confidential Information shall at all times remain the property or license of the Disclosing Party.

EQUITABLE RELIEF. The Parties acknowledge and agree that Confidential Information, as well as the intellectual property contained therein, is unique and valuable, and that breach of the terms and conditions herein will result in irreparable injury to the Disclosing Party for which monetary damages alone would not be an adequate remedy. In the event of a breach or threatened breach of this Agreement, the Disclosing Party shall be entitled to seek specific performance and injunctive or other equitable relief as a remedy for any such breach or anticipated breach without posting bond. Any such relief shall be in addition to and not in lieu of any monetary damages.

ASSIGNMENT. Neither Party shall assign or otherwise transfer this Agreement or any rights, duties or obligations under this Agreement without the prior written consent of the other Party.

WAIVER. Any delay or failure by either Party to insist upon strict performance of any term or condition or to exercise any right or remedy provided herein shall not be a waiver of such Party's right to demand strict compliance with that term or condition or right or remedy in the future.

NOTICES. Unless otherwise specified herein, all notices, requests, or consents required to be given in writing hereunder shall be transmitted by facsimile, hand delivered, or mailed, first class, postage prepaid, and addressed as indicated in this document, unless either Party notifies the other Party, in writing, of a change in the addressee:

PUBLICITY. Company/Individual shall not make any news release, public announcement, advertisement or publicity concerning anything under this Agreement without the prior written consent of both Parties.

SEVERABILITY. If any term or condition or portion of this Agreement shall be determined by any court of competent jurisdiction to be invalid or unenforceable to any extent, the remainder of this Agreement shall not be affected thereby, and each remaining term or condition hereof shall continue with full force and effect.

GOVERNING LAW AND VENUE. This Agreement shall be governed by, interpreted, construed and enforced in accordance with the laws of the State of Utah, without reference to the principles of conflict of laws. Suit under this Agreement with the exception of suits brought solely for injunctive relief shall only be brought in a court of competent jurisdiction in the State of Utah.

SOFTWARE LICENSE AGREEMENT

This Software License is made by General Communications, Inc, (GENCOMM™), to the Customer as an essential element of the services to be rendered by GENCOMM™ as defined in the system specification and any associated documents and agreement. *System* shall mean the deliverable product as defined in these documents.

Customer and GENCOMM™ agree that this Software License is deemed to be part of, and subject to, the terms of the Agreement applicable to both parties.

SECTION 1 LICENSE GRANT AND OWNERSHIP

GENCOMM™ hereby grants to Customer a worldwide, perpetual, non-exclusive, non-transferable license to all software for Customer's use in connection with the establishment, use, maintenance and modification of the system implemented by GENCOMM™. *Software* shall mean executable object code of software programs and the patches, scripts, modifications, enhancements, designs, concepts or other materials that constitute the software programs necessary for the proper function and operation of the system as delivered by GENCOMM™ and accepted by the Customer.

Except as expressly set forth in this paragraph, GENCOMM™ shall at all times own all intellectual property rights in the software. Any and all licenses, product warranties or service contracts provided by third parties in connection with any software, hardware or other software or services provided in the system shall be delivered to Customer for the sole benefit of Customer.

Customer may supply to GENCOMM™ or allow GENCOMM™ to use certain proprietary information, including service marks, logos, graphics, software, documents and business information and plans that have been authored or pre-owned by Customer. All such intellectual property shall remain the exclusive property of Customer and shall not be used by GENCOMM™ for any purposes other than those associated with delivery of the system.

SECTION 2 COPIES, MODIFICATION AND USE

Customer may make copies of the software for archival purposes and as required for modifications to the system. All copies and distribution of the software shall remain within the direct control of customer and its representatives.

Customer may make no modifications to the software. This Software License confers no right in Customer to license, sublicense, sell, or otherwise authorize the use of the software by any third parties, except in connection with the use of the particular system as part of Customer's business.

All express or implied warranties relating to the software shall be deemed null and void in case of any modification to the software made by any party other than GENCOMM™.

SECTION 3 WARRANTIES AND REPRESENTATIONS

GENCOMM™ represents and warrants to Customer that:

It has all necessary rights and authority to execute and deliver this Software License and perform its obligations hereunder and to grant the rights granted under this Software License to Customer.

The goods and services provided by GENCOMM™ under this Software license, including the software and all intellectual property here provided, are original to GENCOMM™ or its subcontractors or partners.

The software, as delivered as part of the system, will not infringe or otherwise violate the rights of any third party, or violate any applicable law, rule or regulation.

Throughout the System Warranty Period, the executable object code of software and the system will perform substantially in accordance with the system specifications and Agreement. If the software fails to perform as specified and accepted all remedies are pursuant to the policies set forth in the Specification and in the Agreement.

Except as expressly stated in this Agreement, there are no warranties, express or implied, including, but not limited to, the implied warranties of fitness for a particular purpose, of merchantability, or warranty of noninfringement of third party intellectual property rights.

SECTION 4 INDEMNIFICATION

GENCOMM™ hereby indemnifies and shall defend and hold harmless Customer, its parent companies and its and their subsidiaries, affiliates, officers, directors, employees, agents and subcontractors from and against liability, damages, loss, cost or expense, including but not limited to reasonable attorney's fees and expenses, arising out of or in connection with any breach or alleged breach of the Agreement or any third party claims that the software or system here provided by GENCOMM™ infringes or otherwise violates any rights of any such third party.

Customer hereby indemnifies and shall defend and hold harmless GENCOMM™, its and their subsidiaries, affiliates, officers, directors, employees, agents and subcontractors from and against all liability, damages, loss, cost or expense, including but not limited to reasonable attorney's fees and expenses, arising out of or in connection with any third party claims that Customer's use of the software in contravention of the grant of rights infringes or otherwise violates any rights of any such third party.

Upon the assertion of any claim or the commencement of any suit or proceeding against an indemnitee by any third party that may give rise to liability of an indemnitor hereunder, the indemnitee shall promptly notify the indemnitor of the existence of such a claim and shall give the indemnitor reasonable opportunity to defend and to settle the claim at its own expense and with counsel of its own selection. The indemnitee shall cooperate with the indemnitor, shall at all times have the right full to participate in such a defense at its own expense and shall not be obligated, against its consent, to participate in any settlement which it reasonably believes would have an adverse effect on its business.

SECTION 5 TRANSFER AND TERMINATION

This license will automatically terminate upon the disassembly of the system cited above, unless the system is reassembled in its original configuration in another location.

GENCOMM™ may terminate this license upon notice for failure to comply with any of terms set forth in this Software License. Upon termination, Customer is obligated to immediately destroy the software, including all copies and modifications.

ENTIRE AGREEMENT. The foregoing constitutes the entire understanding and agreement between the Parties and shall supersede any prior agreements, written or oral, not incorporated herein. The terms and conditions of this Agreement shall not be amended except by written amendment signed by both Parties.

AGENDA NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT
ITEM #10

DATE: September 6, 2022

TO: Honorable Mayor and Members of the City Council

FROM: Kellie Smith, Planner & GIS Analyst

SUBJECT: **ORDINANCE: MUNICIPAL CODE AMENDMENT –** Maintenance Agreements

TYPE: **LEGISLATIVE:** All proposed amendments to the Municipal Code shall be submitted to the City Council for consideration. The review and approval of a text amendment is a legislative action.

PURPOSE:
The City Council consider a proposal by Highland City Staff to amend Chapter 12.28 Private Maintenance of Public Open Space Property. The City Council will take appropriate action.

PRIOR COUNCIL DIRECTION:
On July 19th, 2022, the City Council adopted Resolution No: R-2022-27 adopting the Encroachment Policy and Maintenance Agreement template. The Encroachment Policy outlines the process of approving new maintenance agreements.

BACKGROUND:
Chapter 12.28 of the Municipal Code was adopted by the City Council in 2017. The chapter details the process of application, public notice, review and approval, and appeals for private maintenance of public open space.

SUMMARY OF THE REQUEST:
The proposed amendment removes everything in Chapter 12.28 and clarifies the following:

Chapter 12.28 PRIVATE MAINTENANCE OF PUBLIC OPEN SPACE PROPERTY

12.28.010 Maintenance Agreement ~~Purpose~~

The only encroachments that are permitted are those that are specifically authorized by way of a duly authorized maintenance agreement. The approval governing policies, process and form of maintenance agreement are adopted by resolution.

FINDINGS:
The proposed amendment appears to meet the following findings:

- The amendment is consistent with Resolution No: R-2022-29 adopted by the City Council on July 19th, 2022.

FISCAL IMPACT:

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

STAFF RECOMMENDATION:

Staff recommends the City Council accept the findings and **APPROVE** the proposed amendment to Chapter 12.28 of the Municipal Code relating to Maintenance Agreements.

MOTION TO APPROVE:

I move that the City Council accept the findings and **APPROVE** the proposed amendment to Chapter 12.28 of the Municipal Code relating to Maintenance Agreements.

ATTACHMENTS:

1. Ordinance

ATTACHMENT 1:

AN ORDINANCE OF THE HIGHLAND CITY COUNCIL AMENDING CHAPTER 12.28 OF THE HIGHLAND CITY MUNICIPAL CODE RELATING TO MAINTENANCE AGREEMENTS AS SHOWN IN FILENAME TA-22-13.

WHEREAS, all due and proper notices of public meetings on this Ordinance held by 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 City Council held a public meeting on this Ordinance on September 6, 2022.

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

SECTION 1: **ADOPTION** Chapter 12.28 of the Municipal Code is hereby amended as shown on "Exhibit A" attached hereto and incorporated herein.

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

SECTION 3: **SEVERABILITY CLAUSE** 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: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from September 6, 2022 and after the required approval and publication according to law.

PASSED AND ADOPTED by the Highland City Council, September 6, 2022

HIGHLAND CITY, UTAH

_____
Kurt Ostler
Highland City Mayor

ATTEST:

_____
Stephannie Cottle
Highland City Recorder

COUNCIL MEMBER	YES	NO
Timothy A. Ball	☐	☐

Brittney P. Bills	☐	☐
Sarah D. Petersen	☐	☐
Kim Rodela	☐	☐
Scott L. Smith	☐	☐

EXHIBIT A

Chapter 12.28 PRIVATE MAINTENANCE OF PUBLIC OPEN SPACE PROPERTY

12.28.010 Maintenance Agreement ~~Purpose~~

The only encroachments that are permitted are those that are specifically authorized by way of a duly authorized maintenance agreement. The approval governing policies, process and form of maintenance agreement are adopted by resolution. ~~If a piece of open space land cannot be disposed of, city council may allow private maintenance of the property subject that such maintenance is in the public interest. The purpose of this chapter is to outline the process of Open Space Maintenance Agreements.~~

~~**12.28.020 Definitions**~~

~~For the purpose of this chapter the following words and phrases shall have the following meanings:~~

~~"Open space land" means land owned by the city and designated by the city for the use of the residents of Highland.~~

~~"Open space maintenance agreement" means an agreement between the city and a private property owner allowing for the maintenance of specifically defined public open space property.~~

~~"Open space subdivision maintenance plan" means a plan approved by the city council which specifies publicly owned land that is available for private maintenance and the level or type of landscape improvements that can be installed by a private property owner for a specific subdivision.~~

~~**12.28.030 Open Space Subdivision Maintenance Plan**~~

~~Property owners surrounding open space land that is eligible for private maintenance may submit a open space subdivision maintenance plan to city council. The city council shall then approve, approve with conditions, or deny the open space subdivision maintenance plan. The open space subdivision maintenance plan shall identify the property which is eligible for private maintenance, the type and level of landscape improvements, and any conditions associated with private maintenance of the property.~~

~~**12.28.040 Public Notice**~~

~~No open space subdivision maintenance plan shall be acted upon without first providing public notice as follows:~~

~~1. All property owners within two hundred fifty feet of the exterior boundaries of the property subject to the application, including the proposed area for maintenance, as shown on the last assessment of the property shall be sent notice by first class mail, postmarked at least fourteen days prior to the city council acting upon the plan. Included in the notice shall be the proposed open space subdivision maintenance plan. It shall be the responsibility of the city to mail the notice. Residents submitting the proposed plan will provide addressed and stamped envelopes of property owners within two hundred fifty feet of the exterior boundaries of the residents' property and the subject property.~~

2. A notice shall be posted on or near the subject property in at least one location on a form prescribed by the city staff. The posted notice shall be placed on the property at least fourteen days prior to the city council acting upon the plan. It shall be the responsibility of the applicant to post and maintain the sign for the entire fourteen days.
3. Notwithstanding the notice requirements set forth in this section, the failure of any person or entity to receive notice shall not constitute grounds for any court to invalidate the action for which the notice was given.

12.28.050 Open Space Maintenance Agreement

Once an open space subdivision plan has been approved by city council, each individual property owner must enter into an open space maintenance agreement on a form approved by the city council prior to installation or construction of any improvements. The agreement shall allow the city to access and maintain the property as needed for public infrastructure installation and maintenance. Said agreement shall be maintained in the office of the city recorder. In addition, notes on the agreement shall be made in the utility account of the property owner. Ownership of property remains with the city and the agreement does not imply any transfer of ownership or control of the land. Property should be considered and treated like "common area" for the enjoyment of all Highland citizens. Resident is responsible for the care, maintenance, upkeep, repairs, and condition of the property.

12.28.060 Submittal Requirements

An application for an open space maintenance agreement area shall contain:
1. Completed application form and fee.
2. Completed open space maintenance agreement.
3. A conceptual improvement plan that shows with a reasonable detail level the planned improvements and landscape plan.
4. Additional information as specified by city staff.

12.28.070 Review And Approval

1. All applications for open space maintenance agreements shall be transmitted to the city administrator or designee for review.
2. The city administrator or designee shall make the following findings before approving an open space maintenance agreement:

a. That the proposed improvements are consistent with and meet the requirements of the open space subdivision maintenance agreement approved by the city council.
b. That the proposed agreement will not be materially detrimental to the health, safety or general welfare of homeowners, persons residing, or working within the neighborhood of the proposed agreement, or have an adverse effect on the property, or adjacent properties.
c. That the proposed improvements will not be materially detrimental to the property's unique characteristics, utilities, easements, or encumbrances that prohibit the land from being sold.
3. The city administrator or designee may approve, approve with conditions, or deny any application after review of the application. The city administrator or designee may place any conditions which are deemed necessary to mitigate potential impacts and ensure compatibility of the use with surrounding development and the city, and which are required to preserve the public health, safety and general welfare.

12.28.080 Appeal

1. The action of the city administrator or designee may be appealed to the city council by the applicant or any interested party. Such requests for appeal must be submitted on a written notice of appeal to the city recorder within fourteen days following the date of the city administrator or designee's action.
2. The city council shall act to affirm or reverse, in whole or in part, or modify the city administrator or designee's decision. Any action to grant an open space maintenance agreement, either through affirmation, modification, or reversal of the city administrator or designee's decision, must include required findings as provided in this chapter.

12.28.090 Effect Of Approval

Open space maintenance agreements are intended to run with the land. All open space maintenance agreements shall be valid for a period of ten years from the date it is executed by both parties. Thereafter, the agreement shall continue from year to year by automatic renewal unless it is terminated through written notice by either party or through breach of agreement terms.

12.28.100 Irrigation And Grading

The property owner shall coordinate with city staff on any alteration and/or repair of city irrigation systems or the creation of a new irrigation system within the private maintenance area. The property owner shall also coordinate with city staff on any grading of the property. After receiving approval, the property owner shall not dig on the property without first having the property blue staked.

12.28.110 Costs

The property owner shall bear all costs related to the improvements and maintenance.

12.28.120 City Rights

Open space maintenance agreements do not limit the City or Highland resident's right to and enjoyment of the property, including access to and right of entry upon property at any time. The city may conduct its own infrastructure and trails maintenance on the property and use property according to city needs.

12.28.130 Pressurized Irrigation Water

The water shares for the open space property have already been dedicated to Highland City as a part of the development process and as such no new water shares need to be allocated to the open space property.

AGENDA NEXT

HIGHLAND CITY

CITY COUNCIL AGENDA REPORT ITEM #11

DATE: September 6, 2022

TO: Honorable Mayor and Members of the City Council

FROM: Andy Spencer
City Engineer/Public Works Director

SUBJECT: **RESOLUTION:** 2022 Water Conservation Plan Update

TYPE: **LEGISLATIVE:** The council is acting in a legislative capacity in establishing/furthering the water conservation policy for the City.

PURPOSE:

The City Council will consider approving the updated Water Conservation Plan prior to submitting the report to the Utah Division of Water Resources. The Council will take appropriate action.

PRIOR COUNCIL DIRECTION:

On February 21, 2017, Council approved the Water Conservation Plan. The vote in favor in 2017 was unanimous.

BACKGROUND:

In 1999, Utah's legislature passed the Water Conservation Plan Act requiring all drinking water systems serving 500 connections or more to file a water conservation plan with the Utah Division of Water Resources. In 2022, the legislature updated the Act (Utah Code 73-10-32). Water Conservation plans are required to be updated every 5- years.

The document provided for Council consideration is an update of the City's most recent Water Conservation Plan adopted in 2017. It is in compliance with the latest Act requirements and the State of Utah has approved the plan in draft format. The plan revisions are largely to comply with current City ordinances and policy and State requirements. The changes are detailed in the attached summary memorandum. Highlights of the update includes noting designated Highland City programs or policy for watering days and time designations, smart irrigation systems on new public facilities, updated landscaping ordinances, and public outreach and awareness efforts.

Approval of the updated plan is mandated to comply with the funding requirements for the Pressurized Irrigation Meter grant from the State.

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

STAFF RECOMMENDATION:
Staff recommends approval of the 2022 Water Conservation Plan update.

MOTION TO APPROVE:
I move that City Council approve the Resolution adopting the 2022 Water Conservation Plan Update.

ATTACHMENTS:

1. Adoption Resolution
2. 2022 Water Conservation Plan Update
3. 2017 Adopted Water Conservation Plan
4. Summary of Changes included in 2022 Water Conservation Plan
5. PI Meter Funding Letter from State of Utah

RESOLUTION NO. R-2022- **__

A RESOLUTION OF HIGHLAND CITY, UTAH
APPROVING THE HIGHLAND CITY WATER CONSERVATION PLAN UPDATE

WHEREAS, the Highland City Council acknowledges that Highland City meets the required reporting under Utah's Water Conservation Plan Act which states that all drinking water systems serving more than 500 connections must submit an updated Water Conservation Plan every 5 years to the Utah Division of Water Resources;

WHEREAS, Highland City has updated its Water Conservation Plan identifying water resources, how much water is being used, and what steps are taken to conserve water. NOW, THEREFORE be it resolved the City Council has reviewed and approved the Highland City Water Conservation Plan Update. This plan being an update to that certain plan that was adopted on February 21, 2017.

This resolution shall take effect immediately upon passage.

ADOPTED by the City Council of Highland City, Utah, this 6th day of September 2022.

HIGHLAND CITY, UTAH

_____,
Kurt Ostler, Mayor

ATTEST:

_____
Stephannie Cottle, City Recorder

2022

WATER CONSERVATION PLAN UPDATE

Drinking Water and Pressurized Irrigation Systems

DRAFT

HIGHLAND CITY

Highland City Public Works
Highland City
Draft - August, 2022

HIGHLAND CITY

WATER CONSERVATION PLAN UPDATE

DRINKING WATER AND PRESSURIZED IRRIGATION SYSTEMS

DRAFT

DRAFT – August 2022

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DRAFT

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EXECUTIVE SUMMARY

In 1999, Utah's legislature passed the Water Conservation Plan Act requiring all drinking water systems serving 500 connections or more to file a water conservation plan with the Utah Division of Water resources. In 2022 the legislature updated the Act (Utah Code 73-10-32). The following Conservation Plan is in compliance with the latest Act requirements. Water Conservations Plans are required to be updated every 5 years. This document is an update of the City's Water Conservation Plan.

Until Highland City and the Highland Water Company merged in 2004, Highland City managed only a pressurized irrigation system and was not required to submit a plan. As a result of the merger, the City completed a water management and conservation plan in 2006 that included both the drinking water and pressurized irrigation systems.

Highland City is located in northern Utah County and, as of 2021, had a population of about 20,085 people. From 2016 the City has increased by a population of 2,585 or 15%. Highland's drinking water distribution system is comprised of a pipe network, four water storage tanks, five groundwater wells, and 5,164 water supply connections. The pressurized irrigation (PI) system is comprised of transmission lines, three storage ponds, three groundwater wells, two diversions from the American Fork River, two connections to Central Utah Project (CUP) pipelines, a diversion from the Murdock Canal, and pump stations.

In 2021, Highland City used a total of about 1,517 acre-feet of drinking water and 7,782 acre-feet of pressurized irrigation water. During 2021, the average per capita use was around 67 gallons per capita per day (gpcd) for the drinking water system and around 346 gpcd for the pressurized irrigation system. The overall water use for the City averages around 502 gpcd (77 gpcd indoor + 425 gpcd outdoor) from the five years of 2016 to 2000. Per capita water use within the drinking water system has been reduced by about 18% since 2004. Water use in the pressurized irrigation system has been relatively steady since 2012 until 2021. Due to drought conditions the 2021 water use was reduced 18% of the five-year average through a public outreach program and lessening of water use at City parks.

The City's goal is to c***onserve 20% of its per capita water*** use relative to the average 2016 to 2020 use by year 2030. This goal is in line with the Division of Water Resources regional conservation goals presented in 2019 for Utah County/Provo River Basin.

The purpose of the Water Conservation Plan is to identify strategies for more efficient water use. Existing conservation issues have been identified along with goals to address these issues. Major issues included a large quantity of unaccounted for water use in the drinking water system and high overall per capita water use.

Water conservation measures that are currently being implemented by the City will be continued including the operation of a pressurized irrigation system to conserve high quality water for drinking water sources, resident time-of-day and number of days watering requirements, public education programs, and installation of smart irrigation controllers in new City parks. Additional water conservation measures were also identified to further reduce per capita water use. These measures include pressurized irrigation meter installation, and upgrading existing City park irrigation systems to be smart systems.

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CHAPTER I
INTRODUCTION

PURPOSE

In 1999, Utah's legislature passed the Water Conservation Plan Act requiring all drinking water systems serving 500 connections or more to file a water conservation plan with the Utah Division of Water Resources. Recently in 2022, the legislature revised the Act (Utah Code 73-10-32). Until Highland City and the Highland Water Company merged in 2004, Highland City managed only a pressurized irrigation system and was not required to submit a plan. As a result of the merger, the City completed a water management and conservation plan in 2006 that included both the drinking water and pressurized irrigation systems. Water Conservations Plans are required to be updated every 5 years from the first submittal. This report is an update of the City's 2016 Water Conservation Plan.

BACKGROUND

Highland City is located on a bench near American Fork, Lehi, and Alpine in northern Utah County. According to the U.S. Census, the population of the city increased from around 17,500 to over 20,085 from 2016 to 2021. Despite this growth, Highland has retained a quiet, rural atmosphere. This is largely due to the large lot sizes of the typical home within the City.

Highland began as a 15-family settlement in the 1850s and was incorporated on July 13, 1977. Due to the growing size, several landowners formed the Highland Water Company in 1950's to provide drinking water through a central water system as opposed to using individual wells. The first well was drilled and a storage tank was constructed in 1958. Other water system facilities have since been constructed resulting in the current drinking water system.

Twenty years after incorporation, the City implemented a pressurized irrigation system. Use of surface water for outside watering helped the City to conserve high quality groundwater for the City's growing drinking water needs. During 2004, Highland Water Company voted to dissolve the company and to transfer all assets and obligations to Highland City. Since that time, the City has operated both the drinking water system and the pressurized irrigation system within the City's boundaries.

CITY CONSERVATION GOAL

The City's goal is to ***conserve 20% of its per capita water use*** compared to the average 2016 to 2020 use by the year 2030. This goal is in line with the Division of Water Resources regional conservation goals presented in 2019 for Utah County/Provo River Basin.

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CHAPTER II
WATER SYSTEM ANALYSIS

FACILITY DESCRIPTION

Drinking Water System

Highland's existing drinking water system is comprised of a pipe network, four water storage tanks, over 5,164 water supply connections, five groundwater wells (Wells #1 through #5), and two booster pump stations. Three wells on the drinking water system are active and are used on a rotating basis as needed within the system. One of the City's wells on the pressurized irrigation system, the 11800 North Well, was constructed to Division of Drinking Water standards and could be used on the drinking water system in an emergency. This well has only been used within the pressurized irrigation system to date.

Table II-1 summarizes the type and number of connections to the drinking water system. Of the 5,081 residential connections, there are about 200 that are using the drinking water system for their outside watering. About 100 of these connections are located in the View Pointe subdivision which does not have a pressurized irrigation source available. The existing pressurized irrigation pipelines in this subdivision are connected to the drinking water system.

TABLE II-1
DRINKING WATER SYSTEM CONNECTION SUMMARY

CONNECTION TYPE	NUMBER OF CONNECTIONS
Residential	5,081
Commercial	48
Industrial	1
Institutional	34
TOTAL	**5,164**

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Pressurized Irrigation System

In 1997-1998, Highland City constructed a pressurized irrigation system throughout the City boundaries. This system provides residents with outdoor water for irrigation of landscaped areas and gardens. The system is comprised of transmission pipe lines, three storage ponds, three groundwater wells (11800 North, 10700 North, and Granite Wells), two diversions from the American Fork River, two connections to Central Utah Project (CUP) pipelines, a diversion from the Murdock Canal, and booster pump stations. The three wells are pumped to supplement the surface water sources during late season demand periods, peak demand periods, and other periods when surface water sources are unable to meet demands. There are currently 4,800 connections on the pressurized irrigation system.

INVENTORY OF WATER RESOURCES

There are five existing wells that currently supply the drinking water system as summarized in Table II-2. The existing demand on the system can be met with two or three wells at any time. All of the wells are used on a rotating basis.

TABLE II-2
EXISTING DRINKING WATER WELLS

NAME	YEAR DRILLED	CAPACITY (gpm)
Well #1	1968	650
Well #2	1958	900
Well #3	1977	900
Well #4	1986	800
Well #5	1987	800

The pressurized irrigation system currently uses water from two diversions from the American Fork River, two CUP connections, three wells, and a diversion from the Murdock Canal as summarized in Table II-3.

TABLE II-3
EXISTING PRESSURIZED IRRIGATION SOURCES

SOURCE	DESCRIPTION	APPROXIMATE CAPACITY (GPM)
American Fork Canyon - American Fork Flume	2-foot Parshall flume diversion	1,600 (August) to 6,300 (June) During drought as low as 1,350
American Fork Canyon - Lehi Flume	3-foot Parshall flume diversion	1,600 (August) to 6,300 (June) During drought as low as 900
Granite Well	12-inch well (640 ft deep)	1,160
11800 North Well	24-inch well (1,000 ft deep) – can be used as emergency backup for drinking water system.	1,500
10700 North Alpine Highway - Provo Well	16-inch well (500 ft deep)	1,100
CUP Connection No. 1	PRV and meter station from high pressure CUP system (owned & operated by CUP)	1,800 gpm (Usage agreement) (Can divert 3,590 gpm in exchange for Murdock Canal diversion)
CUP Connection No. 2	PRV and meter station from high pressure CUP system (owned & operated by CUP)	3,590
Murdock Canal	Diversion from Murdock Canal with a booster station.	3,900
	TOTAL:	**16,050 (August) to 25,450 (June)**

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Water rights and water shares associated with the sources listed above are summarized in Appendix A. As the City continues to grow, developers are required to provide water rights to the city. Typically, these rights are transferred in the form of water shares in irrigation companies. The City has made efforts to convert water rights into municipal use. This gives the City the flexibility to use the water for either drinking water or pressurized irrigation water as necessary.

A large portion of Highland's surface water is from direct flow rights in the American Fork River, meaning that the quantity of water that can be diverted is determined by the quantity of water flowing in the river. The number of shares that the City owns determines the percentage of the river flow that they can divert. During high runoff periods, the available water exceeds the demand.

WATER USE SUMMARY

Current Water Use

In 2021, approximately 1,517 acre-feet of water was used in the drinking water system. Highland City reported a population of 20,085, resulting in a per capita use of 67 gallons per capita per day (gpcd) in the drinking water system (primarily for indoor water use). Water use in the pressurized irrigation system is not individually metered. However, flow measurements from pressurized irrigation system water sources provide estimates of water use. These estimates are approximate because some water diverted into the system from the American Fork Canyon sources overflows back to the river during lower demand periods of the season. Based on this information, the average per capita use in the pressurized irrigation system from 2021 was about 346 gpcd. The total estimated average use for 2021 of about 413 gpcd is significantly higher than the typical city in Utah. This high per capita use is attributable to the large lot size in the City which is greater than one-half acre per lot. Typical Utah cities have average lot sizes closer to one-quarter acre.

For conservation and goal determination the City will use averages from 2016-2020 as the base line. The 2021 decline in overall use was attributed to the current drought, the City's public outreach and City's lessening of watering of City parks. The average drinking water use was 77 gpcd and the pressurized irrigation use was 425 gpcd for a total of 502 gpcd for the years 2016-2020.

Figure II-1 summarizes the historical per capita use in the drinking water and pressurized irrigation systems. From about 1998 through 2004, the City averaged around 100 gpcd in the drinking water system. However, from 2007 through 2020, the average use was just above 81 gpcd. This represents approximately a 20% reduction of indoor use since the 2000 through 2004 time period. Water use in the pressurized irrigation remained relatively steady at around 450-475 gpcd from 2009 through 2012. Since 2012 the City has decreased its outdoor use per gpcd to an average of 417 gpcd. This decrease was largely due to incorporating an odd/even watering system and more public education.

Anticipated Future Water Use

Highland City has indicated that it expects to reach build out conditions within the next 20 years. Based on current City zoning and anticipated annexation plans, it is estimated that the drinking water system will serve an estimated 7,326 ERCs at buildout. According to the City's Pressurized Irrigation Master Plan completed in 2019, the estimated build out irrigated acreage is projected to be 1,865 acres of land. If existing water use trends continue, the total build out water use could exceed 15,000 acre-feet per year.

WATER BUDGET

In order to determine the efficiency of the conveyance system, a water budget was prepared for the drinking water system. A water budget could not be produced for the pressurized irrigation system because individual connections are not metered. The drinking water budget was prepared by comparing the volume of water pumped into the system from the five existing wells to the billed water use within the system. Table II-4 shows the water budget for 2002-2004 and 2009-2010. Data was not available for 2005 through 2008 and 2011.

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FIGURE II-1
Historical Water Per Capita Use

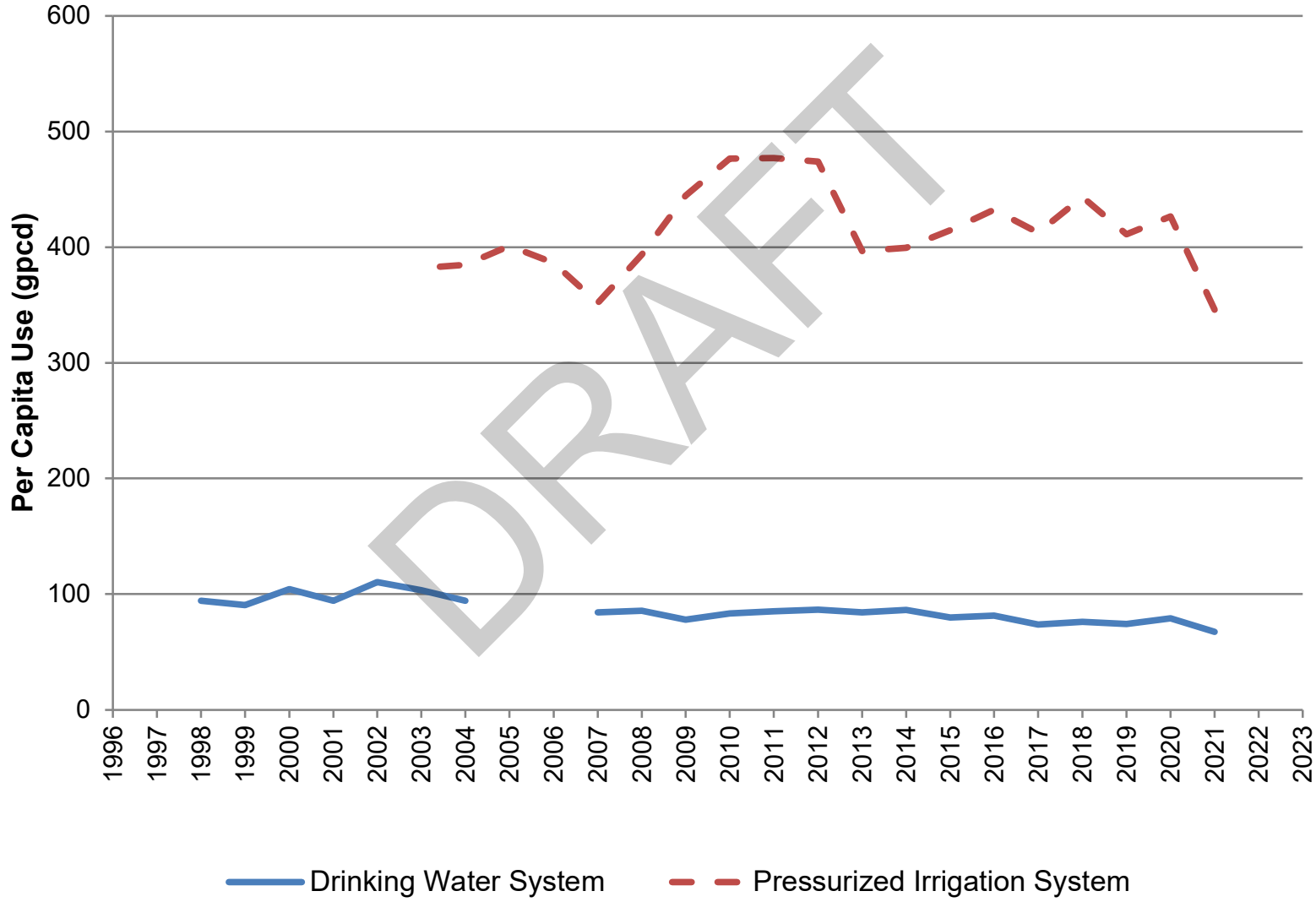

TABLE II-4
DRINKING WATER SYSTEM WATER BUDGET

YEAR	SOURCE VOLUME (AC-FT)	BILLED VOLUME (AC-FT)	WATER LOSS (AC-FT)	PERCENT WATER LOSS
2002	1,193	962	231	19%
2003	1,203	979	224	18%
2004	1,250	966	284	22%
2009	1,354	1,115	239	17%
2010	1,450	1,131	319	22%
2012	1,561	1,168	393	25%
2013	1,548	1,170	378	24%
2014	1,624	1,296	328	20%
2015	1,498	1,242	256	18%
2016	1,597	1,270	327	20%
2017	1,597	1,242	355	19%
2018	1,629	1,241	388	22%
2019	1,558	1,181	377	25%
2020	1,733	1,230	503	29%
2021	1,517	1,340	177	12%

Based on the water budget, the drinking water system has experienced a higher volume of unaccounted for water – above 20%. A portion of this unaccounted-for water is attributable to about 100 residences in the View Pointe subdivision using the drinking water system for outdoor watering. This outdoor water use is not metered or billed. There is a master meter that has provided an annual use of approximately 90-acre feet. This represents about 25% of the water loss. Water loss can also be attributed to annual hydrant flushing, new water line cleaning and flushing, and construction water. Over the past three years the City has implemented the utilization of hydrant meters to meter and charge contractors for water use. This has impacted the percent water loss in the system. In 2020 there was more hydrant testing and construction water use that in the past. The 2021 numbers were much lower than previous years. The City will review year end totals and hope the water loss will be near the 12% range for the future.

WATER RATES

Highland City's water rates are summarized in Table II-5. The rate structure for the drinking water system was established in order to motivate residents to conserve high quality groundwater for future growth. A graduated rate structure based on water use was not feasible for the pressurized irrigation system because the system is not metered.

TABLE II-5
HIGHLAND CITY WATER RATES

TYPE OF USE	BASE RATE	BASE VOLUME	OVERAGE RATES
Drinking Water System			
Residential	$23.07/month	6,000 gal	$1.47 /1,000 gal from 6,000 – 15,999 gal $3.85 /1,000 gal over 16,000 gal
Pressurized Irrigation System			
With water rights supplied to City	$24.14/month plus $0.000797 per square foot (Cost for irrigating 1 acre = $58.86)		

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CHAPTER III
CONSERVATION PRACTICES

Existing water conservation practices currently being implemented in Highland City are focused on conservation of the high-quality groundwater for drinking water purposes and reducing the outdoor water use.

CONSERVATION COORDINATOR

Conservation Coordinator Jeff Murdoch, Assistant Public Works Director – Phone 801-772-4515

PRESSURIZED IRRIGATION SYSTEM

Before construction of the pressurized irrigation system, landscaped areas were irrigated with high quality groundwater from the wells connected to the drinking water system. These outdoor demands required all five wells to pump full-time during the hottest summer months. Since the pressurized irrigation system was constructed, the high-quality groundwater has mostly been reserved for indoor drinking water purposes. With the exception of approximately 200 residential connections, all water users are connected to the pressurized irrigation system. About 100 of those that are not connected are in the View Pointe subdivision which does not have access to the pressurized irrigation system due to locational constraints. Highland City requires all new developments to provide pressurized irrigation pipelines and to connect into the pressurized irrigation system.

Highland City encourages use of the pressurized irrigation system through a tiered rate structure for the drinking water system.

TIME-OF-DAY WATERING REQUIREMENTS

Highland City currently requires its residents to refrain from outdoor watering between the hours of 10 a.m. to 6 p.m. Watering during the cooler hours of the day and at night reduces the amount of water that evaporates during sprinkling. This should allow for shorter watering times. These requirements are periodically provided to residents through mailers included in monthly water bills.

WATERING DAYS REQUIREMENTS

Highland City currently requires its residents to water a maximum of three days a week. These recommendations are periodically provided to residents through mailers included in monthly water bills.

SMART IRRIGATION SYSTEMS

Highland City has implemented a policy that landscaped areas for all new public facilities will be irrigated using a smart irrigation system. These systems measure temperature, and precipitation to determine the optimum amount of water that should be applied to maintain a healthy landscape.

UPDATED LANDSCAPING ORDINANCES

In 2020, the City updated its landscaping ordinance to provide more options for water conserving landscapes and xeriscaping. Among the changes to the ordinance, the City reduced the area required to be landscaped with living material from 75% down to 25% in the front of the property. The City has also

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allowed more landscaping credit for implementation of xeriscaping or use of natural landscaping. Park Strips are now allowed to be xeriscaped.

GENERAL PLAN AMENDMENT

The City has amended the General Plan to allow for xeriscaping in the parkway detail. With the amendment the City has worked with Developers to provide partial xeriscaping instead of full sod within their park strips.

WATER AUDITS AND CUWCD REBATES

Although the City does not conduct water audits or provide a demonstration garden for efficient landscaping and irrigation methods, they do encourage residents to take advantage of those services offered by Central Utah Water Conservancy District (CUWCD) including rebates. The City's website advertises the CUWCD program by providing links to the CUWCD website.

WATER CONSERVATION PUBLIC OUTREACH AND AWARENESS

The City has been active with supplying a multi-faceted public outreach program over the last couple of years. The City utilizes social media, emails, texts, flyers, website and mailers withing the billings to provide conservation awareness.

EXISTING CONSERVATION EFFECTIVENESS

The City's conservation efforts since the last plan have been immensely effective. The City experienced a 17% reduction in outdoor water use in 2021 compared to the previous few years. The reduction has been directly attributed to the City's conservation efforts and outreach program.

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CHAPTER IV
RECOMMENDED CONSERVATION MEASURES

Highland City has been actively pursuing water conservation practices that have resulted in a reduction of use in the drinking water system by 20% since 2004. The City intends to continue the current practices as summarized below. The City will also implement additional conservation measures to reduce water usage in the pressurized irrigation system. These practices are described below.

CONSERVATION MEASURES TO BE CONTINUED

Conservation measures currently being implemented by the City are discussed in more detail in Chapter III. These measures include the following:

1. Pressurized Irrigation System – Conserves high quality groundwater for drinking water use.
2. Time-of-Day Watering Requirements – Residential watering only during the cooler hours of the day and at night reduces the amount of water lost to evaporation.
3. Watering Days Requirements – Per ordinance only three days a week of watering is allowed.
4. Smart Irrigation Systems – Implementation of smart irrigation systems for all landscaping at new public facilities provides a very efficient use of irrigation water.
5. Updated Landscaping Ordinance – Reduction of required landscaping of front yard areas from 75% to 25% and allowing for more xeriscaping and natural landscaping reduces the outdoor watering demand from new development.
6. Water Audits and CUWCD Rebates – Encouraging residents to use CUWCD's water audit program and to visit their website promotes voluntary reduction of outdoor water use. CUWCD also provides residents with rebates.
7. Water Conservation Public Outreach and Awareness – Utilize a multifaceted outreach program to reach the residents and businesses.

NEW CONSERVATION MEASURES

Highland City will implement the following new conservation measures to help reduce their outdoor water use.

1. Upgrade Existing Public Parks and Facilities with Smart Controllers & Meters

   More efficient irrigation of large existing public landscaped areas could result in significant water use reduction. Metering and smart controlled water use at these facilities would help the city to increase the efficiency of the irrigation system.

2. Install Meters on Private Connections

   The City is in the process of installing pressurized irrigation meters on all connections. The resulting measurement has been determined in other areas to decrease use between 20%-40%. The City plans to have meters installed by 2026.

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YEARLY CONSERVATION REVIEW

The Conservation Coordinator will review water use on an annual basis at the end of each year. The review will determine the effectiveness of the conservation measures. The Coordinator along with other Public Works and Engineering Staff will determine revisions to the measures should water use be found to increase in a years' time.

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APPENDIX A

Water Rights & Water Share Summary

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TABLE A-1
HIGHLAND CITY WATER RIGHTS SUMMARY (5/2022)

Water Right Number	Approved points of Diversion	Status	Beneficial Use	Flow cfs	Volume ac-ft	Irrigation Company Shares
55-751 (a31084)	8 City Wells	Certificated	Municipal	10	2000	
55-908 (a31084)	8 City Wells	Unapproved	Municipal	4.2	1200	
55-1018 (a5260)	Provo Well	Certificated	Irrigation	3.75	685	
55-1424, 55-3829, 55-4184, 55-4678, 55-7741 all included under a28710	Westfield Road Well	Approved Non-Use	Municipal		117.564	
55-1636 (a22423)	Provo Well	Approved	Municipal	0.304	40	
55-2081 (a22423)	Provo Well	Approved	Municipal	0.011	3.84	
55-6054 (a31084)	8 City Wells	Certified	Municipal	2	192	
55-9341 (a28180)	11 City Wells	Approved	Municipal		121	East Jordan 25 shares
55-9453 (a26314)	Granite Well	Approved	Municipal		59.34	East Jordan 12.26 shares
55-9656 (a26306)	Granite Well	Approved	Municipal		39.35	For Field-Little Dry Creek WUA 5 shares
55-9707 (a31083)	8 City Wells	Approved	Municipal		288.99	South Jordan 58.5 shares
55-9708 (a27167)	Granite Well, Beacon Hill Area	Approved	Municipal		694.07	South Jordan 140.5 shares
55-11898 (a27836)	Granite Well	Approved	Municipal		41.14	East Jordan 8.5 shares
55-9284 (a21958)	9 City Wells	Approved	Municipal		159.72	East Jordan 33 shares
55-12283 (a33000)	Unnamed Spring & 8 City Wells	Approved	Municipal		52	
				TOTAL	5,694.014	
				TOTAL APPROVED AND APPLIED FOR MUNICIPAL USE	5,694.014	

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TABLE A-2
HIGHLAND CITY IRRIGATION SHARES SUMMARY (5/2022)

Irrigation Company	# of Shares	Estimated* Volume/share ac-ft/share	Estimated Volume ac-ft	# Shares Included in Ground Water Rights
American Fork Irrigation Company	1326.53	2	2653.06	0
East Jordan Irrigation Company	78.76	4.84	381.1984	381.1984
Fort Field Little Creek Water Users Association	5	7.87	39.35	5
Highland Conservation	2420.3	1	2404	0
Lehi Irrigation Company	1347.75	2	2695.5	0
Pleasant Grove Irrigation Company	333.863	1.7	567.5671	0
Provo Reservoir Water Users Association:				
Full Shares	283.63	4	1177.308	0
Late Shares	252.68	2.5	680.2875	0
South Jordan Canal company	199	4.94	983.06	199
Winn Ditch Irrigation Company	463.5	0.06	27.81	0
Central Utah Project	415	1	415	
ESTIMATED SURFACE TOTAL NOT WITHIN GROUNDWATER			11,603.5926	

* The volume/share values have been estimated in some cases and are subject to change.

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APPENDIX B
Conservation Ordinances and Development Code Landscaping

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Chapter 13.60 CULINARY WATER SERVICE BILLING AND COLLECTION PROCEDURES

13.60.010 Culinary Water Meter Connection
13.60.020 Voluntary Termination Of Service
13.60.030 Delinquent Accounts And Involuntary Termination
13.60.040 High Water Usage
13.60.050 Outside Watering
13.60.060 Meter Readings
13.60.070 Penalties

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13.60.010 Culinary Water Meter Connection

An application for a water meter can be made only at the time a request for a final inspection on new construction has been made. A final inspection request must be made forty-eight hours in advance of the final inspection date in order for the meter fee to be paid and a work order initiated. A meter can not be set where there is not a permanent resident, excepting for properly approved model homes.

A. Account Set-up.

1. New Construction. Upon request for a final inspection, the applicant will be required to complete an application for service and pay the account set-up fee.
2. Move-in Service. An application fee and utility agreement will be completed each time there is a new request for service on existing connections. If an application for service is made on or before the 15th of any month, the customer will pay a full month. If an application is made after the 15th of the month, the first bill will be prorated according to the remaining number of days in the month.

   Services will be billed commencing with the date of the application for services or occupancy, whichever occurs first.

HMC (Ord. 2005-30 § 1)

13.60.020 Voluntary Termination Of Service

Those customers wishing to discontinue service will contact the city forty-eight hours in advance of the desired last day of service. The city will then perform a final meter reading. If, upon notification of termination of service where there is not a replacement application for service requested, services will be terminated forty-eight hours thereafter.

A. Proration of Service. Customers will be billed for the first fifteen days of service, if a termination of service request is made on or before the 15th day of the month. There will be no proration of services if the request for termination of services is made after the 15th of the month.

HMC (Ord. 2005-30 § 2)

13.60.030 Delinquent Accounts And Involuntary Termination

Any account which is thirty days delinquent will be notified in writing of said delinquency. If the amount delinquent is not paid within forty-five days, a two week shut-off notice will be sent to the customer. The shut-off notice will provide notice that all utility services provided by Highland City will be terminated at the end of a two week period if the bill is not brought current before the shut-off date and will notify the customer of their rights to a hearing on this matter. If service is terminated, all arrears, a ten percent penalty of the delinquent amount due, and a twenty-five dollars shut-off fee will need to be paid in full, in cash. No services will be terminated on a day which precedes a weekend or holiday.

HMC (Ord. 2005-30 § 3)

13.60.040 High Water Usage

When high water usage is the result of a leak that is found to be within the home, the city will adjust the bill after the leak has been corrected. An adjustment can be made, upon request of the account holder in writing, of $.65 per one thousand gallons over six thousand gallons. However, the sewer bill will not be adjusted for a leak which drains into the city sewer system. When there is high water usage, as a result of a leak outside the home, the same adjustment can be made with the exception that the sewer usage will be adjusted back to the most current rate prior to the leak.

HMC (Ord. 2005-30 § 4)

13.60.050 Outside Watering

A. Water usage rates for those customers who are not on pressurized irrigation are charged at two dollars per thousand gallons over six thousand gallons monthly.

B. Any cross connections between the culinary water service and the pressurized irrigation system is unlawful.

C. It is henceforth unlawful to install a stop and waste valve on culinary water services. When an upgrade to an existing stop and waste valve is necessary an appropriate back flow prevention device shall be installed in conjunction with a stop and waste valve. The public works director or his designee shall observe and inspect and approve the installation of all new water back flow prevention devices within the city, and testing ten days after the installation and an annual test report of its function.

D. There shall be no outside watering with culinary water through the sprinkler systems for those customers who are on the pressurized irrigation system except through the appropriate hose bibs connected to the building's interior plumbing. This cannot be a direct connection to the pressurized irrigation system. The hose bib can only deliver to the atmospheric pressure.

E. Per Chapter 13.30 all new customers shall connect to the city's pressurized water system and utilize said system for outdoor watering purposes.

HMC (Ord. 2005-30 § 5; Ord. No. 2014-01, 2-4-2014)

13.60.060 Meter Readings

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Water meter readings shall be performed and results recorded with the city by the 20th of the month. All exceptions will need to be addressed and resolved by the 25th of the month so billing statements may be sent by the first of the following month.

HMC (Ord. 2005-30 § 6; Ord. No. 2014-01, 2-4-2014)

HISTORY
Amended by Ord. O-2020-28 on 9/1/2020

13.60.070 Penalties

A. Any firm, corporation, person or persons, or any action on behalf of any person, persons, firm or corporation, violating any of the provisions of this chapter shall be guilty of a Class B misdemeanor up to which is up to a one thousand dollars fine and six months in jail.

B. Each person, persons, firm or corporation found guilty of a violation of any provision of this chapter shall be deemed guilty of a separate offense for each and every day during which any violation of any provision of this chapter is committed, continued, or permitted by such person, persons, firm or corporation, and shall be punishable as provided in this chapter.

HMC (Ord. No. 2014-01, 2-4-2014)

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Chapter 13.70 WATER CONSERVATION

13.70.010 Findings And Purpose
13.70.020 Definitions
13.70.030 Limited Watering Days And Watering Hours
13.70.040 Hardship Waiver
13.70.050 Penalties And Violations

HISTORY
Adopted by Ord. O-2019-05 on 4/16/2019

13.70.010 Findings And Purpose

The City Council finds that it is in the best interest of Highland City and its water resources to encourage wise use of this important asset. As the state is subject to periodic droughts and water shortages, these trends have created water deficits in numerous watersheds which effect the City. The ongoing water deficits demonstrate that water conservation is a prudent step for Highland City and its residents. Highland City desires to be proactive in the implementation and enforcement of water conservation efforts.

HISTORY
Adopted by Ord. O-2019-05 on 4/16/2019

13.70.020 Definitions

The following words and phrases whenever used in this chapter have the meaning defined in this section:

"Resident" means any person using water provided by the city.

"Landscape area" means a lawn, landscape, garden, pasture, or other area of irrigable land.

HISTORY
Adopted by Ord. O-2019-05 on 4/16/2019

13.70.030 Limited Watering Days And Watering Hours

A. Watering of residential lawns, landscape area or other vegetated areas shall only occur between the hours of 6:00 pm and 10:00 am. MST.

B. Watering or irrigating of lawn, landscape area or other vegetated area shall be limited to three days per week on the following schedule:

    1. Even numbered street addresses: Monday, Wednesday, and Friday

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2. Odd numbered street addresses: Tuesday, Thursday, and Saturday
3. No watering on Sunday except for Churches, Schools and Parks.
4. This provision also does not apply to watering or irrigating by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system.
5. Leaks, breaks or malfunctions in the user's plumbing or distribution system must be repaired within seventy-two hours of notification by the city unless arrangements are made with the city.

C. New lawns and landscaping are exempt from the day of the week restrictions for the first thirty (30) days of installation. However, such watering shall be limited to the minimum necessary. Watering should be conducted between the hours of 6 p.m. and 10 a.m. Documentation to verify the date of planting shall be made available upon request.

D. Watering for the purpose of applying insecticides, fungicides, and herbicides where such watering is required by the manufacturer or by federal or state law shall not be restricted by days of the week. However, such watering shall be limited to the minimum necessary. Documentation to verify the date of application shall be made available upon request.

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HISTORY
Adopted by Ord. O-2019-05 on 4/16/2019

13.70.040 Hardship Waiver

The waiver may be granted or conditionally granted only upon written finding of the existence of facts demonstrating an undue hardship to a resident using water or to property upon which water is used, that is disproportionate to the impacts to water users generally or to similar property due to specific and unique circumstances of the property.

A. An application for a waiver must be on a form prescribed by the city.

B. Supporting Documentation. The application must be accompanied by photographs, maps, drawings, and other information, including a written narrative detailing the reason a waiver should be granted.

C. An application for a waiver will be granted only if the information provided in the application and supporting documentation for the property meet all of the following:

1. That the waiver does not constitute a grant of special privilege inconsistent with the limitations upon other residents;
2. That because of special circumstances applicable to the property or its use, the strict application of this chapter would have a disproportionate impact on the property or use that exceeds the impacts to residents generally;

3. That the authorizing of such waiver will not be of substantial detriment to adjacent properties, and will not materially affect the ability of the city to effectuate the purpose of this chapter and will not be detrimental to the public interest; and
4. That the condition or situation of the subject property or the intended use of the property for which the waiver is sought is not common, recurrent or general in nature.

D. The Approval Authority shall be deemed to be the City Administrator. The City Administrator must act upon any completed application no later than fifteen (15) days after submittal and may approve, conditionally approve, or deny the waiver. The applicant requesting the waiver must be promptly notified in writing of any action taken. Unless specified otherwise at the time a waiver is approved, the waiver will apply to the subject property and only during the watering season in which it is issued. The decision of the City Administrator will be final.

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HISTORY
Adopted by Ord. O-2019-05 on 4/16/2019

13.70.050 Penalties And Violations

The City and its duly assigned representative(s) shall seek compliance with or enforcement of this chapter for failure to comply with any provision of the ordinance by assigning the following penalties and violations.

A. First Violation: Highland City will issue a written warning via a door hanger and deliver a copy of this ordinance by mail.
B. Second Violation: A one-hundred ($100.00) dollar fine will be included on the next month utility bill.
C. Third Violation: The water service will be locked and a two-hundred ($200.00) dollar fee will be required for removal of the lock and reinstatement of service.
D. Subsequent Violations: Subsequent violations will be subject to Section 13.30.380 of the Highland City Municipal Code.

HISTORY
Adopted by Ord. O-2019-05 on 4/16/2019

ORDINANCE NO. 2020-18

AN ORDINANCE OF THE HIGHLAND CITY COUNCIL AMENDING HIGHLAND CITY DEVELOPMENT CODE IN SECTION 3-621 AND SECTION 10-201 AS SHOWN IN FILENAME TA-20-13.

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 a public hearing on this Ordinance on May 26, 2020 and

WHEREAS, the City Council held a public hearing on this Ordinance on June 2, 2020.

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

SECTION 1. **AMENDMENT** "3-621 Park or Planter Strips" of the Highland Development Code is hereby *amended* as follows:

Amended 3-621 Park or Planter Strips

All park strip areas, the area between the sidewalk and the curb, shall be landscaped using traditional and/or Xeriscape methods. ~~are to be covered with landscaping~~ Vegetation such as grasses, ~~trees~~, flowers, ground covers and shrubs shall not exceed 22-inches in height. ~~consistent with typical residential landscaping.~~ ~~This~~ Vegetation shall not include weeds ~~indicated~~ identified on the State of Utah Department of Agriculture and Food Designated Noxious Weed List for Colorado (CO), Idaho (ID), Kansas (KS), Montana (MT), Nebraska (NE), North Dakota (ND), South Dakota (SD), Utah (UT), Wyoming (WY) but may include appropriate drought tolerant plants.

4. ~~Up to 50% of~~ The park strip may be covered with non-living material such as wood chips or decorative landscaping rocks (rock diameter of one inch minimum and six inches maximum) if commonly practiced xeriscape landscaping procedures are followed.
5. Trees planted in the park strip may be separated by non-living materials ~~within tree grates separated by hardscape materials may be installed within the park strip~~ only if a water source is available at each tree (not from a hose, or above ground sprinkler). ~~the following requirements are met:~~

~~d) Coverage measured in plan view at a two (2) year growth is equal to or greater than at least 50% of the park strip area. At minimum, trees shall be planted every 20 feet.~~

~~e) A water source is available at each tree grate (not from a hose, or above ground sprinkler).~~

~~f) The area between tree grates within the park strip area shall be landscaped with a minimum of 50% vegetation; and~~

~~1. The area between each tree grate within a park strip may be~~

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~~landscaped with pavers, stepping stones, or similar permeable elements. if each object is a maximum of twelve (12) inches in width on any side.~~

~~2. Impervious surfaces or materials shall not be used (this includes concrete, stamped concrete, rubber lining, etc).~~

6. Only trees from the city approved Class I Trees list may be planted within a park strip as follows:

1. acer campestre; Hedge Maple
2. acer ginnala; Amur Maple
3. acer grandidentatum; Big Tooth Maple
~~4. acer griseum; Paperbark Maple~~
5. acer tataricum; Tatarian Maple
~~6. aesculus pavia; Red Buckeye~~
~~7. cercis canadensis; Eastern Redbud~~
~~8.~~ koelreuteria paniculata; Goldenrain Tree
~~9. malus spp; Flowering Crab~~
10. prunus serrulata; Flowering Cherry
11. prunus blireiana; Flowering Plum
12. Pyrus fauriei, (syn. C. calleryana var. Fauriei) Korean Flowering pear
13. Pyrus calleryana, 'Callery X Chanticleer Cultivar', Chanticleer (Callery) flowering pear
14. Pyrus calleryana, 'Cleveland Select', Cleveland Select flowering pear
15. Pyrus salicifolia, >Pendula' (syn. Silver Frost') Weeping Willowleaf pear
16. syringe reticulate; Japanese Tree Lilac

SECTION 2. **AMENDMENT** "10-102 Definitions" of the Highland Development Code is hereby *amended* as follows:

Amended 10-102 Definitions

37. Landscaping. Landscaping shall mean the use and integrations of traditional landscape design methods including Xeriscape. A combination of planted trees, shrubs, vines, ground covers, ~~lawns~~ grass, rocks, fountains, pools, art works, screens, walls, fences, benches or surrounding walkways set into any aesthetically pleasing arrangement should be implanted. ~~However, the~~ The use of structures or surfaced walkways alone, in the absence of planted trees, ~~lawns~~ grass, etc., shall not meet the requirements of this Code.

85. Xeriscape. Xeriscape is interpreted to be landscaping in a manner that reduces the need for supplemental irrigation, conserves water and enhances the beauty of the property. At least 25% of the xeriscape area within the front setback of a residence must contain plants, trees and shrubs. Residents should be conscientious of utilizing plants, trees and shrubs appropriate to the climate to avoid losing water to evaporation and run-off. Xeriscape areas shall consist of an attractive mix of plantings, rocks and other landscaping materials.

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SECTION 3. 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 4: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 5: **SEVERABILITY CLAUSE** 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 6: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from June 2, 2020 and after the required approval and publication according to law.

PASSED AND ADOPTED by the Highland City Council, June 2, 2020

HIGHLAND CITY, UTAH

Rodney W. Mann, Mayor

ATTEST:

Stephannie Cottle, City Recorder

CORPORATE SEAL HIGHLAND CITY STATE OF UTAH

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

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Current Water Conservation Plan
2017 Adoption

WATER CONSERVATION PLAN UPDATE

Drinking Water and Pressurized Irrigation Systems

(HAL Project No.: 314.05.116)

Adopted – February 21, 2017

HIGHLAND CITY

WATER CONSERVATION PLAN UPDATE

DRINKING WATER AND PRESSURIZED IRRIGATION SYSTEMS

(HAL Project No.:314.05.116)

Project Manager

HANSEN ALLEN & LUCE INC
ENGINEERS

Adopted February 21, 2017

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EXECUTIVE SUMMARY

In 1999, Utah's legislature passed the Water Conservation Plan Act requiring all drinking water systems serving 500 connections or more to file a water conservation plan with the Utah Division of Water resources. Until Highland City and the Highland Water Company merged in 2004, Highland City managed only a pressurized irrigation system and was not required to submit a plan. As a result of the merger, the City completed a water management and conservation plan in 2006 that included both the drinking water and pressurized irrigation systems. Water Conservations Plans are required to be updated every 5 years from the first submittal. This report is an update of the City's Water Conservation Plan.

Highland City is located in northern Utah County and, as of 2016, had a population of about 18,300 people. Highland's drinking water distribution system is comprised of a pipe network, four water storage tanks, five groundwater wells, and over 4,700 water supply connections. The pressurized irrigation (PI) system is comprised of transmission lines, three storage ponds, three groundwater wells, two diversions from the American Fork River, two connections to Central Utah Project (CUP) pipelines, one diversion from the Murdock Canal, and pump stations.

In 2016, Highland City used a total of about 1,296 acre-feet of drinking water and 8,480 acre-feet of pressurized irrigation water. During 2016, the average per capita use has been around 60 gallons per capita per day (gpcd) for the drinking water system and around 420 gpcd for the pressurized irrigation system. The overall water use for the City averages around 480 gpcd. Per capita water use within the drinking water system has been reduced by about 37% since 2004. Water use in the pressurized irrigation system has been relatively steady since 2004.

The purpose of the Water Conservation Plan is to identify strategies for more efficient water use. Existing conservation issues have been identified along with goals to address these issues. Major issues included a large quantity of unaccounted for water use in the drinking water system and high overall per capita water use.

Water conservation measures that are currently being implemented by the City will be continued including the operation of a pressurized irrigation system to conserve high quality water for drinking water sources, time-of-day watering recommendations, public education programs, and installation of smart irrigation systems in new City parks. Additional water conservation measures were also identified to further reduce per capita water use. These measures include expansion of public education systems, updating the City's existing rationing plan, and upgrading existing City park irrigation systems to be smart systems.

CHAPTER I
INTRODUCTION

PURPOSE

In 1999, Utah's legislature passed the Water Conservation Plan Act requiring all drinking water systems serving 500 connections or more to file a water conservation plan with the Utah Division of Water Resources. Until Highland City and the Highland Water Company merged in 2004, Highland City managed only a pressurized irrigation system and was not required to submit a plan. As a result of the merger, the City completed a water management and conservation plan in 2006 that included both the drinking water and pressurized irrigation systems. Water Conservations Plans are required to be updated every 5 years from the first submittal. This report is an update of the City's Water Conservation Plan.

BACKGROUND

Highland City is located on a bench near American Fork, Lehi, and Alpine in northern Utah County. According to the U.S. Census, the population of the city increased from around 15,500 to over 18,300 from 2010 to 2016. Despite this growth, Highland has retained a quiet, rural atmosphere. This is largely due to the large lot sizes of the typical home within the City.

Highland began as a 15 family settlement in the 1850s and was incorporated on July 13, 1977. Due to the growing size, several landowners formed the Highland Water Company in 1950's to provide drinking water through a central water system as opposed to using individual wells. The first well was drilled and a storage tank was constructed in 1958. Other water system facilities have since been constructed resulting in the current drinking water system.

Twenty years after incorporation, the City implemented a pressurized irrigation system. Use of surface water for outside watering helped the City to conserve high quality groundwater for the City's growing drinking water needs. During 2004, Highland Water Company voted to dissolve the company and to transfer all assets and obligations to Highland City. Since that time, the City has operated both the drinking water system and the pressurized irrigation system within the City's boundaries.

CHAPTER II
WATER SYSTEM ANALYSIS

FACILITY DESCRIPTION

Drinking Water System

Highland's existing drinking water system is comprised of a pipe network, four water storage tanks, over 4,700 water supply connections, five groundwater wells (Wells #1 through #5), and two booster pump stations. All of the five wells on the drinking water system are active and are used on a rotating basis as needed within the system. One of the City's wells on the pressurized irrigation system, the 11800 North Well, was constructed to Division of Drinking Water standards and could be used on the drinking water system in an emergency. This well has only been used within the pressurized irrigation system to date.

Table II-1 summarizes the type and number of connections to the drinking water system. Of the 4,642 residential connections, there are about 200 that are using the drinking water system for their outside watering. About 100 of these connections are located in the View Pointe subdivision which does not have a pressurized irrigation source available. The existing pressurized irrigation pipelines in this subdivision are connected to the drinking water system.

TABLE II-1
DRINKING WATER SYSTEM CONNECTION SUMMARY

CONNECTION TYPE	NUMBER OF CONNECTIONS
Residential	4,642
Commercial	66
Industrial	3
Institutional	25
Stock	8
Commercial Sprinkling	1
TOTAL	**4,745**

Pressurized Irrigation System

In 1997-1998, Highland City constructed a pressurized irrigation system throughout the City boundaries. This system provides residents with outdoor water for irrigation of landscaped areas and gardens. The system is comprised of transmission pipe lines, three storage ponds, three groundwater wells (11800 North, 10700 North, and Granite Wells), two diversions from the American Fork River, two connections to Central Utah Project (CUP) pipelines, one diversion from the Murdock Canal, and booster pump stations. The three wells are pumped to supplement the surface water sources during late season demand periods, peak demand periods, and other periods when surface water sources are unable to meet demands. There are currently 4,342 connections on the pressurized irrigation system. Detailed descriptions of the pressurized irrigation system facilities are included in the City's Pressurized Irrigation System Master Plan completed in 2009.

INVENTORY OF WATER RESOURCES

There are five existing wells that currently supply the drinking water system as summarized in Table II-2. The existing demand on the system can be met with two or three wells at any time. All of the wells are used on a rotating basis.

TABLE II-2
EXISTING DRINKING WATER WELLS

NAME	YEAR DRILLED	CAPACITY (gpm)
Well #1	1968	550
Well #2	1958	900
Well #3	1977	900
Well #4	1986	800
Well #5	1987	800

The pressurized irrigation system currently uses water from two diversions from the American Fork River, two CUP connections, three wells, and a diversion from the Murdock Canal as summarized in Table II-3.

TABLE II-3
EXISTING PRESSURIZED IRRIGATION SOURCES

SOURCE	DESCRIPTION	APPROXIMATE CAPACITY (GPM)
American Fork Canyon - American Fork Flume	2-foot parshall flume diversion	3,000 (August) to 7,500 (June)
American Fork Canyon - Lehi Flume	3-foot parshall flume diversion	800 (August) to 4,000 (June)
Canyon Well	12-inch well (640 ft deep)	1,100
11800 North Well	24-inch well (1,000 ft deep) – can be used as emergency backup for drinking water system.	1,200
10700 North Alpine Highway - Provo Well	16-inch well (500 ft deep)	1,100
CUP Connection No. 1	PRV and meter station from high pressure CUP system (owned & operated by CUP)	1,800 gpm (Usage agreement) (Can divert 3,590 gpm in exchange for Murdock Canal diversion)
CUP Connection No. 2	PRV and meter station from high pressure CUP system (owned & operated by CUP)	3,590
Murdock Canal	Diversion from Murdock Canal with a booster station. **CURRENTLY NOT IN USE.**	3,900
	TOTAL:	**17,520 (August) to 25,220 (June)**

Water rights and water shares associated with the sources listed above are summarized in Appendix A. As the City continues to grow, developers are required to provide water rights to the city to meet growing water demands. Typically these rights are transferred in the form of water shares in irrigation companies. The City has made efforts to convert water rights into

municipal use. This gives the City the flexibility to use the water for either drinking water or pressurized irrigation water as necessary.

A large portion of Highland's surface water is from direct flow rights, meaning that the quantity of water that can be diverted is determined by the quantity of water flowing in the river. The number of shares that the City owns determines the percentage of the river flow that they can divert. During high runoff periods, the available water exceeds the demand.

WATER USE SUMMARY

Current Water Use

In 2016, approximately 1,597 acre-feet of water was used in the drinking water system. Highland City reported a population of 18,329, resulting in a per capita use of 78 gallons per capita per day (gpcd) in the drinking water system (primarily for indoor water use). Water use in the pressurized irrigation system is not individually metered. However, flow measurements from pressurized irrigation system water sources provide estimates of water use. These estimates are approximate because some water diverted into the system from the American Fork Canyon sources overflows back to the river during lower demand periods of the season. Based on this information, the average per capita use in the pressurized irrigation system from 2016 was about 410 gpcd. The total estimated average use of about 500 gpcd is significantly higher than the typical city in Utah of about 267 gpcd. This high per capita use is attributable to the large lot size in the City which is greater than one-half acre per lot. Typical Utah cities have average lot sizes closer to one-quarter acre.

Figure II-1 summarizes the historical per capita use in the drinking water and pressurized irrigation systems. From about 1998 through 2004, the City averaged around 100 gpcd in the drinking water system. However, in 2007 through 2016, the average use was just above 80 gpcd. This represents approximately a 20% reduction of indoor use since the 2000 through 2004 time period. Water use in the pressurized irrigation remained relatively steady at around 450-475 gpcd from 2009 through 2012. Since 2012 the City has decreased its outdoor use per gpcd to an average of 400 gpcd. This decrease was largely due to incorporating an odd/even watering system and more public education.

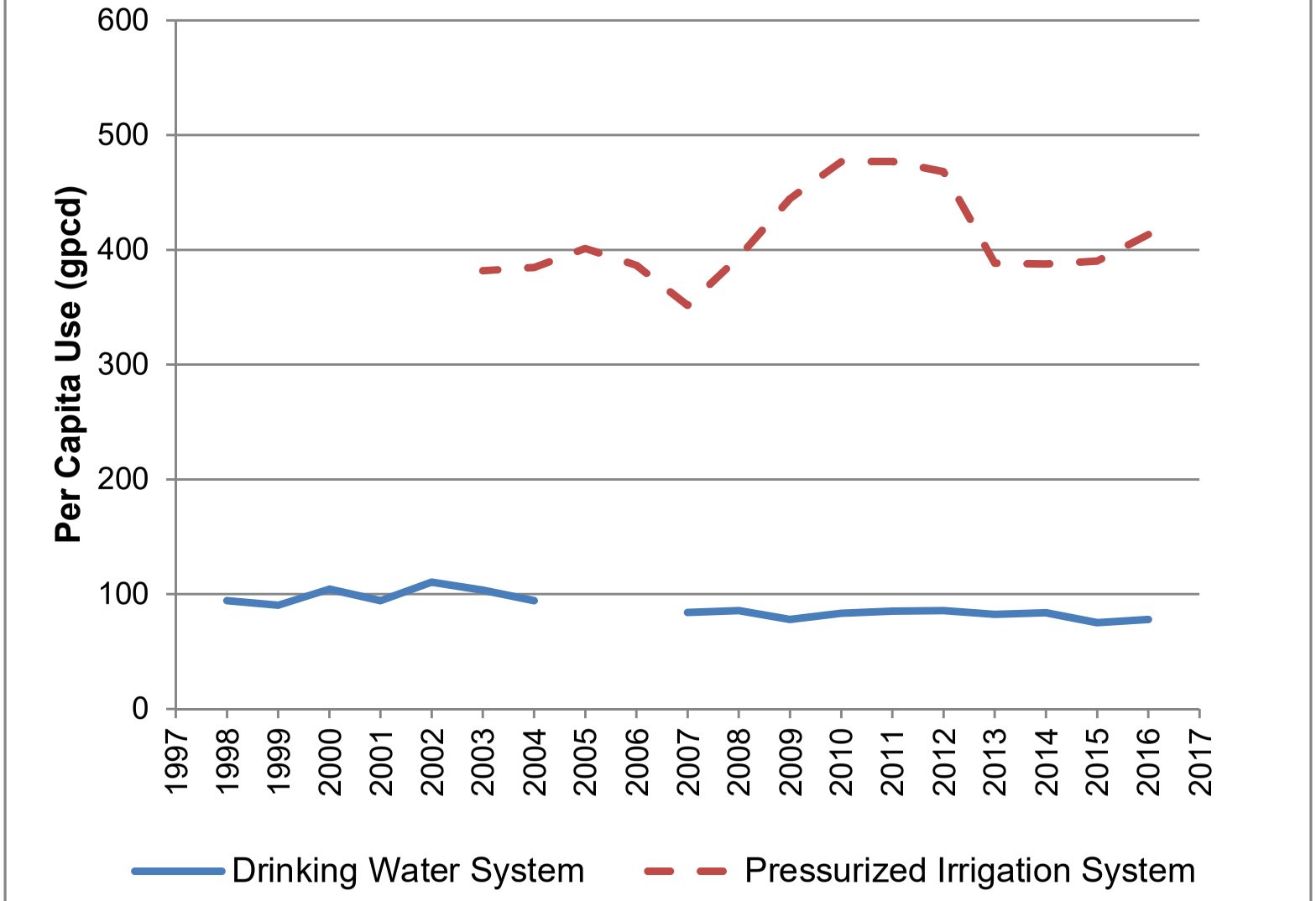
Anticipated Future Water Use

Highland City has indicated that it expects to reach build out conditions within the next 40 years. Based on current City zoning and anticipated annexation plans, it is estimated that the drinking water system will serve an estimated 7,326 ERCs at buildout. According to the City's Pressurized Irrigation Master Plan completed in 2009, the estimated build out irrigated acreage is projected to be 2,560 acres of land. If existing water use trends continue, the total build out water use could exceed 15,000 acre-feet per year.

WATER BUDGET

In order to determine the efficiency of the conveyance system, a water budget was prepared for the drinking water system. A water budget could not be produced for the pressurized irrigation system because individual connections are not metered. The drinking water budget was prepared by comparing the volume of water pumped into the system from the five existing wells

FIGURE II-1
Historical Drinking Water Per Capita Use



to the billed water use within the system. Table II-4 shows the water budget for 2002-2004 and 2009-2010. Data were not available for 2005 through 2008 and 2011.

TABLE II-4
DRINKING WATER SYSTEM WATER BUDGET

YEAR	SOURCE VOLUME (AC-FT)	BILLED VOLUME (AC-FT)	WATER LOSS (AC-FT)	PERCENT WATER LOSS
2002	1,193	962	231	19%
2003	1,203	979	224	18%
2004	1,250	966	284	22%
2009	1,354	1,115	239	17%
2010	1,450	1,131	319	22%
2012	1,561	1,168	393	25%
2013	1,548	1,170	378	24%
2014	1,624	1,296	328	20%
2015	1,498	1,242	256	18%
2016	1,597	1,270	327	20%

Based on the water budget, the drinking water system has experienced a higher volume of unaccounted for water – above 20%. A portion of this unaccounted for water is attributable to about 100 residences in the View Pointe subdivision using the drinking water system for outdoor watering. This outdoor water use is not metered or billed. There is a master meter that has provided an annual use of approximately 90 acre feet. This represents about 5% of the water loss. Water loss can also be attributed to annual hydrant flushing, new water line cleaning and flushing, and construction water. Over the past three years the City has implemented the utilization of hydrant meters to meter and charge contractors for water use. This has impacted the percent water loss in the system.

WATER RATES

Highland City's water rates are summarized in Table II-5. The rate structure for the drinking water system was established in order to motivate residents to conserve high quality groundwater for future growth. A graduated rate structure based on water use was not feasible for the pressurized irrigation system because the system is not metered.

TABLE II-5
HIGHLAND CITY WATER RATES

TYPE OF USE	BASE RATE	BASE VOLUME	OVERAGE RATES
Drinking Water System			
Residential	$12.24/month	6,000 gal	$0.78 /1,000 gal from 6,000 – 15,000 gal $2.04 /1,000 gal over 15,000 gal
Pressurized Irrigation System			
With water rights supplied to City	$12.42/month plus $0.000664 per square foot (Cost for irrigating 1 acre = $41.34)		

CHAPTER III
EXISTING CONSERVATION PRACTICES

Existing water conservation practices currently being implemented in Highland City are focused on conservation of the high quality groundwater for drinking water purposes and reducing the outdoor water use.

PRESSURIZED IRRIGATION SYSTEM

Before construction of the pressurized irrigation system, landscaped areas were irrigated with high quality groundwater from the wells connected to the drinking water system. These outdoor demands required all five wells to pump full-time during the hottest summer months. Since the pressurized irrigation system was constructed, the high quality groundwater has mostly been reserved for indoor drinking water purposes. With the exception of approximately 200 residential connections, all water users are connected to the pressurized irrigation system. About 100 of those that are not connected are in the View Pointe subdivision which does not have access to the pressurized irrigation system due to locational constraints. Highland City requires all new developments to provide pressurized irrigation pipelines and to connect into the pressurized irrigation system.

Highland City encourages use of the pressurized irrigation system through a tiered rate structure for the drinking water system.

TIME-OF-DAY WATERING RECOMMENDATION

Highland City currently advises its residents to refrain from outdoor watering between the hours of 10 a.m. to 6 p.m. Watering during the cooler hours of the day and at night reduces the amount of water that evaporates during sprinkling. This should allow for shorter watering times. These recommendations are periodically provided to residents through mailers included in monthly water bills.

SMART IRRIGATION SYSTEMS

Highland City has implemented a policy that landscaped areas for all new public facilities will be irrigated using a smart irrigation system. These systems measure temperature, precipitation, and soil moisture to determine the optimum amount of water that should be applied to maintain a healthy landscape. As part of the smart systems, more efficient sprinkling heads are being installed to reduce the potential for wind-loss. Sprinkling heads in City park strips (representing approximately 20 acres throughout the City) are also in the process of being replaced to reduce wind-loss.

UPDATED LANDSCAPING ORDINANCE

Within the past few years, the City updated its landscaping ordinance to provide more options for water conserving landscapes. Among the changes to the ordinance, the City reduced the area required to be landscaped with living material from 75% down to 50%. The City has also allowed more landscaping credit for implementation of xeriscaping or use of natural landscaping.

WATER AUDITS AND DEMONSTRATION GARDEN

Although the City does not conduct water audits or provide a demonstration garden for efficient landscaping and irrigation methods, they do encourage residents to take advantage of those services offered by Central Utah Water Conservancy District (CUWCD). The City's website advertises the CUWCD demonstration garden and also their water audit program by providing links to the CUWCD website.

CHAPTER IV
CONSERVATION ISSUES AND GOALS

Implementation of water conservation practices is typically accomplished through a three step process. First, the City's Water Policy Advisory Committee reviews and develops recommendations for water management and conservation practices. Second, the City Council reviews and approves recommended practices. City staff then implements the approved practices.

UNACCOUNTED WATER USE IN THE DRINKING WATER SYSTEM

Issue

Currently, about 20% of the water pumped into the City's drinking water system is unaccounted for through billings. This is a problem that has been identified in the past. Based on data recently provided by the City, it is believed that around 40% of this unaccounted for water is for landscape irrigation of about 100 residences in the View Pointe subdivision. These residences are not connected to the pressurized irrigation system and outdoor water use is unmetered. This leaves only about 12% of water that is still unaccounted for. Other potential sources of this lost water include leaks, faulty meters, or use of water through hydrants for flushing or construction.

Goal

The City is currently implementing a meter testing and replacement program to eliminate old or malfunctioning meters. Within the past few years, the City has provided hydrant meters for construction water. Based on City records, annual water use from these hydrant meters has typically been around 1 ac-ft with a maximum of 5 ac-ft. The City intends to continue these practices.

In order to determine the quantity of water being lost to the system through leaks, the City could implement a leak detection program. As leaks are found and repaired, City staff could estimate the flow of water through the leak to track progress in eliminating unaccounted for water.

HIGH PER CAPITA USAGE

Issue

Although per capita usage in the drinking water system has been reduced by 37% since 2004 to 63 gpcd, usage in the pressurized irrigation system has remained very high at 380-420 gpcd. Typical Utah cities average about 267 gpcd for both indoor (70 gpcd) and outdoor (197 gpcd) water use. Based on these numbers, Highland City is about 200 gpcd more than the typical Utah city with most of this for outdoor watering.

The primary reason for this is that typical lot sizes in Highland City (>0.5 acres) are more than double the size of lots in typical Utah communities (0.25 acres). Assuming an average of 4.2 people per household and a consumptive use of 4 acre-feet per irrigated acre, a 0.25 acre increase in irrigated acreage over the typical irrigated acreage would result in an additional use of about 200 gpcd.

Goal

In 2001, the State of Utah established a goal to reduce water use by 25% by the year 2050 from usage levels in 1995. While Highland City has already reduced drinking water use levels by 20% from 2004, outdoor water use has remained steady. The City has a goal to reduce outdoor water use by 10% by the year 2020. Methods for reducing outdoor water use are further discussed in Chapter V.

RATIONING PLAN

Issue

The City's existing rationing plan has not been updated for several years. City staff currently have procedures that they follow in emergency or drought situations that need to be formalized in an updated plan.

Goal

Highland City has a goal to update their Rationing Plan to be more consistent with current practices and to better respond to emergency or drought conditions.

CHAPTER V
RECOMMENDED CONSERVATION MEASURES

Highland City has been actively pursuing water conservation practices that have resulted in a reduction of use in the drinking water system by 20% since 2004. The City intends to continue the current practices as summarized below. The City will also consider implementation of additional conservation measures to reduce water usage in the pressurized irrigation system. These practices are described below.

CONSERVATION MEASURES TO BE CONTINUED

Conservation measures currently being implemented by the City are discussed in more detail in Chapter III. These measures include the following:

1. Pressurized Irrigation System – Conserves high quality groundwater for drinking water use.
2. Time-of-Day Watering Recommendations – Watering only during the cooler hours of the day and at night reduces the amount of water lost to evaporation.
3. Smart Irrigation Systems – Implementation of smart irrigation systems for all landscaping at new public facilities provides a very efficient use of irrigation water.
4. Updated Landscaping Ordinance – Reduction of required landscaping area from 75% to 50% and allowing for more xeriscaping and natural landscaping reduces the outdoor watering demand from new development.
5. Water Audits and Demonstration Garden – Encouraging residents to use CUWCD's water audit program and to visit their demonstration garden promotes voluntary reduction of outdoor water use. Better advertising of these conservation tools is recommended.

NEW CONSERVATION MEASURES

Highland City will consider implementation of the following new conservation measures to help them reduce their outdoor water use.

1. Upgrade Existing Public Parks and Facilities with Smart Irrigation Systems & Meters

   More efficient irrigation of large existing public landscaped areas could result in significant water use reduction. Metering the water use at these facilities would help the City to increase the efficiency of the irrigation system.

2. Implement a Leak Detection Program in both the Drinking Water and Pressurized Irrigation Systems:

   Reduction of leaks in the distribution systems for both systems provides a corresponding reduction in per capita water use.

3. Update Rationing Plan

   Updated procedures will help the City to more efficiently respond to emergency or drought conditions for the conservation of their water resources.

4. Increase Public Conservation Education Efforts:

    a. Conservation education links on the City's website are currently difficult to find. Making water conservation more prominent on the website would help reach more customers.
    b. The City could also regularly send out mailers with conservation practices. This would be particularly beneficial at the beginning of the irrigation season and as temperatures rise in mid-summer.
    c. Other methods of advertising water conservation could also be pursued.
    d. The City could consider providing water conservation tools such as recommended watering depths during different times of the year.
    e. The City could make Public Works personnel available for individual assistance with specific water conservation issues.

REFERENCES

Hansen, Allen & Luce. Inc. 2012. *Highland City Water Conservation Plan Update*. Prepared for Highland City, Utah.

Hansen, Allen & Luce. Inc. 2012. Drinking *Water Master Plan Update*. Prepared for Highland City, Utah.

Hansen, Allen & Luce, Inc. 2010. *40-year Water Rights Plan, Water Right 55-6054*. Technical Memorandum Prepared for Highland City, Utah.

Hansen, Allen & Luce, Inc. 2009. *Highland City Pressurized Irrigation System Master Plan*. Prepared for Highland City, Utah.

APPENDIX A
Water Rights & Water Share Summary

TABLE A-1
HIGHLAND CITY WATER RIGHTS SUMMARY (10/2015)

Water Right Number	Approved points of Diversion	Status	Beneficial Use	Flow cfs	Volume ac-ft	Irrigation Company Shares
55-751 (a31084)	8 City Wells	Unapproved	Municipal	10	2000	
55-908 (a31084)	8 City Wells	Unapproved	Municipal	4.2	1200	
55-1018 (a5260)	Provo Well	Certificated	Irrigation	3.75	685	
55-1424, 55-3829, 55-4184, 55-4678, 55-7741 all included under a28710	Westfield Road Well	Approved Non-Use	Municipal		117.564	
55-1636 (a22423)	Provo Well	Approved	Municipal	0.304	40	
55-2081 (a22423)	Provo Well	Approved	Municipal	0.011	3.84	
55-6054 (a31084)	8 City Wells	Unapproved	Municipal	2	192	
55-9341 (a28180)	11 wells	Approved	Municipal		121	East Jordan 25 shares
55-9453 (a26314)	Granite Well	Approved	Municipal		290.4	East Jordan 60 shares
55-9656 (a26306)	Granite Well	Approved	Municipal		39.35	For Field-Little Dry Creek WUA 5 shares
55-9707 (a31083)	8 City Wells	Approved	Municipal		288.99	South Jordan 58.5 shares
55-9708 (a27167)	Granite Well, Beacon Hill Area	Approved	Municipal		694.07	South Jordan 140.5 shares
55-11898 (a27836)	Granite Well	Approved	Municipal		41.14	East Jordan 8.5 shares
55-12283 (a33000)	Unnamed Spring & 8 City Wells	Approved	Municipal		52	
				TOTAL	5765.354	
				TOTAL APPROVED AND APPLIED FOR MUNICIPAL USE	5080.354	

TABLE A-2
HIGHLAND CITY IRRIGATION SHARES SUMMARY (10/2015)

Irrigation Company	# of Shares	Estimated* Volume/share ac-ft/share	Estimated Volume ac-ft	# Shares Included in Water Rights
Alpine Irrigation Company	2	4	8	0
American Fork Irrigation Company	1225.53	2	2451.06	0
East Jordan Irrigation Company	113.5	4.84	549.34	93.5
Fort Field Little Creek Water Users Association	5	7.87	39.35	5
Highland Conservation	2025.9	1	2025.9	0
Lehi Irrigation Company	912.65	2	1825.3	0
Pleasant Grove Irrigation Company	332.863	1.7	565.8671	0
Provo Reservoir Water Users Association:				
Full Shares	195.3	4	781.21	0
Late Shares	210.2	2.5	525.46	0
South Jordan Canal company	199	4.94	983.06	199
Utah Lake Distribution	54	5.11	275.94	0
Winn Ditch Irrigation Company	463.5	0.06	27.81	0
ESTIMATED TOTAL	5501.363		10,060	

* The volume/share values have been estimated in some cases and are subject to change.

WATER CONSERVATION PLAN REVISION SUMMARY

In compliance with the States recent update to the Water Conservation Plan Act (Utah Code 73-10-32) the City was required to revise their Plan. The plan was revised per the Division of Water Resources recommendations. The revised plan has been submitted to the State for review. The States review provided no comments. The updated Plan is also required for the Water Resources Meter Grant.

The following are revisions to the previously adopted 2016 Plan:

EXECUTIVE SUMMARY

- Updated the background of the Water Conservation Plan Act with dates.
- Updated population and connection numbers
- Updated water use data
- Provided the required City goal of 20% per the regional conservation goal of the Division of Water Resources
- Updated current water conservation measures and planned meter installation

CHAPTER 1 - Introduction

- Updated dates and populations
- Add conservation goal

CHAPTER 2 – Water System Analysis

- Updated number of connections
- Updated well information
- Updated capacity of sources
- Updated water use
- Added goal determination paragraph
- Added 2017 to 2021 Drinking Water Use in Table
- Update Water Rate Table

CHAPTER 3- Conservation Practices

- Updated Jeff Murdoch as Conservation Coordinator
- Minor updates to existing practice information
- Added new sections on Water Conservation Public Outreach and Awareness & Existing Conservation Effectiveness
- Added new Section that was previously in Chapter 4 – Recommended Conservation Measures
- Added a new Section – Yearly Conservation Review

CHAPTER 4

- Removed entire chapter and incorporated necessary sections into Chapter 3

State of Utah

SPENCER J. COX
Governor

DEIDRE M. HENDERSON
Lieutenant Governor

Department of Natural Resources

JOEL FERRY
Executive Director

Division of Water Resources

CANDICE A. HASENYAGER
Division Director

August 15, 2022

Mayor Kurt Ostler
City of Highland
5400 W. Civic Center Drive, Suite 1
Highland, UT 84003

RE: Committal of Funds, Proj. No. RM016 - City of Highland

Mayor Ostler:

In its August 4, 2022 meeting, the Board of Water Resources committed grant funds for your project to purchase and install secondary meters. The Board will provide 51% of the project cost, up to $5,000,000, as an ARPA grant.

We will now prepare the necessary documents between the state and the city which will be necessary to make grant funds available for the project. Before we complete the contract and provide funds, the city must hold a public meeting and adopt the water conservation plan. Following adoption, the final approved water conservation plan, adoption signatures, public meeting notice and meeting minutes must be submitted to Division staff.

Please also obtain a letter from other financing agencies establishing their commitment of funds to the project.

Please contact Grant Doty at 801-538-7293 if you have any questions.

Thank you,

Marisa Egbert, P.E.
Project Funding Manager

cc: Wayne Andersen – Board of Water Resources (via email)
Andy Spencer – City of Highland (via email)
JoAnn Scott – City of Highland (via email)

1594 West North Temple, Suite 310, PO Box 146201, Salt Lake City, UT 84114-6201
telephone (801) 538-7230 • TTY (801) 538-7458 • *www.water.utah.gov*

CITY COUNCIL AGENDA REPORT
ITEM #12

DATE: September 6, 2022

TO: Honorable Mayor and Members of the City Council

FROM: Andy Spencer
City Engineer/Public Works Director

SUBJECT: **ACTION:** Purchase contract with Rhino Pumps for the OverWatch sewer pump system

TYPE: **ADMINISTRATIVE:** The City Council is acting in an administrative body as outlined in the Municipal code

PURPOSE:

The City Council will consider the purchase of OverWatch pump system from Rhino Pumps to replace the existing lift station pumps. The Council will take appropriate action.

PRIOR COUNCIL DIRECTION:

On August 16, 2022, the OverWatch system was discussed with the City Council. At that time, there was a consensus of support for moving forward the item for Council consideration on the next Council meeting.

BACKGROUND:

The Greens at the Highlands sewer lift station (Greens) is located near the intersection of North County Blvd and Caddie Lane. This is one of four Lift Stations we currently have operating in Highland City. Lift Stations are located in low lying areas around the city where sewer is collected and pumped or "lifted" to meet a gravity sewer line, which proceeds downhill through the City sewer collection system to the TSSD sewer network. Lift stations are prone to clogging up and pumps losing prime which requires our sewer crew to respond and either reprime or disassemble the pump to clear the obstruction to restore service. This is an unpleasant task and exposes them to harmful materials.

Recently the supplier we have used to acquire replacement parts and services for our existing lift station pumps is no longer a representative of Gorman Rupp pumps. We are unsure where we will obtain local service when needed. The nearest supplier is now located in Colorado. As a part of reaching out to locate a

new supplier, Rhino Pumps presented to us a product that will reduce many of the problems we are facing with our current pumping systems. This product called OverWatch is installed in the existing wet well, so no major excavation is needed for the installation. It reduces the risk of losing prime or clogging up with materials that get flushed down the drains as it has a built-in unclogging/grinding mechanism. Rhino Pumps and staff evaluated the Greens lift station to see if this location would be a good candidate for this product. It was determined that many of the issues we are facing could be avoided with this new system. Currently, there are not any OverWatch Systems installed in Utah. Rhino Pumps have been exploring a location to install OverWatch locally to showcase the product and bring interested customers to see it operating. Since there are not any of this product installed in Utah, we were able to negotiate a much better price for this system. The listed price for a new OverWatch system is $125,000. Rhino/OverWatch is providing a discounted installation for $97,000. While this mechanism is exposed and being installed, Sewer Staff would like to install some additional valves to ensure we have a pump around option available for emergencies. The estimated overall price will be $105,000.

To evaluate the OverWatch system pricing, Rhino priced a replacement system to the existing system with the inclusion of a grinder to address some of the blockage issues that have been experienced. The comparable system price was $148,161.

Staff also interviewed a representative for the wastewater in Sherman, NY. He indicated that they have only had one minor issue with OverWatch in 4-years of use at a location where they used to have weekly problems with a prior system.

The Council also asked that staff evaluate the energy usage of the OverWatch system in comparison with the existing system. It is projected that the OverWatch system will use less energy than the existing system and will save approximately $600 per year in power costs.

OverWatch and Rhino have agreed to provide an additional year of full warranty; the system will be warranted for 2-years.

FISCAL IMPACT:

The cost of this project is $105,000. Partial funding for this expense is included in the Sewer CIP projects within the FY23 budget in the amount of $70,304 (Lift station VFD's/soft starts). The remaining balance would require a mid-year budget adjustment in the amount of $34,696 from fund balance in the Sewer Fund unless otherwise directed by the Council.

STAFF RECOMMENDATION:

Staff recommends approval of the purchase contract.

MOTION TO APPROVE:

I move that City Council APPROVE the Purchase Contract with Rhino Pumps in an amount up to $105,000 for the purchase and installation of the OverWatch pump system and AURTHORIZE the Interim City Administrator to sign the appropriate contracts.

ATTACHMENTS:

1. Map of Lift Station Location
2. OverWatch Pamphlet
3. OverWatch Quote from Rhino Pumps
4. Energy Usage Comparison Summary
5. North America OverWatch Installation Location List

HIGHLAND CITY

SEWER LIFT STATION LOCATION

0 0.02 0.04 0.08 0.12 0.16

Miles

OverWatch®

Direct In-Line Pump System

Changing the world one wet well at a time

INDUSTRIAL FLOW SOLUTIONS™

OverWatch Booster

Having problems with insufficient slope, flow, pipes or damage?
Boost it out, without replacing the entire line!

Features & Benefits

- Standard pipe diameter design
- Increase capacity by boosting flow downstream
- Improve velocity - Accelerate in-line wastewater circulation
- A gravity-fed line of 6" to 40"diameters

Packaged Lift Stations (PLS)

Incorporates all the advantages of the Direct In-Line Pump system into a ready to install, stainless steel pump room.

Benefits:

Economical

- Ideal for transportation and installation costs
- Quick to connect without the need for a valve vault
- Reduces excavation depth required
- Enables future modifications to be made

Robust

- 100% waterproof
- Non-porous, with no fragile tank adapters
- Resistance to ground settlement, poor backfilling, impacts during installation, and stress caused when pouring the upper concrete slab

Sustainable

- Corrosion and erosion resistance prevents systems from degrading over time
- Ecological designed with non-oil-based products

INDUSTRIAL FLOW SOLUTIONS™
104 John W Murphy Drive
New Haven, CT 06513
Tel: (860) 631-3618
sales@flowsolutions.com
www.flowsolutions.com

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Industrial

Food, Beverage & Pharmaceutical Processing

Stainless Steel body designed to withstand the effects of corrosion from harsh materials and solutions.

- High temperature wash-down / Clean in Place (CIP)
- Fats, Oils, Greases (F.O.G.)
- Solids handling
- Acidic and caustic processing

Municipal

Lift Stations & Wastewater Treatment Facilities

Breakthrough technology designed to lift influent at the point of entry, eliminating the wet well.

- Sewage & solids handling
- Stormwater management
- Wastewater
- Lift / Pump stations

Commercial

Hotels, Hospitals, Correctional Facilities, Universities & Residental Complexes

Effluent is contained, eliminating odors and reducing maintenance.

- Wastewater
- Stormwater management
- Boiler condensate handling
- Solids handling

Self Monitoring

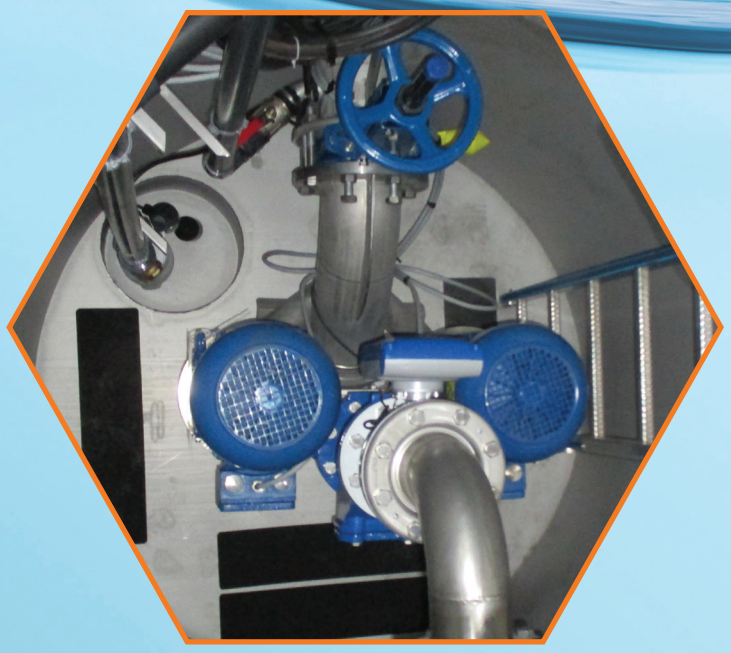
Save Time and Money with Improved Operational Efficiencies

- Smart sensing - adjusts in real time to manage flow
- Avoids system failures and downtime with a two pump design
- Less fluid detention time
- Detects and removes clogs without human intervention
- Remote monitoring options

Eliminate the Wet Well

Creates Safer Working Conditions for Maintenance Crews and Reduces Environmental Impact

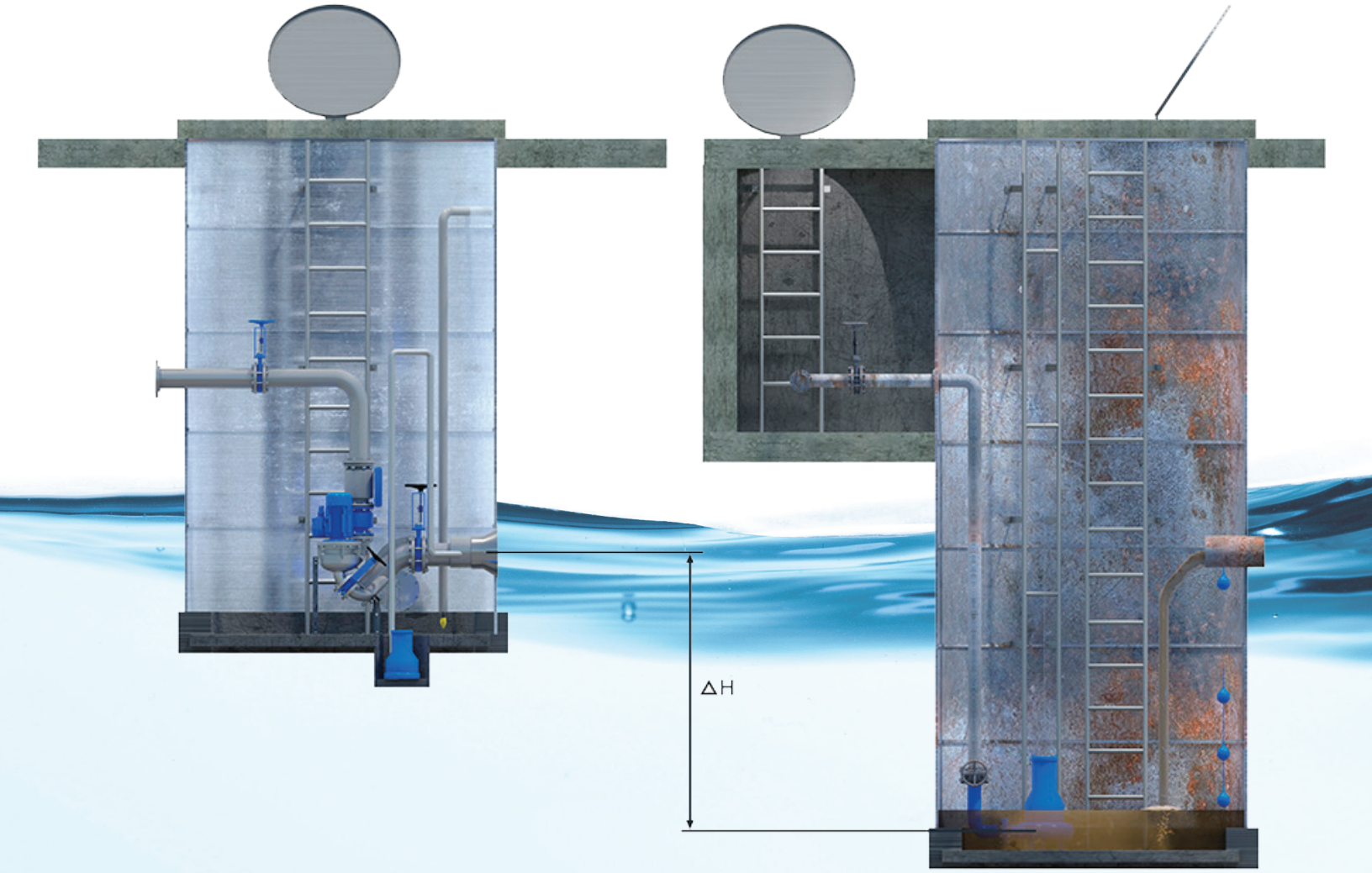
- No buildup or exposure to hazardous odors, bacteria, or Hydrogen Sulfide (H2S) gases
- Reduces danger of explosions
- Minimizes excavation
- Simplified installation & maintenance - no more screen cleaning!



Non-clog

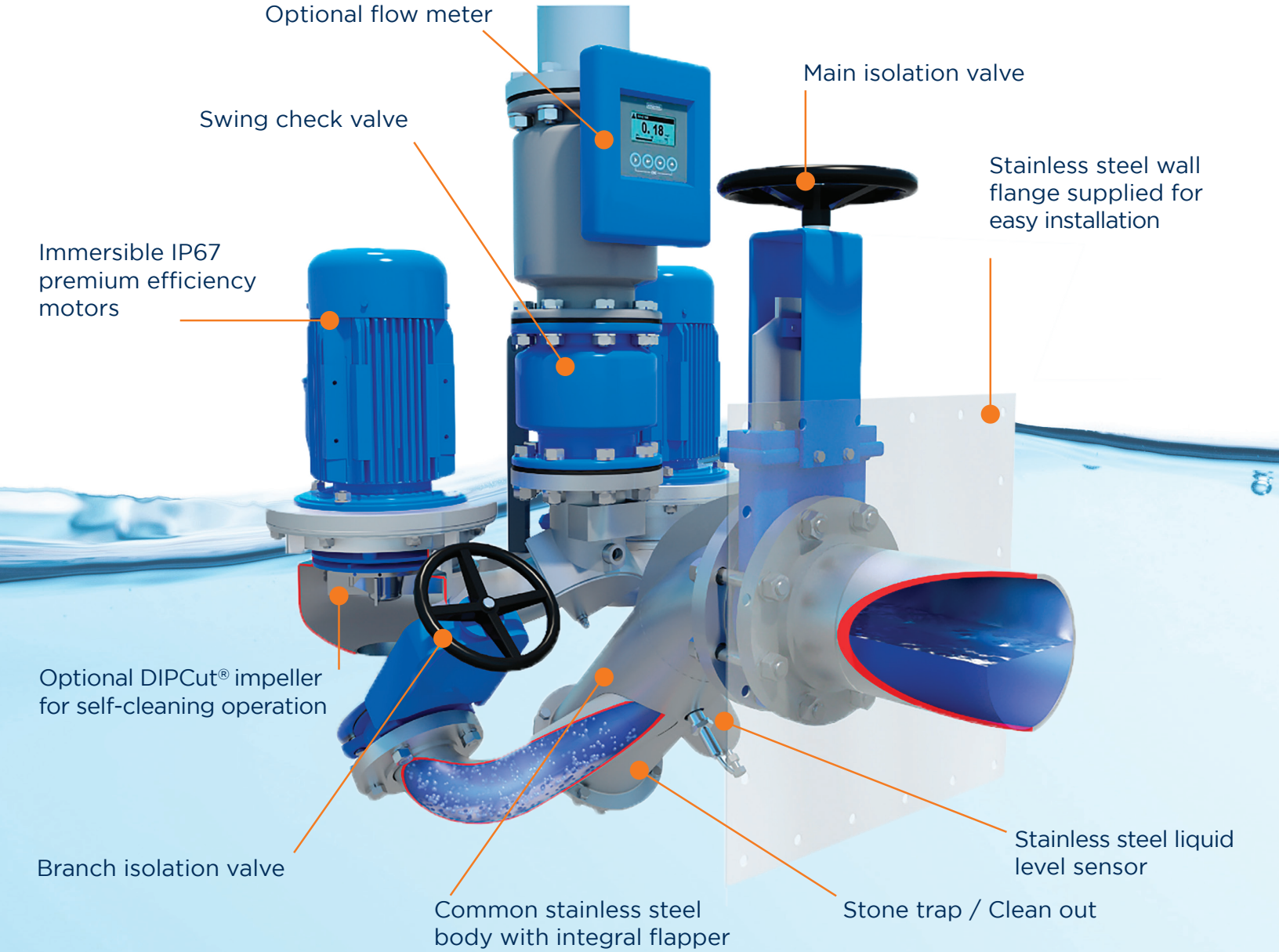
Designed for Reliability. Keeps a Careful Watch so You Don't Have to

- No downtime from a clogged pump
- Reduces maintenance
- Redundant dual pump design minimizes downtime
- No debris or trash removal
- Extended life expectancy
- Optional patented DipCut® impeller



OverWatch®
Direct In-Line Pump System

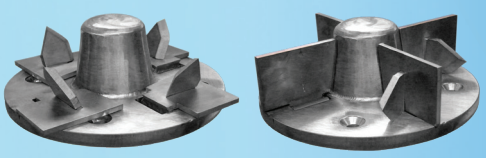
Traditional Wet Well



Stainless Steel Impeller Options

DIPCut®

- Pumping & Shredding
- Consume less energy
- Does not effect hydraulic efficiency



Shredding ← Pumping →

Vortex

High Efficiency

www.flowsolutions.com

453 W. 700 S.
Pleasant Grove, UT 84062

Phone (801) 321-8242

sales@rhinopumps.com

RHINOPUMPS

Quote

Customer ID	Quote Date	Quote Number
0711	7/12/2022	SRQ1019
Attn	cc	Job Number
		SR1021

Customer Information

Highland City
5400 Civic Center Dr.
Highland, UT 84003

Ship To Information

Highland City
5400 Civic Center Dr.
Highland, UT 84003

Quote By:	Wes Fadely
PO #:	
RFQ #:	
Salesperson:	Rhino Pumps
Phone:	
Fax:	

Quote Information

Labor

Field Labor:
- Move Shed from off of the Lift Station
- Removal of existing Pumping Equipment
- Removal and Disposal of Concrete for New Access Lid
- Install Fabricated Grate Platform
- Install of New Access Lid
- Install Overwatch System

Fabricate Custom Grate Platfor for Overwatch System

Option: Custom Fabricated Lid

Total for Labor : **25,518.00**

Material

Overwatch System:
- Duplex Pump system
- Control Panel
- Flange Connections
- Isolation Valve
- Swing Check Valve

Platform Materials

Option: Material for Custom Fabricated Lid

Disposal Fee:
- Removal of Concrete and other debri to Dump

MIscellaneous Hardware for installation

Concrete Cutting

Total for Material : **71,482.00**

SIGNATURE: _____ DATE: _____

PO# (IF NOT ALREADY ISSUED): **Ship Via:**

Our Tax ID: 46-3826223 Your Tax ID:

Taxable Material Taxable Labor Sales Tax Code 1: Sales Tax

453 W. 700 S.
Pleasant Grove, UT 84062

Phone (801) 321-8242

sales@rhinopumps.com

RHINOPUMPS

Quote

Customer ID	Quote Date	Quote Number
0711	7/12/2022	SRQ1019
Attn	**cc**	**Job Number**
		SR1021

Customer Information

Highland City
5400 Civic Center Dr.
Highland, UT 84003

Ship To Information

Highland City
5400 Civic Center Dr.
Highland, UT 84003

Quote By:	Wes Fadely
PO #:	
RFQ #:	
Salesperson:	Rhino Pumps
Phone:	
Fax:	

Lead Time

TBD

Subtotal :	**97,000.00**
Tax :	**0.00**
Total for Quote SRQ1019 :	**97,000.00**

Quotes Do Not Include Sales Tax or Freight, Unless Otherwise Noted.
We Are not Responsible For Items Left Over 60 Days.
Quote is valid for 30 days.

SIGNATURE: _____ DATE: _____

PO# (IF NOT ALREADY ISSUED): **Ship Via:**

Our Tax ID: 46-3826223 Your Tax ID:

Taxable Material Taxable Labor Sales Tax Code 1: Sales Tax

JOB WILL PROCEED ON RECEIPT OF YOUR PURCHASE ORDER

SIGNATURE: _____ DATE: _____

Highland Greens - Lift Station Power Usage

Gorman-Rupp (Current System)

Based on the lift station electrical meter the current system cost is $2,422/year.

OverWatch

To handle average flow, we estimate the pump will run at an average of 2.5HP, this equates to 1.85 kWh.

1.85 kWh * 24hrs = 44 kWh/day

44 kWh * 365 days = 16,060 kWh/year

16,060 kWh * $0.11 = $1,766/year

RHINOPUMPS

INDUSTRIAL FLOW SOLUTIONS
104 John W. Murphy Drive
New Haven, CT 06513
www.flowsolutions.com

OverWatch® Direct Inline Pumping System & References
North American Installation List - (73)

Location	City	ST	Model	Date
Merck Pharmaceutical (wash-down transfer)	North Wales	NJ	OW11/4VVIX	4/14/2015
SEPTA Lansdown (lift station #1)	Lansdowne	PA	DOMODIP10/4VV	8/20/2015
SEPTA Lansdown (lift station #2)	Lansdowne	PA	DOMODIP10/4VV	8/20/2015
Convention Center Garage	Aston	PA	DOMODIP10/4VV	11/20/2015
Norton Correctional Facility (Prison)	Norton	KS	OW101/6VV	12/1/2015
Annapolis Junction Condominiums (Lift Station)	Annapolis	MD	OW101C/6VV	4/26/2016
SEPTA (lift station)-	Jenkintown	PA	OW21/4VVV	5/18/2016
Abramson Jewish Center (nursing home)	North Wales	NJ	OW31/4VV	9/23/2016
Gespro Packaging (Industrial Waste)	Montreal	CN	OW101CPY/4VV	9/28/2016
Oak Hill, MD (pneumatic ejector replacement)	Oak Hill	MD	OW61R/4VV	9/29/2016
SEPTA	Aston	PA	OW21/2VV	3/24/2017
Bourse Bldg (lift station)	Philadelphia	PA	OW11H/2VV	5/17/2017
Bourse Bldg (above grade boiler blow down)	Philadelphia	PA	OW11P/4VV	5/17/2017
Rochelle, GA (Lift station)	Rochelle	GA	OW61/2VV	6/19/2017
SEPTA Suburban Station, PA (Lift station)	Philadelphia	PA	OW21LCVP/2VV	7/17/2017
Ritz Carlton (Lift station)	Baltimore	MD	OW21CP/4VV	9/21/2017
Mayville WWTP	Mayville	NY	OW101R/4VV	9/28/2017
Lehigh Valley Hospital	Hazelton	PA	OW31/6VV	12/11/2017
Village of Sherman WWTP (Lift station)	Sherman	NY	OW61	1/13/2018
Fairview Township WWTP	Fairview Township	PA	OW16CVP/4VV	3/5/2018
US Army- Aberdeen Proving Grounds (Lift Station)	Aberdeen	MD	OW101R/4VV	9/8/2017
Dulles Airport/ Smithsonian Air and Space Museum (DIP Booster Dewatering Station)	Dulles	VA	OW-Booster B 100	9/7/2018
SEPTA Loop	Philadelphia	PA	DOMODIP10/4VV	10/1/2018
Village of Sherman (residential)	Sherman	NY	DOMODIP10L/4VV	10/4/2018
Scott Township lift station PS5	Scott Township	PA	OW101HB/4VV	10/10/2018
Scott Township lift station PS8	Scott Township	PA	OW101H/4VV	10/10/2018
Six Flags (Lift Station)	Bowie	MD	OW21UC/4VV	1/31/2019

Braddock Gateway	Alexandria	VA	OW151/4VV	4/1/2019
Tru2 Home, Allentown, PA (Lift station)	Easton	PA	OW21LC/6VV	4/23/2019
Historical Tours of America (Lift station PS1)	Washington	DC	OW201UC/6VV	5/6/2019
Historical Tours of America (Lift station PS2)	Washington	DC	OW201UC/6VV	5/6/2019
Shady Grove Adventist, DC area. (lift station)	Shady Grove	MD	OW28UC/4VV	5/7/2019
World Bank (Lift station)	Washington	DC	OW101RCP/4VV	5/14/2019
US Army- Aberdeen Proving Grounds (II) (Lift station)	Aberdeen	MD	OW201UC/4VV	5/23/2019
Ronald McDonald Housed	Baltimore	MD	OW28UC/4VV	7/11/2019
Ritz Carlton (2nd Lift Station)	Baltimore	MD	OW28UCP/4VV	9/10/2019
DEA	Alexandria	VA	OW11/2VV	4/7/2020
PARSA	Dunellen	NJ	OW101HVC/4VV	4/15/2020
Empirical Foods	Dakota Dunes	SD	OW61R/2VV	8/20/2020
FDIC	Washington	DC	OW28UCP/4VV	8/21/2020
William McChesney Martin Building	Washington	DC	OW31/2VV	9/22/2020
Reston Gateway (lift Station)	Reston	VA	OW151/4VV	9/30/2020
Pacira Pharmaceuticals	La Jolla	CA	OWBooster X10/2VV	11/9/2020
Town of Wyckoff	Wyckoff	NY	OW28UC/4VV	11/13/2020
Watler Reed Army Medical Center (PS#1)	Bethesda	MD	OW31/4VV	12/3/2020
Watler Reed Army Medical Center (PS#1)	Bethesda	MD	OW31/4VV	12/3/2020
Ritz Carlton (3rd Lift Station)	Baltimore	MD	OW28UCP/4VV	12/15/2020
EPA/GSA PS#1	Washington	DC	OW31CP/4VV	1/11/2021
EPA/GSA PS#2	Washington	DC	OW31CP/4VV	1/11/2021
EPA/GSA PS#3	Washington	DC	OW31CP/4VV	1/11/2021
EPA/GSA PS#4	Washington	DC	OW31CP/4VV	1/11/2021
EPA/GSA PS#5	Washington	DC	OW31CP/4VV	1/11/2021
EPA/GSA PS#6	Washington	DC	OW31CP/4VV	1/11/2021
EPA/GSA PS#7	Washington	DC	OW31CP/4VV	1/11/2021
EPA/GSA PS#8	Washington	DC	OW31CP/4VV	1/11/2021
EPA/GSA PS#9	Washington	DC	OW31CP/4VV	1/11/2021
EPA/GSA PS#10	Washington	DC	OW31CP/4VV	1/11/2021
Civcia Rx	Petersburg	VA	OW21/4VV 3kW	3/24/2021
Federal Bureau of Prisons	Washington	DC	OW28/4VV-2.2kW	4/5/2021
Royal Canin	Lebanon	TN	OW11/2VV 1.5kW	3/23/2021
Bristol Myer Squibb	Lawrenceville	NJ	OWSPPLS 2VV 1.5kW	2/9/2021
Mane USA	Wayne	NJ	OW11/4VV 1.5kW	4/6/2021

Skyhouse- Rainey	Austin	TX	OW31/4VV 4kW	6/23/21
NIST	Washington	DC	OW31/4kW 7.5kW	7/8/21
Lake Shore Soccer	Stevensville	MI	OWSP 1.5kW	9/3/21
747 Church St	Chicago	IL	OWSP 1.5kW	9/13/21
9th Avenue Foods	Columbus	IN	OW61/4VV 7.5kW	9/21/21
Pacira Pharmaceuticals (#2)	La Jolla	CA	OWBooster X10/2VV	9/21/21
Worman's Mill- Storm Water	Frederick	MD	TriOW101RCY/4VV 11kW	10/20/21
Worman's Mill- Sewage Ejector	Frederick	MD	OW31/4VV 4kW	10/20/21
Georgetown University Hospital	Washington	DC	OW61/4VV 7.5kW	10/21/21
Sunopta	Allentown	PA	OW151/4VV 15kW	10/27/21
Wilmer Hale	Washington	DC	OW21/4VV 3kW	11/1/2021

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Jay Irwin — Chief Operating Officer
Phone: (716) 581-3397
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Horsham Center (formerly Abramson Center) — **North Whales, PA**
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Web Feature: https://www.youtube.com/watch?v=VF12zssrPWk

Ritz Carlton Residences — **Baltimore, MD**
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Web Feature: https://flowsolutions.com/app/uploads/2021/07/IFS-OverWatch-Commercial-Building-Sewage-Ejactor-Baltimore-Cost-Savings.pdf

Norton Correction Facility — **Norton, KS**
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Web Feature: https://www.youtube.com/watch?v=5rHNo4_RL8s

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Web Feature: https://flowsolutions.com/app/uploads/2021/05/IFS-OverWatch-Direct-Replacement-pneumatic-ejector-New-Jersey-casestudy.pdf

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Town Engineer