



Jim Miller, *Mayor*  
Stephen Willden, *Mayor Pro Tem*  
Shellie Baertsch, *Council Member*  
Michael McOmber, *Council Member*  
Bud Poduska, *Council Member*  
Chris Porter, *Council Member*

## CITY COUNCIL MEETING

**Tuesday, July 5, 2016**

**7:00 P.M.**

City of Saratoga Springs Council Chambers  
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

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1. Call to Order.
2. Roll Call.
3. Invocation / Reverence.
4. Pledge of Allegiance.
5. Public Input – This time has been set aside for the public to express ideas, concerns, and comments.
6. Presentation: Introduction of Police Officer.

### **POLICY ITEMS:**

#### **REPORTS:**

1. Mayor.
2. City Council.
3. Administration Communication with Council.
4. Staff Updates: Inquiries, Applications, and Approvals.

#### **ACTION ITEMS:**

1. Award of Bid – 2016 Asphalt Preservation Project; Resolution R16-42 (7-5-16).
2. Library Board Member Appointments, Resolution R16-43 (7-5-16).
3. General Plan Consulting Agreement, Resolution R16-44 (7-5-16).
4. Amendment to City Code Chapter 18.01 With Respect to Adoption of Construction and Fire Codes, Ordinance 16-13 (7-5-16)

#### **APPROVAL OF MINUTES:**

1. June 21, 2016.

### **CLOSED SESSION:**

1. Motion to enter into closed session for any of the following: purchase, exchange, or lease of real property; pending or reasonably imminent litigation; the character, professional competence, or the physical or mental health of an individual.

### **ADJOURNMENT**

[Councilmembers may participate in this meeting electronically via video or telephonic conferencing.](#)  
[The order of the agenda items is subject to change by order of the Mayor.](#)

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City Recorder at 766-9793 at least one day prior to the meeting.

1. Motion to enter into closed session for any of the following: purchase, exchange, or lease of real property; pending or reasonably imminent litigation; the character, professional competence, or the physical or mental health of an individual.

## **ADJOURNMENT**

# City Council Staff Report

**Author:** Mark T. Edwards, Capital Facilities Manager  
**Subject:** 2016 Asphalt Preservation Project  
**Date:** July 5, 2016  
**Type of Item:** Award of Contract



## Description:

### A. Topic:

This item is for the award of bids for the 2016 Asphalt Preservation Project.

### B. Background:

In 2015 Staff commissioned two City wide road evaluations. The first was done by Utah Local Technical Assistance Program (LTAP) Staff using Transportation Asset Management Software (TAMS) the other was a visual survey conducted by Gerhart Cole Geotechnical Engineers. Gerhart Cole was asked to provide a more detailed review of the road conditions which in most cases validated the TAMS report.

This project's goal is to extend the asphalt lifespan of our roads by sealing cracks and slowing asphalt oxidation which is done by applying sealants over the asphalt. If applied intermittently, these treatments will maintain acceptable level of service.

Treatment criteria for asphalt varies depending on the age of the asphalt, time of last treatment, traffic speeds, traffic counts, urban or rural roadways and existing asphalt condition. Asphalt surface sealants in the City to date have mostly consisted of a Type 2 slurry seal and Chip and Seal which are very fine sealers. These sealants are industry standard products but Staff has been following other APWA Specified products that we've allowed developers to use in the past in our City and being used by many other municipalities throughout the Wasatch Front. High Density Mineral Bond and Mastic Seal are products that meet our goals but unlike slurry seal leave a very clean finish without loose aggregate or residue that dries within a few hours, is slow to degrade and competitively priced

6 Bid Schedules were included in the Bid Document. The attached maps identify the roads that are to receive each type of treatment. The treatments targeted for use are High Density Mineral Bond, Mastic Seal, Type 2 Slurry Seal, Chip and Seal and Crack Seal. Each road to be treated with sealants had to be crack sealed beforehand so In an effort to keep everyone on schedule, contractors were directed to bid on and apply their own crack seal. There were no bids received on the City wide striping Bid Schedule so that contract will have to be bid again.

This project will be funded with B and C Road funds which are the City's share of the State Gas Tax.

**C. Analysis:**

The following are the lowest qualified bids for each treatment that was received from contractors:

Schedule A Slurry Seal	Morgan Pavement	\$98,724.45
Schedule B High Density Mineral Bond	Holbrook Asphalt	\$436,305.50
Schedule C Mastic Seal	Precision Asphalt	\$257,805.54
Schedule D Chip Seal	Consolidated Concrete and Paving	\$66,189.60
Schedule E Crack Seal	Top Job	\$119,416.28

**Funding Source:**

Fund 35-4000-744 has a FY 2016 remaining balance of \$905,191.02 that will roll forward and be added to the budget for FY 2017 \$665,940 for a total of \$1,571,131.02 available for projects.

Total Bid Cost: \$978,442.

**Recommendation:**

Staff recommends the City Council award the bids to the lowest qualified bidders for their respective Schedules named below;

Morgan Pavement – Schedule A. - \$98,724.45

Holbrook Asphalt – Schedule B.- \$436,305.50

Precision Asphalt – Schedule C. - \$257,805.54

Consolidated Concrete and Paving – Schedule D. - \$66,189.60

Top Job – Schedule E. - \$119,416.28

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Tel: 801.763.5100  
Salt Lake line: 801.532.1545  
Fax: 801.763.5101  
In state toll free: 800.662.1644

Mark Edwards  
1307 North Commerce Dr. Ste. 200  
Saratoga Springs, Utah 84045

June 26, 2016

**Subject: Asphalt Preservation 2016 Project Award Recommendation**

Dear Mark:

We have received the bids for the Asphalt Preservation 2016 Project. Upon review of the bids submitted by six contractors the list below shows our recommendations for the contract award.

Slurry Seal awarded to Morgan Pavement with a bid of \$98,724.45  
High Density Mineral Bond awarded to Holbrook Asphalt with a bid of \$436,305.50  
Mastic Seal awarded to Precision Asphalt with a bid of \$257,805.54  
Chip Seal awarded to Consolidated Concrete and Paving with a bid of \$66,189.60  
Crack Seal awarded to Top Job LLC with a bid of \$119,416.28

The striping project did not receive a bid.

The bid amounts shown above include: the cost to clean and crack seal the road prior to product application, to provide and install the product, and replace any striping which was covered by the product.

We have prepared and attached an official bid tabulation. Please let me know if you need any additional information. I can be reached at (801) 763-5177 or at [jasonj@horrocks.com](mailto:jasonj@horrocks.com)

Sincerely,  
HORROCKS ENGINEERS

A handwritten signature in blue ink that reads "Jason Judd".

Jason Judd, P.E.

Attachments: 1

cc: Steven Lord

**Bid Tabulation  
Saratoga Springs City Asphalt Preservation 2016**

Place: Saratoga Springs City Office  
Date: June 22, 2016  
Time: 2:00:00 PM

PM: Steven Lord  
PE: Jason Judd

**Bid Items**

		Schedule A Slurry Seal		Schedule B High Density Mineral Bond		Schedule C Mastic Seal		Schedule D Chip Seal		Schedule E Crack Seal		Schedule F Striping	
		Quantity (SF)	659,220	Quantity (SF)	2,079,560	Quantity (SF)	1,564,747	Quantity (SF)	228,240	Quantity (LF)	90,888	Quantity (LF)	33,307
		Approx. Unit Price	Total Amount	Approx. Unit Price	Total Amount	Approx. Unit Price	Total Amount	Approx. Unit Price	Total Amount	Approx. Unit Price	Total Amount	Approx. Unit Price	Total Amount
	<b>Engineers Estimate</b>	\$0.290	\$191,173.80	\$0.165	\$343,127.40	\$0.160	\$250,359.52	\$0.260	\$59,342.40	\$0.950	\$86,343.60		\$4,000.00
<b>Bidder 1</b>	<b>Morgan Pavement</b>	\$0.150	<b>\$98,724.45</b>			\$0.165	\$258,137.90						
<b>Bidder 2</b>	<b>Consolidated Concrete and Paving</b>							\$0.290	<b>\$66,189.60</b>				
<b>Bidder 3</b>	<b>Intermountain Slurry Seal</b>	\$0.152	\$100,201.45					\$0.331	\$75,547.45				
<b>Bidder 4</b>	<b>Holbrook Asphalt</b>			\$0.210	<b>\$436,305.50</b>					\$1.600	\$145,424.00		
<b>Bidder 5</b>	<b>Top Job</b>									\$1.314	<b>\$119,416.28</b>		
<b>Bidder 6</b>	<b>Precision Asphalt</b>					\$0.165	<b>\$257,805.54</b>						
	<b>Average Bid</b>	\$0.151	\$99,462.95	\$0.210	\$436,305.50	\$0.165	\$257,971.72	\$0.311	\$70,868.53	\$1.457	\$132,420.14		
<b>Lowest Qualified Bid</b>			<b>\$98,724.45</b>		<b>\$436,305.50</b>		<b>\$257,805.54</b>		<b>\$66,189.60</b>		<b>\$119,416.28</b>		<b>\$0.00</b>

I hereby certify that this is a true and correct Bid Tabulation for the Saratoga Springs City Asphalt Preservation 2016



Jason E. Judd, P.E.

**RESOLUTION NO. R16-42 (7-5-16)**

**A RESOLUTION AWARDING A BID TO THE  
LOWEST QUALIFIED BIDDERS FOR BID  
SCHEDULES A THRU E OF THE 2016 ASPHALT  
PRESERVATION PROJECT**

**WHEREAS**, the City Council of the City of Saratoga Springs has found it in the public's interest to obtain services from qualified contractors to provide services in accordance to Schedules A,B,C,D and E the Bid Documents Titled 2016 Asphalt Preservation Project.

**WHEREAS**, the City advertised a Bid Document on BIDSYNC and in a public newspaper for the 2016 Asphalt Preservation Project dated June 1, 2016 in order to acquire services from qualified contractors; and

**WHEREAS**, the City's Engineering Consultant, Horrocks Engineering provided an analysis of all bids to determine the lowest qualified bidders; and

**WHEREAS**, the City Council has determined that awarding the following Bid Schedules A thru E to the lowest qualified bidders is in the best interest of the public, will further the public health, safety, and welfare, and will assist in the efficient administration of City government and public services.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SARATOGA SPRINGS, UTAH, THAT:**

The City of Saratoga Springs does hereby award the following Schedules of the 2016 Asphalt Preservation Project to;

- Morgan Pavement – Schedule A. - \$98,724.45
- Holbrook Asphalt – Schedule B.- \$436,305.50
- Precision Asphalt – Schedule C. - \$257,805.54
- Consolidated Concrete and Paving – Schedule D. - \$66,189.60
- Top Job – Schedule E. - \$119,416.28

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately upon passage.

Passed on the 5<sup>th</sup> day of July, 2016.

**CITY OF SARATOGA SPRINGS  
A UTAH MUNICIPAL CORPORATION**

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Jim Miller, Mayor

Attest: \_\_\_\_\_  
Cindy LoPiccolo, City Recorder

# City Council Staff Report

**Author:** Melissa Grygla, Library Director  
**Subject:** Library Board Member  
**Date:** June 21, 2016  
**Type of Item:** Resolution



Summary Recommendations: The City Council should appoint Brock Jackson and Brandi Meiners positions on the Library Board which will become vacant on July 1, 2016.

## **Description:**

**A. Topic:** Library Board Member Appointment

**B. Background:** Jeff Grove and Kevin Sater have served three year terms on the Library Board. The board began recruiting for new members in April of 2016 to fill their positions which will become vacant on July 1, 2016. Brock Jackson and Brandi Meiner have been nominated by the library board to fill the empty seats. Their terms would be scheduled to expire on June 30, 2019.

**C. Funding Source:** There are no anticipated funding impacts of appointing a new Library Board member.

**D. Analysis:** Brock Jackson is a resident of Saratoga Springs who expressed an interest in joining the Library Board. He currently works in Finance in the private sector and is enrolled in his third semester of courses at Southern Utah University as he peruses a Master's in Public Administration. Brandi Meiners is a registered nurse who has lived in the City since 2008. Her interested include helping plan events and activities which will be a great asset to the Library Board as they plan their science nights. I believe that to help the Library Board maintain the quorum necessary to hold meetings and vote, it would be prudent to appoint the specified individuals to the Library Board.

**E. Department Review:** City Manager, Library

## **Alternatives:**

**A. Approve the Request:** Staff recommends that the City Council approve the appointment of Brock Jackson and Brandi Meiners to fill the terms ending June 30, 2019.

**B. Deny the Request:** The City Council could deny the request and not approve the appointment of these board members. The existing library board members would then have to locate, recommend, and evaluate other possible candidates who would like to fill the positions.

**C. Continue the Item:** The City Council could continue the request until a later date and time. The result being that the Library Board would not always have a sufficient number of members present to complete the necessary quorum.

**Recommendation:** Staff recommends the approval of the attached Resolution.

**RESOLUTION NO. R16-43 (7-5-16)**

**A RESOLUTION APPOINTING A MEMBER TO  
THE LIBRARY ADVISORY BOARD AND  
ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the Governing Body of the City of Saratoga Springs has established a Library Advisory Board;

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the City of Saratoga Springs that the following person is hereby appointed to the library board committee as outlined herein:

<u>Board Member</u>	<u>Term</u>
Brock Jackson	June 30, 2019
Brandi Meiners	June 30, 2019

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately upon passage.

Passed on the 5<sup>th</sup> day of July, 2016.

**CITY OF SARATOGA SPRINGS  
A UTAH MUNICIPAL CORPORATION**

\_\_\_\_\_  
Jim Miller, Mayor

Attest: \_\_\_\_\_  
Cindy LoPiccolo, City Recorder

## City Council Memorandum

**Author:** Kimber Gabryszak, AICP  
**Memo Date:** Tuesday, June 28, 2016  
**Meeting Date:** Tuesday, July 5, 2016  
**Re:** General Plan Update – Consultant Contract

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### Request and Background

The current Saratoga Springs General Plan was written in 2005, and while the map has been amended several times in the intervening decade, the substance and text have not. As a result, it is time to update / replace the General Plan to reflect the current economic environment, to address the growth that has occurred and better plan for future growth, to ensure it is consistent with the desires of residents, and to speak to the many other changes that have occurred.

To ensure a high quality and effective General Plan, with an inclusive public process and thorough research on best practices and development trends in the area, the City Council allocated funds in the FY2016 and FY2017 budget to hire a consultant for this update.

In late May the City issued a Request for Proposals (RFP) to identify a consultant team to conduct public outreach, draft an updated General Plan, provide recommendations and research on appropriate goals and policies, and otherwise manage the update process.

After reviewing the submitted proposals and conducting interviews with the finalists, the selection committee has recommended Logan Simpson as the consultant team for this process.

### Funding Source

The consultant team has proposed a budget of \$89,852 for the entire project. Fund 10-4180-314 was allocated a balance of \$25,000 for FY2016 and \$75,000 for FY2017.

As the project will now begin in FY2017, an upcoming budget amendment will roll the \$25,000 from FY2016 into FY2017, for a total fund balance of \$100,000. The project cost of \$89,852 is within this allocated budget. If necessary, the remaining balance of \$10,148 will be available for any changes to the scope which may increase the budget, or for any additional consulting services from other providers.

### Recommendation

Staff recommends that the City Council review the attached resolution and contract, and vote to approve the contract with Logan Simpson.

### Attachment:

Resolution and Contract

**RESOLUTION NO. R16-44 (7-5-16)**

**A RESOLUTION OF THE CITY OF SARATOGA  
SPRINGS, UT, AWARDING A GENERAL PLAN UPDATE  
CONSULTING AGREEMENT TO LOGAN SIMPSON**

WHEREAS, the City of Saratoga Springs General Plan was adopted in 2005 and has not been thoroughly updated since that time; and

WHEREAS, the City Council of the City of Saratoga Springs has found it necessary to update or replace the General Plan to reflect changes in development pressures and the economic climate, to incorporate best practices, to ensure public interests are addressed, to better plan for future growth, and to incorporate other changes as appropriate; and

WHEREAS, the City received cost-proposals from six firms; and

WHEREAS, a selection committee reviewed the proposals for qualifications, approach to the work, public outreach plans, and level of effort, and conducted interviews with three finalist firms; and

WHEREAS, Staff and the selection committee recommend that the City Council award the General Plan Update contract to Logan Simpson for the amount of \$89,852 (Attachment 1); and

WHEREAS, the City Council has determined that the proposed project is in the best interest of the public, will further the public health, safety, and welfare, and will assist in the efficient administration of City government and public services.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SARATOGA SPRINGS, UTAH, THAT:

1. The City of Saratoga Springs does hereby award a Contract for the General Plan Update to Logan Simpson in the amount of \$89,852.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage.

Passed on the 5<sup>th</sup> day of July, 2016.

City of Saratoga Springs

\_\_\_\_\_  
Jim Miller, Mayor

Attest:

\_\_\_\_\_  
Cindy LoPiccolo, City Recorder

Attachment 1: Logan Simpson General Plan Update – Contract for Services

**CONTRACT FOR SERVICES  
(FOR INDEPENDENT CONTRACTORS)**

1. GENERAL. The City of Saratoga Springs ("City"), a duly organized and existing political subdivision under the laws of the State of Utah, with its primary place of business located at 1307 N Commerce Dr, Ste 200, Saratoga Springs, Utah 84045 and Logan Simpson ("Contractor") with its primary place of business and mailing address at 8 E. Broadway, Suite 300, SLC UT 84111 hereby enter into this contract for services, effective as of this 5th day of July, 2016.
2. RECITALS. The parties recite and declare:
  - A. Contractor is a duly licensed contractor under the laws of the State of Utah and is willing and able to provide the services set out in this Agreement for City, and City desires to employ Contractor to provide the services set out in this Agreement upon the terms and conditions set forth in this Agreement.
  - B. For and in consideration of the promises and agreements set forth in this Agreement, City and Contractor agree as follows:
3. SCOPE OF SERVICES.
  - A. Contractor herewith agrees to perform the following services: General Plan Update as outlined in Exhibits A and B.
  - B. Contractor shall be responsible to ensure that the services set forth above are performed in a timely and workmanlike manner in accordance with City standards as established by the City.
  - C. Contractor shall perform such duties as specified by this Agreement and as are customarily performed during the course of performing the above noted services.
4. COMPENSATION OF CONTRACTOR. Compensation shall be given as per attached contractor's not-to-exceed quote, as identified in Exhibit B. Contractor shall submit a progress report, if requested, and may submit a monthly invoice for all work completed each month, in the form required by City, if any. City shall pay Contractor within 30 days of the invoice date.
5. LIEN WIAVERS OR BONDING. In the event Contractor shall use subcontractors to help provide the services set forth herein or Contractor purchases materials that will be installed or incorporated into improvements included in the services to be provided hereunder, City may require Contractor to provide lien waivers from subcontractors and material suppliers as a condition to making any payment under this Agreement to protect City from claims or liens by such subcontractors or material suppliers.
6. REPRESENTATIONS OF CONTRACTOR. Contractor represents and warrants to City that the Contractor has the experience, employees, and equipment necessary to provide the services set out in this Agreement in a timely, professional, and workman like manner in accordance the terms of this Agreement. Contractor agrees that he will at all times faithfully, industriously, and to the best of his ability, experience, and talents, perform all of the duties that may be associated with the services set forth above and shall perform said services to the reasonable satisfaction of City.
7. CITY LAWS. All work completed by contractor shall conform to all City laws and in accordance with the terms and specifications herein and attached hereto.
8. CONFIDENTIALITY:
  - A. In the performance of the Services, Contractor may acquire confidential information from City. Contractor shall not disclose to anyone not employed by City, nor use except on behalf of City, any such confidential information acquired in the performance of the Services except as authorized by City in writing and, regardless of the term of this Agreement, Contractor shall be

bound by this obligation until such time as said confidential information shall lawfully become part of the public domain. Information regarding all aspects of City business and information concerning the Services (either directly or indirectly acquired by Contractor, its agents or employees or developed by Contractor, its agents or employees in the performance of the Services) shall be presumed to be confidential except to the extent that same shall have been published or otherwise made freely available to the general public by City without restriction. Notwithstanding the foregoing, Contractor may disclose confidential information if required by law or court order.

- B. Contractor agrees that all tangible, as well as intangible forms of City confidential and proprietary information which Contractor acquires pursuant to this Agreement shall be safeguarded with the same degree of control and care as a reasonably prudent and similarly situated Contractor would exercise with respect to his or her own similar property and shall be returned to City upon request.

9. DOCUMENTS.

- A. Contractor agrees that its work product produced in the performance of this Agreement shall remain the exclusive property of City, and that it will not sell, transfer, publish, disclose, or otherwise make the work product available to third parties without City's prior written consent. Any rights granted to Contractor under this Agreement shall not affect City's exclusive ownership of the work product.
- B. All reports, plans, maps, exhibits, communications, analyses, estimates, and miscellaneous items purported to contribute to the completeness of the services shall be delivered to and become the sole and exclusive property of the City.
- C. All such items which become the property of the City may at any time be used by the City for any purpose it desires. The City shall assume responsibility for any other use of this material.
- D. Documents: All draft and final reports, plans, maps, exhibits, communications, analysis, estimates, and other original documents prepared by the Contractor in the performance of the Contractor's services shall be the property of the City, and the Contractor shall, upon the request of the City, deliver such documents to the City. The Contractor may retain and use copies of the documents.
- E. Upon completion of a project and/or termination of the Agreement, Contractor shall deliver to the City, in an orderly and expedient manner and within a reasonable time, all records, drafts, documentation, and materials prepared for or belonging to the City. This includes all computer files in the format in which they were originally prepared, software models, maps, exhibits, public notices, etc.

10. TERM OF AGREEMENT. The work to be performed under this Agreement shall commence on or before the 6th day of July, 2016 and shall be completed on or before the 5th day of July, 2017.

11. TERMINATION OF AGREEMENT. This Agreement shall expire on the above completion date unless City shall agree in writing to an extension thereof. In addition, City shall have the right to terminate this Agreement with five (5) days written notice to Contractor. In the event City terminates this Agreement prior to the completion date set out above without good cause, City shall pay Contractor for all services provided prior to said termination and shall pay all set up and start up costs specifically provided for in this Agreement.

12. REVIEW AND INSPECTION: Representatives from the City are authorized to review and inspect Project activities and facilities during Contractor's normal business hours.

13. **BENEFITS.** Contractor shall have no right to, and shall not be provided with, any benefits other than the payment for services provided for in this Agreement.
14. **HOLD HARMLESS/INDEMNIFICATION.** Contractor herewith agrees to indemnify and hold City, its officers, agents, officials and employees, harmless from any action, causes of action, claims for relief, demands, damages, expenses, costs, fees, or compensation, whether or not said actions, causes of action, claims for relief, demands, damages, costs, fees, expenses and/or compensations are known or unknown, are in law or equity, and without limitation, all claims of relief which can be set forth through a complaint or otherwise that may arise out of the acts or omissions, negligent or otherwise of the contractor, City or their respective officers, officials, agents, or employees, or any person or persons.
15. **LIABILITY AND WORKERS COMPENSATION INSURANCE.** Contractor warrants that contractor has obtained and will maintain liability insurance sufficient to support contractor's hold-harmless indemnification promise and in any event in an amount of not less than \$1,000,000. Contractor further warrants that contractor has obtained and will maintain workers compensation insurance as may be required by State law.
16. **RECORDS RETENTION AND MAINTENANCE.** Contractor shall keep and maintain all books, papers, records, accounting records, files, accounts, expenditure records, reports, cost proposals with backup data and all other such materials related to the Agreement and other related project(s) for a period of five (5) years following the completion of the project.
17. **AGREEMENTS OUTSIDE OF CONTRACT.** This Agreement contains the complete agreement concerning the employment arrangement between the parties and shall, as of the effective date hereof, supersede all other agreements between the parties. The parties stipulate that neither of them has made any representations with respect to the subject matter of this Agreement or any representations including the execution and delivery of this Agreement except such representations as are specifically set forth in this Agreement and each of the parties acknowledges that he or it has relied on its own judgment in entering into this Agreement. The parties further acknowledge that any payments or representations that may have been made by either of them to the other prior to the date of executing this Agreement are of no effect and that neither of them has relied thereon in connection with his or its dealings with the other.
18. **MODIFICATION OF AGREEMENT.** Any modification of this Agreement or additional obligation assumed by either party in connection with this Agreement shall be binding only if evidenced by writing signed by each party or an authorized representative of each party.
19. **CHOICE OF LAW.** It is the intention of the parties to this Agreement that this Agreement and the performance under this agreement, and all suits and special proceedings under this Agreement, be construed in accordance with and under and pursuant to the laws of the State of Utah and that, in any action, administrative action, special proceeding or other proceeding that may be brought arising out of, in connection with, or by reason of this Agreement, the laws of the State of Utah shall be applicable and shall govern to the exclusion of the law of any other forum, without regard to the jurisdiction in which any action or special proceeding may be instituted, with the exception that any action arising out of federal law shall be construed in accordance with and under and pursuant to the federal laws at issue.
20. **NO WAIVER.** The failure of either party to this Agreement to insist upon the performance of any of the terms and conditions of this Agreement, or the waiver of any breach of any of the terms and conditions of this Agreement, shall not be construed as thereafter waiving any such terms and conditions, but the same shall continue and remain in full force and effect as if no such forbearance or waiver had occurred.
21. **EFFECT OF PARTIAL INVALIDITY.** The invalidity of any portion of this Agreement for any reason shall not be deemed to affect the validity of any other provision. In the event that any provision of this agreement is held to be invalid, the parties agree that the remaining provisions shall be deemed to be in full force and effect as if they had been executed by both parties subsequent to the expungement of the invalid provision.

22. UNDERSTANDING AND EFFECT OF AGREEMENT.

- A. Parties acknowledge that they have been advised to consult legal counsel and have had the opportunity to consult with legal counsel prior to entering into this Agreement.
- B. Parties warrant that they enter into this Agreement with full knowledge of the meaning and future effect of the promises, releases, and waivers contained herein.
- C. And, Parties warrant that they have entered into the releases and waivers contained in this Agreement voluntarily and that they make them without any duress or undue influence of any nature by any person.

23. PARAGRAPH HEADINGS. The titles to the paragraphs of this Agreement are solely for the convenience of the parties and shall not be used to explain, modify, simplify, or aid in the interpretation of the provisions of this Agreement.

24. EMPLOYMENT STATUS VERIFICATION

- A. Consultant/Contractor shall register and participate in the Status Verification System and comply with Utah Code Annotated Section 63G-11-103 of the Identity Documents and Verification Act. Contractor shall, by contract, require its contractors, subcontractors, contract employees, staffing agencies, or any contractors regardless of their tier to register and participate in the Status Verification System and comply with Utah Code Annotated Section 63G-11-103 of the Identity Documents and Verification Act.
- B. Contractor shall also agree to abide by the Federal and State regulations pertaining to Equal Opportunity Employment that requires project participants not to discriminate against any employee or applicant for employment because of race, color, religion, sex, age, disability, or national origin. The City will make every effort to ensure all bidders are treated fairly and equally throughout the entire advertisement, review, and selection process.

In witness whereof, each party to this Agreement has caused it to be executed on the date indicated below.

\_\_\_\_\_  
Contractor's Signature

\_\_\_\_\_  
Printed Name of Contractor

\_\_\_\_\_  
City Official's Signature

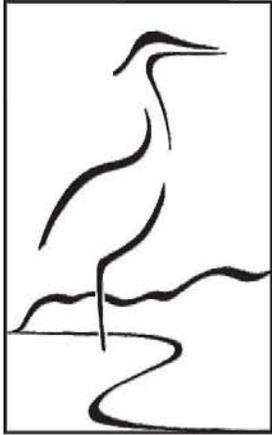
\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
City Recorder

Exhibit A: Saratoga Springs General Plan Update 2016 – RFP (pages 5-9)

Exhibit B: Saratoga Springs General Plan RFP 2016 – Logan Simpson Proposal (pages 10-21)



CITY OF  
**SARATOGA SPRINGS**

## **GENERAL PLAN**

### **REQUEST FOR QUALIFICATIONS / PROPOSALS RFP / RFQ**

Saratoga Springs City is soliciting the services of qualified teams/individuals (“Team”) to perform consulting services for an updated general plan. Specific requirements and components are outlined in this RFP.

### **Responses Due June 9th, 2016**

#### **Contact Information**

The primary contact for questions regarding this RFP is the Saratoga Springs City Planning Director:

Saratoga Springs City Planning Department  
Attn: Kimber Gabryszak  
1307 N. Commerce Drive. Suite 200  
Saratoga Springs, UT 84047

(801)766-9793 x107

[kgabryszak@SaratogaSpringsCity.com](mailto:kgabryszak@SaratogaSpringsCity.com)

**Any communication regarding this RFP to any elected or appointed official of the City or any other City staff, unless said communication is required by the primary contact, shall result in the disqualification of the proposal.**

## **Background and Introduction**

Saratoga Springs City was incorporated in 1997 with an initial population of 250 people. It has since grown to a population of more than 27,000 and has been one of the fastest growing cities in Utah and the United States. The City is projected to grow to a population of more than 79,000 by 2040 and more than 140,000 by 2060.

The current General Plan was written in 2005, when the City's population was less than 1/3 of what it is today. The growth anticipated in the 2005 document has been vastly exceeded, causing great changes to the City's vision and goals related to land use, transportation, parks, bicycle and pedestrian facilities, open space, and more. Interim efforts have been made to address these changes, including a Bicycle and Pedestrian Master Plan and multiple updated Transportation Master Plan studies. In addition to these interim efforts the City needs a current and proactive comprehensive plan that will guide development in accordance with an updated City vision, rather than reactively allowing development itself to guide the future of the city.

### **Project Description / Scope of Work**

The General Plan is a visionary document that creates the framework for land development codes and development standards, and that guides and informs decision making throughout the organization. As such, the final product must be:

- Easy and intuitive for the public to access, understand, and use. (Avoidance of planning jargon is key.)
- Concise, illustrative, consistent with itself, and strategy-based.
- Designed to be integrated with the City's website and GIS mapping programs.
- In compliance with LUDMA.

The General Plan must contain:

- A community vision statement which adequately and accurately captures the desired future of the City.
- A historic summary and current demographic snapshot of the community.
- An executive summary.
- A cutting edge land use section capable of guiding Saratoga Springs's growth in a financially sustainable, pedestrian and bicycle-friendly, place-making, traffic congestion minimizing way, including:
  - An updated Future Land Use Map that includes and respects transportation corridors from the City's Transportation Master Plan, Bicycle and Pedestrian Master Plan, Parks and Trails Master Plan, Transit corridors from the North Utah County Transit Study, MAG 2040 Plan, and other long-range planning tools as appropriate.
  - Land Use Goals and Strategies.
  - Community Design strategies for residential, commercial, business park, mixed-use, mixed waterfront, and industrial development.

- Housing strategies that will lead to a healthy mix of housing types and sizes.
  - Affordable housing plan & strategies.
  - Walkability strategies.
  - New and/or revised land use categories.
  - A focus on gathering places and/or activity centers.
  - Analysis, maps, goals, and strategies to address the connection of Land Use with Transportation, Economic Development, Parks and Recreation, Open Space, Health, Water Sustainability, Funding & Financing Methods, and Public Services and Facilities.
- Future growth illustrations/renderings.
  - Clear implementation strategies with specific recommended actions or next steps.
  - Fiscal Analysis of the Land Use Plan.
  - A citizen’s guide to the plan.
  - A developer’s guide to the plan.
  - Incorporation of relevant existing master plans.
  - Other components as proposed by Teams or deemed critical by the City during the review process.
  - Identification of and recommendations for potential Land Development Code amendments to increase effectiveness and consistency with the updated General Plan and City goals.

*Existing documents that can be linked to, referenced in, or used to assist in preparation of the General Plan include: Parks & Trails Master Plan (2009), Community Strategic Plan (2015), Bicycle & Pedestrian Master Plan (2016, pending), Transportation Master Plan (2012 & updated in 2016, pending). These documents may be obtained from [www.SaratogaSpringsCity.com](http://www.SaratogaSpringsCity.com) or through the primary contact.*

### **Submittal Format / Proposal Requirements**

The RFQ/RFP proposal shall be limited to no more than 10 pages, excluding examples of prior work, and shall include the following information:

- Cover letter that succinctly summarizes the RFP including the Team’s qualifications and interest, approach, deliverables, and contact information for the principal contact person.
- Name, title, and responsibility of each individual or Team member working on the project, along with a statement of their availability and level of responsibility for the project.
- Experience and expertise of Team members, including the use of outside consultants. Describe the talents the Team brings to the project, how their knowledge of the subject will provide benefit to the process, how

the Team has been successful in the past (previously completed projects), and how that relates to this project. Include contact information for at least three previous clients for whom project Team members have completed similar projects.

- Strategy and implementation, including:
  - a public outreach plan to generate input and buy-in from the public, along with meetings with city staff, stakeholders, and the Planning Commission and City Council.
  - Specific methodology, tools, theories, and resources that will be applied to the project.
  - The proposed project process, project management plan, schedule (including critical dates, planned meetings, etc.), mitigation of risks, and proposed costs.
  - Proposed format, content, and deliverables for the final product.
  - Identification of and proposed coordination with adjacent jurisdictions, State and federal departments as appropriate, and affected entities.
- Examples of prior work (this is the only item that may be in excess of the 10-page limit)

### **Project Budget**

The project is anticipated to cost between \$80,000 and \$120,000. The Team must submit a fee proposal for the project, including:

- An estimate of time to be spent by respective positions for each phase of the work.
- The hourly billing rate for each position.
- A cost breakdown for each phase and for each deliverable.
- An estimate of reimbursable expenses to be included in the project.

**The proposed fee will serve as a not-to-exceed amount.**

Upon execution of the agreement by both parties, the Team will receive authorization to proceed with only those services identified in the agreement. The Team must receive prior written authorization before performing any services outside the scope and fee amount identified in the agreement, or the additional services will not be reimbursable by the City.

### **Evaluation & Selection Criteria**

All proposals received shall be evaluated by a City selection committee. Teams may be contacted for interviews, if determined necessary by the selection committee. The purpose of any interview is to allow the Team to present its understanding of the project, qualifications, expertise, past performance, management plan, schedule, and plan for accomplishing the project. It will also provide an opportunity for the selection committee to seek clarifications from the Team.

The Team will be selected based upon the following:

**Strength and Experience of Team**

Based on the RFQ/RFP and any interviews, the selection team shall evaluate the expertise and experience of the Team and the project manager as it relates to this project in size, complexity, quality, duration, etc. Consideration will also be given to the success the Team has had in the past with similar projects.

**Project Management Approach**

Based on the information provided in the RFQ / RFP and information presented in the interview, each Team will be evaluated as to their plan to manage the project. The selection Team will also evaluate the degree to which risks to the success of the project have been identified and a reasonable solution has been presented.

**Schedule**

The Team’s schedule will be evaluated as to how well it meets the objectives of the project. The Team shall identify in the RFQ / RFP the project schedule identifying major work items with start and stop dates that are realistic and critical for the success of the project. The City desires a completed project by the end of 2016, but does not want to sacrifice overall quality.

**Total Budget**

While total cost will be a consideration in the decision, a Team will be chosen mainly based upon the strength and experience of the Team, past project examples, and the planned approach to meeting the project objectives. City will procure a Team to achieve the best project possible within the available budget.

**Past Performance / Project References**

Past involvement with rapidly growing jurisdictions and experience preparing general plans that are concise, illustrative, and action-oriented.

**Question and Answer Period**

Questions can be asked via telephone or email of the primary contact until 5 PM on Tuesday, June 7, 2016.

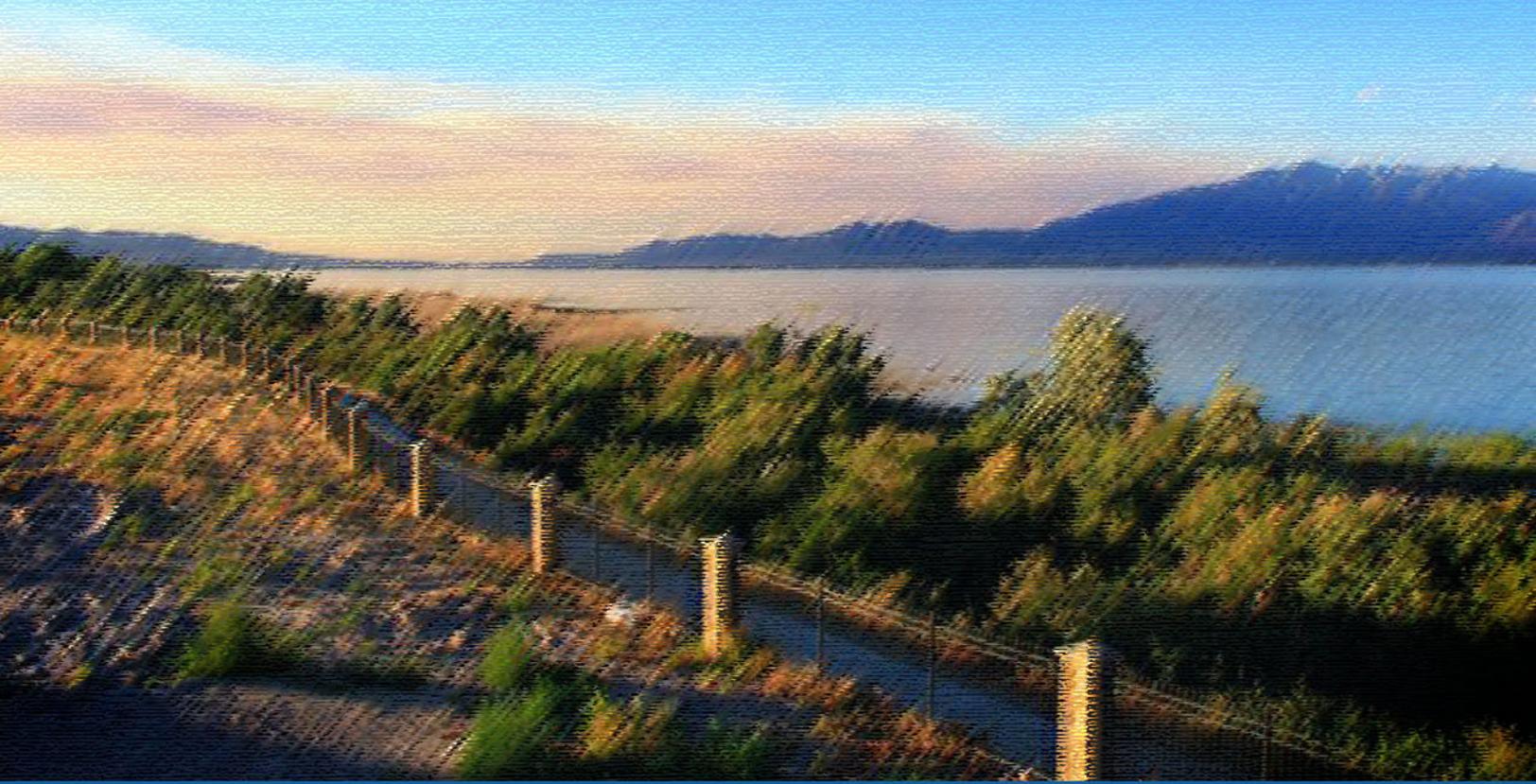
**Submittal Deadline**

One digital copy and five hard copies of the proposal are due no later than 5:00pm on Thursday, June 9, 2016 at the the address provided on the cover page to this RFP. The digital copy shall include all pages of the RFP and supplemental exhibits combined into one PDF document labeled “Saratoga Springs General Plan RFP 2016 – [insert Team name]” on a CD or thumb drive with the hard copies.

S A R A T O G A S P R I N G S  
**GENERAL PLAN**

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P R O P O S A L





L O G A N S I M P S O N

8 East Broadway, Suite 300  
Salt Lake City, Utah 84111  
P: 801-364-0525 F: 801-364-0676  
www.logansimpson.com

June 9, 2016

Saratoga Springs City Planning Department  
Attn: Kimber Gabryszak  
1307 N. Commerce Drive, Suite 200  
Saratoga Springs, UT 84047

**Subject: Saratoga Springs General Plan Update**

Dear Ms. Gabryszak:

Logan Simpson is pleased to submit our proposal to assist Saratoga Springs in updating its General Plan. Our team members have worked for a number of rapidly growing communities in the West, and have created plans that are tailored to the city's location, local challenges, and community identity.

We realize that this is an opportunity to define the identity and future growth of Saratoga Springs. Our approach focuses on creating a relevant and effective comprehensive plan based on community values. Relevancy starts with authentic public engagement and a program that incorporates nontraditional public events in order to ensure that we reach all types of community members. We also engage key stakeholders, the Planning Commission, and the City Council regularly to promote their investment in a mutual vision. The general plan will be based on identifying and preserving desired community character, resulting in a strong sense of place that reflects the community's vision.

We are devoted to creating a plan that meets the long-term and every day needs of Saratoga Springs. Given the City's rapid growth, the general plan must be adaptable and designed so the effectiveness of implementation strategies can be monitored and adjusted as needed to remain aligned with the plan goals. The plan will effectively connect the community vision, policies, implementation, and strategic plan. Our plans foster economic resilience, acknowledge change, and incorporate the concept that change should have a purpose and a place. Logan Simpson specializes in bridging the gap between vision and reality by creating a framework to take advantage of new opportunities and providing implementable, politically supportable steps.

Our team is led by Principal Bruce Meighen, a certified planner with more than 20 years of experience and expertise in engaging community participants who might not typically engage; Project Manager Jim Carter, a lawyer and certified planner with an in-depth understanding of implementation and action strategies; Assistant Project Manager Krissy Gilmore, a community planner with experience in general planning, land use policy, and community engagement; and Economic Consultant Susie Becker, with more than 22 years of experience in economic consulting and planning. Susie has teamed with Logan Simpson on numerous projects, most recently the award-winning Ogden Valley General Plan. We have also assigned urban designer Megan Moore, GIS analyst Kristy Bruce, and open space planner Jeremy Call, in addition to our production and support staff.

The Logan Simpson team is collaborative and welcomes the opportunity to draw on the community's expertise and knowledge through dialogue with staff and local representatives. Our approach to community planning is simple; the process is based on trust, credibility, and adherence to an open and logical process. We commit to developing a General Plan that is representative of the vision and values of those who live and work in the great community of Saratoga Springs.

Respectfully Submitted,

Bruce Meighen, AICP  
Project Principal  
bmeighen@logansimpson.com  
970-449-4100

Jim Carter, AICP CEP  
Project Manager/Primary Point of Contact  
jcarter@logansimpson.com  
801-364-0525

## ABOUT THE FIRM

Logan Simpson was founded in 1990, and has grown to become a premier community planning and design firm in the western U.S., with more than 100 employees and six offices in Utah, Colorado, Arizona, and Oregon. Logan Simpson is a firm of community, economic, transportation, and environmental planners, landscape architects, and urban designers. We specialize in transitioning cookie-cutter plans with generalized land use maps into creative plans based on community values. With over 30 awards to our team members' names, we are currently updating a number of community plans from the last five years to make them relevant, effective, and usable. Our community planning staff includes 20 experienced planners with a collection of more than 700 successful planning projects. Along the way, we have worked across the country on America's most celebrated and livable communities.

In planning and design, Logan Simpson strives to understand the relationships between the elements that create a sense of place and the social fabric that creates a sense of community. Our staff members have completed functional placemaking for communities throughout Utah, Idaho, Colorado, and Arizona. We pay careful attention to community values and local knowledge, and we maintain a core commitment to custom planning for every community with which we partner.

## OUR TEAM

**Project Principal Bruce Meighen**, with assistance from **Project Manager Jim Carter**, will be responsible for overall guidance of the plan, and will manage all contracting and City coordination regarding scope. Bruce has worked for the top firms in the nation including EDAW, AECOM, and now Logan Simpson. **Jim** is an attorney and certified community and environmental planner with over 35 years of experience in law, planning and resource management. He will work closely with the City and our internal team to develop vision concepts and an implementation plan with the community. Jim's recent planning includes the Morgan County General Plan Update, where he developed and implemented the public involvement program; coordinated project updates and issue resolution with the planning commission and county council; and coordinated the efforts of engineering and economics subconsultants. He will oversee the general plan update, which will be led by **Krissy Gilmore**. She has been a key planner on multiple similar projects and has a deep understanding of how policy can shape built and open spaces and create a sense of community. Logan Simpson will be supported by **Zion Public Finance, Inc.** (ZPFI), who will provide economic assessment and economic development.

All key staff have available time to work on this project and will be committed to it until its successful completion. An organization chart presenting our team structure is below to the left, followed by key staff qualifications.



### BRUCE MEIGHEN, AICP | PRINCIPAL/ IMPLEMENTATION

The project will be organized by Project Principal Bruce Meighen; with assistance from Project Manager Jim Carter and Assistant Project Manager Krissy Gilmore, Bruce will be responsible for overall guidance of the plan, and will manage all contracting and City coordination regarding scope. Bruce is a certified planner with 20 years of experience, over 70 plans and over 35 awards in visioning, comprehensive planning and public involvement. He has worked for the top firms in the nation including EDAW, AECOM, and now Logan Simpson. Bruce has been one of the primary visionaries for the Salt Lake Valley working on their West Bench Plan, lands adjacent to the Salt Lake airport, two valley-wide transit plans, and the vision for Wasatch Front, Little Valley, Soldier, Draper, and Ogden Valley.

Bruce effectively applies concepts of quality growth, character preservation, and community engagement to Logan Simpson's projects. His ability to create not only innovative and focused public involvement, but to clarify and prioritize the issues identified, is crucial to the success of outcome-oriented plans. Bruce specializes in managing planning processes that create sustainable, quality growth communities with common, enduring visions.

## **JIM CARTER, AICP, CEP | PROJECT MANAGER/LAND USE CODE REVIEW**

A lawyer, certified environmental planner, and public administrator with more than 30 years of experience in law, community planning, and natural resources management, Jim brings a detailed understanding of planning, land use management and regulation. He has worked in state and local government as well as for private entities and clients, and has advised local government clients on planning and land use matters. Jim previously was key in the development of a new general plan for Bluffdale, a city directly in the path of growth in the Wasatch Valley in Utah. On the Morgan County General Plan Update, he developed and implemented the project public involvement program, including working with stakeholder groups to identify and resolve plan issues; coordinating project updates and issue resolution with the planning commission and county council; and coordinating the efforts of engineering and economics sub-consultants. Jim's strength as a mediator in sensitive environments and advocate for appropriate planning practices makes him a strong team leader for a successful and focused public participation process. As the project manager, he will work closely with the City and his internal team to develop vision concepts and an implementation plan with the community. Jim has the ability to develop great, implementable plans through listening and applying creative public involvement processes.

## **KRISSY GILMORE | LEAD PLANNER AND ASSISTANT PM**

Krissy is a community with experience in land use policy, GIS analysis, and community engagement. Her work with Logan Simpson shows a deep understanding of how policy can shape built and open spaces and create a sense of community. Krissy has a multidisciplinary background and applies all skills in unison to help communities define their unique qualities and to provide tools to reflect their vision and values. She is skilled at applying related software, such as GIS, to produce models and maps to aid in planning exercises. Krissy has been a key planner on multiple similar projects, including Draper General Plan Update, Ogden Valley General Plan Update, Nibley General Plan / Town Center Master Plan, and Twin Falls Comprehensive Plan Update.

## **MEGAN MOORE | COMMUNITY DESIGN**

Megan is an urban and landscape designer with extensive experience in comprehensive planning, subarea planning and urban revitalization. With 10 years of experience, she is already the recipient of more than 25 design and planning awards. Her planning capabilities are enhanced by her background in both architecture and landscape architecture, giving her a unique perspective into urban design strategies and solutions. Megan carries a deep understanding of the use and development of graphics to convey procedures and processes necessitated by planning guidelines. She has overseen dozens of successful plans, including Draper General Plan Update, Castle Pines Comprehensive Plan, Twin Falls Comprehensive Plan Update, and La Vista Comprehensive Plan.

## **JEREMY CALL, PLA | NATURAL RESOURCES**

Jeremy is a licensed landscape architect, certified land use planner, and recreation planner with a broad range of experience serving utility clients and federal, state, and local governments. As a Senior Associate with more than 10 years of experience, Jeremy currently directs and trains staff in complex conservation, recreation planning, trail management, and land use planning projects with emphasis in trails, land conservation, recreation, travel management, and NEPA analyses.

## **KRISTY BRUCE, MLA | DEMOGRAPHIC FORECASTING**

Kristy is a planner who specializes in GIS and demographic forecasting. She is adept at zoning and land use modeling, geodatabase management, and cartography, specifically, for the development of comprehensive and subarea plans. In addition, Kristy has a strong background in environmental planning, and is skilled at applying related software such as SketchUp, AutoCAD, and the Adobe Creative Suite.

## **SUBCONSULTANT - ZPFI**

## **SUSIE BECKER | ECONOMIC CONSULTANT**

For the past 21 years, Susie has specialized in economic consulting and planning and has been the lead consultant on some of the largest and most challenging projects in the intermountain region. Susie recently wrote the Economic Best Practices for Salt Lake County that is an integral part of the Cooperative County Plan; created an urban renewal area (URA) which is the largest in the State of Utah for the town of Vineyard (former Geneva Steel Site); and led a team that wrote and was awarded a \$5 million HUD sustainability grant for a consortium of government entities along the Wasatch Front including UDOT, UTA, Envision Utah, Salt Lake City, Salt Lake County, University of Utah, and others.

Susie has a broad range of experience including fiscal impacts analysis, economic development, redevelopment, NEPA documents, transportation and land use planning, public involvement, feasibility/market studies, impact fees, real estate development advisory and cost of service studies. She has worked for some of the largest entities in the area including Kennecott Land, Salt Lake City, Sorenson Development, UTA, UDOT, Ogden, Provo, MIDA and Park City. For over 10 years, Susie served as the economic development advisor to the Utah Main Street program.

## SCOTT AYLETT | FINANCIAL ANALYST

Since joining ZPFI, Scott has specialized in economic plans, general plans, as well as retail and housing market studies. In addition to extensive analytical skills, Scott also contributes strong skills in GIS analysis to provide in-depth geographic analytics. Scott's experience includes not only analytics for multiple municipalities as a graduate student, but also several analyses he performed as a management intern for Spanish Fork City. Scott graduated with a Bachelor of Arts degree in Speech Communications from the University of Utah, as well as an MPA from the Romney Institute of Public Management at Brigham Young University, with an emphasis in local government management.

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## SIMILAR EXPERIENCE

Logan Simpson has developed comprehensive and general plans; downtown plans; mobility plans; and functional placemaking opportunities for communities in Utah, Arizona, Colorado, Idaho, Wyoming, Nebraska, and Florida. We use proven tools and methods to ensure we know who will use a space, how they will use it, what infrastructure and amenities are essential to accommodate that use, and how much it will cost to build. Logan Simpson, and in particular, staff assigned to this submittal, have completed more than 30 comprehensive plans and planning tasks for a variety of populations, geographic regions, and cultural backgrounds.

### OGDEN VALLEY GENERAL PLAN UPDATE & RESOURCE MANAGEMENT PLAN, WEBER COUNTY, UTAH

**Reference:** Charlie Ewert, Weber County Principal Planner | 2380 Washington Blvd, Ste 240 | Ogden, UT 84401-1473 | P: 801.399.8736 | E: [cewert@co.weber.ut.us](mailto:cewert@co.weber.ut.us)

**Cost:** \$178,000

The Ogden Valley is one of the Wasatch Back valleys, historically both a recreational destination consisting of Pineview Reservoir, and three ski resorts, and an agricultural farming community. However, demographics have been slowly trending toward a bedroom community, with nearly all residents commuting outside the Valley, and a resort community of nearly 32% second homes.

The 1998 General Plan consists of many 1990s-era planning policies, including clustering, open space conservation, sensitive area protection, and cost-of-service management. These strategies have resulted in difficulties, such as the lack of oversight into community-specific challenges and solutions. The plan also created unfounded expectations, if not legal entitlements, among landowners regarding private property rights and transfer of development rights. In the 16 years since this plan was adopted, planning practices have advanced significantly and the values of those who live in and visit the Ogden Valley have evolved. The current planning process will fundamentally revisit and re- envision the desired future in terms of geography, form of the built environment, and function of environmental and recreation systems.

Logan Simpson is anticipating the need to address some of these key concerns and propose course corrections for the Valley, including preserving open space to retain the area's rural character without reducing property values; addressing the increasing second-home and bedroom community outlook; re-organizing water service structure and identifying water availability; and determining and illustrating rational growth management scenarios and build-out options.



*The Ogden Valley General Plan won a 2015 Utah APA Merit Award for its 3D rendering of potential future development. To view the 3D rendering, visit [www.ValleyPlan.com/3D Rendering](http://www.ValleyPlan.com/3D%20Rendering).*

## GROW WITH US TWIN FALLS COMPREHENSIVE PLAN UPDATE, IDAHO

**Reference:** Renee Carraway-Johnson, Zoning and Development Manager | City of Twin Falls | P: 208.735.7267 | E: [rcarrawa@tfid.org](mailto:rcarrawa@tfid.org)

With a 30 percent increase in population between 2000 and 2014, Twin Falls is growing quickly and expected to accelerate to 66,471 by 2030. The City of Twin Falls is home to half the population of Twin Falls County, and because the city is surrounded primarily by agriculture, Twin Falls provides big city services to a very large area, extending beyond the Magic Valley and into Nevada and Utah. The Comprehensive Plan Update will build not only on this growth, but several dramatic economic development successes, particularly the attraction of major new employers, Glanbia Foods, Clif Bar, and St. Luke's Medical Center offices. Combined, these employers have added more than \$50 million in investment and 200 jobs. Key to the Plan will be applying the policy framework necessary to continue to attract high-quality employees to the area, in order to support the burgeoning high-tech food industry, and expanding those amenities to attract this needed workforce – downtown revitalization, housing improvements, parks and recreation amenities, and overall character improvements.



## DRAPER GENERAL PLAN UPDATE, DRAPER, UTAH

**Reference:** Keith Morey, Draper City Community Development Director | P: 801.576.6510 | E: [keith.morey@draper.ut.us](mailto:keith.morey@draper.ut.us)

As a quality-of-life community in the Salt Lake Valley, Draper is feeling the pressure to maintain its competitive edge. Draper's portfolio of open space, parks, and trails, creating attractive commercial centers, and providing a variety of quality housing choices, will provide important differentiators and competitive advantages over surrounding communities. Through key projects like redeveloping the Utah State Prison site, the General Plan Update will have the opportunity to link effective multimodal transportation and strong economic development programs and leverage underutilized land, while protecting the community's heritage and character.

# STRATEGY AND IMPLEMENTATION

## PROJECT UNDERSTANDING

Saratoga Springs is one of the western Wasatch Front communities that offers mountain living within a reasonable commuting distance from the metropolitan Wasatch Front, and functions as a recreational destination for many who live in Wasatch Front communities. The geography, open spaces, relatively low-cost of living, and recreational opportunities are attractive to residents and visitors alike. As with other western Wasatch Front communities, Saratoga Springs is experiencing significant population growth, while continuing growth in northern Utah County has quite literally surrounded the city and created external growth pressures.

Planning theory, particularly for fast growing communities like Saratoga Springs, has advanced since the last General Plan was adopted in 2005. Because Saratoga Springs has changed and continues to change, it is critical to identify the attributes and character of the City that residents and businesses value. The City has been very forward-thinking in their preservation of open spaces. Only 25% of the land area within the City has been developed or is planned to be developed. However, there are still several large parcels that remain and numerous smaller tracts that will one day be developed. Other attributes of Saratoga Springs that contribute to the sense of place and quality of life residents enjoy need to be identified and the updated general plan needs to provide the tools in place to anticipate and guide change, and to ensure quality development, effective multi-modal transportation and economic development, while protecting the community's heritage and sensitive landscapes.

## OUR PROCESS

### PHASE 1 – FOUNDATION

**"...perhaps the reason why Saratoga Springs is so awesome is because it still has a small rural town feel." – Saratoga Springs Resident**

We begin by listening and learning from City leaders and staff about what works in Saratoga Springs, and use those insights to refine our planning process. Our team has already begun data collection and analysis and we will continue to refine and contextualize this data in a way that relates directly to the key planning questions and directives from your recently completed Community Strategic Plan objectives.

When it comes to public engagement, we understand what works, and strive to 1) listen; 2) go to where people gather to spread the word; 3) create interesting, engaging events and exercises that generate excitement for the

process and resulting plan; and 4) track and monitor involvement by demographic groups and neighborhoods, to identify who is involved, and to reach underrepresented groups to ensure a broad range of involvement.

We will utilize popular community events, such as the weekly Food Truck Underground or the annual Christmas Tree Lighting for public input. We intend to bolster additional outreach through your social media outlets, including Facebook, Twitter, and Instagram; your e-newsletter; and additional innovative media, such as kiosks at City Hall or plan hubs at the libraries. Through conversations with City staff, we will develop a targeted and customized community engagement plan, which utilize both high-tech and high-touch tools. We will work closely with your staff to develop a distinctive name, logo, and identity for the plan.

### **Task 1 Initiation + Ongoing Project Management (June)**

An in-person kickoff meeting between the City staff and the Logan Simpson consultant team will be held to review project schedule, major milestones, and deliverables; define communication protocol between consultant team and City project manager; agree upon Advisory Committee (AC) members; refine the community engagement plan, identify goals, key issues, and opportunities; and brainstorm and refine options for a plan name and logo. Ongoing project management activities include biweekly (every other week) phone calls ensuring that the project scope, schedule, deliverable quality, and budget are effectively managed and meet your expectations.

#### *Associated Meetings + Deliverables:*

- CST Kickoff Workshop #1 Agenda, Materials, Facilitation, and Summary
- Draft Community Engagement Plan
- AC Kickoff Meeting #1 Agenda, Materials, Facilitation, and Summary
- Initial Goals, Key Issues, and Opportunities
- Initial Website, Social Media, E-Newsletter Graphics & Content

### **Task 2. Community Assessment + Plan Audit (July)**

Using the best available data from the City, Utah County, Mountainland Association of Governments and other sources, our team will research and synthesize information into a series of "existing conditions snapshots" that will provide not only an overview of baseline conditions and trends, but also define how those conditions and projections influence the development of policies, actions, and focus areas for the general plan. Snapshots tend to be provocative 4- to 5-page "thought pieces" that serve as stand-alone documents for the public and can be inserted directly into the plan, under

each plan element. ZPFI will conduct the economic and fiscal sustainability analyses of the current conditions snapshots.

As part of this task, the consultant team will also compile a Plan Audit for distribution to city staff, boards and commissions, and department directors. The 2005 General Plan, the 2015 Community Strategic Plan, and other existing plans will be examined for relevance and efficacy to the new Plan. The goal is not only for the consultant team to further understand these plans but for City staff to provide feedback on how Saratoga Springs' goals, strategies, and actions operate today.

*Associated Milestones/Deliverables:*

- Draft and Final Existing Conditions Snapshots (including narrative, maps, applicable trends, and infographics)
- Economic Conditions Analysis
- Plan Audit Compilation, Distribution, and Summary

**PHASE 2 - VISION, OPPORTUNITIES + FRAMEWORK**

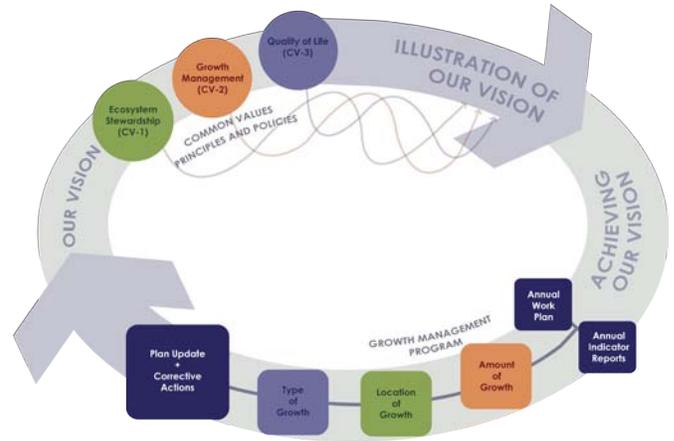
**“The City is growing steadily. I see opportunities for more entertainment focused businesses and quality restaurants.” - Local Business Owner**

**“I think [the city] should be more involved in keeping the Jordan River and Utah Lake clean and a safe place for wildlife. I think that there should be a larger area near the lake set aside as a preservation area for the birds and other wildlife.” -- Saratoga Springs Resident**

**“The City has been very forward thinking in preserving open space. They hold developers to a high standard to incorporate open space in their projects.” – Mark Welcker, Lehi Chamber of Commerce**

Following the initial public activities and events, we will begin to synthesize a preliminary vision. This vision will be more than simply words—we will seek to illustrate the community's vision by graphically representing what we've heard from the public, stakeholders, and staff.

It is then time to translate the vision and big ideas into reality by identifying opportunities that contribute to and reflect Saratoga Springs' goals for the future. Opportunities will be grounded in identity, character preservation, and placemaking, focusing on Saratoga Springs' unique qualities and aspirations and enhancing the existing assets. The vision and opportunities can be specifically tailored to existing neighborhoods, employment and retail areas, commercial corridors, potential growth areas, and other key areas of the community.



*A modern format and clear graphics help convey the vision.*

**Task 3. Visioning (July - August)**

Two public workshops will be held, and will include educational presentations; high-tech, hands-on technology activities; and interactive discussions to identify community values and priorities, which will guide the community vision. In addition to the visioning workshops, our team members can do additional outreach, presenting at community organization meetings; neighborhood parties; or at popular events throughout the summer.

Using the results of the visioning events and input from Phase 1, the consultant team will generate a summary of community values, an overarching vision statement, and goals that provide direction for the Plan. We will illustrate the community's vision through sketches, photos, diagrams, and infographics, as appropriate.

*Associated Milestones/Deliverables:*

- AC Meeting #2 Agenda, Materials, Facilitation, and Summary
- Public Vision Events #2 Notification Materials, Meeting Plan, Materials, Attendance, and Summary
- Joint PC and CC Worksession #1
- Draft and Final Vision Document
- Online Questionnaire #1 Setup and Summary (for inclusion on the City's project website)

**Task 4. Opportunities (August - September)**

In this task, we will translate the vision and big ideas into reality by identifying opportunities that reflect Saratoga Springs' goals for the future and meet the vision. Building on the vision document, specific opportunities will be established, covering each of the plan elements. Working closely with residents and stakeholders provides the chance to identify authentic characteristics and identify what changes would benefit them, their neighborhood, and the entire community. The consultant team will host two "opportunities" neighborhood meetings throughout the City.

During this phase, ZPFI will conduct a land use and economic development scenarios analysis, as well as provide an interactive database in the form of an Excel spreadsheet where the type, intensity and details of proposed development plans are entered and the resulting fiscal impacts are calculated for the City.

*Associated Milestones/Deliverables:*

- AC Meeting #3 Agenda, Materials, Facilitation, and Summary
- Public Opportunities Events #3 Notification Materials, Meeting Plan, Materials, Attendance, and Summary
- Joint PC and CC Worksession #2
- Interactive Fiscal Impacts database
- Opportunity and Constraints Analysis and Maps
- Online Questionnaire #2 Setup and Summary (for inclusion on the City's project website)

### PHASE 3 - THE PLAN

**“The Plan should meet the expectations of the City Council, Planning Commission, and should be supported by Saratoga Springs’ stakeholders.”**

This crucial task is the bridge between vision and implementation, during which the project team will define various components of the plan that will require actions and define strategies to employ in implementation. Components that require funding and coordination will be identified. We will explore options regarding the role of—and partnerships between—the City, County, other agencies, adjacent jurisdictions, local landowners, residents, and businesses. The team will identify and prioritize administrative actions for achieving implementation, which include regulatory reform, the formation of improvement districts, public/private partnerships, or other administrative entities.

#### **Task 5. Strategies and Policies Development (September - October)**

Based on the previous phases, Logan Simpson will prepare the draft general plan. The plan will describe draft policies for community identity and character; economic development; housing, including affordable housing; land use and growth management; parks, trails, open space, recreation; transportation and walkability strategies; utilities and services; and regional coordination and partnerships.

*Associated Milestones/Deliverables:*

- AC Meeting #4 Agenda, Materials, Facilitation, and Summary
- Future Land Use Map
- Goals, Policies, and Strategies

#### **Task 6. Implementation and Monitoring Plan (October - November)**

It is imperative that the general plan translate the vision and overall goals into specific action steps, with recommendations for policy updates or ordinance amendments. This is intended to help shape decisions related to new development, city programs and services, budgeting, and capital improvements annually. Components that require funding and coordination will be identified. The team will identify and prioritize administrative actions for achieving implementation, which include monitoring framework, regulatory reform, public/private partnerships, or other administrative entities.

As part of this task, we will create an interactive developer guide where developers can click on any area of the City and see current zoning and development potential, including possible building heights and intensities, current rent structures and construction costs per square foot for various development types, traffic counts, projected population and employment growth by traffic area zone (TAZ).

*Associated Milestones/Deliverables:*

- AC Meeting #5 Agenda, Materials, Facilitation, and Summary
- Draft Implementation & Monitoring Plan
- Interactive Development Potential Map (Developer's Guide)

#### **Task 7. Draft Plan Development (November - December)**

The Logan Simpson team will develop an end product that is user-friendly, easily navigated, and accessible to the public with minimal technical language or jargon. It will meet all functional requirements with a consistent, integrated look, feel, and aesthetics that respect and celebrate the City, and will include an extensive use of maps, tables, illustrative renderings, 3D renderings; and other graphics that enhance readability. In addition, Logan Simpson will produce a citizen's guide of the general plan in a condensed format (e.g., brochures, booklet, etc.) available in electronic format. The plan will include recommended land use mixes, opportunity area schematics, potential areas of growth, and implementation priorities and phasing. The AC, stakeholders, and public will have the opportunity to review and provide feedback on the draft general plan during a month-long review period. During the public review period, the consultant team will conduct a public open house to present the draft plan at either a festival-type event or a formal public open house. Key policy changes and plan features will be highlighted and explained, and attendees will have the opportunity to discuss questions and concerns one-on-one with City staff and consultant team. Comments on the plan will be reviewed and incorporated into the final revisions to the general plan.

*Associated Milestones/Deliverables:*

- AC Meeting #6 Agenda, Materials, Facilitation, and Summary
- Public Draft Plan Review Events #4 Notification Materials, Meeting Plan, Materials, Attendance, and Summary
- Joint PC and CC Worksession #3
- Public Draft of General Plan
- Citizen’s Guide to General Plan
- Online Questionnaire #3 Setup and Summary (for inclusion on the City’s project website)

**Task 8. Formal Adoption Process (January - February)**

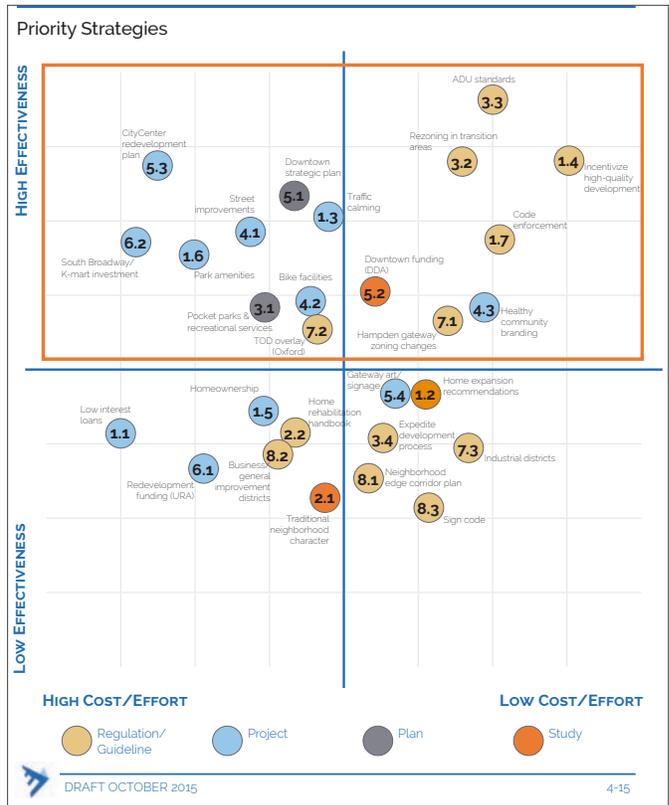
The consultant team will work with city staff to present the final general plan to PC and CC. Logan Simpson anticipates two rounds of minor revisions, as directed by the PC, CC, and public hearing comments. Logan Simpson will use each set of revisions to update the document for a CC adoption draft, and a final general plan. Logan Simpson will make minor revisions, if any, as directed by CC, following the hearing. Logan Simpson will provide final InDesign or Word and PDF electronic files and fonts for plan documents.

*Associated Milestones/Deliverables:*

- PC Draft of General Plan
- PC Public Hearing Preparation and Materials, Presentation, and Plan Revisions
- CC Adoption Draft of General Plan
- CC Adoption Hearing Preparation and Materials, Presentation, and Plan Revisions
- Final General Plan and Digital Files

**IN CLOSING**

We hope that through this proposal, we have demonstrated that Logan Simpson is the best consultant to assist Saratoga Springs in updating its general plan. Our team members have worked for a number of rapidly growing communities in the West, and have created plans that are specific to the city’s location, local challenges, and are tailored to community identity. Our approach to community planning is simple; the process is based on trust, credibility, and adherence to an open and clear process. We commit to developing a general plan that is representative of the vision and values of those who live and work in the great community of Saratoga Springs.



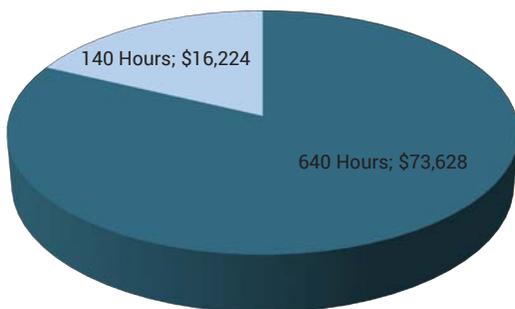
*Priority graph of implementation strategies within the Englewood Forward Comprehensive Plan*



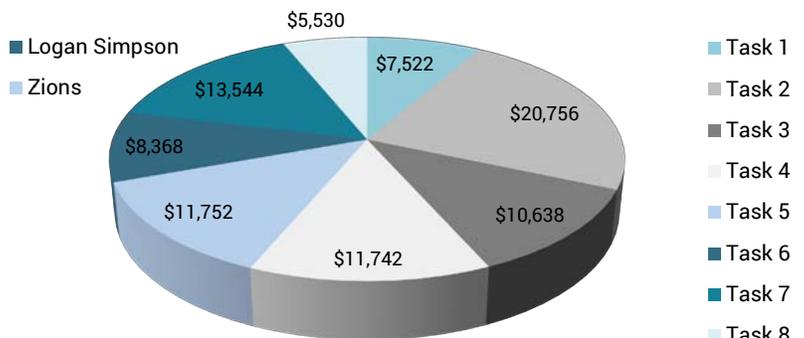
# PROJECT BUDGET

	LOGAN SIMPSON					ZPFI			TOTALS		
Staff	BM	JC	KG	JC/ MM	KB	SB	BB	Staff			
Hourly Rate	\$228	\$147	\$69	\$138	\$69	\$147	\$102	\$66	Labor	Expenses	Total
<b>Phase 1 - Foundation</b>											
Task 1. Initiation + Ongoing Project Management (June 2016)	4	24	24	0	0	8			\$7,272	\$250	\$7,522
Task 2. Community Assessment + Plan Audit (July 2016)	8	16	24	16	16	48	32	12	\$20,256	\$500	\$20,756
Subtotal	12	40	48	16	16	56	32	12	\$27,528	\$750	\$28,278
<b>Phase 2 - Vision &amp; Opportunities</b>											
Task 3. Visioning (July - Aug 2016)	4	16	40	24	8				\$9,888	\$750	\$10,638
Task 4. Opportunities (Aug - Sept 2016)	4	16	40	32	8				\$10,992	\$750	\$11,742
Subtotal	8	32	80	56	16	0	0	0	\$20,880	\$1,500	\$22,380
<b>Phase 3 - The Plan</b>											
Task 5. Strategies and Policies Development (Sept - Oct 2016)	4	20	40	8	0	16		24	\$11,652	\$100	\$11,752
Task 6. Implementation & Monitoring Plan (Oct - Nov 2016)	4	20	32	16	0				\$8,268	\$100	\$8,368
Task 7. Draft Plan Development (Nov - Dec 2016)	8	20	80	16	8				\$13,044	\$500	\$13,544
Task 8. Formal Adoption Process (Jan - Feb 2017)	8	16	16	0	0				\$5,280	\$250	\$5,530
Subtotal	24	76	168	40	8	16	0	24	\$38,244	\$950	\$39,194
<b>Total</b>	<b>44</b>	<b>148</b>	<b>296</b>	<b>112</b>	<b>40</b>	<b>72</b>	<b>32</b>	<b>36</b>	<b>\$86,652</b>	<b>\$3,200</b>	<b>\$89,852</b>

**Allocation by Firm**



**Fee Allocation by Task**



## EXAMPLES OF PRIOR WORK

The matrix below shows a sample of our team's past projects. In addition, here are some links to a few of them.

**Englewood Forward:** <http://www.englewoodgov.org/home/showdocument?id=14788>

**Jackson Teton Comp Plan:** <http://www.tetonwyo.org/compp/topics/jackson-teton-county-comprehensive-plan/251817/>

**Loveland Comp Plan:** [http://www.createloveland.com/documents/Loveland\\_Comprehensive\\_Plan\\_160325\\_ADOPTION\\_DRAFT.pdf](http://www.createloveland.com/documents/Loveland_Comprehensive_Plan_160325_ADOPTION_DRAFT.pdf)

**McCall Downtown Master Plan:** [http://www.mccall.id.us/uploads/departments/community\\_development/plans/dwntwn\\_mstr\\_pln/2013%20McCall%20DMP%20-%20FINAL.pdf](http://www.mccall.id.us/uploads/departments/community_development/plans/dwntwn_mstr_pln/2013%20McCall%20DMP%20-%20FINAL.pdf)

**Bluffdale General Plan:** <https://www.dropbox.com/home/Logan%20Simpson%20Experience?preview=2014+Bluffdale+General+Plan.pdf>

**Ogden Valley General Plan:** <https://www.dropbox.com/s/di2cm9cd35tryy2/2016%20Ogden%20Valley%20General%20Plan.pdf?dl=0>

PROJECT NAME & LOCATION	YEAR COMPLETED	ROLE	CLIENT	TEAM MEMBERS INVOLVED
<i>Logan Simpson</i>				
McCall Downtown Master Plan Update; McCall, ID	2013	Prime	City of McCall, ID	BM, MM, KG
Grow With Us Twin Falls Comprehensive Plan Update, Idaho	2015	Prime	City of Twin Falls, ID	BM, MM, KG, KB
Arvada Comprehensive Plan; Arvada, CO	2014	Prime	City of Arvada, CO	BM, MM, JCall, KB
Ogden Valley General Plan Update, UT	Ongoing	Prime	City of Ogden	BM, JC, KG, KB
Draper General Plan Update, Draper, UT	Ongoing	Prime	City of Draper, UT	BM, MM, KB, KG
Midvale Comprehensive Plan, Midvale, UT	Ongoing	Prime	City of Midvale, UT	BM, JC, KG
Cody Master Plan, Cody, WY	2014	Prime	City of Cody, WY	BM, MM
Douglas Master Plan, Douglas, WY	2014	Prime	City of Douglas, WY	BM, MM
Englewood Forward Comprehensive Plan Update, Englewood, CO	Ongoing	Prime	City of Englewood, CO	BM, KB
Jackson/ Teton Comprehensive Plan, Character Districts, and Land Development Regulations Update, Town of Jackson/ Teton County, WY	2012 & 2014	Prime	Town of Jackson/ Teton County, WY	BM, MM
Livable Roanoke Valley Plan, Western VA	2014	Prime	Roanoke Valley Allegheny Regional Commission, VA	BM, MM
Create Loveland Comprehensive Plan Update, Loveland, CO	Ongoing	Prime	City of Loveland, CO	BM, MM, JCall, KB
North Ranch Sector Plan, Osceola County & Central Florida	Ongoing	Prime	Osceola County, FL / Deseret Ranch (LDS Church Entity)/ FDOT	BM, MM, JCall
West Bench General Plan & Development Agreement, Salt Lake County, UT*	2006 & 2007	Prime	Kennecott Land Company/Salt Lake County, UT	BM, MM, JCall
Centennial Comprehensive Plan Update 2016	Ongoing	Prime	Centennial, CO	BM
Fort Morgan Comprehensive Plan Update 2016	Ongoing	Prime	Fort Morgan, CO	BM, KB
Broomfield Comprehensive Plan Update	Ongoing	Prime	Broomfield, CO	BM

## ORDINANCE NO. 16-13

### AN ORDINANCE OF THE CITY OF SARATOGA SPRINGS, UTAH, ADOPTING CONSTRUCTION AND FIRE CODE AMENDMENTS; AND ESTABLISHING AN EFFECTIVE DATE.

**WHEREAS**, Utah Code § 15A-1-204 requires political subdivisions of the State of Utah to adopt specified building, construction, and fire codes; and

**WHEREAS**, H.B. 316, Construction Code Amendments, was signed into law by Utah State Governor Gary Herbert on March 24, 2016 and will go into effect July 1, 2016; and

**WHEREAS**, for the purpose of providing minimum standards to safeguard life, limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of the buildings and structures and certain equipment within the City of Saratoga Springs, the City Council wishes to adopt the 2015 edition of the International Building Code (IBC) including Appendix J, as promulgated by the International Code Council (ICC), including any amendments that have been or may be made by the State of Utah, with such deletions, modifications, exceptions, and other amendments as the construction standards to be applied to building, construction, alteration, remodeling, and repair, and in the regulation of building construction, alteration, remodeling, and repair in the City of Saratoga Springs; and

**WHEREAS**, person shall comply with the applicable provisions of the State Construction Code when:

- (i) new construction is involved; and
- (ii) the owner of an existing building, or the owner's agent, is voluntarily engaged in:
  - (A) the repair, renovation, remodeling, alteration, enlargement, rehabilitation, conservation, or reconstruction of the building; or
  - (B) changing the character or use of the building in a manner that increases the occupancy loads, other demands, or safety risks of the building; and

**WHEREAS**, the City Council wishes to adopt the 2015 Edition of the International Fire Code, including Appendices B, C, D, E, F G, H and I, as adopted by the State of Utah and promulgated by the ICC, including any amendments that have been or may be made by the State of Utah as the Fire Code of the City of Saratoga Springs; and

**WHEREAS**, one copy of the 2015 Construction Codes and Fire Code, shall be filed for use and examination by the public in the City Recorder's Office.

**NOW THEREFORE**, the City Council hereby ordains as follows:

#### **SECTION I – ENACTMENT**

The Construction and Fire Code amendments attached hereto as Exhibit A, are hereby incorporated by this reference. Such amendments are shown as underlines and strikethroughs. The remainder of Title 18.01 and 18.02 shall remain the same.

**SECTION II –EFFECTIVE DATE**

This ordinance shall take effect upon its passage by a majority vote of the Saratoga Springs City Council and following notice and publication as required by the Utah Code.

**SECTION III – SEVERABILITY**

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

**SECTION IV – PUBLIC NOTICE**

The Saratoga Springs Recorder is hereby ordered, in accordance with the requirements of Utah Code § 10-3-710—711, to do as follows:

- a. deposit a copy of this ordinance in the office of the City Recorder; and
- b. publish notice as follows:
  - i. publish a short summary of this ordinance for at least one publication in a newspaper of general circulation in the City; or
  - ii. post a complete copy of this ordinance in three public places within the City.

**ADOPTED AND PASSED** by the City Council of the City of Saratoga Springs, Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Signed: \_\_\_\_\_  
Jim Miller, Mayor

Attest: \_\_\_\_\_  
Cindy LoPiccolo, City Recorder

**VOTE**

Shellie Baertsch	_____
Michael McOmber	_____
Bud Poduska	_____
Stephen Willden	_____
Chris Porter	_____

## EXHIBIT A

### Chapter 18.01. Adopted Codes.

#### Sections:

#### 18.01.01. Building Codes.

#### 18.01.02. Fire Codes.

#### 18.01.01. Building Codes.

1. The City of Saratoga Springs does hereby adopt as its Building Codes:

- a. The ~~2012~~ 2015 edition of the International Building Code, including Appendix J, issued by the International Code Council;
- b. The ~~2012~~ 2015 edition of the International Residential Code, issued by the International Code Council, including Appendix E, subject to Utah Code Section 15A-2-104(1);
- c. The ~~2012~~ 2015 edition of the International Plumbing Code, issued by the International Code Council;
- d. The ~~2012~~ 2015 edition of the International Mechanical Code, issued by the International Code Council;
- e. The ~~2012~~ 2015 edition of the International Fuel Gas Code, issued by the International Code Council;
- f. The ~~2011~~ 2014 edition of the National Electrical Code, issued by the National Fire Protection Association;
- g. The ~~2009~~ 2015 edition of the International Energy Conservation Code, issued by the International Code Council;
- h. subject to Utah Code Section 15A-2-104(2), the HUD Code;
- i. subject to Utah Code Section 15A-2-104(1), the 2005 edition of the NFPA 225 Model Manufactured Home Installation Standard, issued by the National Fire Protection Association; and
- j. The 2006 Utah Wildland-Urban Interface Code and its accompanying appendices.

#### 18.01.02. Fire Codes Adopted.

The City of Saratoga Springs hereby adopts the International Fire Code, ~~2012~~ 2015 Edition, including appendices B, C, D, E, F, G, H, I, and J.

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**CITY OF SARATOGA SPRINGS**  
**CITY COUNCIL MEETING MINUTES**

Tuesday, June 21, 2016  
City of Saratoga Springs City Offices  
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

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**City Council Work Session**

**Call to Order:** 6:02 p.m. by Mayor Jim Miller

Present Council Members Bud Poduska, Shellie Baertsch, Chris Porter, and Michael McOmber.  
Council Member Stephen Willden called in to join meeting at 6:30 p.m.

Staff City Manager Mark Christensen, City Attorney Kevin Thurman, Assistant City Manager Spencer Kyle, Planning Director Kimber Gabryszak, Public Relations Economic Development Manager Owen Jackson, City Engineer Gordon Miner, Finance Manager Chelese Rawlings, City Planner Kara Knighton, City Planner Jamie Baron, Assistant Public Works Director George Leatham, City Recorder Cindy LoPiccolo

**Presentation: Communities That Care Update.** Communities That Care (CTC) Coordinator Caryn Nielsen, reviewed current and future CTC activities, the new e-CTC web site offering training workshops, latest research and instructional materials that work in concert with the social development strategy; reviewed use and application of the Student Health and Risk Prevention (SHARP) survey, and Council participated in the 2016 Community Perception Survey. Mayor Miller and Council thanked Coordinator Nielsen for her information.

**Presentation: Mountain View Corridor Update, Joe Kammerer, UDOT Mountain View Corridor Project Director.** Director Kammerer presented an overview of the Mountain View Corridor (MVC) project S.R. 73 to 2100 North. Director Kammerer reviewed initial project construction beginning in 2017 that will include a two-lane road with a six-foot sidewalk on the east side, reconfiguration of the intersection and traffic signal at Redwood and 2100 North. Director Kammerer reported as future funding becomes available, UDOT will expand the roadway to add a new two-lane frontage road to the west of MVC and convert the open section of frontage road from S.R.73 to 2100 North to two lanes with signalized intersection and trails, future construction will build out the remainder of the corridor by converting intersections to interchanges and adding freeway lanes to achieve a fully functional freeway from S.R. 73 to I-80 in Salt Lake. Director Kammerer reported the project timeline includes final design running 2016-2017 with construction beginning 2017 and completion in 2018. An open house is planned at Harvest Hills Elementary approximately August or September for public feedback and explanation of the frontage road system.

Council Member Baertsch noted the community did not want above grade through the neighborhood and Council concurred there should be a descriptive and thorough review of connections through frontage road slip lanes for the public's understanding; Director noted an interactive map will show the development over the course of time and detail.

Mayor Miller and Council Members thanked Director Kammerer for the information.

**Boundary adjustment and Service areas in the North – Jacobs Property** (Continued from May 17, 2016). City Manager Christensen introduced this continued item that responds to Council's request to provide rough numbers as to what it may cost to service this area. City Engineer Miner outlined the preliminary cost estimate for installation of a sewer pump station and infrastructure servicing 100 residences, contingency, engineering, legal and administrative costs totaling approximately \$740,000; annual O&M costs \$5,800; some other type of use is variable but will not change cost substantially.

54 Council discussed and concurred this cost is feasible and justifiable providing infrastructure for the east side of  
55 the canal, would support this property with commercial zoning and development; were not in support of  
56 residential use of the property.  
57

58 **Street Lighting Special Improvement District (SID).** Mayor Miller continued this work session item to July  
59 19, 2016.  
60

61 **Adjournment:** The Work Session adjourned at 6:00 p.m. to the Policy Session.  
62

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63  
64 **Policy Meeting**

65  
66 **Call to Order:** Mayor Jim Miller called the Policy Session to order at 7:02 p.m.  
67

68 **Roll Call:**

69 Present Council Members Chris Porter, Michael McOmber, Bud Poduska, and Shellie Baertsch.  
70 Council Member Stephen Willden present by teleconference/web-x.  
71 Staff Present City Manager Mark Christensen, City Attorney Kevin Thurman, Assistant City Manager  
72 Spencer Kyle, Police Chief Andrew Burton, Fire Chief Jess Campbell, Planning Director  
73 Kimber Gabryszak, Finance Manager Chelese Rawlings, Economic Development/Public  
74 Relations Manager Owen Jackson, City Engineer Gordon Miner, City Planner Kara  
75 Knighton, City Planner Jamie Baron, Assistant Public Works Director George Leatham, City  
76 Recorder Cindy LoPiccolo  
77

78 Invocation by Council Member Baertsch.

79 Pledge of Allegiance by Council Member Poduska.  
80

81 **POLICY ITEMS:**  
82

83 **REPORTS:**  
84

85 Assistant City Manager Kyle presented information concerning the current water situation in the City and status  
86 of the culinary and secondary systems. Assistant City Manager Kyle advised the highest neighborhoods have  
87 lost culinary in addition to secondary water which should be resolved within a twenty-four hour period.  
88

89 To provide information on what actions the City has been taking Assistant City Manager Kyle reviewed the  
90 water system fundamentals, constraints of the current water system, and reviewed what systems the City has put  
91 in place 2014 - 2015, the 2016 conditions of those systems. Assistant City Manager Kyle reported the City has  
92 contracted with an outside Engineering firm to assist in advising the City water department. Reported the City  
93 received notice today from the State Division of Drinking Water recommending the City issue a boiled water  
94 advisory to those neighborhoods that have lost culinary pressure, this is a standard notice for the State and a  
95 precaution, wells are chlorinated and water is being tested, notification has been issued through facebook, the  
96 City's website, and email notification system, and the City will continue to update the public; reported the City  
97 is encouraging residents to water a maximum of once every three days which will assist in filling the tanks,  
98 ponds and wells.  
99

100 Assistant City Manager Kyle identified short-term and long-term solutions the City is currently implementing  
101 and planning, reporting these projects will provide water to the City, improve redundancy and provide  
102 secondary irrigation water to those areas currently using culinary water for irrigation.  
103

104 Short term:

105 Culinary well #3 brought online to help supplement for failed well in Fox Hollow.

106 Engineers have modeled water system and recommended valve changes to optimize system.

107 Contract with Central Utah Water Conservancy District for additional 200 acre feet of water connected today  
108 and currently pumping at 1,000 gpm  
109 Once culinary wells are caught up (approximately 24 hours) we can begin to fill secondary ponds.  
110 Central Utah Water should get City through 2016 irrigation season.

111  
112 Long term:  
113 Marina Secondary Water Pump Station  
114 South Zone 2 Lake Mountain Reservoir  
115 400 North ULDC Canal Zone 1&2 Pump Station and 3 AF Pond

116  
117 Council Member McOmber noted the City is one of the few cities with water rights in Utah Lake, and  
118 appreciates the forward thinking on the lake and canal pump stations and reservoir projects.

119  
120 In response to Council Member Poduska in regard to water for the City's growth, Assistant City Manager Kyle  
121 reported the City has more than enough culinary water, the issue is secondary water, water infrastructure needs  
122 to be brought on in conjunction with development before additional approvals, noted infill development with  
123 Church properties in the center of the City and they will be coming into the City with water resources purchased  
124 from Central Utah Water. Advised one of the biggest bottlenecks to moving water around the City is the current  
125 lack of development in the middle and the additional infrastructure will add water lines helping the pressure and  
126 water get where it needs to be.

127  
128 City Manager Christensen reported the completion of Riverside Drive included a water line currently helping  
129 Legacy Farms, the culinary water is coming in today from Central Utah Water should help the City get ahead  
130 and in the next few days the ponds and tanks should be full for the south end of the City, this will be a  
131 significant increase for us from a capacity standpoint and staff will provide this information to the public .

132  
133 In response to Council Member Baertsch concerning the well that failed, Assistant City Manager Kyle  
134 responded the project in the south end of the marina replaces the need for the well that failed, and the City is still  
135 investigating the cause of the booster pump tripping in the night.

136  
137 Mayor Miller requested communication be issued to the north part of the City requesting voluntary limited use  
138 and turn off of their sprinklers.

139  
140 **Presentation:**

141  
142 Police Chief Andrew Burton introduced new Police Officer Cody Black and Mayor Jim Miller presented Officer  
143 Cody Black with his Commission; Mayor Miller and Council welcomed Officer Black to the Department and  
144 City.

145  
146 **Public Input:**

147  
148 Mayor Miller requested staff take note of questions for response and provision of information.

149  
150 Ralph Edson, Stetson Ave., commented in regard to the current water issue, the effect of secondary water  
151 pressure loss on professional landscape and timing of irrigation, submitted a 24 hour pressure report.

152  
153 Andrea Vehrs, Cimarron Ave., commented in regard to the current water issue, requested additional  
154 communication and alerts in addition to FB, inquired when pressure will be available, expressed concern about  
155 the amount of future development, provision of water, and effect on the lake.

156  
157 Ashur Dunn, Kitfox Dr., commented in regard to the current water issue, inquired how new construction will  
158 help in regard to water, who is responsible for the new yards going in when they cannot water and what does the  
159 City expect of the residents, how do some areas have pressure and they do not.

160

161 Ryan Poduska, Osprey Trail, commented in regard to the current water issue, thanked Mayor Miller on behalf of  
162 the HOA Board for answers, updates and plan information, and for jumping quickly for resolution, pleased with  
163 the short and long term planning, hopefully plans will negate the issues and address the growth; recommended  
164 the City work with a landscape architect to reassess landscaping requirements for common areas, incorporating  
165 more zeroscape, security for ponds, communication of shut offs to HOA landscaping companies, updating utility  
166 maps and shut off valve locations.

167  
168 Derek Cannon, Cahill Ave., commented in regard to the current water issue, expressed concern with catching  
169 up, future provision of water for anticipated growth, inquired when the City can expect to get ahead,  
170 recommended review of the landscape ordinance and promotion of desert landscape.

171  
172 Heather Bruck, Cahill Ave., commented in regard to the current water issue, appreciated the presentation,  
173 expressed concern with having problems from day 1, have had to call the City frequently because of no water  
174 pressure, residents pay more to water lawn, no water this morning, slow communication, effect on Utah Lake.

175  
176 Jeremy Schreiner, Weatherby Dr., commented in regard to the current water issue, asked for information in  
177 regard to funding infrastructure to support new development, use of development and residential revenue, how it  
178 breaks out.

179  
180 Richard Tanner, Cimarron Ave., commented in regard to the current water issue, expressed concern with  
181 diminishing provision of water.

182  
183 Shawn Beddes, Thoroughbred Dr., commented in regard to the current water issue, expressed concern with  
184 amount of money spent on required landscaping, if mid-day watering is required cost of water increases.

185  
186 Gordon Cook, Stetson Ave., commented in regard to the current water issue, requested additional information  
187 concerning the City's water system and when residents will have relief from problems.

188  
189 Gwenda Beddes, Thoroughbred Ave., commented in regard to the current water issue, recommended  
190 landscaping education, put requirement for water wise plants and use of irrigation as little as possible into  
191 landscape ordinance, inquired what the reason was to have 25% living plant life and why there is not a  
192 greenspace cap on residential.

193  
194 Jessica Turner, Cimarron Ave., commented in regard to the current water issue, worked with a landscape  
195 designer, received warning letters last year to put in their landscaping or suffer fines, new sod requires a certain  
196 amount of water, it is brown when you cut back, the problem is residences are not getting water pressure, it took  
197 eight years for Harvest Hills to get water pressure – that is not acceptable they had no water for drinking  
198 washing everything – can't bring in new people because existing residents do not have what they need needs  
199 to be resolved immediately and for future residents

200  
201 Steffani Roff, Western Dr., commented in regard to the current water issue, a lot of trouble is not knowing there  
202 was no water and their landscape begins to die, requested the City use the email system to advise residents.

203  
204 Debbie Woolsey, Cimarron Ave., commented in regard to the current water issue, reported they have never had  
205 culinary water pressure in Jacobs Ranch, the City has checked it and it is as high as it is allowed to go; requested  
206 warnings and information such as the boiling water advisory get to residents sooner, should be advised more  
207 than on Facebook.

208  
209 Richard Tanner, Cimarron Ave., inquired if there is water for a house fire. Fire Chief Campbell reported the  
210 Fire Department has sufficient water, pumps and pressure to respond to structure fire; they are checking and  
211 closely working with water management.

212  
213  
214

215 City Manager Christensen reported new development may only pay its proportional cost for the system plus for  
216 their future impact; the City is funding these projects through various revenue streams; staff is discussing an  
217 open house in July to provide information and talk about water. City Manager Christensen advised since this  
218 morning several feet of culinary water has been added to the tanks, the concerns in regard to water are a City  
219 priority and culinary water has been solved; acknowledged some residents have had no water and this was a bad  
220 situation, however, throughout the day the water department has restored water to those areas.  
221

222 Council Member McOmber commented he appreciates residents taking time to attend the meeting and inform  
223 them, he has forwarded emails received to staff, and suggested information be taken to neighborhoods in  
224 multiple locations.  
225

226 Council Member Baertsch advised staff will include comprehensive water information on the City's website.  
227 Council Member Porter noted several comments in regard to communication; Council Member McOmber  
228 advised the City will utilize the newsletter, email if the resident opts in for that, reverse 911 calls only work with  
229 home phone numbers, noted the social media is the best way to communicate information and alerts at this time.  
230

231 Recess: Mayor Miller recessed the meeting at 8:20 p.m.; the meeting reconvened at 8:33 p.m.  
232

233 **POLICY ITEMS:**

234  
235 **PUBLIC HEARINGS:**

236  
237 **1. FY 2015-16 Budget Amendments, Resolution R16-38 (6-21-16).**

238  
239 Mayor Miller introduced the public hearing concerning the FY 2015-16 Budget Amendments.  
240

241 Finance Manager Rawlings presented the staff report and recommendation for approval of FY 2015-16 Budget  
242 Amendments for completion of this fiscal year; reported these amendments primarily address the transfers going  
243 to the capital fund for capital projects in excess of 25%, a garbage fund adjustment for the current contract,  
244 reimbursement agreements, and secondary water impact fund expenditures.  
245

246 Mayor Miller opened the public hearing and invited public comment; there being none, closed the public  
247 hearing.  
248

249 Motion by Council Member Poduska to approve FY 2015-16 Budget Amendments and adopt Resolution R16-  
250 38 (6-7-16), was seconded by Council Member Baertsch

251 Roll Call Vote: Council Members Willden, Porter, McOmber, Poduska, and Baertsch – Aye

252 Motion carried unanimously.  
253

254 **2. FY 2016 Certified Tax Rate, Resolution R16-39 (6-21-16).**

255  
256 Mayor Miller introduced the public hearing concerning the FY 2016 Certified Tax Rate.  
257

258 Finance Manager Rawlings presented the staff report and recommendation for the tax year 2016 Saratoga  
259 Springs Certified Tax Rate of 0.001994, noting the rate has decreased from the 2015 rate of 0.002031 and the  
260 expectation is for the same revenues as the current fiscal year due to inclusion of new growth.  
261

262 Mayor Miller opened the public hearing and invited public comment; there being none, closed the public  
263 hearing.  
264

265 Motion by Council Member Porter to approve the FY 2016 Certified Tax Rate, Resolution R16-39 (6-21-16),  
266 was seconded by Council Member Baertsch

267 Roll Call Vote: Council Members Willden, Baertsch, Poduska, McOmber and Porter – Aye.

268 Motion carried unanimously.

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3. **Mountain View Estates II – Rezone (A to R-4) and Concept Plan Review**; Applicant Brian Sudweeks, Owner Sudweeks Construction.

Mayor Miller introduced the public hearing concerning Mountain View Estates II – Rezone.

City Planner Jamie Baron presented the staff report and recommendations concerning the request for rezone from Agricultural (A) to Low Density Residential (R-4) of 6.287 acres of property located at approximately 700 West 400 North. Planner Baron reported on May 26, 2016, the Planning Commission held a public hearing and forwarded a positive recommendation of the rezone with inclusion of a condition for a note placed on the plat advising in regard to the agriculture proximity as required per the City Standard Plat. Planner Baron advised the applicant has submitted a concept plan for the proposed development of 6,291 acres, nine 9,000 square foot lots and future City-owned irrigation pond, for review and feedback.

Mayor Miller opened the public hearing and invited public comment.

Paula Heaton, 782 W 400 N, expressed concern with the proximity of agriculture impacts.

\  
Mayor Miller, there being no other public comment, closed the public hearing.

In response to Council Member Porter, City Attorney Turman reported the draft purchase agreement for parcel B shows approximately \$59,000 per acre, the same price per acre as was purchased from Alpine School District. Council Member Porter recommended an additional plat note advising in regard to the future Mountain View freeway corridor.

Applicant Brian Sudweeks reported the open space requirement is 6% short, would do a payment in lieu of for that shortfall, trying to preserve enough property for a usable pond.

Council commented in support of the fee in lieu for the residual open space requirement and zoning of R-4 due to the developers cooperation with the detention pond. Council Member Porter suggested specification of funds to any local park. Council Member McOmber noted in lieu fees must be spent on any park service in the City, is not in favor of isolating or eliminating options. Council Member Baertsch commented it was best to use on current priorities coming up i.e. sports park, marina second phase - projects the residents want. Council Member Willden commented supports applying these fees to a defined project, does not want to tie up funds on an unspecified project

In response to Council Member Poduska, City attorney Thurman responded if Parcel C is noted as future developable space and determined to be open space to meet the City's subdivision ordinance, it would require burying the power lines at significant cost.

Council Member Baertsch noted the cross section of N 400 appears to decrease in size from the church lot next door, expressed concern in the event of future widening and that impact to the residential property. Planner Baron reported the street meets current right-of-way width requirements, the area by church is wider than normal. City Manager Christensen advised the Transportation Plan shows there will be a sizable collector nearby on Church property that will service this area to the east-west. Council Member Baertsch noted the name of the HOA may cause some confusion as Mountain View Estates II is not connected with Mountain View Estates; inquired concerning the road shooting west with a 164' turnaround - Chief Campbell reported he has provided feedback and that is to be brought back within 150'; Applicant Brian Sudweeks explained the road is 150', and is 164' with the sidewalk going around it.

Motion by Council Member Baertsch to approve Mountain View Estates II rezone from Agriculture (A) to Low Density Residential R-4, with inclusion of all staff findings and notations, and plat notations in regard to the proximity of agricultural and Mountain View Corridor as discussed, was seconded by Council Member McOmber

323 Roll Call Vote: Council Members Baertsch, Poduska, Willden, McOmber and Porter – Aye.  
324 Motion carried unanimously.

325  
326 **ACTION ITEMS:**

327  
328 **1. Award of Bid – 2016 Road Repair Project; Resolution R16-40 (6-21-16).**

329  
330 Assistant City Manager Kyle presented the staff report and recommendation Award of Bid for the 2016 Road  
331 Repair Project, reporting funding will come from B&C Road funds.

332  
333 Council Member McOmber pointed out the deterioration of Grandview Blvd. Council Member  
334 Baertsch noted several locations on Harvest Moon Drive, specifically was surprised of the condition in  
335 front of the Daybreak condos and would like that on the list. Council Member Baertsch referred to the  
336 Mountainlands Association of Governments (MAG) notification concerning miscalculation and  
337 decrease of B&C revenue. City Manager Christensen reported the City has not budgeted this revenue  
338 yet waiting for actual amount, the legislature redirected a portion of these taxes and the League  
339 (ULCT) is working to undo that action.

340  
341 Motion by Council Member Baertsch to award the bid to the lowest qualified bidder, Sumsion Construction  
342 DBA Eckles Pavings for \$83,789.10, and Resolution R16-40 (6-21-16), was seconded by Council Member  
343 McOmber

344 Roll Call Vote: Council Members Porter, McOmber, Poduska, Baertsch, and Willden – Aye

345 Motion carried unanimously.

346  
347 **2. Catalina Bay – Final Plat Phase 1;** Applicant Desert Peak Mngement Group, LLC Owner(s) Casey  
348 Development, LC, OilWell Properties, LC, Blackrock Homes, LLC.

349  
350 City Planner Kara Knighton presented the staff report and recommendation concerning the request for final plat  
351 approval for Catalina Bay Plat Phase 1, which consists of 50.61 acres in the R-3 zone, 131 lots, resulting in a  
352 density of 2.59 units per acre. The open space total is 5.27 acres with 2.02 acres proposed with the first phase.

353  
354 City Planner Knighton reported the proposed Final Plat application requests a deviation to the approved  
355 Preliminary Plat layout, replacing a through-street with two cul-de-sacs, resulting in the City Council being the  
356 approval authority pursuant to Section 19.12.03; and reported the Settlement and Development Agreement has  
357 been signed and submitted.

358  
359 Council Member Porter commented he is in support of the changes, phasing and fee in lieu of.

360  
361 Council Member McOmber commented he is okay with the fee in lieu, connectivity, and phasing if staff is  
362 comfortable; is disappointed in regard to the loss of additional connectivity, however, this is meeting code;  
363 noted change in Lot 121 – Planner Knighton reported the lot will be fixed.

364  
365 Council Member Poduska expressed appreciation for the open space and assistance with the marina; pointed out  
366 Phase 1 usually comes in a block, this configuration is spread out – City Manager Christensen explained the  
367 shape was contingent on the infrastructure going in with the Church, it was extended. Applicant Representative  
368 Susan Palmer commented the reason was also because the subdivision needed to have a second access.

369  
370 City Attorney Thurman inquired concerning completion of the deficient piece of the Redwood Road Trail as  
371 required within the settlement agreement, the offsite portion. Applicant Representative Susan Palmer  
372 commented the City decided to take care of that piece rather than the HOA, there is no way to put a water line  
373 up through there and hook up to the water meter until they go with phase 3. City Manager Christensen clarified  
374 this was an offsite os improvement that was being resolved, part of the terms was that they were going to install  
375 the trail, the applicant was asking for water credits, and it was decided that section would be metered and shown

376 for the City in its accounting, from a long term standing the cost of the water and meter valve compared to the  
377 long term cost of the trail maintenance, City will maintain and control the water for the section in front of  
378 Harbor Bay, with the changed phasing this is scheduled for completion by or at Phase 3; Susan Palmer affirmed  
379 this.

380  
381 In response to Council Member Poduska, City Manager Christensen advised the three lots north of the Church  
382 were sold to the property owner to add that extra acreage to their adjacent lots.

383  
384 Council Member Baertsch thanked staff for completion of the settlement agreement, commented she has a  
385 problem with fee in lieu, is concerned with four plus pages of engineering conditions plus all the staff conditions  
386 noting this should have been taken care of before bringing to Council as final plat, she wants to make sure these  
387 conditions are taken care of, especially of concern is making sure the landscaping is done properly and does not  
388 have to return with problems, and she would like to see Lot 121 fixed before Council finalizes this plat; noted  
389 two road name conflicts – the change with Garibaldi Way stubbing off north will have future connection with  
390 Heron Hills and she believes the Heron Hills portion is named Ute Road, it will be the same road with two  
391 names, also Garibaldi now wraps to the south and comes down to the east towards the lake connecting to a road  
392 with a different name, will need to look at the map. Council Member Baertsch commented she believes there  
393 are many issues that need to be fixed and is personally more comfortable tabling this until cleaned up, she has  
394 no problem with the phasing, wants to make sure landscaping is in and staff has approved it.

395  
396 City Attorney Thurman noted in review of the phasing plan and settlement agreement he finds he did not  
397 address the timing of completion of the deficient section of the Redwood Road Trail through the Hoarbor Bay  
398 section, asked if Council would make this a condition of approval for completion with Phase 3.

399  
400 Council Member Willden commented he is comfortable the conditions will be met and approving with  
401 conditions – they are a check box that staff goes through and validates – he personally does not need to see it  
402 come back as long as those issues can be handled by staff.

403  
404 Council Member McOmber commented in his opinion the final plat is normally approved by staff, and he is  
405 okay as long as we put in another condition that all these things have to be met before they can move forward, it  
406 is because of the change it is here before Council, and he concurs with Council Member Willden.

407  
408 Motion by Council Member Willden to approve Catalina Bay Phase 1 Final Plat located approximately 3500 –  
409 3700 S , between Redwood Road and Utah Lake, with the findings and conditions listed in the staff report, and  
410 inclusion of conditions the Redwood Road Trail through the Harbor Bay section be completed with Phase 3, and  
411 staff checks all conditions complies before they approve, was seconded by Council Member Porter  
412 Roll Call Vote: Council Members Willden – Aye; Council Member Baertsch – Nay; Council Member Poduska  
413 – Aye; Council Member McOmber – Aye; and Council Member Porter - Aye.  
414 Motion carried 4-1.

415  
416 Council Member Baertsch requested Council never receive 4.5 pages of conditions, it is too excessive, and to  
417 work things out prior.

418  
419 **3. Resolution Declaring Delinquency and Default of Unpaid Special Assessment Taxes for Special**  
420 **Improvement District 2005-1, Accelerating Payment of Special Taxes on the Delinquent Property,**  
421 **and Authorizing Foreclosure Proceedings; Resolution R16-41 (6-21-16).**

422  
423 Eric Johnson, with the Law Firm of Blaisedell, Church and Johnson, LLC, introduced himself and reported he  
424 assisted with preparation of the Resolution, there are a number of delinquencies in one of the City's special  
425 improvement districts that have not been paid with the annual special tax assessment, they have been notified  
426 and have not responded, explained the two options the City can do, this is the more aggressive approach  
427 pursuant to the authorizing resolution payments will be accelerated on taxes applicable to the property.  
428

429 Mr. Johnson reported notices will be issued to the property owners and all lienholders on the property, they will  
430 be given a chance to pay within a specified time frame, if the taxes are not paid the property can go to  
431 foreclosure and be sold, when the property sells the taxes are collected. Mr. Johnson explained usually at some  
432 point the owner realizes the City is serious about getting paid the taxes and the owner or a lienhold will step  
433 forward. A lienholder has a vested interest because the tax lien has priority, occasionally a lienholder will make  
434 the payment because if the property is sold their lien could get wiped out. It is fairly rare instance when the  
435 property goes to sale, however, with the downturn over the last seven years it has been known to happen.  
436

437 In response to Council inquiry, Mr. Johnson reported as a less aggressive approach the City could do the general  
438 tax collection which takes five years , the City would shoulder the delinquency for five years. Council Member  
439 Baertsch noted some of these have been due since 2009. City Attorney Thurman reported the original notice  
440 was issued October last year and they have been given plenty of reminders since then. Mr. Johnson noted  
441 having worked with foreclosures, this process gets their attention, they can pay what the taxes overdue, fees and  
442 expenses, right up to the time of sale, it clears it.  
443

444 **Explanation of Resolution Declaring Delinquency:**

445 The Assessment Area Act provides the City several tools to ensure that property owners pay for  
446 improvements benefitting their properties. Perhaps the strongest tool is the ability to foreclose on property  
447 when it is delinquent, as if foreclosing on a deed of trust (11-42-502 UCA). If desired, the City may by  
448 resolution declare the delinquent amount immediately due, accelerate the total amount outstanding and  
449 declare it immediately due and payable, and charge all costs of collection, including attorney fees (11-42-  
450 505 UCA). The purpose of the resolution is to make these declarations by resolution, as required.  
451 Accelerating the delinquent assessment payments will allow the City to collect all of the assessment in a  
452 foreclosure proceeding, rather than having to revisit delinquencies each and every year. While it is possible  
453 that the foreclosure will result in a property sale, for almost all properties, someone with an interest in the  
454 property, such as a property owner, or a secured lender on the property, will pay that delinquent assessment  
455 and collection fees, before a foreclosure sale is finalized, which is known as a redemption.  
456

457 Motion by Council Member McOmber to approve Resolution declaring delinquency and default of unpaid  
458 special assessment taxes for Special Improvement District 2005-1, accelerating payment of special taxes on the  
459 delinquent property, and authorizing foreclosure proceedings, Resolution R16-41 (6-21-16), was seconded by  
460 Council Member Baertsch

461 Roll Call Vote: Council Members Willden, Baertsch, Porter, Poduska, and McOmber – Aye

462 Motion carried unanimously.  
463

464 **4. Temporary Purchase of CWP Water.**

466 Mayor Miller introduced the document for temporary purchase of CWP Water for consideration of approval.  
467

468 Motion by Council Member Baertsch to ratify the purchase of temporary CWP Water, was seconded by Council  
469 Member McOmber

470 Roll Call Vote: Council Members Porter, McOmber, Willden, Baertsch, and Poduska – Aye

471 Motion carried unanimously.  
472

473 **APPROVAL OF MINUTES:**

474 **June 7, 2016.**

477 Motion by Council Member McOmber to approve the minutes for June 7, 2016 with corrections as submitted  
478 and posted, was seconded by Council Member Porter

479 Roll Call Vote: Council Members Willden, McOmber, Poduska, Baertsch, Porter – Aye

480 Motion carried unanimously.  
481

482 **CLOSED SESSION:**

483

484 Motion by Council Member Baertsch to enter into closed session for the purchase, exchange, or lease of  
485 property, pending or reasonably imminent litigation, the character, professional competence, or physical or  
486 mental health of an individual, was seconded by Council Member Porter

487 Roll Call Vote: Council Members Baertsch, Porter, Willden, Poduska, McOmber – Aye

488 Motion carried unanimously.

489

490 The meeting moved to closed session at 9:35 pm.

491

492 Present: Mayor Miller, Council Members Porter, Willden, McOmber, Baertsch, City Manager Mark  
493 Christensen, City Attorney Kevin Thurman, City Recorder Cindy LoPiccolo.

494

495 Closed Session Adjourned at 10:09 p.m.

496

497 **ADJOURNMENT:**

498

499 There being no further business, Mayor Miller adjourned the Policy Meeting at 10:10 p.m.

500

501

502

503

504

Attest:

\_\_\_\_\_  
Jim Miller, Mayor

505

506

507

508

\_\_\_\_\_  
Cindy LoPiccolo, City Recorder

509

510

Approved: