



HIGHLAND CITY COUNCIL AGENDA

September 6, 2016

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

7:00 P.M. REGULAR SESSION - CITY COUNCIL CHAMBERS

Call to Order – Mayor Mark Thompson
Invocation – Council Member Ed Dennis
Pledge of Allegiance – Councilman Brian Braithwaite

APPEARANCES (10 min.)

Time has been set aside for the public to express their ideas, concerns, and comments. *(Please limit your comments to three minutes each.)*

CONSENT (5 min.)

1. MOTION: **Approval of Meeting Minutes for the City Council Regular Session – August 16, 2016**
2. MOTION: **Ratify the Mayor Appointments to the Highland Library Board – Nancy Passaretti and Sue Carey**
3. MOTION: **Approval and Award of Bid for the Construction of a Fence around the Splash Pad – The Fence Specialists**
4. MOTION: **Approval of a six-month time extension for a Conditional Use Permit - Blackstone**
5. MOTION: **Preliminary Plat Approval for a 9 lot, single family residential subdivision, located at 11580 North 6000 West – Gable Ridge**
6. MOTION: **Preliminary Plat Approval for a 28 lot single family residential subdivision, located at 9725 North 6800 West - Sky Ridge Estates**

ACTION ITEMS (45 min.)

7. PUBLIC HEARING/MOTION: **Request for a re-zone from R-1-40 to R-1-30 of 28.38 acres located at 6475 West 11800 North– Oak Ridge Subdivision**

- 8. RESOLUTION: **Approval of an Interlocal Agreement with Utah County - Major Crimes Task Force**
- 9. RESOLUTION: **Approval of an Interlocal Agreement with Utah County – Community Development Block Grant Program**

MAYOR/ CITY COUNCIL & STAFF DISCUSSION AND COMMUNICATION ITEMS (15 min.)

- Status of Full Time City Engineer – Nathan Crane, City Administrator

CLOSED EXECUTIVE SESSION –COUNCIL CHAMBERS CONFERENCE ROOM

The City Council will hold a closed executive session pursuant to Section 52-4-205(1) of the Utah State Code Annotated for the purpose of discussing:

- The purchase, exchange, or lease of real property;
- The sale of real property;
- Reasonably imminent litigation;
- The character, professional competence, or physical or mental health of an individual.

ADJOURNMENT

(These items are for information purposes only.)

Description	Requested/Owner	Due Date	Status
Road Capital Improvement Plan for FY 15-16 <i>Prioritize and Communicate to Residents</i>	City Council	Estimated June 2016	Meeting In Progress
Determine Park Use for Recreation	City Council Parks Staff	2016	In Progress
PW Storage Building	City Council Mayor/PW	2016	In Progress
Election Policy	City Council Jody Bates	January 2017	In Progress
Options for Police and Fire Services PSD Sustainability	Mayor City Council		
Employee Pay Rate and Benefits Comparison	Mayor City Council		In Progress
Full Time Engineer	City Council		Report 09.06.16

ELECTRONIC PARTICIPATION

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

CERTIFICATE OF POSTING

The undersigned duly appointed City Recorder does hereby certify that on this **30th day of August, 2016**, the above agenda was posted in three public places within Highland City limits. Agenda also posted on State (<http://pmn.utah.gov>) and City websites (www.highlandcity.org).

JOD'ANN BATES, City Recorder

- In accordance with the Americans with Disabilities Act, Highland City will make reasonable accommodations to participate in the meeting.
- Requests for assistance can be made by contacting the City Recorder at 801-772-4505, at least 3 days in advance to the meeting.
- The order of agenda items may change to accommodate the needs of the City Council, the staff and the public.

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

**MINUTES
HIGHLAND CITY COUNCIL MEETING
Tuesday, August 16, 2016**

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

PRESENT: Mayor Mark S. Thompson, conducting
Councilmember Brian Braithwaite
Councilmember Dennis LeBaron
Councilmember Ed Dennis
Councilmember Rod Mann

STAFF PRESENT: Nathan Crane, City Administrator/Community Develop. Director
Erin Wells, Assistant to the City Administrator
Gary LeCheminant, Finance Director
JoD’Ann Bates, City Recorder
Zachary Smallwood, Planner
Justin Parduhn, Public Works O&M Director
Tim Merrill, City Attorney

EXCUSED: Councilmember Tim Irwin

OTHERS: Jessie Schoenfeld, Kaity Lavaja, Charles Greenland, Kurt Ostler, Nathan Edgel, Ellen Ingerson, Spencer Ingerson, Laura Mabey, Jonathan Bentley, Audrey Wright, DeeAnne Carlisle, Rodger Harper, Jocelyn Parmer, Drew, Maxwell, Michael Berg, Ben Sidwell, Gavin Smith, Adam Wightman, Ryan Hodgson, Joshua Doezie, Brandon Baukman, Anthony Bott, Ellis Bott, Grant Cory, Douglas Nielsen, Reece DeMille, Shauna Larsen and Chris Doezie.

The meeting was called to order by Mayor Mark S. Thompson as a regular session at 7:04 p.m. The meeting agenda was posted on the *Utah State Public Meeting Website* at least 24 hours prior to the meeting. The prayer was offered by Councilman Rod Man and those assembled were led in the Pledge of Allegiance by Ben Sidwell, a scout.

APPEARANCES:

Jocelyn Parmer expressed her concern for the dangerous conditions of three dead trees in the Canterbury Subdivision. She stated that she had recently sent letters to the City Council Members, but she has been trying to contact the City regarding this issue for the past two years. Mrs. Parmer reported that the neighbors all harbor concerns about the trees and would be willing to assist in their removal.

Nathan Crane, City Administrator, stated that the City was waiting to receive bids from contractors for the cost of tree removal. He estimated a cost of \$10,000.

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1 Mrs. Parmer stated that the citizens would be willing to set up fundraisers to help cover the cost,
2 if that was a concern for the City.

3 4 **PRESENTATION**

5
6 **Highland Fling Volunteer Recognition** – Jessie Schoenfeld, Fling Chairman & Kaity Lavaja,
7 Events Coordinator

8
9 Jessie Schoenfeld individually recognized Charles Greenlund, Shauna Larsen, DeeAnne Carlile,
10 Curt Ostler, and Brandon **Baukman** for their part in the Highland Fling and thanked them for
11 volunteering. Ms. Schoenfeld then reported on the successes of the Highland Fling, and a few
12 areas for improvement for next year.

13
14 Kaity Lavaja presented the budget for the Highland Fling. The first page of the document was a
15 summary of the revenue and expenses of the Fling. She noted that revenue increased from the
16 previous year. The following page showed a breakdown of revenue and expense by event.

17
18 Councilman Brian Braithwaite asked if the budget document included a list of monetary and in-
19 kind donations for the event. Mrs. Lavaja confirmed that the in-kind list was not included in the
20 document, but she would be able to email that information to the City Councilmembers. There
21 was a brief discussion regarding possible options for recognizing those individuals who donated
22 to the event.

23
24 Mr. Crane took a moment to thank Ms. Schoenfeld for her work on the event and presented her
25 with a small gift.

26
27 Before continuing the meeting, Mayor Thompson stated that the City Council would hear and
28 discuss Items 5 and 3 before proceeding with the agenda as written.

29 30 **ACTION ITEMS:**

31
32 **5. MOTION: Contracting for Job Classification and Compensation Study** – Personnel
33 Systems and Services

34
35 **BACKGROUND:** *At the June 14, 2016 Council meeting, City Council approved the FY2017*
36 *budget. As a part of the discussion on that item, the Mayor and City Council directed staff to*
37 *conduct a study regarding the comparison of employees' wages and benefits. Council and staff*
38 *also discussed updating job descriptions and performance evaluations for employees. Since that*
39 *time, staff has met with Mike Swallow, President of Personnel Systems and Services, about*
40 *conducting a job study. Personnel Systems and Services is viewed as the expert company in*
41 *conducting job studies for local governments. The company was recommended by Lehi,*
42 *American Fork, and other cities. Personnel Systems and Services' proposal includes: updating*
43 *job descriptions, creating job classifications, conducting a salary and benefit analysis and*

DRAFT

1 *comparison, and the creation of a compensation policy including salary grades and ranges. Part*
2 *of the deliverables include wage model that can be updated in the future by City staff with recent*
3 *data. Data is collected annually by Personnel Systems and Services and is available to the City*
4 *throughout the year for a \$250 annual fee. The timeline on the study would be 4-5 months. With*
5 *the updated job descriptions, classifications, and compensation policy, City staff will be able to*
6 *update job evaluations to be reflective of the study products.*

7
8 Erin Wells, Assistant to the City Administrator, presented the background information above.
9 Staff believes that Mr. Swallow's proposal to be comprehensive and something the City would
10 be able to update over time.

11
12 Mike Swallow, with Personal Systems and Services, explained the purpose of the annual fee of
13 \$250 and stated that the company offers discounts on other services as part of that subscription.
14 He also expressed a desire that Highland City become part of the company's collective
15 information-sharing resource. Mr. Swallow then explained the methodology that would be used
16 in creating the job study.

17
18 Councilman Brian Braithwaite asked Mr. Swallow to explain how the study would portray
19 hourly rate verses complete compensation, as the City at times will offer a lower hourly rate but
20 increased benefits or similar types of compensation. Mr. Swallow stated that the base pay and
21 other beneficial values would be studied separately, and there were several ways to approach the
22 issue. Councilman Brian Braithwaite stated that he would like the document to focus on total
23 compensation value. He also wanted those total numbers used when measuring against other
24 cities.

25
26 Councilman Ed Dennis asked if the study would include performance evaluations based on the
27 job descriptions and expectations of performance. Mr. Swallow stated that there was a
28 component of the study that addressed this area. Ms. Wells explained that staff's intention was
29 to get to the end of the study and then determine if the performance evaluations were something
30 the City could conduct with or without Mr. Swallow's assistance.

31
32 Councilman Dennis LeBaron asked if Mr. Swallow would factor in the size of the City versus
33 the size of the staff when comparing to other cities. Mr. Swallow stated that this was an entirely
34 different area of study, and it was not part of the direction given by staff.

35
36 **MOTION: Councilman Rod Mann moved the City Council authorize the Mayor to sign a**
37 **contract with Personnel System and Services in the amount of \$11,500, including the \$250**
38 **annual subscription.**

39
40 **Councilman Ed Dennis seconded the motion.**

41
42 **Those voting aye: Dennis LeBaron, Ed Dennis, Rod Mann and Brian Braithwaite.**

43 **Those voting nay: none**

44 **Motion carried.**

DRAFT

1 **3. RESOLUTION: Approval of a Pro-Tem Judge for the Justice Court** – Honorable Scott
2 Mickelsen and Honorable Sherlynn Fenstermaker.

3
4 ***BACKGROUND:** Judge Doug Nielsen has been hired as the Fourth District Juvenile Judge. The City has begun working the Administrative Office of the Courts (AOC) to fill the position. The next “New Judge Orientation” is in January 2017. This is a mandatory course that must occur prior to the new judge being sworn in. Due to a number of vacancies statewide, the AOC may hold an orientation earlier. Judge Nielsen has approached Judge Scott Mickelsen and Judge Sherlynn Fenstermaker about helping the City fill the gap until a new judge can be appointed. In order to do so, the City Councils of Highland and Alpine must adopt a resolution.*

11
12 Judge Doug Nielsen presented the background information listed above. He anticipated his final
13 day in Highland City to be the morning of September 22, 2016, and the open judge position
14 could not be advertised until he was formally confirmed by the Senate. After his departure, there
15 was a process that needed to be followed before a new judge could be sworn in. Judge Nielson
16 proposed that Judge Scott Mickelsen, of Draper City, be approved to act as interim judge until a
17 new judge was appointed. He also stated that Judge Sherlynn Fenstermaker could act as a
18 secondary judge in the case the Judge Mickelsen was unavailable.

19
20 Councilman Brian Braithwaite asked how this appointment would impact Judge Mickelsen’s
21 other time commitments. Judge Nielsen explained that Judge Mickelsen is a part-time judge in
22 Draper City, which is roughly the same size as Highland. He confirmed that the court schedules
23 for the two cities would not interfere with each other.

24
25 **MOTION: Councilman Brian Braithwaite moved the City Council approve a Resolution**
26 **appointing Scott Mickelsen as a Pro-Tem Judge and Sherlynn Fenstermaker as an**
27 **alternate Pro-Tem Judge for the Alpine Highland Justice Court.**

28
29 **Councilman Dennis LeBaron seconded the motion.**

30
31 **Those voting aye: Dennis LeBaron, Ed Dennis, Rod Mann and Brian Braithwaite.**

32 **Those voting nay: none**

33 **Motion carried.**

34
35 **CONSENT ITEMS:**

36
37 **1. MOTION: Approval of Meeting Minutes for the City Council Regular Session – June**
38 **28, 2016**

39
40 **2. MOTION: Approval of Meeting Minutes for the City Council Regular Session – July**
41 **19, 2016**

DRAFT

1 **MOTION:** Councilman Ed Dennis moved the City Council approve the consent items on
2 the agenda.

3
4 **Councilman Rod Mann seconded the motion.**

5
6 **Those voting aye: Dennis LeBaron, Ed Dennis, Rod Mann and Brian Braithwaite.**

7 **Those voting nay: none**

8 **Motion carried.**

9
10 **ACTION ITEMS:**

11
12 **4. MOTION: North Pointe Solid Waste Special Service District and North Utah**
13 **Environmental Resource Agency (NUERA) – Becoming partners with the Bay View**
14 **Landfill**

15
16 ***BACKGROUND:** The North Pointe Solid Waste Special Service District (North Pointe) voted to*
17 *join the Northern Utah Environmental Resource Agency (NUERA). The NUREA is looking into*
18 *becoming equity partners with the Bay View Landfill. This is something that North Pointe has*
19 *been working on for the past several years. In the short term, Roger Harper, Director of North*
20 *Pointe doesn't believe the short term costs will change much. However, in the future, if the*
21 *District were to transfer all of the City's waste to Bay View, it has the potential of saving the*
22 *District substantially with increased control of the "vertical" in processing our waste streams.*
23 *Mr. Harper currently estimates that the City's savings will be in the neighborhood of \$2+ per*
24 *ton. Republic Services has expressed concerns over the proposal. The primary concerns are*
25 *that North Pointe still has an agreement with Republic to haul 80% of the City's waste to their*
26 *Tooele landfill for the next one and a half years, and Republic may be more likely to divert their*
27 *collected waste stream away from North Pointe after their current contract expires. Attached*
28 *are two documents that will provide background on the subject. Council member Irwin serves*
29 *on both the North Pointe and NUERA Board.*

30
31 Nathan Crane presented the background information listed above and introduced Roger Harper,
32 the director of North Pointe.

33
34 Mr. Harper gave a brief history of NUERA and explained that they were interested in taking
35 ownership of the Bay View Landfill and becoming partners with the four entities that use it. He
36 stated that North Pointe was currently shipping all of their tonnage to Wasatch Regional Landfill,
37 but changing to the Bay View Landfill had the potential of saving the company and the residents
38 of Highland City a substantial amount of money.

39
40 Councilman Dennis LeBaron asked Mr. Harper about how much savings were anticipated. Mr.
41 Harper stated that there was a potential of saving \$3.00 to \$4.00 in transportation costs, and some
42 additional savings in operational costs. Those savings will be passed onto the residents with
43 lower tipping fees at the transfer stations.

DRAFT

1 Councilman Ed Dennis asked what kind of cost analysis was completed to justify their
2 expenditures. Mr. Harper explained that their buy-in would be roughly \$1.3 million, which is \$3
3 per ton at 180,000 tons per year. They anticipate a term of seven years to pay back that amount.
4

5 Councilman Brian Braithwaite was concerned about this proposal. In his experience, whenever a
6 government entity gets involved in something that a commercial entity can provide, the other
7 entities involved always lose. He gave the example of UTOPIA, stating that the proposed
8 situation is very similar. Councilman Brian Braithwaite found several issues with the
9 information in the report provided by North Pointe, including some of their base calculations.
10 He was glad to see the company exploring their options, but he was not comfortable with this
11 particular proposal.
12

13 Mr. Harper stated that the data provided in the report was accurate, and he felt that a comparison
14 to UTOPIA was unfair as the entities were different. He spoke about the commercial
15 competition and the potential for fee increases if they did not act on this opportunity.
16

17 Councilman Brian Braithwaite was not swayed by the explanations and stated that the best
18 option for the City may be to separate from North Pointe and turn it over to the commercial
19 entities. There was further deliberation regarding the accuracy of the numbers provided in the
20 report.
21

22 Councilman Rod Mann agreed with the comments made by Councilman Brian Braithwaite. He
23 felt that a government entity would not experience the same pressures for efficiency as a
24 commercial entity would. He believed that competition in this area would assure the best
25 performance. Councilman Rod Mann had no interest in proceeding in the direction proposed by
26 North Pointe.
27

28 Reese DeMille, with Republic Services, explained that they have had a good relationship with
29 North Pointe and have appreciated their business for many years. He also believed that North
30 Pointe was doing the right thing by looking at their options, but he agreed that there was no
31 reason for local government to continue to grow and for the City to purchase into the Bay View
32 landfill. Mr. DeMille stated that he was also concerned about the numbers presented in North
33 Pointe's report, and presented some statistics of his own. There was a discussion regarding these
34 statistics, including potential costs and transfer stations.
35

36 Tim Merrill, City Attorney, indicated that this item was for discussion and no motion was
37 required. The City Council Members agreed that the information discussed for this item needed
38 to be relayed to Councilman Tim Irwin, who was excused from the meeting.
39

40 **MOTION: Councilman Ed Dennis moved the City Council convey to Councilmember Tim**
41 **Irwin, who sits on the North Pointe Solid Waste Board, that Highland City Council opposes**
42 **becoming partners with the Bay View Landfill.**
43

44 **Councilman Brian Braithwaite seconded the motion.**

DRAFT

1 **Unanimous vote, motion carried.**

2
3 Before moving onto the next agenda item, Councilman Brian Braithwaite asked that the legal
4 department research what would be required if the City decided to separate from North Pointe, if
5 North Pointe chose to move forward in purchasing the Bay View Landfill.

6
7 **6. MOTION: Contract to accept Cash In-lieu of Water Dedication – For Property within**
8 **Highland**

9
10 **BACKGROUND:** *Highland City has acquired enclosed water shares that were made available*
11 *as a result of the enclosure of the Murdock Canal. Developers are required to dedicate water*
12 *shares to the City as part of each development. The City Council has directed staff to accept*
13 *cash in lieu of dedication for the enclosed water shares. In consultation with the City Attorney,*
14 *staff has prepared a Water Share Reservation Agreement. The highlights of the agreement are*
15 *as follows:*

- 16
17 • *The exact purchase price will be determined by market bids, averaging the quoted price*
18 *of three separate independent water brokers. However, the purchase price will not be*
19 *less than \$7,000.*
20 • *Reservation of the water is for two years. The proposed fee is \$1,000. This period can*
21 *be extended an additional two years subject to a \$500.00 fee.*
22 • *If the water is not purchased the reservation fee is forfeited.*

23
24 Nathan Crane presented the background information above.

25
26 Councilman Dennis LeBaron asked if the amount of \$124,000 would be the payment assuming
27 no pre-payment was made. Mr. Crane stated that this was correct. He explained that the Provo
28 River Water Users shares had the option for prepayment, but the City's agreement was with
29 Highland Water Conservation, who does not offer early payoff options.

30
31 There was a discussion regarding the workings of water shares, and how this agreement would
32 affect the residents and new developments.

33
34 **MOTION: Councilman Ed Dennis moved the City Council approve the contract to accept**
35 **cash in lieu of water dedication for properties in Highland, with an amendment to add**
36 **clarification as to the specific property that receives final approval.**

37
38 **Councilman Dennis LeBaron seconded the motion.**

39 **Unanimous vote, motion carried.**

40
41 **MAYOR, CITY COUNCIL & STAFF COMMUNICATION ITEMS**

42 *(These items are for information purposes only and do not require action or discussion by the*
43 *City Council)*

DRAFT

- 1 • Councilman Ed Dennis asked if any formal action needed to be taken in regards to the
2 dead trees mentioned during the public session. Mr. Crane stated that the item had not
3 been scheduled on the agenda, so no formal action was required at this time. He assured
4 the City Council that staff was taking action on this issue and were awaiting bids from
5 contractors. Mayor Thompson recommended that the City utilize the residents who have
6 volunteered to assist in the tree removal.
7
- 8 • Councilman Dennis LeBaron asked if there was an anticipated date for a final report on
9 the road study. Mr. Crane reported that he had received the report draft the previous
10 week, but some revisions needed to be made. He stated that the City Council would
11 review the final report in a few weeks.
12
- 13 • Councilman Rod Mann ask that the following items be added to the information chart:
14 ○ The PSD Sustainability Plan
15 ○ Information regarding the full-time Engineering position.
16

ADJOURNMENT TO CLOSED EXECUTIVE SESSION

17
18
19 **MOTION: Councilman Brian Braithwaite moved to adjourn into Closed Executive**
20 **Session.**

21
22 **Councilman Ed Dennis seconded the motion.**
23 **Unanimous vote. Motion carried.**
24

ADJOURNMENT

25
26
27
28 **MOTION: Councilman Rod Mann moved to adjourn.**

29
30 **Councilman Dennis LeBaron seconded the motion.**
31 **Unanimous vote. Motion carried.**
32

33 **Meeting adjourned at 9:59 p.m.**
34
35

36
37 _____
38 JoD'Ann Bates, City Recorder

39 Date Approved: September 6, 2016
40



CITY COUNCIL AGENDA REPORT ITEM # 2

DATE: Tuesday, September 6, 2016
TO: Honorable Mayor and Members of the City Council
FROM: JoD'Ann Bates, City Recorder
SUBJECT: MOTION: Ratifying the Mayors Appointment of Nancy Passaretti and Sue Carey as Board Members to the Highland City Library Board.

STAFF RECOMMENDATION:

City Council ratify the Mayors appointments to the Highland Library Board.

BACKGROUND:

There are two Library Board Members whose terms expired June 30, 2016. Marleene Brooks and Richard Sudweeks has served their two Three-year term and cannot be reappointed to the Library Board. These individuals assist the Library Board in its policy making and advocacy duties. State law allows members to be appointed to a maximum of two terms, each term to be three years.

It is recommended the appointment to the Library Board:

Nancy Passaretti of Alpine, and
Sue Cares of Highland

The term of these appointments will be effective immediately and conclude on June 30, 2019.

In choosing board members we have tried to find citizens who represent

- Different areas of the city
- Economic diversity
- Cultural diversity
- Active users of the library

We also seek those with unique skills who will be able to help us with developing policies, procedures and practices for effectively managing the library, along with developing a necessary and successful long range plan and understand intellectual freedom, privacy, and free speech issues.

FISCAL IMPACT:

N/A

ATTACHMENTS:

1. Volunteer Statement of Interest for Nancy Passaretti
2. Volunteer Statement of Interest for Sue Carey



Highland City Volunteer Statement of Interest

The residents of Highland have great pride in their City. The City utilizes many volunteers in numerous capacities to improve the overall quality of life in our town.

In order to encourage this participation, the Mayor is requesting statement of interests from those who are willing to serve. As vacancies or needs arise within the City, the Mayor and the City Recorder will review the statements, conduct interviews and make a selection(s).

If you are interested in serving as a volunteer within Highland City, please submit this Statement of Interest to the City Offices.

Name Nancy Passaretti Date August 26, 2016
Phone number [REDACTED] Email address [REDACTED]
Residence address [REDACTED] Highland Utah 84003

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

How long have you resided in Highland City? 9 yrs
Occupation Retired/ Grant Writer/ Psychologist
Education BS Elementary Ed MS School Psychology PHD Experimental Psych
Are you able to meet in the evenings? yes Semi-monthly yes Monthly yes
List any background and experience you have that you think would be helpful to the Committee or Commission you would like to serve: Worked as a grant writer for Provo School District

Please state why you would like to serve: I am interested in literacy and have written many grants regarding literacy

If not selected for an immediate opening, do you wish to be considered for the next opening?
Additional comments: Would like to serve on the library board to advance its services

Please select your interest:

- | | |
|----------------------------|--------------------------|
| <u>Standing Committees</u> | <u>Ad Hoc Committees</u> |
| Arts Council | Planning Commission |
| Beautification | Open Space |
| Highland Fling | Water Advisory Board |
| Tree Commission | Other: <u>library</u> |
| Youth Council | |

Submittal of a Statement of Interest does not guarantee an appointment to a committee.



Highland City Volunteer Statement of Interest

The residents of Highland have great pride in their City. The City utilizes many volunteers in numerous capacities to improve the overall quality of life in our town.

In order to encourage this participation, the Mayor is requesting statement of interests from those who are willing to serve. As vacancies or needs arise within the City, the Mayor and the City Recorder will review the statements, conduct interviews and make a selection(s).

If you are interested in serving as a volunteer within Highland City, please submit this Statement of Interest to the City Offices.

Name Sue Carey Date 8-29-16
Phone number [REDACTED] Email address sue@ [REDACTED]
Residence address [REDACTED] Alpine, UT 84004

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

How long have you resided in Highland City? See attached

Occupation _____

Education _____

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

List any background and experience you have that you think would be helpful to the Committee or Commission you would like to serve: degree in education, many years volunteering in libraries, advocacy work for literacy at Utah Legislature & State School Board

Please state why you would like to serve: help library improve and involve surrounding communities

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

Please select your interest:

Standing Committees

- Arts Council
- Beautification
- Highland Fling
- Tree Commission
- Youth Council

Ad Hoc Committees

- Planning Commission
- Open Space
- Water Advisory Board
- Other: Library Advisory Board

Submittal of a Statement of Interest does not guarantee an appointment to a committee.

Sue Carey



Education

- 1985 B.A. in History, with minors in Political Science and Music plus Secondary Teaching Certificate, Brigham Young University
- 1988 accepted to Arizona State University and began M.A. in Humanities
- 1985-2005 renewed Utah Secondary Teaching Certificate every 5 years by taking university courses

Work experience

- 2004-2005 DelCreo, Inc. bookkeeper
- 2001-2005 Substitute teacher in Alpine School District
- 1996-2001 Substitute teacher in Pinellas County School District in Florida
- 1985-1987 BYU Bookstore: full-time merchandiser, full-time checker
- 1980-1985 BYU janitorial, Cannon Ctr. student line server, dishroom, Morris Ctr. student salads supervisor

Committees & Advisory Boards

- 2003-07 Member of Alpine School District Community Council
Secretary 2003-04
President 2004-06
- 2005 Administrator Search Committee for Alpine School District
USOE Task Force for Scholastic Eligibility
- 2007-09 Child Abuse and Neglect Advisory Council
Governor's Early Childhood Commission
Utah Family Partnership Network Advisory Board
Child Care Resource and Referral Advisory Board
Prevent Child Abuse Utah Conference Planning Committee
Parents Empowered.org Advisory Committee
Utah Partnership for Healthy Weight
Family Education Plan Steering Committee
Governor's Sexual Violence Prevention Committee
USOE Prevention Dimensions Advisory Committee
- 2009-2011 Utah Afterschool Network (UAN) Board of Directors & Policy Committee
USOE Trustland Advisory Committee
Public Education Coalition
- 2009-10 USOE Race to the Top Grant Committee
USOE Literacy Master Plan Committee
- 2010-11 Utah Women & Education Steering committee, and appeared in their video
USOE Policy Advisory Committee
USOE 2014/15 Assessment and Accountability System Board Rules Committee
USOE Teacher of the Year Committee
KSL Read Today Committee
Utahns for Public Schools Board of Directors
Educational Excellence Coalition

Community Service

- 2013-14 LDS Church Service Missionary, Family & Church History Headquarters Mission, wrote training manuals for US & Canada Zone in FHL
- 2006-07 Executive Board, Alpine Community Theatre
- 2004-2016 Primary Children's Medical Center Festival of Trees committee
- 1999-2009 BSA Merit Badge Counselor
- 1999 BSA Webelos leader, Pack 92, Troop 92 Committee
- 2000 BSA Assistant Scoutmaster, Troop 92; Pack Committee Chair, Pack 92
- 2001 BSA Webelos leader, Pack 92, Troop 92 Committee Advancement Chair
- 2003-07 BSA Troop 1113 Committee
- 2007-08 BSA Webelos leader, Pack 1113
- 1997-98 VP of Seminole Little League Association, Florida
- 2004-06 Elected Precinct Vice-Chair and State Delegate
- 2006-08 Elected Precinct Vice-Chair and State Delegate
- 2010-12 Elected County Delegate
- 2012-14 Elected State & County Delegate
- 2014-16 Elected State & County Delegate

PTA service

- 1994-12 PTA Member
- 1997-98 Frontier Elementary PTA Historian, Largo, Florida
- 1997-99 Frontier Elementary PTA Treasurer, Largo, Florida
- 1997-2000 Frontier Elementary PTA President, Largo, Florida
- 2001-02 Alpine Elementary Red Ribbon Week and Carnival Committees, Alpine, Utah
- 2002-03 Alpine Elementary PTA Treasurer, Alpine, Utah
- 2002-03 appointed partway through year, American Fork Utah Council PTA Secretary
- 2003-04 elected, American Fork Utah Council PTA Secretary
- 2004-05, 2006-11 Utah PTA Legislative Action Committee
- 2004-06 Lone Peak Council PTA President (newly created council)
- 2006-07 PTA Region 9, Associate Region Director
- 2006-07, 09-10 member, Utah PTA Bylaws Committee
- 2007-09 Utah PTA Family Life Commissioner
- 2009-11 Utah PTA Education Commissioner



CITY COUNCIL AGENDA REPORT

ITEM # 3

DATE: Tuesday, September 6, 2016
TO: Honorable Mayor and Members of the City Council
FROM: Justin Parduhn, Operations and Maintenance Director
SUBJECT: MOTION: Approval of a Bid for the Construction of a Fence around the Splash Pad

STAFF RECOMMENDATION:

City Council award bid in the amount of \$28,989.00 for the construction of a 4 foot powder coated commercial grade decorative aluminum fence around the Splash Pad to the Fence Specialists.

BACKGROUND:

The City Council has asked staff to bid the cost of a fence around the Splash Pad. Staff has solicited bids from three companies as follows. All fencing is a 4 foot black powder coated commercial grade aluminum decorative fence unless otherwise noted. Staff selected aluminum for the material as it will hold up better considering the moisture and chlorine it will be exposed to. The aluminum density is also a thicker than normal so as to provide extra strength. These bids are different from previous bids we received last year because we have added some gates to help control where the children can run in and out as well as to try and cut down on the amount of pets in the area that can have a negative impact on our water samples.

- Fence Specialists: \$28,989.00
- Stonehenge Fence: \$31,810.00
- Northwest Fence: \$39,500.00

FISCAL IMPACT:

Funding for the fence has been budgeted in the 2016-2017 fiscal year budget under Capital Improvement Fund – Parks GL Code # 40-40-68. There is currently \$35,000 that was budgeted for the fence installation. In addition we have applied for and received the Utah County Community Activities Grant from the Utah County Commission that will go towards the installation of the fence. The total amount of the grant they will reimburse us for is \$9,428.15. The grant requires us to turn in documentation of purchase by October 31, 2016 and any publicity we do as a part of the fence must say “Sponsored by the Utah County Community Activities Fund”.

With the help of this grant the fiscal impact on Highland City out of the Capital Improvement fund for the installation of the fence would be \$19,560.85.

ATTACHMENTS:

1. Utah County Community Activities Grant
2. Map

AGREEMENT

This Agreement is made and entered into by and between Utah County, a political subdivision of the State of Utah, with its office located at 100 East Center Street, Provo, Utah 84606, hereinafter referred to as COUNTY and HIGHLAND CITY, located at 5400 West Civic Center Drive, Suite 1, Highland, Utah, 84003, hereinafter referred to as CITY.

RECITALS

WHEREAS, the Board of County Commissioners, Utah County, Utah has adopted policy guidelines and procedures for approving applications for Utah County Community Activities Fund grants which comply with the provisions of Title 59, Chapter 12, Part 6, Utah Code Annotated, 1953 as amended, and

WHEREAS, COUNTY has reviewed the Utah County Community Activities Grant application submitted by CITY and has determined that CITY should be awarded a Utah County Community Activities Grant;

NOW, THEREFORE, in consideration of the mutual covenants set forth herein, it is agreed by and between COUNTY and CITY as follows:

1. COUNTY hereby agrees to make a Utah County Community Activities Grant to CITY in an amount not to exceed \$9,428.15 through funds derived from the Tourism, Recreation, Cultural and Convention Facilities Tax of the County of Utah for improvements to CITY's Town Center Splash Pad.

2. CITY hereby agrees that the grant received from COUNTY shall be used exclusively in funding the above-mentioned project.

3. The parties agree that all funds granted by COUNTY to CITY shall be given only for

documented reimbursable costs incurred by CITY for the purpose stated above, and that payments by COUNTY to CITY will be made only upon presentation by CITY to COUNTY of appropriate receipts or other permitted documentation of reimbursable costs made by CITY. Presentation of all said appropriate receipts or other permitted documentation shall be made to COUNTY prior to October 31, 2016. No reimbursement for any costs submitted after October 31, 2016 will be made by COUNTY to CITY.

4. CITY also agrees that all publicity generated by CITY for the above-mentioned approved project shall display the language, "Sponsored in part by the Utah County Community Activities Fund."

5. The parties agree that COUNTY by virtue of this Agreement is making a grant only to CITY and is not responsible for any actions of CITY, or any other entity, in the construction of the project and the completion of the project stated above.

6. It is agreed by the parties that COUNTY may audit the records of CITY concerning the above-mentioned approved project at any time.

7. It is agreed by the parties that this Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Utah.

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

9. Any modification of this Agreement or additional obligation assumed by either party in connection with this Agreement shall be binding only if placed in writing and signed by each party or an authorized representative of each party.

DATED this 10 day of May, 2016.

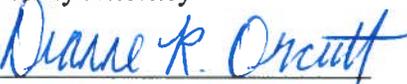
BOARD OF COUNTY COMMISSIONERS
UTAH COUNTY, UTAH


LARRY ELLERTSON, Chairman

ATTEST:
Bryan E. Thompson
Utah County Clerk/Auditor

By: 
Deputy

APPROVED AS TO FORM:
Jeffrey R. Buhman
Utah County Attorney

By: 
Deputy

DATED this _____ day of _____, 2016

HIGHLAND CITY

By: _____
Mayor

ATTEST:
By: _____



Utah County Commission

Larry Ellerton 100 East Center Street 801-851-8136
 Greg Graves Suite 2300 Fax 801-851-8146
 Bill Lee Provo, UT 84606 www.utahcounty.gov

2016 Municipal Recreation Grant Application

Municipality: Highland City

Name of Preparer/Contact Person: Erin Wells

Mailing Address: 5100 W Civic Center Drive

Phone: 801-756-5751 E-mail: erin@highlandcity.org

Grant Amount Requested 2016: \$ \$9,128.15 KN

2015: \$ _____ (if eligible)

TOTAL: \$ \$9,128.15 KN

Project Name: Town Center Splash Pad Fencing

Project Location: Town Center Splash Pad, 5100 W Civic Center Drive, Highland

Project Type: (Please check all that apply.)

- Physical Facilities (Construction) Cultural Facility Tourist Facility
 Recreational Facility Convention Facility

Please submit a detailed project description with application

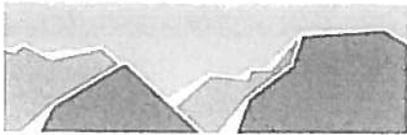
Application deadline is MAY 2, 2016 @ 5:00 P.M.

Date Approved by Municipal Council: Tuesday, October 20, 2015

Mark S. Houston 5-2-2016
 Mayor Signature Date

FOR INTERNAL OFFICE USE ONLY

Application Received by Commission Office	County Attorney Review	Commission Approval/ Agreement #	Agreement Sent to Municipality	Signed Agreement Received by Commission Office	Receipts Received by Commission Office	PO Sent to County Auditor	Funds Paid
5-2-16 KN							



HIGHLAND CITY

5400 West Civic Center Drive ~ Suite 1
Highland, UT 84003
Phone 756-5751 • Fax 756-6903
Office of the Mayor

April 28, 2016

Re: Municipal Recreation Grant Program

Dear Utah County Commission/Greg Graves,

We appreciate the opportunity to apply for the 2016 Municipal Recreation Grant Program. The project that I have designated to apply for these funds is a fence for our Town Center Splash Pad. Please see the attached documentation for details on the project.

Please do not hesitate to call me should any questions arise.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Thompson", with a long horizontal flourish extending to the right.

Mark Thompson
Highland City Mayor

Introduction

Highland City would like to propose the addition of a fence around our Town Center Splash Pad for the 2016 Recreation Municipal Grant from the Utah County Commission.

Background Information

The Town Center Splash Pad has been in operation since 2008. Since that time, it has become an attraction for families not just in Highland City, but all over the area. From Memorial Day – Labor Day every year, thousands of people come to enjoy the fun of the splash pad. It is an amenity that Highland City treasures and we strive to do everything we can to maintain its integrity.

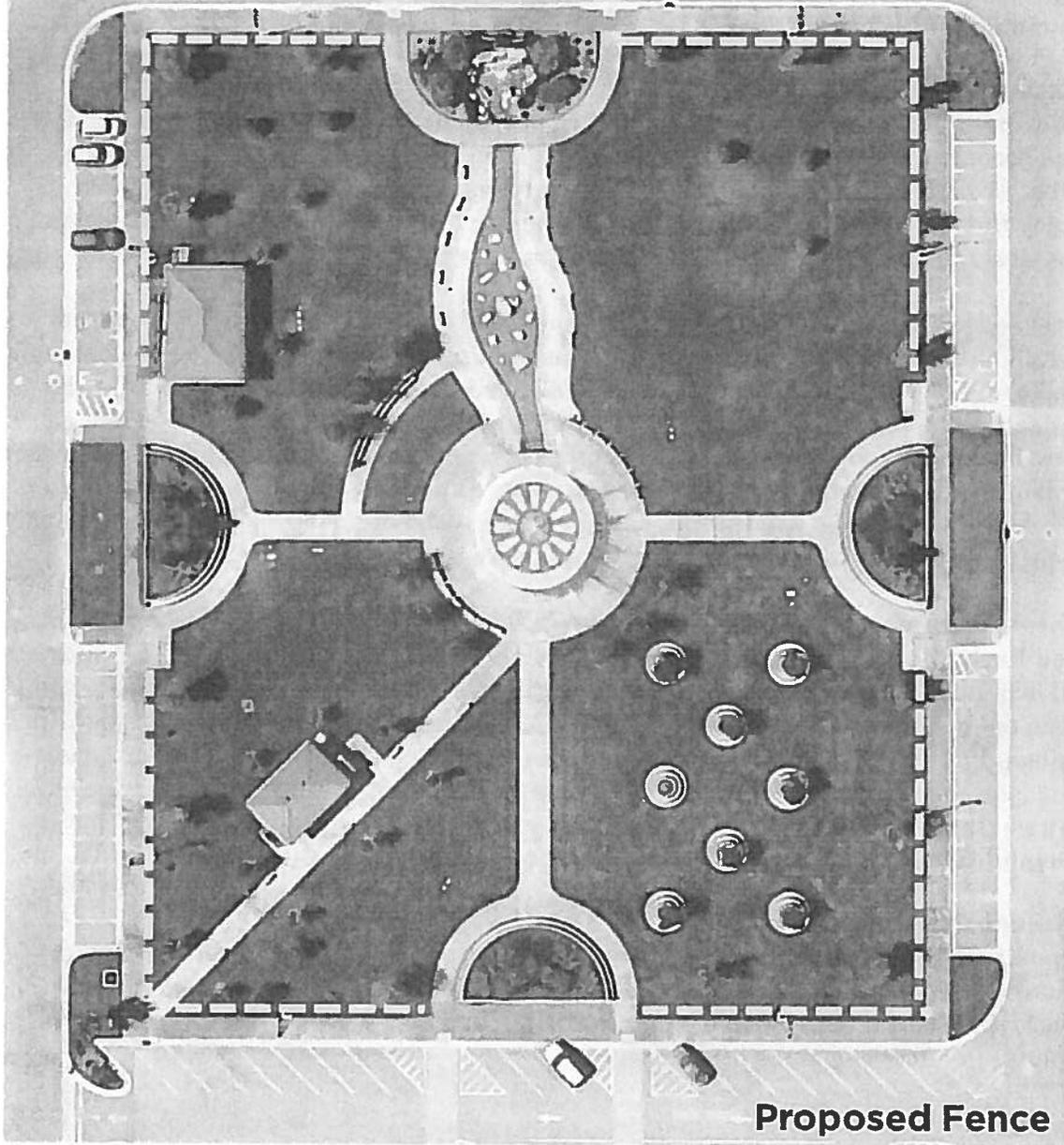
Last season, it became apparent that a couple of issues were arising that we feel would be solved with a fence. Firstly, a large number of families come to our splash pad every day and many of those families have young children. The Town Center Splash Pad Park is surrounded by four fairly well traveled streets. In addition, a new housing development is in the process of being built in the immediate area that will only add to the traffic along those streets. As such, a safety concern has arisen. If a fence were added around the park, the likelihood of a young child running away from their family and into the road would decrease.

The second issue is a sanitary concern. While dogs are not allowed in the Splash Pad Park, it appears that at night, dog owners are walking their dog in the park, allowing the dog to defecate, and then failing to clean it up. When the Splash Pad is then open, children will at times step in the fecal matter and then run through the Splash Pad. When that happens, a large amount of bacteria then enters our system and causes our filtration system to do an added amount of work to ensure the water is safe. If a fence were added around the park that was locked during night hours, the ability for dogs' owners to walk their dogs in the park would decrease.

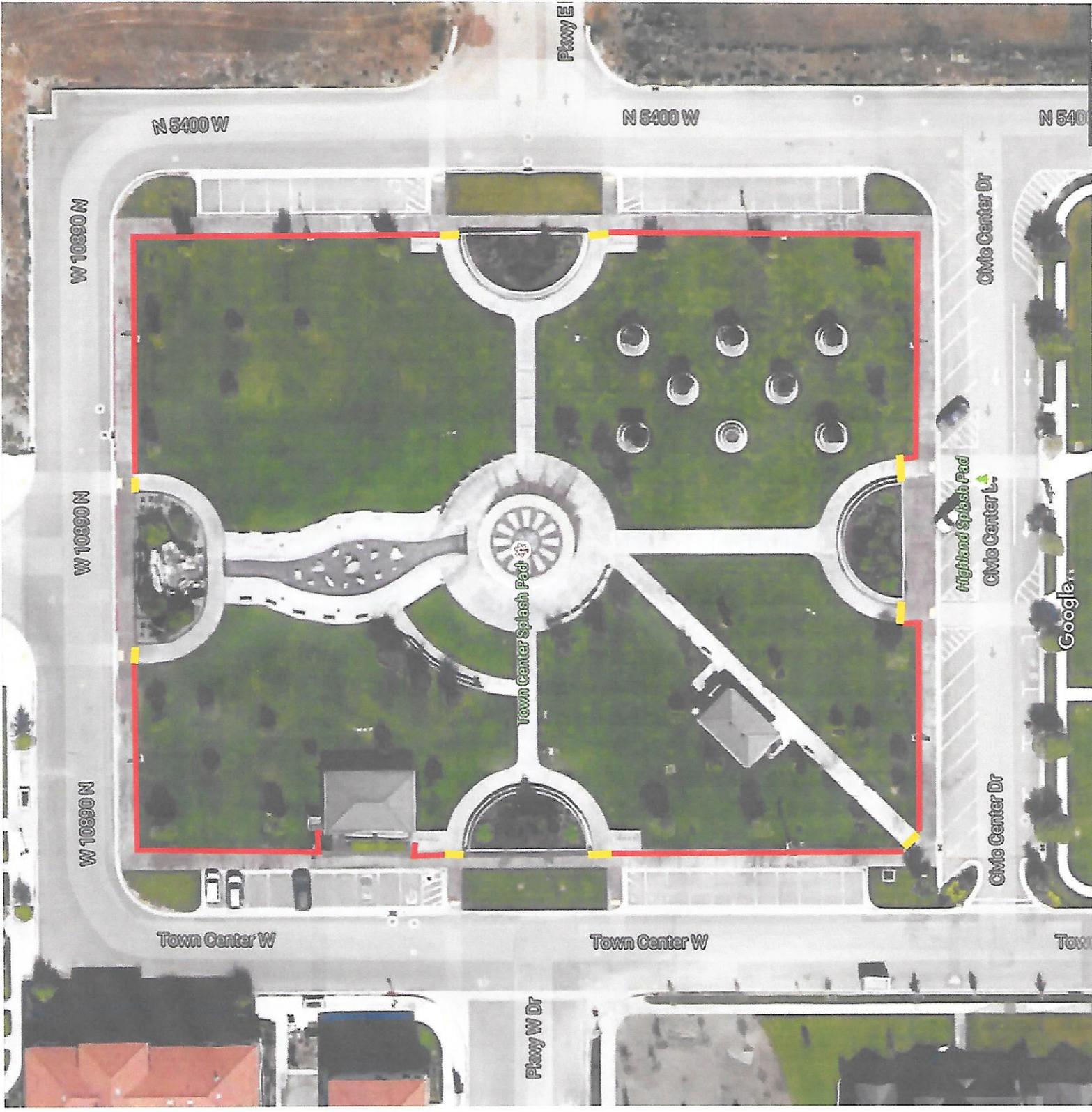
Project Description

Upon receipt of this grant, a fence will be purchased to be put around the Town Center Splash Pad. The initial bid for the fence was approximately \$40,000. As such, the grant monies would only cover a portion of the cost, but still would be helpful in offsetting some of the cost.

TOWN CENTER SPLASH PAD



Proposed Fence



N 5400 W

N 5400 W

N 5400 W

W 10390 N

W 10390 N

W 10390 N

Town Center Splash Pad

Civic Center Dr

Highland Splash Pad

Civic Center L

Google

Civic Center Dr

Town Center W

Town Center W

Town Center W

Play W Dr



CITY COUNCIL AGENDA REPORT

ITEM # 4

DATE: Tuesday, September 6, 2016
TO: Honorable Mayor and Members of the City Council
FROM: Nathan Crane, AICP
City Administrator/Community Development Director
SUBJECT: MOTION: Approve a six-month time extension for the Blackstone Conditional Use Permit (CU-15-02)

STAFF RECOMMENDATION:

Staff recommends that the City Council approve the six-month time extension for the Blackstone conditional use permit.

BACKGROUND:

The City Council approved a request for a conditional use permit for an 85 unit single family attached residential townhome project on September 15, 2015. The preliminary plat for the project was approved on December 1, 2015 and the Final Plat was approved on June 6, 2016. The development review process requires that the civil construction plans be substantially completed prior to final plat approval.

The Development Code Section 4-109 Conditional Use: Expiration states:

“Substantial construction activity under a conditional use permit must have been commenced within one (1) year of its issuance. If no such activity has been commenced within that time, the conditional use permit shall expire one (1) year from the date of its issuance. The Planning Commission, at its discretion, grant one extension for any period not to exceed six (6) months, when deemed in the public interest.”

The property owner is requesting a six-month extension of the approval of the conditional use permit to allow for construction to begin on the project as allowed under Section 4-109. Although the Development Code specifies that the Planning Commission may grant the extension. However, in consultation with the City Attorney, Staff has determined that since the City Council approved the conditional use permit they are the appropriate body to approve the extension.

If the extension is approved, the conditional use permit would be valid until February 15,

2017 in which time substantial construction will need to be underway or the conditional use permit will be invalid.

The property owner has made a good faith effort in proceeding with the construction of the project by completing the preliminary plat, final plat, and substantially completing the civil construction plans. The civil construction plans are nearing final completion and construction will begin before February.

RECOMMENDATION AND PROPOSED MOTION:

I move that the City Council approve a six month extension for the Blackstone conditional use permit.

FISCAL IMPACT:

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

ATTACHMENTS:

N/A



CITY COUNCIL AGENDA REPORT

ITEM # 5

DATE: Tuesday, September 6, 2016
TO: Honorable Mayor and Members of the City Council
FROM: Zachary Smallwood
City Planner
SUBJECT: MOTION: A request by Vitrail, LLC for Preliminary Plat approval for a 9 lot single family residential subdivision known as Gable Ridge located at 6000 West 11580 North(PP-16-03).

STAFF RECOMMENDATION:

Staff recommends that the City Council approve the preliminary plat subject to the four stipulations recommended by the Planning Commission.

BACKGROUND:

The property located at 6000 West and 11580 north requested to be annexed in the city of Highland (ANNX-14-01) and was approved by the City Council in June of 2016. A request to zone the property R-1-30 was also approved in June 2016.

As part of the annexation, the Council approved the applicants request for a 640 foot cul-de-sac.

The property is designated as Low Density Residential on the General Plan Land Use Map. The property is zoned R-1-30 (Single Family Residential). The R-1-30 District allows one home per 30,000 square feet. The minimum lot width is 120 feet.

Preliminary plat review is an administrative process.

SUMMARY OF THE REQUEST:

1. The applicant is requesting preliminary plat approval for a 9 lot single family subdivision. The property is approximately 7.25 acres. Lot sizes range from 20,214 square feet to 67,198 square feet. The density of the project is 1.24 dwelling units per acre.
2. Access to the property will be from 6000 West which is a local road. The road is capped by a cul-de-sac

CITIZEN PARTICIPATION:

Notice of the Planning Commission public hearing was published in the 08/07/2016 edition of the Daily Herald and mailed to all property owners within 500 feet on August 8, 2016. No additional comments have been received.

ANALYSIS:

- The property is newly annexed into the city and was designated as Low-Density Residential. The proposed subdivision is consistent with the General Plan.
- The property to the north and west is zoned R-1-40 and has been developed as single family homes. The property to the east is currently in Utah County and is currently a farm. Much of the property has been designated for annexation by Highland City. The property to the south is zoned R-1-40 and has been developed as single family homes within a Planned Unit Development. The proposed subdivision is compatible with the surrounding uses.
- On lot #9, the city is requiring an easement for a detention basin because of the shallow storm drain along 6000 West.
- Water will be dedicated as required by the Development Code prior to final plat recordation.

FINDINGS:

With the proposed stipulations, the preliminary plat meets the following findings:

- It is in conformance with the General Plan, the R-1-30 District, and the Highland City Development Code.

Planning Commission Action

The Planning Commission held a public hearing on August 23, 2016. The Commission voted 7-0 to recommend approval of the preliminary plat subject to the following stipulations:

1. The final plat shall be in substantial conformance with the preliminary plat dated July 14, 2016.
2. Final civil engineering plans to be reviewed and approved by the City Engineer. These plans shall meet all requirements of the City Engineer.
3. All required public improvements shall be installed as required by the City Engineer.
4. The detention pond adjacent to lot 9 shall be constructed and landscaped by the developer prior to completion of the subdivision. The landscape plan shall be

approved prior to any construction on the site.

RECOMMENDATION AND PROPOSED MOTION:

I move that the City Council accept the findings and **APPROVE** the preliminary plat for Gable Ridge, subject to the four stipulations recommended by the Planning Commission.

ALTERNATE MOTION:

I move that the City Council recommend denial of the preliminary plat subject to the following findings (The Council should draft appropriate findings that demonstrate the proposed plat does not meet the standards established in the Development Code).

FISCAL IMPACT:

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

ATTACHMENTS:

1. Proposed Preliminary Plat



CITY COUNCIL AGENDA REPORT

ITEM # 6

DATE: Tuesday, September 6, 2016
TO: Honorable Mayor and Members of the City Council
FROM: Zachary Smallwood
City Planner
SUBJECT: MOTION: A request by Edge Homes for Preliminary Plat approval for a 28 lot single family residential subdivision known as Sky Ridge Estates located at 9725 North 6800 West (PP-16-02).

STAFF RECOMMENDATION:

Staff recommends that the City Council approve the preliminary plat subject to the four stipulations recommended by the Planning Commission.

BACKGROUND:

A General Plan amendment and a rezoning from R-1-40 to R-1-30 was approved in June of 2016.

The property is designated as Low Density Residential on the General Plan Land Use Map. The property is zoned R-1-30 (Single Family Residential). The R-1-30 District allows one home per 30,000 square feet. The minimum lot width is 120 feet.

Preliminary plat review is an administrative process.

SUMMARY OF THE REQUEST:

1. The applicant is requesting preliminary plat approval for a 28 lot single family subdivision. The property is approximately 19.57 acres. Lot sizes range from 20,063 square feet to 27,065 square feet.
2. There are multiple access points to the property the main ingress and egress is expected along 6800 West. There are also connections at 6900 West and 1550 East.
3. There is an irrigation ditch that runs through the property that will be piped and relocated. This will be protected via an easement.

CITIZEN PARTICIPATION:

Notice of the August 8, 2016 Development Review Committee was sent on July 19, 2016. In the Development Review Committee concerns were discussed with Ben and Mary

Fietkau. They were worried about the ditch that is on the south west side of the property. Jarran at Edge Homes said he would look into it and be addressed.

Notice of the Planning Commission public hearing was published in the 08/07/2016 edition of the Daily Herald and mailed to all property owners within 500 feet on August 8, 2016. No additional comments have been received.

ANALYSIS:

- The property is designated as Low-Density Residential on the General Plan Land Use Map.
- The adjacent property located within the city to the north is zoned R-1-40 and is in the Ridgewood subdivision. The property to the north east is in the Makalas Meadows subdivision. The properties immediately south and east are homes that are not part of any subdivision. The properties located west of the development are located within the city of Lehi. The proposed project is compatible with the surrounding uses.
- Utilities will be extended to serve the development from Angels Gate. The existing infrastructure has been sized to meet the requirements of this subdivision.
- The original preliminary plat has a twenty foot easement for relocating and piping a ditch. Approval from the Lehi Irrigation Company is required prior to approval of the final plat.

FINDINGS:

With the proposed stipulations, the preliminary plat meets the following findings:

- It is in conformance with the General Plan, the R-1-30 District and, the Highland City Development Code.

RECOMMENDATION:

The Planning Commission held a public hearing on August 23, 2016. The Commission voted 7-0 to recommend approval of the preliminary plat subject to the following stipulations:

1. The final plat shall be in substantial conformance with the preliminary plat dated August 18, 2016
2. Final civil engineering plans to be reviewed and approved by the City Engineer. These plans shall meet all requirements of the City Engineer.
3. All required public improvements shall be installed as per City Engineer's approval.

4. Written approval regarding the relocation of the existing irrigation pipe shall be provided prior to final plat approval.

RECOMMENDATION AND PROPOSED MOTION:

I move that the City Council accept the findings and **APPROVE** the preliminary plat for Sky Ridge Estates, subject to the four stipulations recommended by the Planning Commission.

ALTERNATE MOTION:

I move that the City Council recommend denial of the preliminary plat subject to the following findings (The Council should draft appropriate findings that demonstrate the proposed plat does not meet the standards established in the Development Code).

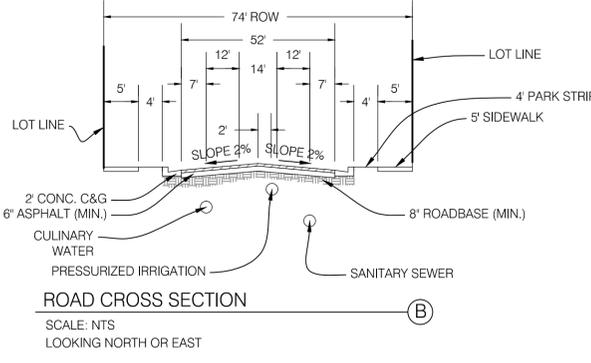
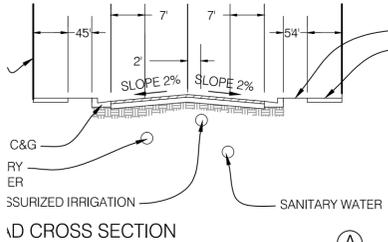
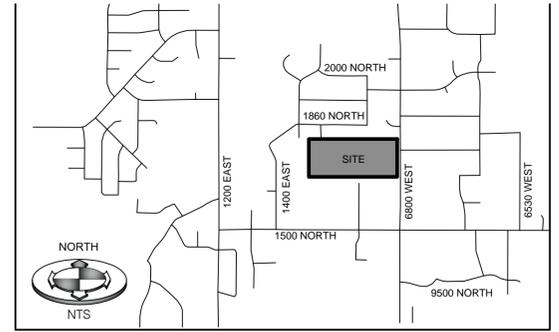
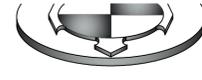
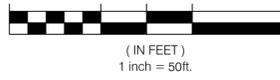
FISCAL IMPACT:

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

ATTACHMENTS:

1. Proposed Preliminary Plat

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN HIGHLAND, UTAH COUNTY, UTAH



ENGINEER
ISAAC RICHES
BENCHMARK ENGINEERING
9130 SOUTH STATE ST.
SANDY, UTAH
TELEPHONE: (801) 542-7192

OWNER/DEVELOPER
JARAN NICHOLLS
EDGE HOMES
482 WEST 800 NORTH STE 203
OREM, UTAH
TELEPHONE: (801) 494-0150

LEGAL DESCRIPTION
BEGINNING AT A POINT NORTH 00°47'04" WEST ALONG THE QUARTER SECTION LINE A DISTANCE OF 660.06 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 1 EAST SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE WEST 584.96 FEET TO A POINT ON THE EAST LINE OF 9600 NORTH SUBDIVISION ON FILE WITH THE UTAH COUNTY RECORDERS OFFICE; THENCE NORTH ALONG THE EAST LINE OF THE SAID SUBDIVISION A DISTANCE OF 29.66 FEET TO THE NORTH-EAST CORNER OF SAID SUBDIVISION; THENCE WEST ALONG THE NORTH LINE OF SAID SUBDIVISION A DISTANCE OF 528.89 FEET TO THE NORTH-WEST CORNER OF LOT 3 OF SAID SUBDIVISION; THENCE SOUTH 00°39'45" WEST ALONG THE WEST LINE OF SAID SUBDIVISION A DISTANCE OF 29.66 FEET; THENCE WEST 201.07 FEET; THENCE NORTH 00°04'11" WEST 668.90 FEET TO A POINT ON THE SOUTH LINE OF CEDAR HOLLOW SUBDIVISION PLAT B, ON FILE WITH THE UTAH COUNTY RECORDERS OFFICE; THENCE SOUTH 89°40'10" EAST ALONG THE SOUTH LINE OF SAID CEDAR HOLLOW SUBDIVISION, CEDAR HOLLOW SUBDIVISION PLAT J, AND RIDGEWOOD SUBDIVISION PLAT A, ALL BEING ON FILE WITH THE UTAH COUNTY RECORDERS OFFICE, A DISTANCE OF 1306.79 FEET TO THE QUARTER SECTION LINE OF SAID SECTION; THENCE SOUTH 00°47'04" EAST ALONG SAID QUARTER SECTION LINE A DISTANCE OF 661.42 FEET TO THE POINT OF BEGINNING.
CONTAINS 19.656 ACRES MORE OR LESS

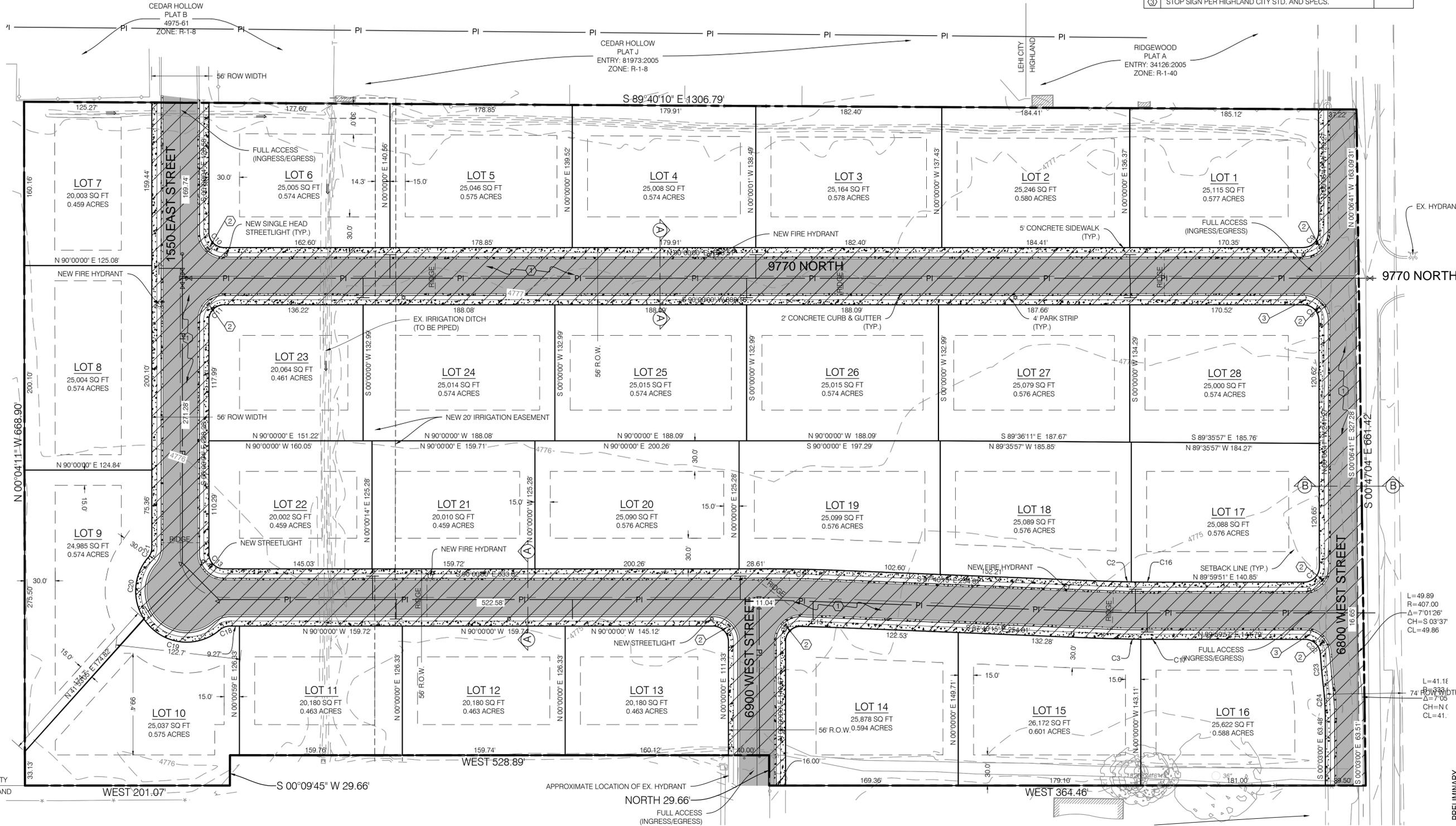
FLOOD ZONE INFORMATION:
FLOOD ZONE X, AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN.

NO.	DESCRIPTION	DETAIL
1	STANDARD DUTY ASPHALT PAVEMENT WITH GRANULAR BASE	
2	ADA RAMP PER HIGHLAND CITY STD. AND SPECS.	
3	STOP SIGN PER HIGHLAND CITY STD. AND SPECS.	

PARCEL ACREAGE=19.66 ACRES
AREA DEDICATED TO HIGHLAND CITY FOR PUBLIC USE =185,726 S.F.
JM LOT AREA=0.459 ACRES (20,062 SQ. FT.)
GE LOT AREA=0.573 ACRES (24,061 SQ. FT.)
UM LOT DEPTH= 124.7
GE LOT DEPTH= 134.2

SITE DATA TABLE	
PLANNING ZONING	R-1-30
NET AREA OF SITE	856,199
AREA OF SITE	673,702
NO. OF LOTS	28
TOTAL BUILDABLE AREA	299,563

FRONTAGE	LOT	FRONTAGE
187	15	179
184	16	177
182	17	186
180	18	190
179	19	197
178	20	201
160	21	160
200	22	161
179	23	151
123	24	188
160	25	188
160	26	188
160	27	188
170	28	188



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IT'S FREE & IT'S THE LAW.
BLUE STAKES OF UTAH
UTILITY NOTIFICATION CENTER
1-800-662-4111
www.bluestakes.org

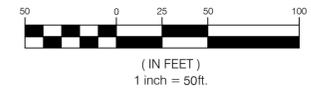
NO.	DATE	DESCRIPTION
1	07/05/2016	PRELIMINARY SURVEY
2	15/12/2016	FINAL SURVEY

PROFESSIONAL SEAL
No. 9752808
ISAAC J. RICHES
STATE OF UTAH

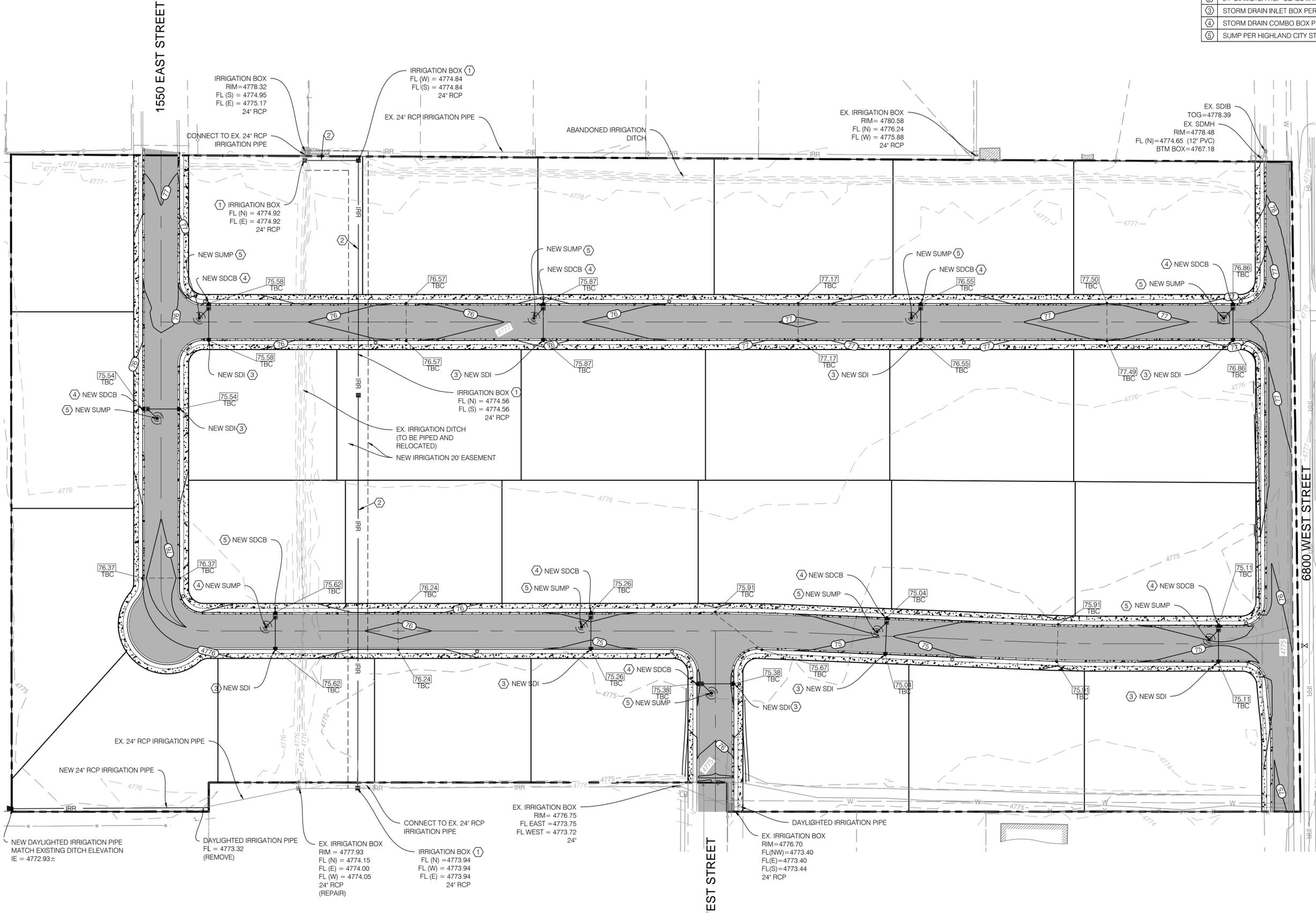
BENCHMARK ENGINEERING & LAND SURVEYING
9130 SOUTH STATE STREET SUITE # 100
SANDY, UTAH 84070 (801) 542-7192

HIGHLAND SUBDIVISION
EDGE HOMES
9770 N 6800 W
UTAH AND ILLINOIS

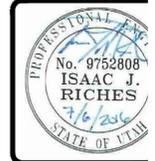
PRELIMINARY PROJECT NO. 1512202
PRELIM. PLAT



GRADING AND DRAINAGE KEY NOTES REFERENCE		
NO	DESCRIPTION	DETAIL
①	4X4 IRRIGATION JUNCTION BOX	
②	24" DIAMETER RCP CLASS III IRRIGATION PIPE	
③	STORM DRAIN INLET BOX PER HIGHLAND CITY DRAWING SD-01	
④	STORM DRAIN COMBO BOX PER HIGHLAND CITY DRAWING SD-01	
⑤	SUMP PER HIGHLAND CITY STD DETAIL SD-01	



NO.	DATE	DESCRIPTION
1	07/05/2016	ISSUED FOR PERMITS
2	15/12/2016	REVISED



BENCHMARK ENGINEERING & LAND SURVEYING
 9130 SOUTH STATE STREET SUITE # 100
 SANDY, UTAH 84070 (407) 5427149



**HIGHLAND SUBDIVISION
 EDGE HOMES**
 9770 N 6800 W
 UTAH AND ILLINOIS

PROJECT NO. 1512202
**PRELIM. GRADII
 DRAINAGE &
 IRRIGATION PL**





CITY COUNCIL AGENDA REPORT

ITEM # 7

DATE: Tuesday, September 6, 2016
TO: Honorable Mayor and City Council
FROM: Nathan Crane, AICP
City Administrator/Community Development Director
Zachary Smallwood
City Planner
SUBJECT: PUBLIC HEARING AND ORDINANCE - RSL Communities has requested a rezoning of 28.38 acres of property located at 6475 West 11800 North from R-1-40 to R-1-30 (Z-16-04). *Legislative*

STAFF RECOMMENDATION:

The City Council hold a public hearing, draft findings, and determine if the R-1-30 District is the appropriate district for the property.

BACKGROUND:

The applicant would like to subdivide and develop this property into low density single family residential and has requested that the zoning be changed to R-1-30 from R-1-40.

Rezone requests are a legislative process.

SUMMARY OF THE REQUEST:

1. The applicant is requesting a rezoning for their property from R-1-40 Single Family Residential to R-1-30 Single Family Residential.
2. The maximum density permitted in the R-1-30 District is 1.45. The minimum lot size for the R-1-30 District is 20,000 square feet. The minimum lot frontage is 120 feet except for lots on a cul-de-sac. The maximum number of lots is determined by dividing the total square footage by 30,000 square feet.
3. The maximum density in the R-1-40 District 1.09 units per acre. The minimum lot width is 130 feet. There are no exceptions for lots on a cul-de-sac. The maximum number of lots is determined by dividing the total square footage by 40,000 square feet.
4. The applicant has prepared an illustrative concept plan. The plan shows 41 lots. The density is 1.44 units per acre. A subdivision plat will be required prior to construction of the single family residential development to determine compliance

with the Development Code and Engineering Design Standards. Review of the preliminary plat may result in the reduction of the number of lots and reconfiguration of the subdivision as shown on the conceptual plan.

CITIZEN PARTICIPATION:

The applicant held a neighborhood meeting on August 11, 2016. A summary of the meeting is attached.

Notice of the Planning Commission public hearing was published in the August 7, 2016 edition of the Daily Herald and mailed to all property owners within 500 feet on August 8, 2016. A significant amount of opposition has been received and is included in Attachment 4.

Notice of the City Council public hearing was published in the August 14, 2016 edition of the Daily Herald and mailed to all property owners within 500 feet on August 22, 2016. No additional comments have been received.

ANALYSIS:

General Plan

- The site is designated Low Density Residential in the General Plan. The General Plan section 2-21 states that “New uses should be developed on existing vacant and agricultural land according to established low-density, large-lot land patterns and densities”. The proposed rezoning is consistent with this designation.

Surrounding Land Uses:

- The objective of the R-1-30 zone is to support a low density residential environment.
- The zone was established to:
 - Create transitional areas within the city between other residential zones
 - To create a distinction and gradation between one acre larger lots and half acre lots.
- The properties to the west have been developed as single family homes, in the R-1-40 zone. Most of the lots are between 30,000 to 40,000 square feet.
- The lots directly to the east of the applicants property is zoned R-1-40. Most properties are between 30,000 and 35,000 square feet.
- To the south are part of the Dry Creek Bench Subdivision which is an open space subdivision.

- The north borders Ridgeline Elementary and an LDS Chapel.

Site Circulation:

- Primary access will come three access points, Mercer Hollow Road from the south a local road, Sunrise Drive(11630 North) from the east and west, also a local road, and north from 11800 North a collector. It has been planned that this property would use these connections. The developer will be responsible for all improvements adjacent to 11800 North.
- The length of the proposed North/South connection is of concern and may need to be mitigated during Preliminary Plat review. This will be addressed as part of the preliminary plat review.
- The Dry Creek Trail will be connected to the sidewalk along 11800 North as part of this project.

Utilities

- There are currently four possible connections to be made with sewer, pressurized water and culinary water. It has been planned that this property would use these connections.
- Storm water drainage is a potential issue there is be a need for a detention basin located on site. This will be addressed in the preliminary plat before approval.

PLANNING COMMISSION ACTION:

The Planning Commission held a public hearing on August 23, 2016. Multiple residents spoke in opposition of the request. The Commission voted 5-1 to recommend denial of the request based on the following:

- The area is surrounded by R-1-40.
- Because of the surrounding lot sizes R-1-30 was not appropriate at this location.
- R-1-30 is a deviation from R-1-40 and should only be considered in appropriate areas.
- It did not meet the transition requirement on the east or west.
- Concern that the conceptual plan did not meet the Development Code enough to fully analyze the request.

CONCLUSION AND RECOMMENDATION:

Conceptual plans represent a challenge for residents, Staff, Planning Commission and City Council as they represent the maximum lot yield. In addition, approval of a

conceptual plan creates an expectation of the property owner and developer regarding the lot yield. Because they have not been reviewed for compliance with the Development Code there can be significant changes to the proposed subdivision. This has resulted in issues with recent developments.

Residents and the Planning Commission expressed concern regarding the use of R-1-30 at this location due to the existing surrounding land uses and adding additional homes above what R-1-40 would allow.

The intent of the R-1-30 District was not to replace the R-1-40 District, but rather to have an alternative to the R-1-20 District since we were receiving so many requests for R-1-20. The Council will need to determine if this location is appropriate for the R-1-30 District. If the Council chooses to approve the request stipulations can be included to address any concerns or issues.

PROPOSED MOTIONS:

Based on the following findings, (the Council should draft appropriate findings), I move that the City Council **ADOPT** the ordinance rezoning the property from R-1-40 to R-1-30.

Based on the following findings, (the Council should draft appropriate findings), I move that the City Council **DENY** the rezoning request as recommended by the Planning Commission.

FISCAL IMPACT:

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

ATTACHMENTS:

1. Proposed Ordinance
2. Neighborhood Meeting Summary and Attendance List
3. Citizen Input
4. Applicants Narrative

ORDINANCE NO. 2016-**

AN ORDINANCE OF THE HIGHLAND CITY COUNCIL AMENDING THE OFFICIAL ZONING MAP REZONING THE 28.38 ACRES LOCATED AT 6475 WEST 11800 NORTH FROM R-1-40 TO R-1-30 AND IMPOSING CONDITIONS UPON SUCH CHANGE.

WHEREAS, the Highland City Council desires to amend the Official Zone Map of Highland City; and

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

WHEREAS, the Commission held public hearing on this Ordinance on August 23, 2016; and

WHEREAS, the City Council held a public hearing on this Ordinance on September 6, 2016.

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

SECTION 1. That ± 28.38 acres of certain real property generally located at 6475 West 11800 North more particularly described and depicted on “Exhibit A”, attached and incorporated herein by reference is hereby zoned R-1-30 Residential subject to the following condition(s):

1. The preliminary and final plats shall meet all requirements of the Development Code
2. XXX

This/These condition(s) shall run with the land, and shall apply until such time, if any, that the property is re-zoned either by failure to comply with the conditions or further zoning action by the City Council.

SECTION 2. This zone map amendment is predicated upon compliance with the conditions in Section 1. In the event any condition is violated or unfulfilled, this Ordinance shall become null and void and the zone designation for all of the subject properties shall revert to the R-1-40 Zone.

SECTION 3. That the Mayor, the City Administrator, the City Recorder and the City Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose of this Ordinance.

SECTION 4. This Ordinance shall take effect immediately upon its first posting or publication.

SECTION 5. If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct, and independent of all other provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

PASSED AND ADOPTED by the Highland City Council, September 6, 2016.

HIGHLAND CITY, UTAH

Mark S. Thompson, Mayor

ATTEST:

JoD'Ann Bates, City Recorder

COUNCILMEMBER	YES	NO
Brian Braithwaite	<input type="checkbox"/>	<input type="checkbox"/>
Ed Dennis	<input type="checkbox"/>	<input type="checkbox"/>
Tim Irwin	<input type="checkbox"/>	<input type="checkbox"/>
Dennis LeBaron	<input type="checkbox"/>	<input type="checkbox"/>
Rod Mann	<input type="checkbox"/>	<input type="checkbox"/>

EXHIBIT A

File No. 1616625HM

EXHIBIT "A"

Commencing at the West quarter corner of Section 26, Township 4 South, Range 1 East, Salt Lake Base & Meridian, said corner also being the Northwest corner of Dry Creek Highlands Phase 1 Subdivision according to the official plat of record on file at the Utah County Recorder's Office; thence along said Dry Creek Highlands Phase 1 Subdivision South $89^{\circ}47'20''$ West 844.81 feet to a point on the easterly boundary of Dry Creek Highlands Phase 3 Subdivision according to the official plat of record on file at the Utah County Recorder's Office; thence along said Dry Creek Highlands Phase 3 Subdivision North $19^{\circ}05'14''$ East 1365.59 feet; thence South $86^{\circ}40'15''$ East 184.95 feet to the Northwest corner of Eleven Thousand Eight Hundred (11800) North Church Subdivision according to the official plat of record on file at the Utah County Recorder's Office; thence along said Eleven Thousand Eight Hundred (11800) North Church Subdivision the following two (2) courses: South 430.97 feet and East 352.09 feet to a point on the westerly boundary of Ridgeline Elementary School Subdivision according to the official plat of record on file at the Utah County Recorder's Office; thence along said Ridgeline Elementary School Subdivision the following two (2) courses: South $00^{\circ}03'21''$ West 299.57 feet and South $89^{\circ}56'39''$ East 700.00 feet; thence South $00^{\circ}03'21''$ West 324.89 feet; thence North $89^{\circ}56'48''$ East 173.76 feet; thence South $00^{\circ}03'12''$ East 216.64 feet to a point on the northerly boundary of Plat "A", Dry Creek Bench Subdivision according to the official plat of record on file at the Utah County Recorder's Office; thence along said Plat "A", Dry Creek Bench Subdivision South $89^{\circ}46'09''$ West 1011.83 feet to the point of beginning.

Less and excepting therefrom all that portion conveyed by that certain Quit-Claim Deed recorded March 6, 2003 as Entry No. 33631:2003 of Official Records and being more particularly described as follows:

Beginning at a point which is 1326.69 feet S. $00^{\circ}10'38''$ W. from the Northwest corner of Section 26, Township 4 South, Range 1 East, S.L.B. & M., and running thence N. $89^{\circ}59'33''$ E. 634.56 feet along the southerly line of the Highland Hills Subdivision; thence S. $00^{\circ}00'02''$ W. 37.54 feet; thence Westerly 195.00 feet along the arc of a 4,963.00-foot radius curve to the left (chord to said curve bears S. $88^{\circ}01'21''$ W. 194.99 feet); thence S. $86^{\circ}53'48''$ W. 110.02 feet; thence Westerly 585.08 feet along the arc of a 5,037.00-foot radius curve to the right (chord to said curve bears N. $89^{\circ}46'32''$ W. 584.75 feet); thence N. $86^{\circ}26'53''$ W. 72.08 feet; thence Westerly 73.02 feet along the arc of a 4,963.00-foot radius curve to the left (chord to said curve bears N. $86^{\circ}52'10''$ W. 73.02 feet); thence N. $18^{\circ}06'36''$ E. 44.02 feet; thence S. $89^{\circ}38'14''$ S. 386.10 feet to the point of beginning.

Meeting Minutes from RSL Communities Neighborhood Meeting
re: Oak Ridge Rezone Application

Ridgeline Elementary School

August 11, 2016

7 pm start time

Patrick Ord (RSL Communities Utah Division President) opened the meeting

-Introduced himself

David Grogg- VP of Operations

Tricia Ashby- VP of Sales

Patrick Asked- Who has been to a neighborhood meeting before?

Patrick Explained the process of signing in and notes that would be taken regarding neighborhood questions, comments, and input.

Brief introduction of RSL Communities

- Company from Northern California
- Specialize in high-end production and custom homes
- Value-add homes which means base price plus options
- Brief description of Flex plans which allow homes to be reconfigured, mother-in-law suites, lofted ramblers, etc.
- Reference some of our plans on the table in front of him.
- Utah Division of RSL Communities began approximately 1 year ago
- Have land and preparing to go vertical with construction in South Jordan- McKee Farms by The District

Described what attracted RSL Communities to Highland City

- Outstanding community that can support price and type of homes
- Beautiful homes to enhance property values

Purpose of this meeting is to discuss the Re-Zone of the property from R-1-40 to -R1-30.

Patrick briefly reviewed the differences between R-1-40 and R-1-30 zoning. He reference the letter and packet sent to the neighborhood.

City created this new zoning in April after recognizing changes in demographics

- 25,000 Square foot minimum lots for 75% of the development
- 20,000 - 25,000 SF lot sizes for 25% of the development
- Result is better land plan with more flexibility in lot and development design

RSL Communities is asking for a re-zone

Feel there are compelling reasons to approve the re-zone application

- Creates a transition zone between R1-40 plans to east and west and PD zone to south and R1-20 to north - Patrick showed the concept plan
- Balances favorable market element with benefit to the community.
- Consistent in rational with city reason for the zoning category
- According to City Zoning Ordinance- 30,000+ lots can have large animals so another benefit to the neighbors will be no large animals
- Create product differentiation

Opened for Comments, Questions and Remarks from the audience at 7:21 pm

Q1- whose idea to rezone the property to R-1-30 = the City or Developer?

A1- City created the Zone – but developer is applying for the re-zone

Q2- Question about the trail as it exists now versus a new one

Q3- Can a wall between existing homes and new development be put up?

Q4- there is a hill on lot 101, city paid lots of money to improve this area- what is the plan with that?

A 2, 3,4: Patrick discussed possibilities but said ultimately those decisions would be made during the Plat approval process.

Q5- Any kind of park or open area planned?

A5 - City has said they don't want more parks given to them.

Q6- Can you show proposed R-1-40 plan versus R 1-30- plan?

A6 - We haven't done a site plan for R1-40. Another developer did but it didn't pass developer feasibility process

Comment from audience: regarding differences between R-1-40 and R-1-30

- R 1-40- 20,000-30,000 square foot lots = 25%. Max of 30 lots on site.
- R 1-30- 20,000-25,000 square foot lots = 25%. Max of 41 lots on site (per concept plan).

Plat shown is an approximation only. We are not trying to get the concept plan approved, just requesting rezone at this time.

Q7- If get R 1-30 zoning approved, how close to end result will this concept plan be?

A7 – The circulation elements would stay the same since the streets are already stubbed. We may lose a lot here or there to accommodate trail systems, detention basin requirements, etc. The Concept Plan illustrates a maxed out lot yield scenario.

Q8- Tanya College = objection to neighborhood meetings, trails, wants divider between this property and other lots

A8 – Acknowledge concern

Q9-

- Has drainage concerns
- School and Resources = water studies
- Said skeptical of development
- Traffic Concerns

A9 – Drainage concerns will be discussed with engineers during Plat Approval process. Traffic calming devices may be discussed with City Staff during Plat Approval process.

Q10 - Do you own the property?

A10 - No, it is under contract.

Q11- Would you move forward if you can't get the re-zone approved?

A11 - We would have to do a thorough feasibility study to determine this.

Q12 -Demand on School is huge

--Lot 110 Traffic Issue = Grand Central station road

--Everyone would cut through this road to get to school. Right hand turn makes it more desirable.

Reference Westlake and Highland intersection as busiest road.

--This would become the shortcut to get to school and church

A12- That road will connect under the current City circulation plan.

--Patrick mentioned there are ways to mitigate traffic and slow it down. There are traffic control measures that could be taken.

Q13- What are you going to do with it? Reference our website—not impressed at all—Worried about 'cookie cutter' neighborhood. Last really great land in Highland and she cares about the homes being built.

A13- We see a benefit to our lot plan approach and homes that RSL Communities build.

Q14 – Cody-- \$800,000 price point means absorption will be slow and homes will not be built fast enough. Dust is a big concern. How long will it take to finish all the homes?

- Comment from homeowner who posed Q13- 77 homes in the HOA of Dry Bench and all the plans are different

A14- Reasonable absorption expected at 2 per month. RSL Communities “semi custom” product would absorb more quickly than a lot sale development while maintaining the quality of a high-end home.

Q15 - Vicki Harris not opposed. What is the approximately square footage of the homes? Referenced Ivory- who has a “gazillion” plans. Concerned about traffic, prices and sizes of homes.

A15 – Approximate SF would be in the 3,400 SF finished range with additional unfinished basement square footage around 2,200 SF. RSL Communities offers base floorplans that can be customized. With just the 6 base floorplans that we brought to show you, these can be reconfigured in over 110 different floorplans and elevations.

Q16- Do you have plans online?

A16 – Not specific to the Oak Ridge Project yet.

Q17 – 110-111 borders—

- what are you doing with the ridge? Lots of grading will need to occur. Concerned over what run-off will be – requested some kind of cement retaining.
- What are you doing with the Oak Brush? Gamble Oak- are you keeping it or getting rid of it? Concerns over fire.
- Concerned about elementary school traffic, accessibility of ambulance, fire trucks, etc.
- Northern winds concern- garbage collection at Bull River Road
- Can you have a construction fence to hold garbage back?

A17 – The grading plan will determine what happens with the ridge and is yet to be complete. We don’t have an answer on the Gamble Oak yet. Acknowledge other concerns.

Q18- Where does the property line begin and end? Can we have a fence? Will you do a construction line rather than just stake the property corners?

A18 – We will certainly identify our property boundaries prior to commencing construction.

Q19- Lower density is preferred. Reference Sky Estates and overcrowding at the school.

Alpine District is building 3 new elementary schools and none of them will help the overcrowding at this school.

A19 – Acknowledged concern.

Q20- Concerns over selling and absorption plus pricing.

A20 – same as A14

Q21- Trail that stops at 115, could it go through 123-122?

A21 – Willing to look at it. Will depend on importance to the City and impact on the concept plan.

Q22- Traffic concerns on Bull River. Fast driving traffic calming measures, speed bumps.

A22 – same as A12.

Q23- Floorplans—want more custom feel to the homes

A23 – Patrick invited her to look at the floorplans and elevations he brought.

Q24- Concerns over

- Wind
- Excavation
- Bare dirt blowing/dust
- What responsibility do we have to control the dirt?
- Dust

Homeowner comment: next step is to write the planning commission.

A24 – VP of Ops David Grogg spoke about construction best practices we will implement.

Q25- Dry Creek not tended well. Can we re-distribute and clean up the area

A25 – Would need to look into it.

Q26- West side is low point. Easement concerns. How will you handle drainage issues. What is engineering solution to drainage? Water has to go down.

A26 – Not prepared to respond to engineering questions right now. This will be resolved during preliminary plat application.

Q27- Lot 120 backs this homeowner- retention basin. Will it be 100 year or 10 year storm water retention? Where exactly will it be?

A27 – It will be resolved with engineering during the preliminary plat application process.

Q28- Concerned over selling this land to someone else once re-zone is achieved and all promises are gone.

A28 – RSL Communities builds homes. If the rezone request is approved it would be foolish for us not to proceed with building out the community – seeing how much money and resources we have dedicated to the rezone process and evaluating the site location for our product.

Q29- If the site is rezoned to R 1-30 will you be willing to do more paths/ trails?

A29 – Would be willing to look at what paths / trails are important to the City.

Q30- does City really want a connection road on 11800 S.? What if the road didn't connect at 11800 S. to slow traffic down.

A30 – Good question for the City.

--Lights went out abruptly at 9 pm in Cafeteria of school. Meeting adjourned. Lights came back on 5 minutes later Patrick stayed around for one on one conversation until about 9:30 pm. No new topics were introduced.

RSL Communities
Oak Ridge at Highland

Neighborhood Meeting
 August 11th 2016
 7:00 PM

Ridgeline Elementary School

	Name	Address	Phone Number	E-mail Address
1	Sheldon Warrington	11559 Mercer Hollow Rd Highland, UT 84403	801-694-9334	SheldonCWarrington@gmail.com
2	TAMIA COLLEDEE	11768 N SUNSET HILLS HIGHLAND	801-318-8157	TAMIACOLLEDEE@comcast.net
3	Josh Colledge	11768 N Sunset hills Dr Highland	801-318-8583	Josh.Colledge@hotmail.com
4	Ron & Ann Jamison	6218 W. SKYLINE DR. No. Highland	801-652-8660	ronannjamison@gmail.com
5	Neal Evans	11597 N. Lone Rk Dr	801-372-0118	neal.evans@earthlink.net
6	Helli Ford	6339 W. Skyline Dr. Highland	801-602-1645	helli.ford@hotmail.com
7	Ken McLaughlin	6186 Sunrise Dr Highland	530-321-2392	Ken6McLaughlin@msu.com
8	Caryn McLaughlin	6186 Sunrise Dr Highland	650-906-6253	kukubot@yahoo.com
9	Lisa Ruiz	6257 W. Skyline Dr	801-372-0118	carlym12@gmail.com
10	Brian Kap	6479 Bull River Rd.	801-492-0027	brian_kap@usa.com
11	Cody Yeck	6384 W. Skyline Dr	801-420-2824	cody.yeck@yahoo.com
12	Carl Yeck	6384 W Skyline Dr	801-867-8960	CarlYeck@yahoo.com
13	Sue Frame	6534 W Bull River Rd Highland	801-830-3584	sueaframe@gmail.com
14	Wendy Condie	11507 Sunset Hills Dr	801-836-0693	wendycondie@gmail.com
15	Tracy Cuff	4384 W. Skyline Dr N	320-252-0190	tracycuff@gmail.com
16	Steven West	6221 Ridge Road	801-756-5698	cylenet@gmail.com
17	DAREN DAVIS	11658 N. SUNSET HILLS DR	801-318-1100	DDAVIS@PORTLAND.ORG
18	COREY FREEZE	6278 W. SKYLINE DR. N.	801-602-9332	cfreeze@cs.cu.com
19	Laura Harding	6274 Bull River Rd, Highland	801-369-3644	lauraharding@gmail.com lauraharding@gmail.com
20				
21				

RSL Communities
Oak Ridge at Highland

Neighborhood Meeting
 August 11th 2016
 7:00 PM

Ridgeline Elementary School

	Name	Address	Phone Number	E-mail Address
68	Elizabeth Pribl	6376 W Skyline Drive N.	801-361-2157	bethpribl@gmail.com
69	Vickie Hall	6345 Bull River Rd	801-589-7070	upston79@msn.com
70	Chase Hall	"		
71	Sara Partridge	11686 Sunset Hills Dr.	801-860-2029	kylensara@gmail.com
72	Verdon Ballantyne	6544 Bull River Rd	801-756-9377	VerdonandLaurana@gmail.com
73	Carol Anderson	6260 W. Skyline Dr.	801-756-5553	andbefame@gmail.com
74	Natalie Ball	11835 N. Atlas		natalieball@hotmail.com
75	Tim Ball	11835 N. Atlas		
76	Cynthia Anderson	6264 W SKYLINE	501-400-9558	cwa001@gmail.com
77	Brent & DeAnn Allen	6363 W. Skyline	(801)492-8012	b.allen1@comcast.net
78	Stephan P Steyn Jan	11626 Sunset Hills Dr.	801-760-1259	stephens@morinde.com
79				

RSL Communities
Oak Ridge at Highland

Neighborhood Meeting
 August 11th 2016
 7:00 PM

Ridgeline Elementary School

	Name	Address	Phone Number	E-mail Address
135	Denby Cliff	6384 W Skyline Dr N	520-582-0184	denby.cliff@gmail.com
136	Jennifer Avenet	6248 Lone Rock Rd	913-597-5245	The_avenets@hotmail.com
137	Laurana Ballantyne	6544 Bull River Rd	763-9377	Verdon & Laurana@gmail.com
138				
139				

ATTACHMENT 4

CITIZEN INPUT

Mayor, City Council, and Planning Commission members:

I would like to take this opportunity to express my concern about the rezoning request for the new Oak Ridge Neighborhood that is proposed to be developed at 11800 North. I attended the neighborhood meeting recently and there was a good turnout to take in information from the developer as well as express opinions and concerns.

The city's land use map and master plan has shown long-term goals for R1-40 residential zoning. This would allow up to 30 home sites on that property. The current developer is requesting rezoning to R1-30 and asking for 41 home sites. The immediately surrounding properties are developed as R1-40. Unless there is some other substantial reason for a request for rezoning, other than developer profit, I do not believe that the city should deviate from the intended plan to develop this as R1-40.

There are already some significant flaws in the plan that the developer has laid out. There are a number of home sites that are barely going to meet the minimum requirements for size and with accommodations that will need to be made for engineering/slope/draining/etc, it is going to render several of those home sites unworkable in their current configuration. In addition, there is currently no plan (though the developer noted they need to make one) for accommodating a water retention site in the community, which is also going to potentially reduce or change the plan by one or two lots depending on how it is accommodated.

Given the development of previous pieces of property in close proximity, and the sale of those properties and development of the property by someone other than the original intended developer, there are numerous people in the nearby community that are concerned about the ultimate impact and development of this property. This is particularly concerning given the request for rezoning. The developer has insinuated that it would likely not be profitable to try and develop an R1-40 site and would not necessarily develop the property if the rezoning request was not approved. We are aware that there have been several other offers for sale and development of this land that have not gone through and they were all restricted by the R1-40 guidelines as the R1-30 zoning did not even exist until recently. No one is naive that development is coming, and we personally would love to see the property eventually developed as it would restrict the flow of motorized vehicles on both this new property as well as on the trail system, because it currently provides a natural corridor for whoever is joyriding to continue onto the trail system. However, we do not believe that the city should cave to demands from either property owner greed and high prices, or developers' need to add more lots to insure their profit margin and bottom line.

In addition, there are significant drainage and engineering issues that are going to need to be addressed as the surrounding property to the west and the south are significantly lower in elevation and grade. Without significant reengineering of the property, it is going to adversely impact all of the properties that are to the west and the south.

Further, included in the developer's project narrative, he notes in 2b that "with the existing dry creek bed and the current trail system on the western border of the property, an inherent buffer exists between Dry Creek Highlands and the project site. Thus an increase in density from R1-40 to R1-30 would not present a perceived increase of density to the existing Dry Creek highlands community since the backyards between the two communities will not even touch. This is indeed a falsehood as the property maps show that those of us who live in Dry

Creek Highlands have property boundaries that extend exactly to and touch the boundaries for the new development. In fact, my personal property is going to be directly touching 2, if not 3, of the current proposed lots. While we have to provide access and easement to the path and water, it does not nullify our ownership of said property.

He also notes in 3a that with an R140 plan, neighbors would "abut against backyards that were neglected (i.e. weeds, overgrown grass, discarded objects, etc)." Personally, I have the newest home in the neighborhood and continue to work on development of our property on a seasonal basis. One of the reasons that we have delayed finished the landscaping at the rear of our home has been over issues with the water and how that ditch, for lack of a better word, can be managed in a more attractive manner while still preserving the water as well as conflicts with the city over whether that can be piped. In addition, the city spent the past year tearing out and rebuilding the trail system that directly impacted our property. However, many of our neighbors have immaculately groomed grounds and have already worked to improve some of the property that they regained when the city replace the path within its appropriate easement.

The developer also expressed concerns under 3b that large animals can reside in lots over 30000 square feet. He uses this as another negative against the larger properties indicating that it could be a concern if residents chose to exercise their animal rights. While this can be true, many communities, including the Ivory subdivision have in their covenants that no large animals are permitted. Personally, I would love to have larger animals, but we abide by the covenants. However, the property due north of the new development, does maintain their property with several large animals. If the developer wishes to use this as a positive, then it could be easily established within the covenants that large animals were prohibited.

With the previous development of Highland Oaks, some significant concerns were expressed and I believe that these continue to apply for any new development, namely the following:

- That the lots and subdivision have adequate and geologically stable drainage
- That the lots have good building pads, taking into account setback requirements
- That the lots have reasonable slope and topography in order to ensure appropriate landscaping and site plans, as well as geotechnical stability
- Preserve some open space, particularly in drainage areas
- Preserve some areas of natural vegetation (e.g., scrub oak that borders the property) in order to preserve the general nature of the existing qualities of the land

In addition, I continue to have concerns regarding my own specific property and how they will be impacted by the developer. Those are listed below:

- I continue to be concerned about the potential negative impact on school overcrowding issues with increased families in the area. While we understand that this issue is more specifically addressed to the school district, we believe that it is the duty of the city to address how increased development (not just this one, but developments in the future) are going to impact education for our children.

- I am concerned about safety issues regarding traffic and feasibility. This has been a well discussed topic with the city, but it appears that the new road system within the development may lead to more people trying to shortcut the higher traffic areas and move through the neighborhood to go to and from school. In addition, from discussing this area with several parents, it is likely that the path that will lead up to the school from the south of the property may lead to a large number of families driving into and parking in that culdesac to drop children off and wait for their exit from school property. We understand that the city continues to be in the process of addressing some of the traffic issues, but believe it is also the responsibility of the developer to understand and help mitigate for this impact.
- I am concerned about potential negative impact on other city resources, water, sewer, etc. and how this development as well as additional developments are going to be addressed and whether or not that is taxing on an already limited system. We have already gone through the increase in rates from the recent rate study and are concerned about how new development will impact those rates further.
- I am concerned about the drainage issues that are likely from this project. The city has just spent resources to remove and replace the trail system and without significant changes in the topography, excessive draining is going to eventually wash away the base, and ultimately the trail, that was recently finished.

Thank you for your consideration.

Sincerely,
Tanya Colledge
11768 N Sunset Hills Drive
Highland, UT 84003
8013188157

Dear Highland City Officials,

Some of you remember me from our many hours together last summer discussing and discarding the proposed PD at Highland Oaks, and discussing and eventually approving the R-1-20 for the proposed development. This month I attended another developer's meeting to discuss ANOTHER re-zoning proposal.

I am deeply concerned by the proposal. I am concerned that the proverbial floodgates have been opened. I am concerned that our fine city is being overwhelmed. We have seen a significant increase in the traffic on our side streets and main thoroughfares with the never-ending influx at Skye Estates. This coming spring we will see the houses started at Highland Oaks. Ivory is expanding ever closer to the infamous intersection at Highland Blvd and 11800 North. This school year promises carpool traffic jams and parking dilemmas galore at Ridgeline Elementary. The school is overcrowded. The streets are full of speeding commuters. I think we are approaching a breaking point.

The argument for the R-1-20 at Highland Oaks was a TRANSITION between PD and R-1-40. This newest proposal is surrounded by the R-1-40. It's the difference (approximately) between 30 and 40 lots. 10 houses might not seem like much, but at an average of 6 persons per household, the potential 40 students is a whole additional class at the school! I remind you that the school is overcrowded IN SPITE of all the families in our area who are utilizing Charter and Private schools. I realize that school is not your jurisdiction, but our neighborhoods, our water supply, our traffic, our recreational spaces, and our quality of life are.

Some of you will remember my sharing this with you last time around: Seven years ago my husband and I were looking for a place in Utah County with all of the conveniences of proximity to SLC, the airport, and commerce without the population density, congestion, and tiny crowded lots we had experienced in our 2 years in Chicago and 10 years in California. We looked at real estate all over the northern part of the county and deliberated for close to 2 years before purchasing our lot. Many people move here from other areas and set about immediately to change the town they move into until it more closely resembles the place that they have moved away from. This is not the case for me and my family. We chose Highland over Lehi, American Fork, and Draper because we love the location and the feel of a community that is not stacked high with apartments and condos. Where tiny properties and houses standing 10 feet apart are the exception.

We love the open spaces, the view of the mountains, the great schools, the friendly neighbors, the proximity to medical professionals and services, the city programs and facilities and parks. We feel that Highland was MORE desirable because of its regulations on population density that make most of its lots a minimum of nearly a half an acre, and make many of the properties conducive to keeping horses. This is unique in this part of the state.

I don't know of many people outside of Skye Estates that are happy about Skye Estates. It is SO CONGESTED. The houses are too close together. The streets are too narrow. The density has dramatically affected the traffic on our street, affecting the safety of our children. We got duped by a developer that lied to us about the city's opinions, and turned around and lied to the city about our

interest and opinions. A developer who got what he wanted from the city, and turned around and sold the property to D R Horton. A developer that promised they would never begin at 5:00 in the morning, that they would never send their dirt loaders down our residential streets as our children walk to school, and that the existing residents would have the first right of refusal on the lots abutting their properties.

We need to protect the zoning that makes Highland beautiful. With the commuter lane and all the business growth at Thanksgiving Point, Highland will draw the high level executives that want a larger home on a larger lot.

My point is this: Growth is coming. We know this. We would like Highland City to hold developers in our area to the standards set by the city. Follow the Master Plan and don't be eager to please developers that come in, make their money, create a mess (do I need to bring up the pathetic parks and open spaces that everyone in our neighborhood pays monthly fees for and can't even use?), and leave.

Our way of life is at stake. Our schools, our roads, our water supply, our property values will all be affected by higher density housing. Highland is different than Lehi, American Fork, and Draper....and that's why we love it! Please stay with R-1-40 zoning on this parcel.

Sincerely,

Natalie Ball

11835 N. Atlas Drive

natalieball@hotmail.com

To: Highland City Planning Commission
Highland City Council and Mayor
RSL Communities, Patrick Ord, President—Utah

Re: Case Z-16-04 RSL Communities' request to rezone the OAK RIDGE property at
6475 W. 10800 N. from R-1-40 to R-1-30 zone.

From: VerDon and LaWana Ballantyne
6544 Bull River Road
Highland, Utah 84003

Purpose: To register our concerns and opposition to the proposed zone change requested
by Oak Ridge Communities

Our Preparations:

Studied the letter sent from Nathan Crane, Community Development Director
Studied the Oak Ridge Communities' Rezone Project Narrative
Studied the Oak Ridge General Vicinity Map
Attended and participated at the Neighborhood Notification Meeting at Ridgeline
Elementary School
Counseled with concerned neighbors

To Whom It May Concern:

Thank you for inviting our input on this rezoning proposal. Please study our concerns.
We truly appreciate your time, efforts and invitation.

VerDon W. Ballantyne
VerDon W. Ballantyne

Aug. 23, 2016
Date

LaWana P. Ballantyne
LaWana P. Ballantyne

Aug 23, 2016
Date

Five years ago we purchased the first home built in 2004 by Ivory Homes at the "Phase 1 Development Plan" at Dry Creek Highlands. Our home is 12-years old.

BEAUTIFUL AREAS GREAT NEIGHBORHOODS

Before purchasing our home on Bull River Road, we visited an Ivory model home where the broker provided us with this booklet. We noted "IVORY LIFESTLE". On page 14, we read

"BEAUTIFUL AREAS—GREAT NEIGHBORHOODS" (see attached page).

This company's main purpose was not just to build homes, but to build beautiful areas and great neighborhoods. Having developed hundreds of neighborhoods throughout Utah, this company chose our exact neighborhood on Bull River Road to promote sales. This page is an actual photo of our street. Bull River Road is a stunning example of their aim. We liked what we read and observed. We purchased the home. Now twelve years old, Bull River Road remains a

"BEAUTIFUL AREA and a GREAT NEIGHBORHOOD".

We earnestly work daily to protect and preserve our neighborhood.

We are encouraged that this company name, RSL "Communities", also shows concern about neighborhoods, not just houses. However, after studying all of the information provided by this company and the city, we have these serious concerns about the RSL Communities' request for rezoning. (Case Z-16-04)

1. TRAFFIC PATTERNS AND SAFETY MEASURES
2. THE STATUS AND SAFETY OF OUR TWO (2) DEDICATED TRAIL SYSTEMS
3. WATER DRAINAGE AND FLOOD CONTROL MEASURES PLANNED
4. IMPACT ON HIGHLAND CITY SCHOOLS (ESP. RIDGELINE ELEMENTARY)
5. BOUNDARY CONTROLS AND FENCES NEEDED
6. ADVERSE INFLUENCE ON EXISTING PROPERTY VALUE AND RESALE CAPABILITY

TRAFFIC PATTERNS AND SAFETY CONTROL MEASURES

At this time, Bull River Road is a major collector street with heavy traffic daily. Today, these 10 feeder streets use Bull River Road. Most of the traffic on the street is not Bull River Road generated.

- Lone Rock Road
- Lone Rock Circle
- Flowering Plum Road
- Mercer Road
- Skyline Drive North
- Skyline Drive South
- Ridge Road
- Granite Circle
- Granite Flat Road
- Highland Blvd.

All of these streets use Bull River Road. New streets will be added when the junction at Bull River and OAK RIDGE is opened. (Sunset Hills Road, French Country streets and possibly Ivory Homes PHASE 3 & 4 streets.) A new access to Ridgeline Elementary and the LDS church will be available to all of them.

THE "BOTTLE NECK" OR "FUNNEL"

The traffic at the new junction at Bull River Road and OAK RIDGE, will present serious safety crises. We have nicknamed the new junction the "bottle neck", or "funnel". Imagine heavy traffic from as many as 16 feeder streets converging at "the funnel" junction at commuter, school, or church times. (This bottle neck borders our private property frontage for 45 ½ feet along the NW. This is a negative impact to our property value.)

Remember, the new entrance to our improved WALKING TRAIL is a mere 11 FEET, yes, eleven feet from the entrance to this Bull River/Oak Ridge junction ("funnel"). The large dip in the road caused by the Dry Creek configuration, presents further concerns: the increased speed of traffic going west to climb the hill and east coming down, the blocked view due to the bend in Bull River Road, the existing trees and vegetation, the children and senior citizens walking or jogging along the trail as it crosses Bull River Road and the new Oak Ridge entrance.

The "funnel" will cause an extreme backup in traffic—school buses, garbage trucks, delivery and mail trucks, all of the large and heavy OAK RIDGE development equipment (excavators, bulldozers, graders, water sprinkling trucks, dump trucks, tampers, cars, trucks and vans of subcontractors and workers. Add to this condition the cars, trucks, motorcycles, motorbikes, motor scooters, and ATV's of the residents of Bull River Road. Think of the air pollution we will then breath. Think of the increase in traffic noise. Don't forget the problematic configuration of the dip and the junction and the walking path. Wonder with us, "How can we get out of, or safely into our own driveway?"

The zone change would add 41 new families to this scene. Thirty new families would cause concerns. We cannot conceive of the challenges with forty-one new families added into this mix, especially at "the funnel". We must keep in mind that this project development will take months or years to build. This scene will be on-going for quite some time.

“The Oak Ridge Rezone Project Narrative” quotes the following: Page 1: “2) A zone change to R-1-30 would not adversely affect any of the bordering neighbors.” I hope that we have proven this statement is incorrect.

Quoting the narrative further: Page 2:

“2a. “The southern border of the property which is the largest, will abut quarter acre lots. The proposed change from R-1-40 to R-1-30 would yield greater than half acre lots. The lots at the subject property would then be larger than the property owners’ lots to the south.” That is another error. Our lot borders Oak Ridge on the south for 340 feet—larger than a football field. The three neighbors directly east of us border Oak Ridge on the south for 680 feet—more than two football fields. Together we border Oak Ridge more than 1,000 feet. These four lots are each at least $\frac{3}{4}$ acres or larger.

This zone change could adversely affect these four properties on the south border significantly.

DEDICATED TRAIL AND WALKWAYS

Where are our TWO dedicated trails? We can trace the Dry Creek Trail. Where is the MERCER HOLLOW TRAIL? Where is the entry and the exit for school children, churchgoers, and joggers? This MERCER TRAIL is essential to lessen the load to our streets and roads.

WATER DRAINAGE

No matter which zoning is approved, water drainage needs early attention as development begins before existing homes are damaged by water. Forethought is far better than after hindsight. “Water does not flow uphill,” warned our neighbor Mr. Davis. This area has huge drainage issues in at least three directions. They must be dealt with. Thirty homes are much easier to control the water run-off than are 41. At the present time the basement of our home is the “natural drainage retention pond” for the southwest drainage. We don’t need a swimming pool in our basement.

SCHOOLS

How much more enrollment can be tolerated at Ridgeline Elementary. Modular units must be added. The space will only allow a few. Throughout the month of August the news reported the serious teacher shortage in Utah. Many who are not trained nor certified have been employed to educate (or should we say, “babysit” and entertain our children. Thirty families would be less problematic than forty. What more needs to be said? The new Skyridge High School in Lehi opened Monday. It is already overcrowded, frustrating students, teachers, and administrators. Growth in our valley has already affected all of us.

BOUNDARIES AND FENCING

What containment is planned by RSL Communities to ensure, protect, and preserve the privacy and integrity of our BEAUTIFUL AREA and GREAT NEIGHBORHOODS? What plans are in place to reduce traffic noise, pollution, obvious traffic hazards, congestion, trespassing, or confusion?

Why should we, the existing homeowners, accept changes that increase revenues for the developer and tax revenues for the city at the expense of existing homeowners' property values and resale opportunities? Our study and research have convinced us that our home and property value will be seriously challenged, as well as our resale capability.

We cannot afford to support this petition as outlined in Case Z-16-04 at this time. We are not against one acre lots, nor half-acre lots, nor development on this property. We cannot support the RSL DEVELOPMENT PLAN as shown on the Oak Ridge Vicinity Map. Our hope is that the information we have presented might be useful to the Highland City Commission and Highland City Council and Mayor as this matter is under further study and a decision rendered.

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

Traffic patterns for Safety of Students and Drivers.

Increased student population and lack of facilities to accommodate.

Lack of walking paths and trails thru the development connecting Dry Creek bench and Dry Creek Highlands with new development and school facilities (Highland master plan)

Dust and Debris control measures for developer to adhere to.

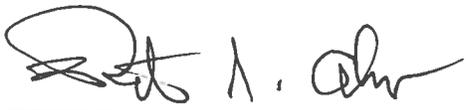
Lack of larger lots available in Highland City.

Drainage issues (retention pond locations).

A wall between Dry Creek bench and new development
Additional concerns for changing zoning from current R-40 to new zoning of R-30.

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in our city.

Sincerely,



Name

8-23-16

Date

6362 W. Skyline Drive
Highland, UT 84003

Address

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

Traffic patterns for Safety of Students and Drivers.

Increased student population and lack of facilities to accommodate.

Lack of walking paths and trails thru the development connecting Dry Creek bench and Dry Creek Highlands with new development and school facilities (Highland master plan)

Dust and Debris control measures for developer to adhere to.

Lack of larger lots available in Highland City.

Drainage issues (retention pond locations).

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

A wall between Dry Creek Bench &
the new Development.

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in our city.

Sincerely,

De Ann Alm
Name

8/23/16
Date

6362 W. Skyline Dr.
Highland, Utah 84003
Address

Highland City: KEEP R-4 ZONING

To Highland City: You have been rezoning everything away from R-4 that comes to you.
Please Stop.

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

- ✓ Traffic Patterns for safety concerns of drivers and students.
- ✓ Increased student population and lack of facilities to accommodate growth.
- ✓ Lack of walking paths and trails thur the development connecting Dry Creek Bench and Dry Creek Highlands with new development and school facilities (Highland Master Plan)
- ✓ Lack of larger Lots available in Highland City.
- ✓ Drainage issues (retention pond locations)

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

Highland city continues to rezone our R-4 land to the wants of land developers, home builders, land owners, and all those looking to make a quick profit off of the HIGHLY DESIRABLE land in Highland. Developers and these track home builders want to pack as many homes in as possible to maximize their profits - then they leave. This is OK here and there to give diversity but THIS IS GETTING OUT OF HAND!! It doesn't STOP! R-4 zoning is in Highland City's BEST INTEREST. Highland land is in high demand as larger lots - which brings our city high end homes and ~~more~~ increased land values and increased GREEN SPACE. Highland is an extension of the demand and value occuring in Alpine because of the large lots, green space, high-end homes/neighborhoods and mountain views and access. Highland keeps changing zoning to primarily benefit these developers.

Thank you for taking our concerns into your decisions regarding the city of Highland. ~~SPOT ZONING~~ continue to enjoy the beauty and safety for which we chose to live in the city.

We as residents DESERVE A VOICE - WE DESERVE TO BE Sincerely, LISTENED TO!! We live in these adjoining neighborhoods you keep rezoning. LEAVE THIS LAND ALONE - KEEP AT R-4

Laura Harding
Signature

Date 8/22/16

Laura Harding
6274 Bull River Rd.
Highland.

Printed name and address

All surrounding land has been rezoned ^{late}
PLEASE LEAVE THIS PARCEL
R-4 zoning

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

- Traffic Patterns for safety concerns of drivers and students.
- Increased student population and lack of facilities to accommodate growth.
- Lack of walking paths and trails thur the development connecting Dry Creek Bench and Dry Creek Highlands with new development and school facilities (Highland Master Plan)
- Lack of larger Lots available in Highland City.
- Drainage issues (retention pond locations)

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

*Leave zoning as is currently -
current home & property value purchased
with zoning in place.*

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in the city.

Sincerely,

Pod Bluth

Signature

8/15/16

Date

*Pod Bluth
6341 W. Skyline Dr S
Highland UT 84003*

Printed name and address

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

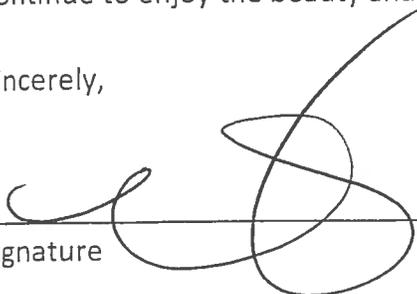
- Traffic Patterns for safety concerns of drivers and students.
- Increased student population and lack of facilities to accommodate growth.
- Lack of walking paths and trails thur the development connecting Dry Creek Bench and Dry Creek Highlands with new development and school facilities (Highland Master Plan)
- Lack of larger Lots available in Highland City.
- Drainage issues (retention pond locations)

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

I strongly oppose Re Zoning for the above reasons. Please consider the needs & desires of those of us that live here already and pay taxes. The Congestion will make major impacts to our current situation. Please consider our desires.

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in the city.

Sincerely,


Signature

8/15/14
Date

Alina & Tod Griswold
6212 W. Skyline Dr N
Highland, UT 84003

Printed name and address

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

BR Traffic Patterns for safety concerns of drivers and students.

BR Increased student population and lack of facilities to accommodate growth.

BR Lack of walking paths and trails thur the development connecting Dry Creek Bench and Dry Creek Highlands with new development and school facilities (Highland Master Plan)

BR Lack of larger Lots available in Highland City.

BR Drainage issues (retention pond locations)

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

Stay with R-40 zoning. We do not want it to change to R-30 zoning.

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in the city.

Sincerely,

BCritche
Signature

8/22/16
Date

Ben Critche
11516 N Maple Hollow
Highland, UT 84003
Printed name and address

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

JR Traffic Patterns for safety concerns of drivers and students.

JR Increased student population and lack of facilities to accommodate growth.

JR Lack of walking paths and trails thur the development connecting Dry Creek Bench and Dry Creek Highlands with new development and school facilities (Highland Master Plan)

JR Lack of larger Lots available in Highland City.

JR Drainage issues (retention pond locations)

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

We want to keep our area with bigger lots and less crowding. This decision affects our property values and we chose to move to this area because of the larger lots and more open space.

Please keep this neighborhood R-40 zoning.

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in the city.

Sincerely,

Jan Ritchie
Signature

8/22/16
Date

Jan Ritchie
11516 N. Maple Hollow Ct
Highland, UT 84003
Printed name and address

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

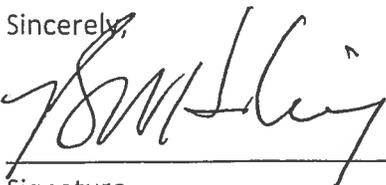
- Traffic Patterns for safety concerns of drivers and students.
- Increased student population and lack of facilities to accommodate growth.
- Lack of walking paths and trails thur the development connecting Dry Creek Bench and Dry Creek Highlands with new development and school facilities (Highland Master Plan)
- Lack of larger Lots available in Highland City.
- Drainage issues (retention pond locations)

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

I don't trust the contractor who is making the push to get this changed. He's from CA, ~~is~~ I don't care for the look of his homes, he's used bait and switch tactics before, and I'd rather a local contractor have a chance to do something. We all saw the debacle of a project Flat Iron was with SR-92 - let's keep the lots the size of R-40 and have another French Country Neighborhood - somehow that has been profitable and that neighborhood is awesome.

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in the city.

Sincerely,



Signature

8/22/16

Date

6274 Bull River Rd.
Highland, UT 84003

Printed name and address

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

- Traffic Patterns for safety concerns of drivers and students.
- Increased student population and lack of facilities to accommodate growth.
- Lack of walking paths and trails thur the development connecting Dry Creek Bench and Dry Creek Highlands with new development and school facilities (Highland Master Plan)
- Lack of larger Lots available in Highland City.
- Drainage issues (retention pond locations)

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

Please keep R-40 zoning! We know growth is coming, but we'd love less density in North Highland. It seems like there aren't city funds to maintain roads & implement safety features like cross walks, lights, round-a-bouts, etc. With lot sizes larger the growth can be gradual.

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in the city.

Sincerely,

Wendy Condie
Signature

8-22-16
Date

Wendy Condie
11507 Sunset Hills Dr
Highland, VT 05403

Printed name and address

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

Traffic patterns for Safety of Students and Drivers.

Increased student population and lack of facilities to accommodate.

Lack of walking paths and trails thru the development connecting Dry Creek bench and Dry Creek Highlands with new development and school facilities (Highland master plan)

Dust and Debris control measures for developer to adhere to.

Lack of larger lots available in Highland City.

Drainage issues (retention pond locations).

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

 - Taking Away the alondual trees

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in our city.

Sincerely,

 Sherry Choff
Name

 8-21-16
Date

 6384 W 56th Ave W
 Highland UT 84123
Address

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

Traffic patterns for Safety of Students and Drivers.

Increased student population and lack of facilities to accommodate.

Lack of walking paths and trails thru the development connecting Dry Creek bench and Dry Creek Highlands with new development and school facilities (Highland master plan)

Dust and Debris control measures for developer to adhere to.

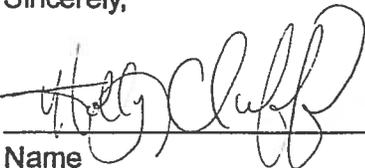
Lack of larger lots available in Highland City.

Drainage issues (retention pond locations).

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in our city.

Sincerely,



Name

8/21/2016

Date

6384 W Skyline Dr N
Highland, UT 84003

Address

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

- Traffic Patterns for safety concerns of drivers and students.
- Increased student population and lack of facilities to accommodate growth.
- Lack of walking paths and trails thur the development connecting Dry Creek Bench and Dry Creek Highlands with new development and school facilities (Highland Master Plan)
- Lack of larger Lots available in Highland City.
- Drainage issues (retention pond locations)

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

One of the reasons we moved to Highland was the large lots and parks located by the neighborhoods. Now the city does not want more parks. So, I'm definitely against changing the current zoning from R-40 to R-30.

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in the city.

Sincerely,


Signature

August 20, 2016
Date

Elizabeth Pribl
6376 W Skyline Dr
Highland, UT 84003
Printed name and address

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

- Traffic patterns for Safety of Students and Drivers. *EAST/WEST TRAFFIC for short cuts to school.*
- Increased student population and lack of facilities to accommodate.
- Lack of walking paths and trails thru the development connecting Dry Creek bench and Dry Creek Highlands with new development and school facilities (Highland master plan)
- Dust and Debris control measures for developer to adhere to.
- Lack of larger lots available in Highland City.
- Drainage issues (retention pond locations).

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

Concern for larger lots available. Highland does not need "cookie-cutter" neighborhoods.

Larger lots for more custom homes on this prime piece of ground.

Please continue with Highland Park System thru the neighborhoods. Thank you!

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in our city.

Sincerely,

Cody Lee

Name

8-21-2016

Date

6384 W. Skyline Dr

Highland UT 84003

Address

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

- Traffic patterns for Safety of Students and Drivers.
- Increased student population and lack of facilities to accommodate.
- Lack of walking paths and trails thru the development connecting Dry Creek bench and Dry Creek Highlands with new development and school facilities (Highland master plan)
- Dust and Debris control measures for developer to adhere to.
- Lack of larger lots available in Highland City.
- Drainage issues (retention pond locations).

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in our city.

Sincerely,

Edward J. Quil
Name

3/21/16
Date

11581 rd. Skyline Dr.
Highland, CT.
Address

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

Traffic patterns for Safety of Students and Drivers.

Increased student population and lack of facilities to accommodate.

Lack of walking paths and trails thru the development connecting Dry Creek bench and Dry Creek Highlands with new development and school facilities (Highland master plan)

Dust and Debris control measures for developer to adhere to.

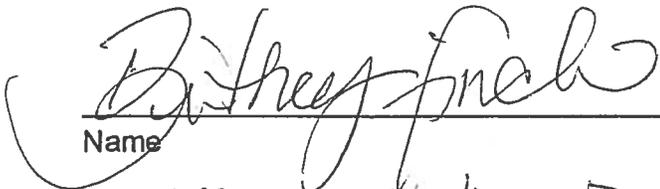
Lack of larger lots available in Highland City.

Drainage issues (retention pond locations).

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in our city.

Sincerely,


Name

01/21/10
Date

11701 N. Skyline Dr.
Highland, UT 84003
Address

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

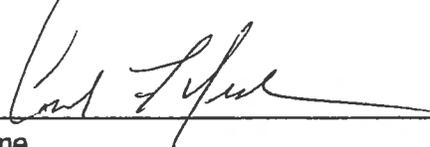
- Traffic patterns for Safety of Students and Drivers.
- Increased student population and lack of facilities to accommodate.
- Lack of walking paths and trails thru the development connecting Dry Creek bench and Dry Creek Highlands with new development and school facilities (Highland master plan)
- Dust and Debris control measures for developer to adhere to.
- Lack of larger lots available in Highland City.
- Drainage issues (retention pond locations).

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

I MOVED TO HIGHLAND BECAUSE OF THE VIEWS, THE LOCATION, LARGER RURAL FEEL. I WOULD LIKE THE R-40 TO REMAIN BIKE PATHS TO CONTINUE.

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in our city.

Sincerely,


Name

8-21-2014
Date

CARL F YECK
6384 W. SKYLINE DRIVE HIGHLAND UT
Address

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

- Traffic Patterns for safety concerns of drivers and students.
- Increased student population and lack of facilities to accommodate growth.
- Lack of walking paths and trails thur the development connecting Dry Creek Bench and Dry Creek Highlands with new development and school facilities (Highland Master Plan)
- Lack of larger Lots available in Highland City.
- Drainage issues (retention pond locations)

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in the city.

Sincerely,



Signature

8/15/16
Date

Gabriella Arrington
6376 W Skyline Dr.
Highland, CT 06403

Printed name and address

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

- ✓ Traffic Patterns for safety concerns of drivers and students.
- ✓ Increased student population and lack of facilities to accommodate growth.
- * ✓ Lack of walking paths and trails thur the development connecting Dry Creek Bench and Dry Creek Highlands with new development and school facilities (Highland Master Plan)
- ✓ Lack of larger Lots available in Highland City.
- ✓ Drainage issues (retention pond locations)

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

* To maintain both the quality of life & property values we need the developer(s) to consider these needs

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in the city.

Sincerely,

Connie L Vogt

Signature

8-15-16

Date

CONNIE VOGT
6271 RIDGE RD
HIGHLAND, UT 84003

Printed name and address

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

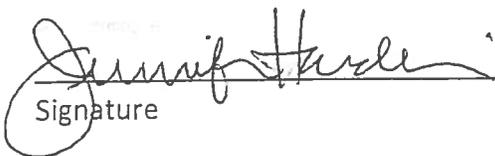
- Traffic Patterns for safety concerns of drivers and students.
- Increased student population and lack of facilities to accommodate growth.
- Lack of walking paths and trails thur the development connecting Dry Creek Bench and Dry Creek Highlands with new development and school facilities (Highland Master Plan)
- Lack of larger Lots available in Highland City.
- Drainage issues (retention pond locations)

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

I live on a ~~small~~ larger lot and I want to maintain the open feel of the neighborhood. I want to maintain the standard of the R-40 zoning. Keep Highland the way it was meant to be.

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in the city.

Sincerely,


Signature

8/15/16
Date

Jennifer Hardin
6411 Lone Rock Rd.
Highland, UT 84003

Printed name and address

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

- Traffic Patterns for safety concerns of drivers and students.
- Increased student population and lack of facilities to accommodate growth.
- Lack of walking paths and trails thur the development connecting Dry Creek Bench and Dry Creek Highlands with new development and school facilities (Highland Master Plan)
- Lack of larger Lots available in Highland City.
- Drainage issues (retention pond locations)

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

We need to keep in mind the large amount of kids
that walk and commute thru field to school and church.

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in the city.

Sincerely,

Jill Rustad
Signature

8/15/16
Date

JILL RUSTAD
6331 W. Skyline Drive
Highland, UTAH 84003
Printed name and address

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

- Traffic Patterns for safety concerns of drivers and students.
- Increased student population and lack of facilities to accommodate growth.
- Lack of walking paths and trails thur the development connecting Dry Creek Bench and Dry Creek Highlands with new development and school facilities (Highland Master Plan)
- Lack of larger Lots available in Highland City.
- Drainage issues (retention pond locations)

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

PLEASE DON'T RE-ZONE THIS PROPERTY
AND DIMINISH THE QUALITY OF LIFE IN HIGHLAND
DO NOT SACRIFICE THE ENJOYMENT AND QUALITY OF
LIFE OF HIGHLAND RESIDENTS TO FULFILL A DEVELOPERS
GREED.
WE ENJOY THE OPEN QUALITY OF LIFE HIGHLAND
PROVIDES
IF YOU WOULD LIKE TO RAISE REVENUE FOR THE
CITY CONSIDER INCREASING THE BUILDING FEE BY 10,000
THIS WILL INCREASE EVERYONES PROPERTY VALUE

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in the city.

Sincerely,


Signature

8/15/16
Date

BRIAN RUSTAD
6331 W. RIDGELINE DR.
HIGHLAND UT

Printed name and address

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

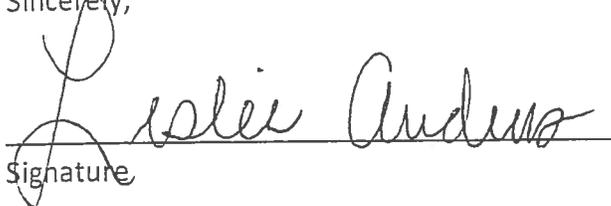
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- Lack of walking paths and trails thru the development connecting Dry Creek Bench and Dry Creek Highlands with new development and school facilities (Highland Master Plan)
- Lack of larger Lots available in Highland City.
- Drainage issues (retention pond locations)

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

We just bought an R-40 lot in Highland Fields. We thought that would be the zoning surrounding us or we would not have bought that lot. I am also concerned with the quality of the homes. There is a lot of demand in Highland for large lots & large homes. That demand is not being filled.

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in the city.

Sincerely,


Signature

8-15-16
Date

Leslie Andrus
6236 Lone Rock Rd
Highland UT 84003

Printed name and address

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

Traffic Patterns for safety concerns of drivers and students.

Increased student population and lack of facilities to accommodate growth.

Lack of walking paths and trails thur the development connecting Dry Creek Bench and Dry Creek Highlands with new development and school facilities (Highland Master Plan)

Lack of larger Lots available in Highland City.

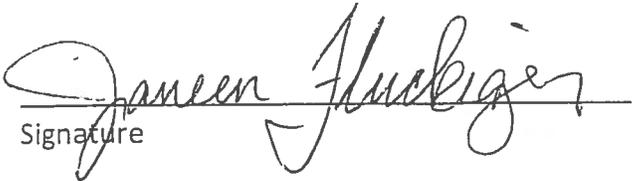
Drainage issues (retention pond locations)

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

City council changing zoning without ~~the~~ notifying the closest neighbors.

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in the city.

Sincerely,


Signature

8-15-16
Date

Janeen Fluckiger
6222 Bull River Rd.
Highland
Printed name and address

janeenf@live.com

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

- ✓ Traffic Patterns for safety concerns of drivers and students.
- ✓ Increased student population and lack of facilities to accommodate growth.
- ✓ Lack of walking paths and trails thur the development connecting Dry Creek Bench and Dry Creek Highlands with new development and school facilities (Highland Master Plan)
- ✓ Lack of larger Lots available in Highland City.
- ✓ Drainage issues (retention pond locations)

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

I am concerned that a tracked builder, instead of custom homes are changing the basic intent of the larger lots in Highland!

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in the city.

Sincerely,

Kelli A. Ford
Signature

8/15/2016
Date

Kelli A. Ford
6339 W. Skyline Dr. N.
Highland, UT 84003
Printed name and address

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

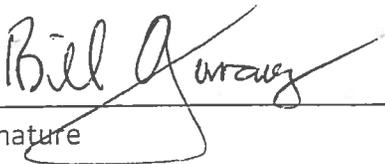
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- Lack of larger Lots available in Highland City.
- Drainage issues (retention pond locations)

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

Want R-40

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in the city.

Sincerely,



Signature

8-15-16

Date

Bill Gowans
6355 W. Skyline Dr.
Highland, Utah

Printed name and address

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

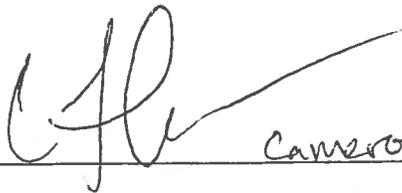
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- Lack of larger Lots available in Highland City.
- Drainage issues (retention pond locations)

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

Please keep the original R-40 zoning.

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in the city.

Sincerely,

 Cameron Robins

Signature

15 Aug 2016
Date

Cameron Robins
11582 Skyline Dr
Highland UT 84003

Printed name and address

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

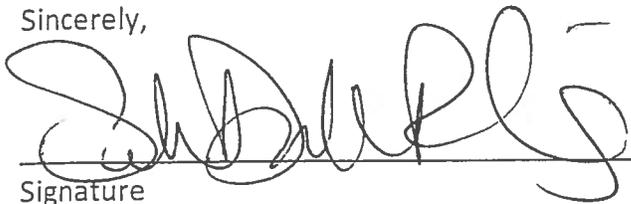
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- Lack of larger Lots available in Highland City.
- Drainage issues (retention pond locations)

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

PLEASE let us keep our path to the school!
AND keep our zones @ R-40.

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in the city.

Sincerely,


Signature

8/15/16
Date

Selena Danielle Robins
11582 Skyline Dr.
Highland UT 84003

Printed name and address

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

___ Traffic Patterns for safety concerns of drivers and students.

___ Increased student population and lack of facilities to accommodate growth.

Lack of walking paths and trails thur the development connecting Dry Creek Bench and Dry Creek Highlands with new development and school facilities (Highland Master Plan)

Lack of larger Lots available in Highland City.

___ Drainage issues (retention pond locations)

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

I would like to see the city keep
its previous vision of R-4. It's why
we love Highland.

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in the city.

Sincerely,



Signature

8/15/16

Date

MIKE + JILL SIMMONS
6369 ~ SKYLINE DR
HIGHLAND UT

Printed name and address

Dear Highland City,

My name is Becky Bursell. My husband, family and I live at 6189 Sunrise Dr in Highland. I am writing in concern of the continued development that is going on next to our homes. We have lived here since 2006.

We have recently survived the last development phase that was directly adjacent to our home. Not only did we have numerous issues with the development, but traffic has been a problem ever since.

Every morning before & after school, and every Sunday as church is starting and letting out, we have a constant flow of traffic in front of our house. Most of these cars are usually traveling between 30-40mph. We have at least 15 elementary & preschool age children that live on our little street, and are always playing outside, riding their bikes, and crossing to the neighbors house. All of the parents have expressed their concern for the safety of our children. I cant imagine how many more children will be at risk with all of the new houses that will be built. We've already had a small dog run over and killed on our street.

From 11800 North to our neighborhood, there isn't one dip, speed bump, or round about to help slow traffic. The cars traveling through the new development, then turning left onto our road (sunrise drive) go straight down a steep hill. I've sat in front of our home and counted how many cars stop at the stop sign, and how many just run through it and speed up down the hill right in front of our home. 1 out of 15 stop, 4 out 15 adhere to the speed limit, and 10 out of the 15 speed up and end up doing close to 40mph by the time they pass our house.

Im afraid when the road is completed and connects with Bull River, this is going to get even worse. By connecting these neighborhoods, you've created a short cut to the school & to the stake center at the end of our street. Not only will this increase traffic, but adding smaller lots, which adds more homes, which adds more cars, will also add more traffic. Our neighborhood used to be safe for small children. I don't feel that way anymore.

I hope that at the very least, speed bumps, walking trails, or dips will be added to prevent speeding in our neighborhood. But ideally, the development will continue with larger lots, and all of the above.

Thank you,

Becky Bursell

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

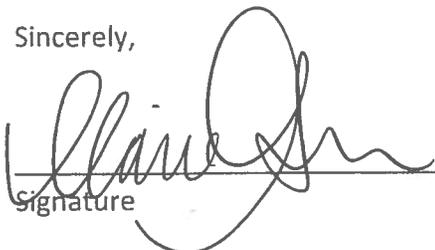
- Traffic Patterns for safety concerns of drivers and students.
- Increased student population and lack of facilities to accommodate growth.
- Lack of walking paths and trails thur the development connecting Dry Creek Bench and Dry Creek Highlands with new development and school facilities (Highland Master Plan)
- Lack of larger Lots available in Highland City.
- Drainage issues (retention pond locations)

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

Safe streets to school are really important to me

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in the city.

Sincerely,


Signature

8/23/16
Date

Claire Groll
6248 Skyline Dr
Highland UT 84003
Printed name and address

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

- Traffic Patterns for safety concerns of drivers and students.
- Increased student population and lack of facilities to accommodate growth.
- Lack of walking paths and trails thur the development connecting Dry Creek Bench and Dry Creek Highlands with new development and school facilities (Highland Master Plan)
- Lack of larger Lots available in Highland City.
- Drainage issues (retention pond locations)

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

larger lots that we may be able to buy.

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in the city.

Sincerely,

Megan Woolston
Signature

Aug 23, 2016
Date

Megan Woolston
6283 Bull River Rd
Highland
Printed name and address

To Highland City:

In regards to the rezoning application by RSL communities for the property south of Ridgeline Elementary I have the following concerns:

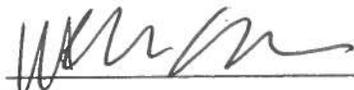
- ✓ Traffic Patterns for safety concerns of drivers and students.
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- ✓ Lack of walking paths and trails thur the development connecting Dry Creek Bench and Dry Creek Highlands with new development and school facilities (Highland Master Plan)
- ✓ Lack of larger Lots available in Highland City.
- ✓ Drainage issues (retention pond locations)

Additional concerns for changing zoning from current R-40 to new zoning of R-30.

I back the lot and do not want small
homes and vinyl fences as my view

Thank you for taking our concerns into your decisions regarding the city of Highland. It is our intention to continue to enjoy the beauty and safety for which we chose to live in the city.

Sincerely,



Signature

8/19/16
Date

Weston Groll
6248 Skyline
Highland UT 84003

Printed name and address

To: Highland City Planning Commission
Highland City Council and Mayor
RSL Communities, Patrick Ord, President—Utah

Re: Case Z-16-04 RSL Communities' request to rezone the OAK RIDGE property at
6475 W. 10800 N. from R-1-40 to R-1-30 zone.

From: VerDon and LaWana Ballantyne
6544 Bull River Road
Highland, Utah 84003

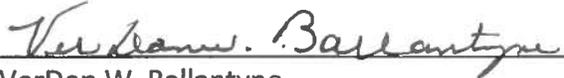
Purpose: To register our concerns and opposition to the proposed zone change requested
by Oak Ridge Communities

Our Preparations:

Studied the letter sent from Nathan Crane, Community Development Director
Studied the Oak Ridge Communities' Rezone Project Narrative
Studied the Oak Ridge General Vicinity Map
Attended and participated at the Neighborhood Notification Meeting at Ridgeline
Elementary School
Counseled with concerned neighbors

To Whom It May Concern:

Thank you for inviting our input on this rezoning proposal. Please study our concerns.
We truly appreciate your time, efforts and invitation.



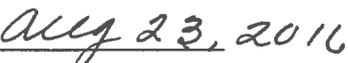
VerDon W. Ballantyne



Date



LaWana P. Ballantyne



Date

Five years ago we purchased the first home built in 2004 by Ivory Homes at the "Phase 1 Development Plan" at Dry Creek Highlands. Our home is 12-years old.

BEAUTIFUL AREAS GREAT NEIGHBORHOODS

Before purchasing our home on Bull River Road, we visited an Ivory model home where the broker provided us with this booklet. We noted "IVORY LIFESTLE". On page 14, we read

"BEAUTIFUL AREAS—GREAT NEIGHBORHOODS" (see attached page).

This company's main purpose was not just to build homes, but to build beautiful areas and great neighborhoods. Having developed hundreds of neighborhoods throughout Utah, this company chose our exact neighborhood on Bull River Road to promote sales. This page is an actual photo of our street. Bull River Road is a stunning example of their aim. We liked what we read and observed. We purchased the home. Now twelve years old, Bull River Road remains a

"BEAUTIFUL AREA and a GREAT NEIGHBORHOOD".

We earnestly work daily to protect and preserve our neighborhood.

We are encouraged that this company name, RSL "Communities", also shows concern about neighborhoods, not just houses. However, after studying all of the information provided by this company and the city, we have these serious concerns about the RSL Communities' request for rezoning. (Case Z-16-04)

1. TRAFFIC PATTERNS AND SAFETY MEASURES
2. THE STATUS AND SAFETY OF OUR TWO (2) DEDICATED TRAIL SYSTEMS
3. WATER DRAINAGE AND FLOOD CONTROL MEASURES PLANNED
4. IMPACT ON HIGHLAND CITY SCHOOLS (ESP. RIDGELINE ELEMENTARY)
5. BOUNDARY CONTROLS AND FENCES NEEDED
6. ADVERSE INFLUENCE ON EXISTING PROPERTY VALUE AND RESALE CAPABILITY

TRAFFIC PATTERNS AND SAFETY CONTROL MEASURES

At this time, Bull River Road is a major collector street with heavy traffic daily. Today, these 10 feeder streets use Bull River Road. Most of the traffic on the street is not Bull River Road generated.

- Lone Rock Road
- Lone Rock Circle
- Flowering Plum Road
- Mercer Road
- Skyline Drive North
- Skyline Drive South
- Ridge Road
- Granite Circle
- Granite Flat Road
- Highland Blvd.

All of these streets use Bull River Road. New streets will be added when the junction at Bull River and OAK RIDGE is opened. (Sunset Hills Road, French Country streets and possibly Ivory Homes PHASE 3 & 4 streets.) A new access to Ridgeline Elementary and the LDS church will be available to all of them.

THE “BOTTLE NECK” OR “FUNNEL”

The traffic at the new junction at Bull River Road and OAK RIDGE, will present serious safety crises. We have nicknamed the new junction the “bottle neck”, or “funnel”. Imagine heavy traffic from as many as 16 feeder streets converging at “the funnel” junction at commuter, school, or church times. (This bottle neck borders our private property frontage for 45 ½ feet along the NW. This is a negative impact to our property value.)

Remember, the new entrance to our improved WALKING TRAIL is a mere 11 FEET, yes, eleven feet from the entrance to this Bull River/Oak Ridge junction (“funnel”). The large dip in the road caused by the Dry Creek configuration, presents further concerns: the increased speed of traffic going west to climb the hill and east coming down, the blocked view due to the bend in Bull River Road, the existing trees and vegetation, the children and senior citizens walking or jogging along the trail as it crosses Bull River Road and the new Oak Ridge entrance.

The “funnel” will cause an extreme backup in traffic—school buses, garbage trucks, delivery and mail trucks, all of the large and heavy OAK RIDGE development equipment (excavators, bulldozers, graders, water sprinkling trucks, dump trucks, tampers, cars, trucks and vans of subcontractors and workers. Add to this condition the cars, trucks, motorcycles, motorbikes, motor scooters, and ATV’s of the residents of Bull River Road. Think of the air pollution we will then breath. Think of the increase in traffic noise. Don’t forget the problematic configuration of the dip and the junction and the walking path. Wonder with us, “How can we get out of, or safely into our own driveway?”

The zone change would add 41 new families to this scene. Thirty new families would cause concerns. We cannot conceive of the challenges with forty-one new families added into this mix, especially at “the funnel”. We must keep in mind that this project development will take months or years to build. This scene will be on-going for quite some time.

“The Oak Ridge Rezone Project Narrative” quotes the following: Page 1: “2) A zone change to R-1-30 would not adversely affect any of the bordering neighbors.” I hope that we have proven this statement is incorrect.

Quoting the narrative further: Page 2:

“2a. “The southern border of the property which is the largest, will abut quarter acre lots. The proposed change from R-1-40 to R-1-30 would yield greater than half acre lots. The lots at the subject property would then be larger than the property owners’ lots to the south.” That is another error. Our lot borders Oak Ridge on the south for 340 feet—larger than a football field. The three neighbors directly east of us border Oak Ridge on the south for 680 feet—more than two football fields. Together we border Oak Ridge more than 1,000 feet. These four lots are each at least $\frac{3}{4}$ acres or larger.

This zone change could adversely affect these four properties on the south border significantly.

DEDICATED TRAIL AND WALKWAYS

Where are our TWO dedicated trails? We can trace the Dry Creek Trail. Where is the MERCER HOLLOW TRAIL? Where is the entry and the exit for school children, churchgoers, and joggers? This MERCER TRAIL is essential to lessen the load to our streets and roads.

WATER DRAINAGE

No matter which zoning is approved, water drainage needs early attention as development begins before existing homes are damaged by water. Forethought is far better than after hindsight. “Water does not flow uphill,” warned our neighbor Mr. Davis. This area has huge drainage issues in at least three directions. They must be dealt with. Thirty homes are much easier to control the water run-off than are 41. At the present time the basement of our home is the “natural drainage retention pond” for the southwest drainage. We don’t need a swimming pool in our basement.

SCHOOLS

How much more enrollment can be tolerated at Ridgeline Elementary. Modular units must be added. The space will only allow a few. Throughout the month of August the news reported the serious teacher shortage in Utah. Many who are not trained nor certified have been employed to educate (or should we say, “babysit” and entertain our children. Thirty families would be less problematic than forty. What more needs to be said? The new Skyridge High School in Lehi opened Monday. It is already overcrowded, frustrating students, teachers, and administrators. Growth in our valley has already affected all of us.

BOUNDARIES AND FENCING

What containment is planned by RSL Communities to ensure, protect, and preserve the privacy and integrity of our BEAUTIFUL AREA and GREAT NEIGHBORHOODS? What plans are in place to reduce traffic noise, pollution, obvious traffic hazards, congestion, trespassing, or confusion?

Why should we, the existing homeowners, accept changes that increase revenues for the developer and tax revenues for the city at the expense of existing homeowners' property values and resale opportunities? Our study and research have convinced us that our home and property value will be seriously challenged, as well as our resale capability.

We cannot afford to support this petition as outlined in Case Z-16-04 at this time. We are not against one acre lots, nor half-acre lots, nor development on this property. We cannot support the RSL DEVELOPMENT PLAN as shown on the Oak Ridge Vicinity Map. Our hope is that the information we have presented might be useful to the Highland City Commission and Highland City Council and Mayor as this matter is under further study and a decision rendered.

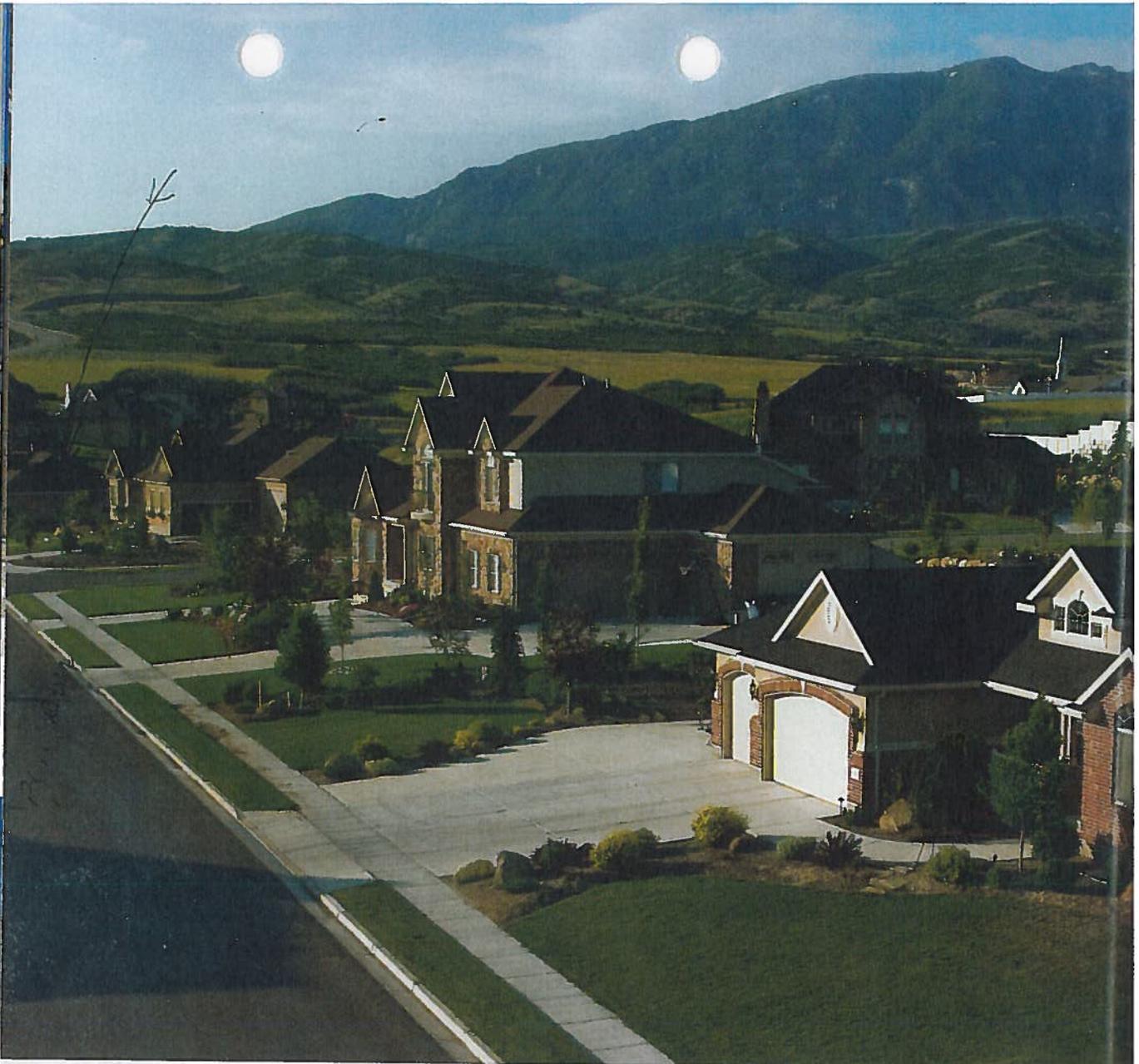


The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy verification of the data.

In the second section, the author outlines the various methods used to collect and analyze the data. This includes both primary and secondary data collection techniques. The analysis focuses on identifying trends and patterns over time, which is crucial for making informed decisions.

The third part of the document provides a detailed breakdown of the results. It shows that there has been a significant increase in sales volume, particularly in the online channel. This is attributed to the implementation of the new marketing strategy and the improved user experience on the website.

Finally, the document concludes with a set of recommendations for future actions. It suggests continuing to invest in digital marketing and exploring new product lines to further drive growth. Regular monitoring and reporting will be essential to track the success of these initiatives.



Bull River Road - our exact neighborhood 175,000

Beautiful Areas **Great Neighborhood**

Ivory offers the unique combination of exceptional quality with affordable pricing. Whether you're enjoying Mount Timpanogos from the front or back of the Wasatch, these communities have beautiful views in excellent locations from Santaquin to Highland to Heber.





Dear Highland City,

My name is Becky Bursell. My husband, family and I live at 6189 Sunrise Dr in Highland. I am writing in concern of the continued development that is going on next to our homes. We have lived here since 2006.

We have recently survived the last development phase that was directly adjacent to our home. Not only did we have numerous issues with the development, but traffic has been a problem ever since.

Every morning before & after school, and every Sunday as church is starting and letting out, we have a constant flow of traffic in front of our house. Most of these cars are usually traveling between 30-40mph. We have at least 15 elementary & preschool age children that live on our little street, and are always playing outside, riding their bikes, and crossing to the neighbors house. All of the parents have expressed their concern for the safety of our children. I cant imagine how many more children will be at risk with all of the new houses that will be built. We've already had a small dog run over and killed on our street.

From 11800 North to our neighborhood, there isn't one dip, speed bump, or round about to help slow traffic. The cars traveling through the new development, then turning left onto our road (sunrise drive) go straight down a steep hill. I've sat in front of our home and counted how many cars stop at the stop sign, and how many just run through it and speed up down the hill right in front of our home. 1 out of 15 stop, 4 out 15 adhere to the speed limit, and 10 out of the 15 speed up and end up doing close to 40mph by the time they pass our house.

Im afraid when the road is completed and connects with Bull River, this is going to get even worse. By connecting these neighborhoods, you've created a short cut to the school & to the stake center at the end of our street. Not only will this increase traffic, but adding smaller lots, which adds more homes, which adds more cars, will also add more traffic. Our neighborhood use to be safe for small children. I don't feel that way anymore.

I hope that at the very least, speed bumps, walking trails, or dips will be added to prevent speeding in our neighborhood. But ideally, the development will continue with larger lots, and all of the above.

Thank you,

Becky Bursell

OAK RIDGE Rezone Request Project Narrative

RSL Communities' OAK RIDGE project is located just south of 11800 North St. (APN# 11:028:0075) and just east of Highland Blvd in the City of Highland. The project site winds around the western and southern borders of the LDS Chapel and continues along the southern boundary of Ridgeline Elementary School. The eastern boundary of the site lines up roughly with the eastern boundary of Ridgeline Elementary School. See the attached "Oak Ridge General Vicinity Map" by Wilding Engineering as a reference.

The project site is surrounded by the following home communities:

- Mercer Oaks – a sixty (60) lot, half acre per lot (zoned R1-20), new home community – is located to the north of the project site (across the street from 11800 North St.).
- Dry Creek Bench (zoned PD) – with homes on an average of quarter acre lots – borders the southern border of the property.
- Dry Creek Highlands (zoned R1-40) borders the western border of the property – the Dry Creek Highlands homes' backyards are separated from the project site by a dry creek bed and trail system.
- A collection of finished lots i.e. Highland Fields (zoned R1-40), with some new homes, borders a small portion of the project site to the east – under the current OAK RIDGE site plan, only three lots border this community.

The project site is currently in green belt status with A1 zoning. The City's land use map currently calls for an R1-40 residential zoning, which would yield approximately thirty (30) home sites. RSL Communities is requesting a zone change to R1-30, which would yield up to no more than forty-one (41) home sites.

RSL Communities zone change request is based on the following considerations:

- 1) The zone change from R1-40 to R1-30 is consistent with the rationale for why the R1-30 zoning was conceived by the City.
 - a. The project site serves as a perfect transition area from the R1-40 communities to the east and west to the R1-20 community to the north and the PD community to the south.
 - b. The R1-40 zoning was conceived for a rural setting – for home owners that had farm animals and large gardens. None of the homes surrounding the subject project conform to this ideal.
- 2) A zone change to R1-30 would not adversely affect any of the bordering neighbors.

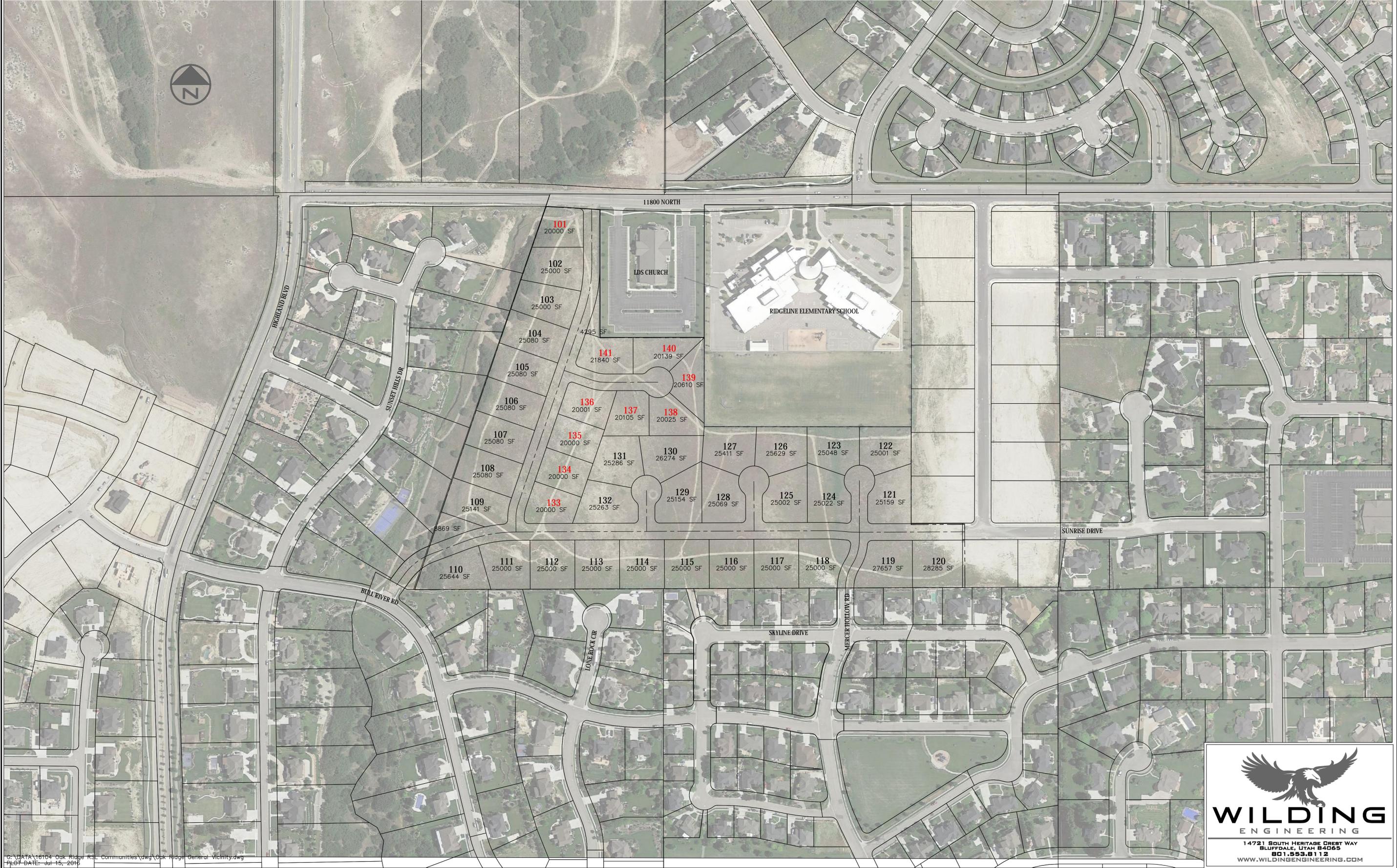
- a. The southern border of the property, which is the largest, will abut quarter acre lots. The proposed change from R1-40 to R1-30 would yield greater than half acre lots. The lots at the subject property would thus be larger than the property owners' lots to the south.
 - b. With the existing dry creek bed and the current trail system on the western border of the property, an inherent buffer exists between the Dry Creek Highlands' (R1-40) community and the project site. Thus an increase in density from R1-40 to R1-30 would not present a perceived increase of density to the existing Dry Creek Highlands' community since the backyards between the two communities will not even touch.
 - c. Under the proposed site plan, only three (3) lots would touch the community to the east. This would most likely be the same under a site plan with an R1-40 zoning.
- 3) A zone change from R1-40 to R1-30 would provide benefits to the bordering neighbors.
- a. A site plan at the current site with an R1-40 zoning would yield lot sizes up to 49,000 square feet. Lot sizes this large become far too cumbersome for some homeowners to care for. Under an R1-40 zoning, neighbors would be more likely to abut against backyards that were neglected (i.e. weeds, overgrown grass, discarded objects, etc.) or not well planned (i.e. no landscaping since it would be so cost prohibitive). Under an R1-30 zoning, neighbors would abut against smaller backyards, which would be much more manageable.
 - b. Under the current zoning ordinances, large animals may reside on lots that are over 30,000 square feet. Under an R1-40 zoning, the majority of property owners would retain this right. Under the proposed R1-30 site plan, none of the property owners would retain this right. None of the current neighbors – even those that live on more than 30,000 square feet – currently have large farm animals. Thus, it seems reasonable that large farm animals – with the pests, smells, and noises that come with them – would not be a welcome addition to this community.
- 4) A zone change from R1-40 to R1-30 would provide benefits to the City.
- a. Changing the density from R1-40 to R1-30 would yield an increase of up to eleven (11) homes on the project – from thirty (30) homes to forty (41) homes (under the current site plan). These additional homes would pay more property taxes to the City. Additionally, the developer / builder would pay more impact fees and building permit fees since they are based on a per home allocation. Increased property taxes would also accrue to the school district.
- 5) The site circulation will not be affected by a zone change from R1-40 to R1-30.
- a. Because stubbed roads already exist at all ingress and egress points to the project, the site circulation would be the same under an R1-40 or R1-30 zoning.

- 6) A zone change to R1-30 will not have a material impact on public services, including utilities, schools, and recreation.
 - a. The proposed site plan under an R1-30 zoning contemplates forty-one (41) home sites. An R1-40 zoning would allow up to thirty (30) home sites. An increase of eleven (11) homes should prove to be a nominal impact consideration to public services.

RSL Communities is a home builder and developer based out of San Ramon, California. We specialize in high-end, value-add communities. We fully expect our homes to increase the value of homes in the immediate vicinity. We pride ourselves in developing thoughtful and inspiring architecture as well as paying special attention to the quality of our workmanship. In California, we have active projects in such exclusive communities as the Napa Valley, the Lucas Ranch (in Marin County, CA), San Ramon, and San Jose. In Utah, we are currently involved in projects in similarly renowned locations. We are excited to introduce Highland to our legacy of fine homes. You can learn more at www.rslcommunities.com.

OAK RIDGE

GENERAL VICINITY MAP



WILDING
 ENGINEERING

14721 SOUTH HERITAGE CREST WAY
 BLUFFDALE, UTAH 84065
 801.553.6112
 WWW.WILDINGENGINEERING.COM



CITY COUNCIL AGENDA REPORT ITEM # 8

DATE: Tuesday, September 6, 2016
TO: Honorable Mayor and Members of the City Council
FROM: Erin Wells, Assistant to the City Administrator & Brian Gwilliam, Lone Peak Chief of Police
SUBJECT: RESOLUTION: Utah County Major Crimes Task Force Interlocal Agreement

STAFF RECOMMENDATION:

City Council authorize the Mayor to sign the Utah County Major Crimes Task Force Interlocal Agreement.

BACKGROUND:

The Utah County Major Crimes Task Force is a multi-jurisdictional cooperation tasked with addressing the problems of drugs, gangs, and violent crimes occurring in Utah County. Lone Peak Police Department pays an annual assessment to be a part of the Task Force. That assessment provides our Police Department specialized resources to investigate and solve more sophisticated crimes such as child pornography, computer crimes, and the distribution of illegal drugs. The Task Force also provides information on known criminal activity in Highland City.

An interlocal agreement is required by each entity to participate in the Task Force. For Lone Peak Police Department to participate, Highland City Council, Alpine City Council, and the Lone Peak Public Safety Board must sign.

In comparison with the previous interlocal agreement, two changes to this agreement have occurred. First, in Section 15 it was added that the Task Force Director has the authority to review and sign the agreement and execute certificates, acknowledgements or other evidences of proof of review and or updating as required by applicable laws, rules or regulations. This will allow the Task Force Director to renew this interlocal agreement every year without having each jurisdiction sign. An annual renewal is a requirement by the US Department of Justice. That being said, we have the right to withdraw from the agreement immediately at any time without penalty.

The second change was the effective date changing from December 31, 2020 to December 31, 2026. At that time, we will need to execute a new interlocal agreement.

FISCAL IMPACT:

Lone Peak Police Department pays an annual assessment to the Task Force.

ATTACHMENTS:

1. Proposed Agreement
2. Proposed Resolution

INTERLOCAL COOPERATION AGREEMENT

by and between

UTAH COUNTY, UTAH

PROVO CITY

CITY OF OREM

PLEASANT GROVE CITY

AMERICAN FORK CITY

ALPINE CITY

SPANISH FORK CITY

SANTAQUIN CITY

LEHI CITY

SPRINGVILLE CITY

PAYSON CITY

MAPLETON CITY

SALEM CITY

SARATOGA SPRINGS CITY

LINDON CITY

LONE PEAK PUBLIC SAFETY DISTRICT

CITY OF CEDAR HILLS

and

HIGHLAND CITY

Relating to the establishment of an intergovernmental program
known as the

Utah County Major Crimes Task Force

INTERLOCAL COOPERATION AGREEMENT

THIS INTERLOCAL COOPERATION AGREEMENT, made and entered into by and between UTAH COUNTY, UTAH, a body corporate and politic of the State of Utah, PROVO CITY, CITY OF OREM, PLEASANT GROVE CITY, AMERICAN FORK CITY, ALPINE CITY, SPANISH FORK CITY, SANTAQUIN CITY, LEHI CITY, SPRINGVILLE CITY, PAYSON CITY, MAPLETON CITY, SALEM CITY, SARATOGA SPRINGS CITY, LINDON CITY, CITY OF CEDAR HILLS, and HIGHLAND CITY, all municipal corporations and LONE PEAK PUBLIC SAFETY DISTRICT.

WITNESSETH:

WHEREAS, pursuant to the provisions of the Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated, 1953, as amended, public agencies, including political subdivisions of the State of Utah as therein defined, are authorized to enter into written agreements with one another for joint or cooperative action to provide police protection; and

WHEREAS, all of the parties to this Agreement are public agencies as defined in the Interlocal Cooperation Act; and

WHEREAS, all of the parties to this Agreement share common problems related to illegal production, manufacture, sale, and use of controlled substances, illegal gang-related activities, and serious property crimes, within their jurisdictions, in violation of Federal and State laws; and

WHEREAS, effective investigation and prosecution of violations of the Controlled Substances Acts, gang-related activities, and serious property crimes requires specialized personnel and regional cooperation;

NOW, THEREFORE, the parties do mutually agree, pursuant to the terms and provisions of the Interlocal Cooperation Act, as follows:

Section 1. Effective Date; Duration.

This Interlocal Cooperation Agreement shall become effective and shall enter into force, within the meaning of the Interlocal Cooperation Act as to any signing party, upon the submission of this Interlocal Cooperation Agreement to, and the approval and execution hereof by the executive power or legislative body of at least two of the public agencies which are parties to this Agreement. The term of this Interlocal Cooperation Agreement shall be from the effective dates hereof until December 31, 2026. This Interlocal Cooperation Agreement shall not become effective until it has been reviewed for form and compatibility with the laws of the State of Utah by the attorney for each of the parties to this Agreement. Prior to becoming effective, this Interlocal Cooperation Agreement shall be filed with the person who keeps the records of each of the parties hereto. All parties hereto agree that the execution of this Agreement shall operate to terminate any prior Agreements.

Section 2. Administration of Agreement.

The parties to this Agreement do not contemplate nor intend to establish a separate legal entity under the terms of this Interlocal Cooperation Agreement. The parties to this Agreement do agree, pursuant to Section 11-13-207, Utah Code Annotated, 1953, as amended, to establish a joint administrative board responsible for administering the joint undertaking to be known as the Utah County Major Crimes Task Force, hereinafter referred to as the Task Force. The Administrative Board shall consist of one representative from each party to this Agreement and the Utah County Attorney. The appointed representatives shall serve at the pleasure of the elected governing body of the respective parties to this Agreement. Each member of the Administrative Board shall be

allowed one vote and all matters shall be determined, after appropriate discussion, by majority vote. The Administrative Board shall adopt such rules and procedures regarding the orderly conduct of its meetings and discussions, including the frequency and location of meetings, as it shall deem necessary and appropriate.

The Administrative Board shall appoint one peace officer to act as the Task Force Director and one peace officer to act as Field Supervisor for Task Force operations. The Administrative Board shall also appoint six members to act as the Executive Board in addition to the Utah County Attorney who shall be a permanent member of the Executive Board. The duties of the Executive Board shall be to execute and carry out policies established by the Administrative Board and to establish policies and procedures for the day to day operations of the Task Force. The Executive Board shall report to the Administrative Board at least monthly. Appointed members of the Executive Board may be removed at any time by a majority vote of the Administrative Board.

The CITY OF OREM is appointed by the parties to this Agreement as the financial department for the Task Force. The CITY OF OREM shall oversee the accountability of the Task Force, including the budget. Monies paid to the Task Force shall be deposited with and accounted for by the CITY OF OREM. Funds shall be audited in accordance with standard financial procedures and regularly established laws relating to audit and management of public funds. The CITY OF OREM shall facilitate and make available checking accounts and procurement procedures.

In addition to the above administration, the Utah County Attorney's Office is designated as the entity which will provide legal advice on civil matters related to Task Force operations. Since a separate entity is not created pursuant to this Agreement, in the event a member officer or city

becomes the subject of a claim or lawsuit, the individual officer or city will be required to defend itself.

The parties hereto agree that the secretary assigned to do work for the Task Force will be a full-time employee of the CITY OF OREM. Orem employee(s) assigned to the Task Force shall exercise control and supervision over the secretary and shall be responsible for conducting his or her employee evaluations. The Task Force secretary shall be subject to the personnel policies and procedures of the CITY OF OREM. The Task Force secretary shall be classified as a “Secretary” under Orem’s personnel classification system and shall receive all compensation and benefits normally associated with that classification.

The parties hereto agree to reimburse the CITY OF OREM for all costs associated with the employment of the Task Force secretary, including salary, benefits, workers’ compensation and unemployment compensation. The CITY OF OREM shall participate in its pro rata share of the costs. The parties hereto also agree to indemnify and hold the CITY OF OREM harmless from and against any claim, action or damages arising out of the employment of the Task Force secretary. The intent of this paragraph is to make the CITY OF OREM completely whole so that it is not required to pay more than its normal pro rata share of all costs associated with the employment of the Task Force secretary, whether those costs be the routine costs of employment, or costs incurred due to claims or actions brought by, against, because of, or related to the Task Force secretary. The CITY OF OREM shall not have any obligation to retain the secretary or provide other employment for the secretary in the event that the Task Force dissolves, the position is eliminated, or the person is terminated from that position.

The parties hereto agree that when officers are acting under the direction of the Administrative Board, Executive Board, Task Force Director, or Field Supervisor, they are functioning in a “Task Force operation.”

If a member jurisdiction wishes to request that the Task Force take over an investigation, the member’s chief of police shall submit a request in writing to the Task Force Director of the Task Force. The request shall include : [1] the date of the request; [2] an explanation concerning how the proposed investigation fits within the purposes of the Task Force; and [3] the person(s) and/or crime(s) to be investigated. If the Task Force Director determines that the Task Force should take over the proffered investigation, he shall sign the acceptance portion of the request and affix the date and time of his signature. The investigation shall become a “Task Force operation” upon the Task Force Director’s execution of the acceptance.

Any assistance provided by Task Force officers to a member jurisdiction outside the scope of a written request shall not be governed by this Agreement.

The parties hereto agree that when officers are functioning in a Task Force operation not within the officers’ home jurisdiction, but within the jurisdiction of a member city, the officers are not required to notify the member city of their presence. Prior to entering a non-member city, officers shall notify the non-member city of their intentions to enter that non-member city.

Section 3. Purposes.

The Utah County Major Crimes Task Force is created for the purpose of enforcing, investigating, and prosecuting violations of narcotics and controlled substances laws of the State of Utah and the United States of America at all levels and to coordinate the efforts of the member entities to combat gang-related activities and serious property crimes.

Section 4. Manner of Financing.

The operation of the Utah County Major Crimes Task Force shall be financed by any and all available State and Federal monies offered for such purposes and by direct contributions of money, personnel, and equipment from parties to this Agreement. The Executive Board shall review budget and expenses on a yearly basis together with a proposed budget for the coming year as prepared by the Field Supervisor. The Executive Board shall then establish a yearly budget. Unless otherwise provided by action of the Administrative Board, the Task Force shall operate on a fiscal year basis. Upon submission of the yearly budget to the Administrative Board, the Board shall assess each member its proportionate share based upon population figures of the Governor's Office of Planning and Budget. Any such assessments shall include assessments necessary for any matching of State or Federal grants. Each party agrees to pay its required assessment within thirty days of formal notification of the assessment by the Administrative Board unless said party withdraws from participation. In the event a party to this Agreement fails to pay its required assessment within thirty days of formal notification of the assessment, that party shall be deemed to have withdrawn from participation in this Agreement and that party's rights shall be determined as set forth in Section 8.

Section 5. Participation.

Each party to this Agreement shall provide manpower, equipment and funds each year as determined by the Administrative Board. In the event a party to this Agreement fails to provide its required manpower, equipment, or funds within thirty days of formal notification of the requirement, that party shall be deemed to have withdrawn from participation in this Agreement and that party's rights shall be determined as set forth in Section 8. Officers supplied shall be Category I Peace Officers of the State of Utah. Personnel assigned to Task Force operations shall comply with

policies and procedures as established by the Administrative and Executive Boards. Personnel shall act under the command of the Task Force Director and the Field Supervisor. In the event of a conflict between department policy of a member party and Task Force policy, as established pursuant to this Agreement, Task Force officers shall abide by Task Force policy.

Section 6. Seizures and Forfeitures.

Both Federal and State law provide for forfeiture and seizure of property used for, or otherwise connected with, violations of the various controlled substances laws and gang-related activities. Some of the forfeiture provisions may allow for direct transfer of property or money to the Task Force. Other seizure or forfeiture statutes require transfer of seized or forfeited property only to the Sheriff's Office or to the Police Department of a party to this Agreement. Parties to this Agreement hereby agree that any property, money, or equipment seized or forfeited as a result of Task Force operations shall immediately be dedicated to Task Force operations. Funds derived from such forfeitures and seizures shall not reduce participants' obligations to provide money, manpower, or equipment as established by the Administrative Board.

Notwithstanding the foregoing, forfeitures and seizures resulting from operations of police departments or the Utah County Sheriff's Office not related to Task Force operations shall be conducted separately and independently from Task Force operations. Property, cash, or equipment obtained by forfeiture or seizure through such non-Task Force operations shall become and remain the property of the involved agency as provided by law.

In the event Task Force personnel and non-Task Force personnel are jointly involved in an operation, forfeiture or seizure of any available property will be aggressively pursued. The matter will be submitted to the Administrative Board who shall determine, by majority vote, the appropriate

distribution of recovered property or proceeds. It is recognized and understood by all parties to this Agreement that joint operations shall include those operations in which both Task Force and non-Task Force personnel are involved in the planning and investigation. Other enforcement actions may involve Task Force or non-Task Force personnel in a backup or supportive role which shall not require proportionate distribution of seized or forfeited property or proceeds.

Section 7. Addition of Other Members.

Other public agencies or other persons may become parties to this Interlocal Cooperation Agreement upon approval by the Administrative Board by executing an Addendum to this Agreement. In order for a public agency to be added to this Agreement by Addendum, the Addendum must be approved by the executive power or legislative body of the public agency to be added and the Addendum must be reviewed and Reviewed for form and compatibility with the laws of the State of Utah by the attorney for the public agency to be added. Prior to becoming effective, this Interlocal Cooperation Agreement and the Addendum shall be filed with the person who keeps the records of the public agency being added to this Agreement.

Section 8. Termination.

This Interlocal Cooperation Agreement may be completely terminated at any time by a majority vote of the Administrative Board. Any party to this Agreement may, at the sole option of the party, pursuant to resolution and formal action of the governing body of the member, withdraw from participation in this Agreement at any time without liability for unpaid present or future assessment. Upon the unilateral withdrawal of a member from participation under this Agreement, the Agreement shall not automatically terminate with regard to the remaining members, but shall continue in force and effect as to the remaining members. Withdrawing parties shall immediately

lose any rights to participation in the administration or conduct of this Agreement or the Major Crimes Task Force. Officers of the withdrawing member, upon withdrawal, shall immediately cease participation in any Task Force operations. Property contributed to Task Force operations by the withdrawing member shall be returned to the withdrawing member as soon as reasonably practical, provided that in no event shall the security of ongoing operations or the health and safety of officers continuing to participate in Task Force operations be jeopardized by the immediate withdrawal of equipment or personnel. The withdrawing member shall not be entitled to any share of property or equipment seized or forfeited to the Task Force until complete termination of this Agreement and pursuant to the provisions for disposition of property as hereinafter provided.

Upon the complete termination of this Agreement, Task Force operations shall cease as quickly as practically possible, provided that in no case shall the security of ongoing investigations be jeopardized or the safety or welfare of officers acting pursuant to Task Force operations be jeopardized. Ongoing investigations shall be transferred to appropriate police departments as determined by the Task Force Director. Evidence, information, and data, including copies of all relevant police reports, shall be transferred and made available to appropriate agencies which will continue the investigations as they deem appropriate. Any evidence not clearly associated with ongoing investigations shall remain in the evidence room in which it is located and shall be made available by the custodial member as needed for continuing prosecution or law enforcement purposes until ordered released or disposed of by the Utah County Attorney's Office in accordance with State law. Files or other investigative reports not directly involved in ongoing investigations shall be transferred to the Utah County Attorney's Office which shall keep and maintain such files in accordance with State law relating to management of public documents. Property held by the CITY

OF OREM which has been derived from Task Force operations, other than property from direct contribution pursuant to assessment from members to this Agreement, shall be distributed back to members in shares proportionate to population and length of participation in Task Force operations. Length of participation shall be determined as commencing from execution of the initial Interlocal Cooperation Agreement to formal termination of participation as herein above provided.

Section 9. Manner of Holding, Acquiring, or Disposing of Property.

Title to property or equipment contributed by a member to this Agreement shall remain in the contributing member's name. Property or equipment obtained directly from Task Force operations or forfeited to the Task Force as a result of Task Force operations shall be titled in the name of the CITY OF OREM until dissolution or distribution as herein above provided.

Section 10. Indemnification.

All parties to this Agreement are agencies or political subdivisions of the State of Utah. Each of these parties agrees to indemnify and save harmless the others for damages, claims, suits, and actions arising out of negligent errors or omissions by its own officers or agents in connection with this agreement or the operation of the Utah County Major Crimes Task Force.

Section 11. Amendments.

This Interlocal Cooperation Agreement may not be amended, changed, modified or altered except by an instrument in writing which shall be (a) approved by the executive power or legislative body of each of the parties, (b) executed by a duly authorized official of each of the parties, (c) submitted to and Reviewed by the Utah County Attorney, and the attorney for each public agency which is a party to this Agreement as required by Section 11-13-202.5, Utah Code Annotated, 1953, as amended, and (d) filed in the official records of each party.

Section 12. Severability.

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

Section 13. Governing Law.

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

Section 14. Counterparts.

This Interlocal Cooperation Agreement shall be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Each entity shall return a signed copy of its signature page and Resolution authorizing execution of the signature page to the Utah County Clerk/Auditor to be attached to Utah County's original Agreement. As each entity's signature page is attached to Utah County's original Agreement, Utah County will cause a copy of the signature page to be distributed to all entities.

Section 15. Agreement Review and Updates

The Task Force Director shall review and sign this Agreement annually and submit the Agreement to the parties for updating if necessary. The Task force Director is authorized to annually sign the agreement and execute certificates, acknowledgments or other evidences of proof of review and or updating as required by applicable laws, rules or regulations.

IN WITNESS WHEREOF, the parties have signed and executed this Interlocal Cooperation Agreement, after resolutions duly and lawfully passed, on the dates listed below:

UTAH COUNTY

Authorized by Resolution No. _____, authorized and passed on the
_____ day of _____, 2016.

BOARD OF COUNTY COMMISSIONERS
UTAH COUNTY, UTAH

LARRY ELLERTSON, Chairman

ATTEST: BRYAN E. THOMPSON
Utah County Clerk/Auditor

Reviewed as to form and compatibility with
the laws of the State of Utah

By: _____
Deputy Clerk/Auditor

COUNTY ATTORNEY

PROVO CITY

Authorized by Resolution No. _____, authorized and passed on the _____ day
of _____, 2016.

MAYOR

ATTEST:

Reviewed as to form and compatibility with
the laws of the State of Utah

CITY RECORDER

CITY ATTORNEY

CITY OF OREM

Authorized by Resolution No. _____, authorized and passed on the _____ day
of _____, 2016.

MAYOR

ATTEST:

Reviewed as to form and compatibility with
the laws of the State of Utah

CITY RECORDER

CITY ATTORNEY

PLEASANT GROVE CITY

Authorized by Resolution No. _____, authorized and passed on the _____ day
of _____, 2016.

MAYOR

ATTEST:

Reviewed as to form and compatibility with
the laws of the State of Utah

CITY RECORDER

CITY ATTORNEY

AMERICAN FORK CITY

Authorized by Resolution No. _____, authorized and passed on the _____ day
of _____, 2016.

MAYOR

ATTEST:

Reviewed as to form and compatibility with
the laws of the State of Utah

CITY RECORDER

CITY ATTORNEY

ALPINE CITY

Authorized by Resolution No. _____, authorized and passed on the _____ day
of _____, 2016.

MAYOR

ATTEST:

Reviewed as to form and compatibility with
the laws of the State of Utah

CITY RECORDER

CITY ATTORNEY

SPANISH FORK CITY

Authorized by Resolution No. _____, authorized and passed on the _____ day
of _____, 2016.

MAYOR

ATTEST:

Reviewed as to form and compatibility with
the laws of the State of Utah

CITY RECORDER

CITY ATTORNEY

SANTAQUIN CITY

Authorized by Resolution No. _____, authorized and passed on the _____ day
of _____, 2016.

MAYOR

ATTEST:

Reviewed as to form and compatibility with
the laws of the State of Utah

CITY RECORDER

CITY ATTORNEY

LEHI CITY

Authorized by Resolution No. _____, authorized and passed on the _____ day
of _____, 2016.

MAYOR

ATTEST:

Reviewed as to form and compatibility with
the laws of the State of Utah

CITY RECORDER

CITY ATTORNEY

SPRINGVILLE CITY

Authorized by Resolution No. _____, authorized and passed on the _____ day
of _____, 2016.

MAYOR

ATTEST:

Reviewed as to form and compatibility with
the laws of the State of Utah

CITY RECORDER

CITY ATTORNEY

PAYSON CITY

Authorized by Resolution No. _____, authorized and passed on the _____ day
of _____, 2016.

MAYOR

ATTEST:

Reviewed as to form and compatibility with
the laws of the State of Utah

CITY RECORDER

CITY ATTORNEY

MAPLETON CITY

Authorized by Resolution No. _____, authorized and passed on the _____ day
of _____, 2016.

MAYOR

ATTEST:

Reviewed as to form and compatibility with
the laws of the State of Utah

CITY RECORDER

CITY ATTORNEY

SALEM CITY

Authorized by Resolution No. _____, authorized and passed on the _____ day
of _____, 2016.

MAYOR

ATTEST:

Reviewed as to form and compatibility with
the laws of the State of Utah

CITY RECORDER

CITY ATTORNEY

HIGHLAND CITY

Authorized by Resolution No. _____, authorized and passed on the _____ day
of _____, 2016.

MAYOR

ATTEST:

Reviewed as to form and compatibility with
the laws of the State of Utah

CITY RECORDER

CITY ATTORNEY

SARATOGA SPRINGS CITY

Authorized by Resolution No. _____, authorized and passed on the _____ day
of _____, 2016.

MAYOR

ATTEST:

Reviewed as to form and compatibility with
the laws of the State of Utah

CITY RECORDER

CITY ATTORNEY

LINDON CITY

Authorized by Resolution No. _____, authorized and passed on the _____ day
of _____, 2016.

MAYOR

ATTEST:

Reviewed as to form and compatibility with
the laws of the State of Utah

CITY RECORDER

CITY ATTORNEY

LONE PEAK PUBLIC SAFETY DISTRICT

Authorized by Resolution No. _____, authorized and passed on the _____ day
of _____, 2016.

ITS:

ATTEST:

Reviewed as to form and compatibility with
the laws of the State of Utah

DISTRICT SECRETARY

DISTRICT ATTORNEY

CITY OF CEDAR HILLS

Authorized by Resolution No. _____, authorized and passed on the _____ day
of _____, 2016.

MAYOR

ATTEST:

Reviewed as to form and compatibility with
the laws of the State of Utah

CITY RECORDER

CITY ATTORNEY

RESOLUTION NO. R-2016-XX

**A RESOLUTION OF HIGHLAND CITY, UTAH
TO PARTICIPATE IN THE UTAH COUNTY MAJOR CRIMES TASK FORCE**

WHEREAS, the Highland City Council (the “*Council*”) met in regular session on September 6, 2016, to consider, among other things, approving an interlocal cooperative agreement with Utah County relating to the Major Crimes Task Force; and

WHEREAS, local government entities are authorized by the Utah Local Cooperative Act (UTAH CODE ANN. § 11-13-101, *et seq.*) to enter into agreements with each other, upon a resolution to do so by the respective governing bodies, to do what each agency is authorized by law to perform; and

WHEREAS, a uniform interlocal agreement between various Utah County cities, including Highland City, has been prepared for approval which sets forth the purposes thereof, the extent of participation of the parties, and the rights, duties and responsibilities of the parties. A copy of such interlocal agreement is attached hereto; and

NOW THEREFORE BE IT RESOLVED by the Council that the attached interlocal agreement be approved and that the Mayor and Recorder are hereby authorized and directed to execute and deliver the same.

ADOPTED by the City Council of Highland City, Utah, this 6th day of September, 2016.

HIGHLAND CITY, UTAH

ATTEST:

Mark S. Thompson, Mayor

JoD’Ann Bates, City Recorder

COUNCILMEMBER	YES	NO
Brian Braithwaite	<input type="checkbox"/>	<input type="checkbox"/>
Dennis LeBaron	<input type="checkbox"/>	<input type="checkbox"/>
Tim Irwin	<input type="checkbox"/>	<input type="checkbox"/>
Ed Dennis	<input type="checkbox"/>	<input type="checkbox"/>
Rod Mann	<input type="checkbox"/>	<input type="checkbox"/>



CITY COUNCIL AGENDA REPORT

ITEM # 9

DATE: Tuesday, September 6, 2016
TO: Honorable Mayor and Members of the City Council
FROM: Erin Wells, Assistant to the City Administrator
SUBJECT: RESOLUTION: Utah County Community Development Block Grant Program Interlocal Agreement

STAFF RECOMMENDATION:

City Council authorize the Mayor to sign the Utah County Community Development Block Grant Program Interlocal Agreement.

BACKGROUND:

In 2010, Highland City entered into an Interlocal Cooperation Agreement with Utah County to participate in the U.S Department of Housing and Urban Development's (HUD) Community Development Block (CDBG) Grant Program.

The CDBG program is designed to give funds to local and state governments to administer housing that provides access to "decent housing, shelter and ownership opportunity regardless of income or minority status, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income" (Interlocal Agreement language).

The 2010 Interlocal Cooperation Agreement was for Federal Fiscal Years 2011, 2012, and 2013 and successive 3 year periods thereafter. The Interlocal Agreement automatically renews every three years unless a unit of government opts out. However due to federal regulations, changes have been made to the Civil Rights and fair housing language. As such, new resolutions need to be passed and a new interlocal agreement needs to be signed.

This agreement will be for Federal Fiscal Years 2017, 2018, 2019, and successive 3 year periods after. We may terminate our participation in the agreement with the county prior to the next 3 year period.

This agreement would commit Highland City to working with the County in any CDGB activities taking place within Highland City. However, it is unlikely that Highland City would ever have any CDGB activities due to our high income demographics.

FISCAL IMPACT:

None.

ATTACHMENTS:

1. Proposed Agreement
2. Proposed Resolution

AGREEMENT NO. 2016-

INTERLOCAL COOPERATION AGREEMENT

between

UTAH COUNTY and HIGHLAND CITY

relating to the conduct of

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

for **FEDERAL FISCAL YEARS 2017 THROUGH 2019**

and successive 3 year periods thereafter

INTERLOCAL COOPERATION AGREEMENT

THIS IS AN INTERLOCAL COOPERATION AGREEMENT, made and entered into by and between UTAH COUNTY, UTAH, a body corporate and politic of the State of Utah, AMERICAN FORK CITY, TOWN OF CEDAR FORT, CEDAR HILLS CITY, EAGLE MOUNTAIN CITY, ELK RIDGE CITY, TOWN OF GENOLA, TOWN OF GOSHEN, HIGHLAND CITY, LINDON CITY, MAPLETON CITY, PLEASANT GROVE CITY, PAYSON CITY, SALEM CITY, SANTAQUIN CITY, SARATOGA SPRINGS CITY, SPANISH FORK CITY, SPRINGVILLE CITY, and TOWN OF VINEYARD.

all municipal corporations.

RECITALS

A. In 1974 the U.S. Congress enacted the Housing and Community Development Act of 1974, as since amended (42 U.S.C. 5301 *et seq.*), and in 1990 the U.S. Congress enacted the Cranston-Gonzales National Affordable Housing Act, as since amended (42 U.S.C. 5301 *et seq.*) collectively (the “Act”), permitting and providing for the participation of the United States government in a wide range of local housing and community development activities and programs of the Act which activities and programs are administered by the U.S. Department of Housing and Urban Development (“HUD”).

B. The primary objective of the Act is the development of viable urban communities and access by every resident to decent housing, shelter and ownership opportunity regardless of income or minority status, by providing decent housing and a suitable living environment and

expanding economic opportunities, principally for persons of low and moderate income, with this objective to be accomplished by the federal government providing financial assistance pursuant to the Act in the form of community development block grant (“CDBG”) Program funds to state and local governments to be used in the conduct and administration of housing, shelter and community development activities and projects as contemplated by the primary objectives of the Act (the “CDBG program”).

C. To implement the policies, objectives and other provisions of the Act, HUD has issued rules and regulations governing the conduct of the CDBG program, published in 24 Code of Federal Regulations (CFR), Part 92 and Part 570 (the “Regulations”), which regulations provide that a county may qualify as an “urban county,” as defined in Section 570.3 of the Regulations, and thereby become eligible to receive entitlement grants from HUD for the conduct of CDBG program activities as an urban county and that City and other units of general local governments in the same metropolitan statistical area that do not or cannot qualify for separate entitlement grants may be included as a part of the urban county by entering into cooperation agreements with the urban county in accordance with the requirements of the Regulations.

D. The County is now qualified under the Regulations to become an urban county and to begin receiving CDBG program funds from HUD by annual grant agreements beginning on July 1, 2011.

E. In 1981, and again since then, HUD amended the Regulations, pursuant to amendments of the Act, revising the qualification period for urban counties by providing that the qualification by HUD of an urban county shall remain effective for three successive federal fiscal years regardless of changes in its population during that period, except for failure of an urban county to

receive a grant during any year of that period, and also providing that during the three-year period of qualification, no included city or other unit of general local government may withdraw from nor be removed from the urban county for HUD's grant computation purposes, and no city or other unit of general local government covering an additional area may be added to the urban county during that three-year period except where permitted by HUD regulations.

F. This Agreement provides for an initial three year term with successive three year terms corresponding with HUD qualification periods, automatically renewing.

G. The County recognizes and understands that it does not have independent legal authority to conduct some kinds of community development and housing assistance activities within the boundaries of an incorporated city without that city's approval. In order to ensure participation by the City in the urban county and as part of the fiscal years 2017 - 2019 urban county qualification process, the County and City are required to enter into this interlocal agreement authorizing the County to undertake or to assist in undertaking essential community development and housing assistance activities within the City as may be specified in the "Annual Action Plan of Community Development Objectives and Projected Use of Funds" (the "Action Plan") to be submitted to HUD annually by the County to receive its annual CDBG and home entitlement grants.

H. Under general provisions of Utah law governing contracting between governmental entities and by virtue of specific authority granted in the Utah Interlocal Cooperation Act, Section 11-13-101 *et seq.*, Utah Code Ann. (2005), any two or more public agencies may enter into agreements with one another for joint or cooperative action, or for other purposes authorized by law.

I. Accordingly, the County and City have determined that it will be mutually beneficial and in the public interest to enter into this interlocal cooperation agreement regarding the conduct of the County's CDBG Program,

THEREFORE, in consideration of the promises and the cooperative actions contemplated hereunder, the parties agree as follows:

1. A fully executed copy of this interlocal cooperation agreement (the "agreement"), together with the approving resolutions of the City and the County, shall be submitted to HUD by the County as part of its qualification documentation. The City hereby gives the County the authority to carry out CDBG Program activities and projects within the City's respective municipal boundaries. By entering into this agreement with the County, the City shall be included as a part of the urban county for CDBG program qualification and grant calculation purposes. The period of performance of this agreement shall cover Federal Fiscal Years (2017-2019) and successive 3-year periods thereafter. Each party will participate for the next three program years, and automatically renewing each successive 3-year period. Subject to the termination provisions set forth in Paragraph 12, below, a City may terminate its participation in the agreement by giving written notice to the County prior to the commencement of the next 3-year period; provided, however, that this agreement will remain in effect until the CDBG funds and income received in the 3-year period then in effect are expended and the funded activities completed. As provided in Section 570.307 of the Regulations, the qualification of the County as an urban county shall remain effective for the entire 3-year period in effect regardless of changes in its population during that period of time, and the parties agree that a City or City may not withdraw from nor be removed from inclusion in the urban county for HUD's grant

computation purposes during that 3-year period. Prior to the beginning of each succeeding qualification period, by the date specified in HUD's urban county qualification notice for the next qualification period, the County shall notify each City in writing of its right not to participate and shall send a copy of such notice to the HUD field office by the date specified in the urban county qualification schedule issued for that period.

2. The City and the County shall cooperate in the development and selection of CDBG program activities and projects to be conducted or performed in the City during each of the Federal Fiscal Years (2017-2019) and for each successive 3-year covered by this agreement. The City understands and agrees, however, that the County shall have final responsibility for selecting the CDBG program activities and projects to be included in each annual grant request and for annually filing the Annual Action Plan with HUD.

3. The City recognizes and understands that the County, as a qualified urban county, will be the entity required to execute all grant agreements received from HUD pursuant to the County's annual requests for CDBG program funds and that as the grantee under the CDBG programs it will be held by HUD to be legally liable and responsible for the overall administration and performance of the annual CDBG programs, including the projects and activities to be conducted in the City. By executing the agreement, the City understands that they (1) may not apply for grants under the Small City or State CDBG Programs from appropriations for fiscal years during the period in which they are participating in the urban county's CDBG program; (2) the City may receive a formula allocation under the HOME Program only through Utah County as an urban county; and (3) the City May receive a formula allocation under the ESG Program only through the Urban County.

4. The City shall cooperate fully with the County in all CDBG program efforts planned and performed hereunder. The City agrees to allow the County to undertake or assist in undertaking, essential community development and housing assistance activities within the City as may be approved and authorized in the County's CDBG grant agreement including the 5-year Consolidated Plan. The City and the County also agree to cooperate to undertake, or assist in the undertaking, community renewal and lower income housing assistance activities.

5. The City understands that it will be necessary for the City to enter into separate project agreements or sub-grants in writing with the County with respect to the actual conduct of the projects and activities approved for performance in the City and that the funds designated in the County's Final Statements for those projects and activities will also be funded to the City under those separate project agreements or subgrants. Subject to the provisions of Paragraph 3 above, the City will administer and control the performance of the projects and activities specified in those separate project agreements, will be responsible for the expenditure of the funds allocated for each such project or activity, and will conduct and perform the projects and activities in compliance with the Regulations and all other applicable federal laws and requirements relating to the CDBG program. The City also understands and agrees that, pursuant to 24 CFR 570.501(b), they are subject to the same requirements applicable to subrecipients, including the requirement of a written agreement as described in 24 CFR 570.503. Prior to disbursing any CDBG program to any subrecipients, the City shall enter into written agreements with such subrecipients in compliance with 24 CFR 570.503 (CDBG) of the Regulations.

6. All CDBG program funds that are approved by HUD for expenditure under the County's grant agreements for the three Program years covered by this agreement and its extensions,

including those that are identified for projects and activities in the City, will be budgeted and allocated to the specific projects and activities described and listed in the County's Annual Plan submitted annually to HUD and those allocated funds shall be used and expended only for the projects or activities to which the funds are identified. No project or activity, or the amount of funding allocated for such project or activity, may be changed, modified, substituted or deleted by a City without the prior written approval of the County and the approval of HUD when that approval is required by the Regulations.

7. Each City agrees to do all things that are appropriate and required of it to comply with the applicable provisions of the grant agreements received by the County from HUD, the provisions of the Act, and all Rules and Regulations, guidelines, circulars and other requisites promulgated by the various federal departments, agencies, administrations and commissions relating to the CDBG program. The City and the County agree that failure by them to adopt an amendment to the agreement incorporating all changes necessary to meet the requirements for cooperation agreements set forth in the Urban County Qualification Notice applicable for a subsequent three-year qualification period, and to submit the amendment to HUD as provided in the urban county qualification notice, will void the automatic renewal of such qualification period. In addition the City and the County shall take all actions necessary to assure compliance with the certification required of the County by Section 104(b) of Title I of the Housing and Community Development Act of 1974 as amended, Title VI of the Civil Rights Act of 1964, the Fair Housing Act, Section 109 of Title I of the Housing and Community Development Act of 1974 and other applicable laws. In addition, the City and the County shall take all actions necessary to assure compliance with Section 104(b) of Title I of the Housing and Community Development Act of 1974, as

amended; Title VI of the Civil Rights Act of 1964; the Fair Housing Act; Section 109 of the Title I of the Housing and Community Development Act of 1974, which incorporated Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975; and other applicable laws, and shall affirmatively further fair housing.

8. The City and County agree to prohibit urban county funding for activities in, or in support of, any cooperating unit of general local government that does not affirmatively further fair housing within its own jurisdiction or that impedes the county's actions to comply with the county's fair housing certification.

9. The City and County agree that a unit of general local government may not sell, trade, or otherwise transfer all or any portion of such funds to another such metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act. This requirement is contained in the Consolidated and Further Continuing Appropriations Act, 2015, 14 Pub. L. 113-235.

10. Each City affirms that it has adopted and is enforcing:

(a) a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

(b) a policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

11. During the period of performance of this agreement as provided in Paragraph 1, each City shall:

(a) Report and pay to the County any program income, as defined in 24 CFR 570.500(a) for the CDBG program, received by the City, or retain and use that program income subject to and in accordance with the applicable program requirements and the provisions of the separate CDBG project agreements that will be entered into between the City and the County for the actual conduct of the CDBG program,

(b) Keep appropriate records regarding the receipt of, use of, or disposition of all program income and make reports thereon to the County as will be required under the separate CDBG project agreement between the City and the County, and

(c) Pay over to the County any program income that may be on hand in the event of close-out or change in status of the City or that may be received subsequent to the close-out or change in status as will be provided for in the separate CDBG project agreements mentioned above.

12. The separate CDBG project agreements or sub-grants that will be entered into between the County and the City for the conduct of the CDBG Program, as mentioned and referred to elsewhere in this agreement, shall include provisions setting forth the standards which shall apply to any real property acquired or improved by the City in whole or in part using CDBG Program funds. These standards will require the City to:

(a) Notify the County in a timely manner of any modification or change in the use of that property from the use planned at the time of the acquisition or improvement and this notice requirements shall include any disposition of such property.

(b) Reimburse the County in an amount equal to the current fair market value of property acquired or improved with CDBG Program funds (less any portion thereof attributable to expenditures of non-CDBG funds) that is sold or transferred for a use which does not qualify under the Regulations, and

(c) Pay over to the County any Program income that is generated from the disposition or transfer of property either prior to or subsequent to any close-out, change of status or termination of this cooperation agreement or any separate project agreement that is applicable.

13. Any changes and modifications to this agreement shall be made in writing, shall be executed by both parties prior to the performance of any work or activity involved in the change and be approved by HUD if necessary to comply with the Regulations.

14. This agreement shall remain in force and effect until the CDBG funds and program income received are expended and the funded activities completed.

15. If the County qualifies as an urban county, the parties agree not to veto or otherwise obstruct the implementation of the approved 5-year Consolidated Plan during that three year cooperation agreement period and for such additional times as may be required for the expenditure of Consolidated Plan funds granted for that period.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be duly authorized and executed by each City on the date specified on the respective signature pages and by the County on the _____ day of _____, 2016.

SIGNATURE PAGE FOR UTAH COUNTY
TO
INTERLOCAL COOPERATION AGREEMENT
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
FOR FEDERAL FISCAL YEARS 2017 – 2019 AND
SUCCESSIVE THREE YEAR PERIODS THEREAFTER

BOARD OF COUNTY COMMISSIONERS
UTAH COUNTY, UTAH

LARRY ELLERTSON, Chairman

STATE OF UTAH)
 :SS
COUNTY OF UTAH)

On this ____ day of _____, 2016, personally appeared before me Larry Ellertson, who being duly sworn, did say that he is the Chairman of the Board of County Commissioners of Utah County, State of Utah, and that the foregoing instrument was signed on behalf of _____ County, by authority of law.

NOTARY PUBLIC
Residing in _____ County

ATTEST: BRYAN E. THOMPSON
Utah County Clerk/Auditor

Reviewed as to form and compatibility with
the laws of the State of Utah

By: _____

Deputy Clerk/Auditor

COUNTY ATTORNEY

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be duly authorized and executed by each City on the date specified on the respective signature pages and by the County on the ____ day of _____, 20__.

By signing below, Highland City accepts the terms of the Urban County Interlocal Agreement for Federal Fiscal Years 2017, 2018, and 2019.

Mayor Mark Thompson

RESOLUTION NO. R-2016-XX

**A RESOLUTION OF HIGHLAND CITY, UTAH
TO PARTICIPATE IN THE UTAH COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

WHEREAS, the Highland City Council (the “*Council*”) met in regular session on September 6, 2016, to consider, among other things, approving an interlocal cooperative agreement with Utah County relating to the conduct of Community Development Block Grant Program for Federal Fiscal Years 2017 through 2019 and successive 3 year periods thereafter; and

WHEREAS, local government entities are authorized by the Utah Local Cooperative Act (UTAH CODE ANN. § 11-13-101, *et seq.*) to enter into agreements with each other, upon a resolution to do so by the respective governing bodies, to do what each agency is authorized by law to perform; and

WHEREAS, a uniform interlocal agreement between various Utah County cities, including Highland City, has been prepared for approval which sets forth the purposes thereof, the extent of participation of the parties, and the rights, duties and responsibilities of the parties. A copy of such interlocal agreement is attached hereto; and

WHEREAS, Highland City is not a CDBG Entitlement City; and

WHEREAS, Highland City has previously entered into an interlocal agreement to participate in the Utah County CDBG program; and

NOW THEREFORE BE IT RESOLVED by the Council that the attached interlocal agreement be approved and that the Mayor and Recorder are hereby authorized and directed to execute and deliver the same.

ADOPTED by the City Council of Highland City, Utah, this 6th day of September, 2016.

HIGHLAND CITY, UTAH

Mark S. Thompson, Mayor

ATTEST:

JoD’Ann Bates, City Recorder

COUNCILMEMBER	YES	NO
Brian Braithwaite	<input type="checkbox"/>	<input type="checkbox"/>
Dennis LeBaron	<input type="checkbox"/>	<input type="checkbox"/>
Tim Irwin	<input type="checkbox"/>	<input type="checkbox"/>
Ed Dennis	<input type="checkbox"/>	<input type="checkbox"/>
Rod Mann	<input type="checkbox"/>	<input type="checkbox"/>