



# Sandy City, Utah

10000 Centennial Parkway  
Sandy, UT 84070  
Phone: 801-568-7141

## Meeting Agenda

### City Council

*Brooke Christensen, District 1*  
*Maren Barker, District 2*  
*Kristin Coleman-Nicholl, District 3*  
*Chris McCandless, District 4*  
*Steve Fairbanks, At-large*  
*Linda Martinez Saville, At-large*  
*Zach Robinson, At-large*

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Tuesday, May 1, 2018

5:15 PM

Council Chambers

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### **\*Amended Agenda\***

Web address to view complete packet: <http://sandyutah.legistar.com>

The Sandy City Council has adopted Rules of Procedure which are available at the rear of the Council Chambers and online at: <http://sandy.utah.gov/government/city-council/procedure-guidelines.html>. Consent Calendar items have been previously considered or are otherwise routine in nature and will be considered in a single motion unless a Council Member wishes to discuss an item separately. In compliance with the Americans with Disabilities Act, reasonable accommodations for individuals with disabilities will be provided upon request. For assistance, please call (801) 568-7141.

\*For the May 1, 2018 City Council Meeting, the Chair will allow public comment for each item listed on the agenda at the time the item is heard. Comments on items or issues not listed on the agenda will be heard during the Citizen Comment portion of the meeting. Public comments may not exceed 3 minutes per speaker, per agenda item.

### **4:30 Dinner with Youth City Council**

### **5:15 Council Meeting**

#### **Roll Call**

Opening Remarks / Prayer / Pledge of Allegiance

Agenda Planning Calendar Review

Council Member Business

Council Office Director's Report

Mayor's Report

CAO Report

## Citizen Comments

Citizen comments is for public comment on issues not listed on the agenda.

## Special Recognition

1. [18-158](#) The Mayor and City Council presenting a Resolution honoring the achievement of the Bionic Porcupines III, an award winning team who earned the President's Environmental Youth Award.

**Attachments:** [Resolution honoring the Bionic Porcupines 2.pdf](#)

## Consent Calendar

2. [18-159](#) Approval of the April 17, 2018 Minutes.

**Attachments:** [April 17, 2018 Minutes.pdf](#)

## Council Items

3. [GPA-Stadium Village-Outreach](#) The Community Development Department will introduce Gateway Planning, the consultant for the Stadium Village Master Plan. Gateway Planning will conduct a discussion with the City Council as part of Gateway Planning's initial outreach efforts to receive input regarding concerns, opportunities, and potential impacts of the Stadium Village area.

**Attachments:** [Stadium Master Plan - Aerial Map - 8](#)  
[Critical Path Sandy Stadium Village 03 01 18](#)

4. **18-160** Possible Closed Session: character, professional competence, or physical or mental health of an individual.

5. [18-157](#) Public Utilities recommending the City Council adopt Resolution 18-21C Interlocal Agreement with White City Township

**Attachments:** [Resolution 18-21C.pdf](#)  
[Memo - Recommendation Agreement.pdf](#)  
[Figure - Sandy Canal Trail Improvements.pdf](#)  
[Interlocal Agreement - White City.pdf](#)

6. [18-154](#) Sandy City Fire Department presents the fireworks survey results, updated fireworks map and fireworks ordinance discussion.

**Attachments:** [Draft - Fireworks Survey Prelim Responses 2018.pdf](#)  
[FireHazardAreas\\_11x17\\_Final 2018.pdf](#)

## 7:00 Council Items (Continued)

7. [18-151](#) Council Member Barker requesting Council discussion and support to initiate a code amendment requiring term limits for City elected officials.
8. [18-153](#) Council Member Nicholl recommending adoption of amendment to Title 3 of the Sandy City Municipal Code regulating the sale of pets in retail establishments.

**Attachments:**[3-1-27 Animal Sales \(clean\)](#)[3-1-27 Animal Sales \(markup\)](#)[Draft Ordinance to Enact Animal Sales Ordinance Revisions](#)**Public Hearings**

9. [18-150](#) Finance Department recommending the City Council adopt Resolution #18-17C tentatively adopting its annual budget for FY 2019 subject to further public hearing and review.

**Attachments:**[18-17C tentative 2019 budget](#)

10. [ANEX-3-18-5](#)  
[378](#) The Community Development Department is recommending that the City Council approve the Waterford III Annexation, located at 9560 and 9572 South 1700 East, and be zoned to the Professional Office (PO) Zone.

**Attachments:**[Staff report](#)[Waterford III Annexation Ordinance](#)**Adjournment**



## Staff Report

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**File #:** 18-158, **Version:** 1

**Date:** 5/1/2018

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**Agenda Item Title:**

The Mayor and City Council presenting a Resolution honoring the achievement of the Bionic Porcupines III, an award winning team who earned the President's Environmental Youth Award.

**Presenter:**

**Kim Bell, Mayor Bradburn, Council Member Saville**



# Resolution

## A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF SANDY CITY UTAH RECOGNIZING THE RECIPIENTS OF THE PRESIDENT’S ENVIRONMENTAL YOUTH AWARD

**WHEREAS**, six eleven to fifteen year old Sandy sixth grade students including Allison Drennan, Beehive Science and Technology Academy; Timothy Holt, Beehive Science and Technology Academy; Eric Snauffer, Midvale Middle School; Kassie Holt, Beehive Science and Technology Academy; and Carter Lechtenberg, Butler Middle School won third place in Robot Strategy and twelfth place overall in Robot Game Score at the Lego League International Competition; and

**WHEREAS**, these students developed a gamification application “The Water Bank” to engage consumers in water conservation by tracking water usage through behavior modification; and

**WHEREAS**, the award winning team is known as the Bionic Porcupines III; and

**WHEREAS**, the young people of Sandy are tomorrow’s leaders; and

**WHEREAS**, have been recognized by Governor Gary R. Herbert for their commitment to helping citizens in the great state of Utah to conserve water; and

**NOW, THEREFORE**, THE MAYOR AND CITY COUNCIL DO HEREBY COMMEND THE BIONIC PORCUPINES 3.0 FOR THEIR OUTSTANDING SCIENTIFIC ACHIEVEMENT.

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Kurt Bradburn, Mayor  
Sandy City

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Linda M. Saville, Chair  
Sandy City Council



## Staff Report

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**File #:** 18-159, **Version:** 1

**Date:** 5/1/2018

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Approval of the April 17, 2018 Minutes.

Motion to approve the minutes as presented.



# Sandy City, Utah

10000 Centennial Parkway  
Sandy, UT 84070  
Phone: 801-568-7141

## Meeting Minutes

### City Council

*Brooke Christensen, District 1*  
*Maren Barker, District 2*  
*Kristin Coleman-Nicholl, District 3*  
*Chris McCandless, District 4*  
*Steve Fairbanks, At-large*  
*Linda Martinez Saville, At-large*  
*Zach Robinson, At-large*

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Tuesday, April 17, 2018

5:15 PM

Council Chambers

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### 5:15 Council Meeting

#### Roll Call

Council Office Director Michael Applegarth  
Council Office Analyst Dustin Fratto

#### **Administration:**

Mayor Kurt Bradburn  
CAO Matthew Huish (excused)  
Deputy to the Mayor Evelyn Everton  
Assistant CAO Shane Pace  
Assistant CAO Korban Lee  
Finance & IT Director Brian Kelley  
Budget & Billing Manager Brett Neumann  
Economic Development Director Nick Duerksen  
Economic Development Project Manager Kasey Dunlavey  
City Attorney Bob Thompson  
Senior Civil Attorney Josh Chandler  
Community Development Director James Sorensen  
Zoning Administrator Mike Wilcox  
Business Licence Administrator Leslie Casaril  
Administrative Services Director Brian Kelley  
Fire Chief Bruce Cline  
Parks & Recreation Director Scott Earl  
Deputy Police Chief Bill O'Neil  
Public Utilities Director Tom Ward  
Public Works Director Mike Gladbach

**Present:** 7 - Council Member Brooke Christensen  
Council Member Maren Barker  
Council Member Kristin Coleman-Nicholl  
Council Member Chris McCandless  
Council Member Steve Fairbanks  
Council Member Zach Robinson  
Council Member Linda Martinez Saville

## Opening Remarks / Prayer / Pledge of Allegiance

Chair Linda Martinez-Saville welcomed all those in attendance.

Fire Fighter Sam Hale offered the opening prayer.

The Sandy City Fire Department Color Guard led the audience in the presentation of the flags and the pledge.

## Agenda Planning Calendar Review

Mike Applegarth reviewed the Agenda Planning Calendar. The next City Council Meeting will be held on Tuesday, May 1, 2018.

## Council Member Business

Maren Barker reported that the mall is looking for another professional artist to paint a mural at the South Towne Mall.

Kris Nicholl reported on the Architectural Review Committee meeting she attended.

Zach Robinson reported on the success of the signing of the "No Idle Ordinance" at Altera Elementary in front of the Student Body.

Brooke Christensen noted that the Public Utilities Department will be hosting a tour this Thursday at 7:15 a.m.

## Council Office Director's Report

No Report.

## Mayor's Report

No Report.

## CAO Report

Scott Earl updated the Council on the repairs on the trail at 10195 South.

Council questions followed.

Tom Ward reminded the Council of the ground breaking ceremony for Dry Creek this Friday at 10:00 a.m.

## Citizen Comments

Steve VanMaren reported on the County Council Meeting he attended earlier in the day, particularly Senate Bill 136.

Citizen Comments was closed.

Citizen comments is for public comment on issues not listed on the agenda.

## Special Recognition

1. [18-120](#) Sandy City Fire Department's Badge Pinning/Swearing In Ceremony for recent promotions.  
  
Chief Cline introduced the following individuals for promotions and badge pinning within the Fire Department: Battalion Chief Ryan McConaghie, Captain/Paramedic Howard Mendes, and Engineer/Paramedic Robert Friel. The officers were sworn in by Deputy City Recorder Wendy Downs.  
  
Chief Cline invited Captain Chris Welch, Union President, to present a Fire Helmet to Mayor Bradburn for completion of the Fire Oops 101 program. Deputy Police Chief Bill O'Neil, CAO Matt Huish, City Council Member Maren Barker, and City Council Member Kris Coleman Nicholl also completed the course and each were presented with a helmet.
2. [18-119](#) Legal Department recommending Special Recognition for Josh Chandler  
  
City Attorney Bob Thompson presented an award in recognition to City Attorney Josh Chandler.

## Consent Calendar

Approval of the Consent Calendar

**A motion was made by Kristin Coleman-Nicholl, seconded by Zach Robinson, to approve the Consent Calendar. The motion carried by the following vote:**

**Yes:** 7 - Brooke Christensen  
Maren Barker  
Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Zach Robinson  
Linda Martinez Saville

3. [18-129](#) Approval of the April 10, 2018 Minutes.

**Attachments:** [April 10, 2018 Minutes.pdf](#)

**Item approved.**

## Council Items

4. [18-132](#) Council office recommending a Canyons School District Safety presentation  
  
Susan Edwards along with Jeff Haney, Canyon School District, presented a report on the School District Safety Report. Kevin Ray and Charlie Evans, Canyons School District, were also present.  
  
Council questions followed.
5. [18-133](#) Council office recommending a presentation on the Little Cottonwood

### Canyon Environmental Impact Study

John Thomas, Project Manager for the Utah Department of Transportation (UDOT), presented an update on the Little Cottonwood Environmental Impact Study.

Council questions followed.

6. [18-136](#) City Council Office recommending adoption of the infrastructure stewardship policy.

**Attachments:** [Draft Infrastructure Stewardship Policy](#)

Mike Applegarth introduced the Infrastructure Stewardship Policy recommending a vote by the City Council.

**A motion was made by Brooke Christensen, seconded by Maren Barker, to adopt the Infrastructure Stewardship Policy and to expand the time frame by two years since one of the three years has already expired ... The motion carried by the following vote:**

**Yes:** 6 - Brooke Christensen  
Maren Barker  
Kristin Coleman-Nicholl  
Steve Fairbanks  
Zach Robinson  
Linda Martinez Saville

**Absent:** 1 - Chris McCandless

7. [17-100](#) City Council Office recommending the Council discuss short term rentals.

**Attachments:** [April 17, 2018 STR Process and Calendar](#)  
[April 17, 2018 Draft STR language for Title 15A](#)  
[April 17, 2018 Redline draft STR language for Title 15A](#)  
[April 17, 2018 Draft STR language for Title 5](#)  
[April 17, 2018 Redline draft STR language for Title 5](#)  
[April 17, 2018 McCandless STR Memo](#)

Dustin Fratto presented the draft proposal for the Short Term Rental which includes all of the City Council's recommendations.

Council Member Fairbanks asked Mr. Fratto to include an explanation on the motivation behind the Short Term Rental proposed ordinance.

Council questions followed.

Comments:

Brooke DeSousa supports Short Term Rentals. She expressed concern with some of the provisions, and felt that the City was doing this to fulfill a requirement rather than making it reasonable for the residents.

Steve Van Maren stated that he was sympathetic with Chris McCandless's memo and wording. He would hold his comments when this item goes before the Planning

Commission.

Council comments and questions followed regarding proof of residency.

Business Licence Coordinator Leslie Casaril responded on how the city uses documents for other business licensing purposes.

Chris McCandless explained the meaning behind item #1 in his memo.

**A motion was made by Brooke Christensen seconded by Chris McCandless to direct staff to begin moving forward with the attached draft STR language, and through the standard public process for code amendments which will include further review by administrative staff, initial review by the Planning Commission, and review by the public through the necessary public hearings, and to include Mr. McCandless's ideas expressed in his memo and to look into minimum requirements for documentation proving residency and citizenship... The motion carried by the following vote:**

**Question on the motion**

**Kris Coleman Nicholl, Maren Barker, and Chris McCandless expressed comments on the motion.**

**Yes:** 6 - Brooke Christensen  
Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Zach Robinson  
Linda Martinez Saville

**No:** 1 - Maren Barker

## 7:05 Public Hearing(s)

8. [18-110](#) Finance Department recommending the City Council adopt Resolution #18-17C tentatively adopting its annual budget for FY 2019 subject to further public hearing and review.

**Attachments:** [18-17C tentative 2019 budget](#)

Brian Kelley and Brett Neumann presented and highlighted the Mayor's proposed Tentative Budget for 2018-2019.

Council questions followed.

**Comments**

Bruce Blanchard referenced the animal control budget, homelessness, employee compensation and providing adequate time for the Council to evaluate public comments and changes in the budget. He requested a payment schedule on funds spent for lost and homeless pets and how the homeless initiative may effect the budget.

Josh Sundae commented on the sale of a old street sweeper and the purchase of a new one.

Monica Zoltanski would like to see increased funding for animal control and police enforcement in Dimple Dell Park, along with a property tax and water fee increase. She mentioned the Dimple Dell Earth Day on Saturday and encouraged participation.

Steve Van Maren believes there are a few more things in the budget that need to be examined, and that it was important for the Council to meet with each Department.

Mike Applegarth recommended that the Council wait to adopt the Tentative Budget until the May 1st Council meeting. This will provide time for Staff to schedule budget presentations from the various Departments.

The Public Hearing was continued.

**A motion was made by Kristin Coleman-Nicholl, seconded by Chris McCandless, to table the adoption of the Tentative Budget to the May 1, 2018 City Council Meeting to provide time for Staff to schedule a timeline with Departments for their budget presentations to the City Council and to continue the Public Hearing .. The motion carried by the following vote:**

**Yes:** 7 - Brooke Christensen  
Maren Barker  
Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Zach Robinson  
Linda Martinez Saville

## Adjournment

The meeting adjourned at approximately 8:00 p.m. by Chris McCandless. The next scheduled meeting of the City Council is Tuesday, May 1, 2018 at 5:15 p.m.

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Linda Martinez-Saville, Chair  
Sandy City Council

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Pam Lehman  
Meeting Clerk





## Staff Report

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**File #:** GPA-Stadium Village-Outreach, **Version:** 1

**Date:** 5/1/2018

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**Agenda Item Title:**

The Community Development Department will introduce Gateway Planning, the consultant for the Stadium Village Master Plan. Gateway Planning will conduct a discussion with the City Council as part of Gateway Planning's initial outreach efforts to receive input regarding concerns, opportunities, and potential impacts of the Stadium Village area.

**Presenter:**

Jake Warner

**Description/Background:**

The City has hired a consultant team, led by Gateway Planning, to conduct outreach and create a master plan for the Stadium Village district of the The Cairns area. The project area included in the Stadium Village Master Plan extends from 9000 S. to approximately 9600 S. and from I-15 to beyond State Street, following the East Jordan Canal. Staff held a kick-off meeting with the consultant team on January 24. Since that initial kick-off meeting, Gateway Planning has been researching and analyzing information pertaining to the Stadium Village area. As a part of these early stages in the planning process, the consultant team will be conducting outreach events from April 30 to May 2. These events will include a public open house, stakeholder interviews, meetings with City staff, and this scheduled discussion with the City Council. The primary purpose of the outreach events will be for the consultant team to receive input regarding the strengths, weaknesses, opportunities, and concerns associated with the Stadium Village area.

The next significant step in the process will be a design workshop scheduled for June 5th and 6th. Public events will also be held in association with the design workshop.

**Fiscal Impact:**

N/A

**Further action to be taken:**

N/A

**Recommended Action and/or Suggested Motion:**

N/A



# Stadium Village Master Plan Aerial Map

Project Area

April 19, 2018

Produced by Sandy City  
Aerial Imagery from Spring 2017



0 225 450 900 Feet







## STADIUM VILLAGE MASTER PLAN | SANDY UT

March 01, 2018

### CRITICAL PATH

Biweekly Project Management Conference Calls	Tuesday @ 9::30 a.m. CST / 8:30 a.m. MTN
April 30 – May 3, 2018	Stakeholder Interviews <ul style="list-style-type: none"><li>- Meet with City Staff to discuss early assessment opportunities and constraints before moving into design and framework planning.</li><li>- Interviews with key project stakeholders, including:<ul style="list-style-type: none"><li>▪ Sandy City Leadership and Project Staff<ul style="list-style-type: none"><li>▪ Monroe Street Alignment</li><li>▪ Communications Strategy</li></ul></li><li>▪ Cairns Area Master Plan Team</li><li>▪ Major Land Owners</li><li>▪ Developers</li><li>▪ Business Owners</li><li>▪ Neighborhood Representatives</li></ul></li></ul>
June 4 – 6, 2018 or June 11 – 13, 2018	Two (2) Day Design Workshop <ul style="list-style-type: none"><li>- Agreement on Monroe Street improvements / extension</li><li>- New TRAX alignment coming through the district?</li><li>- Define criteria used in evaluation of development proposals</li><li>- Identify concepts that recognize existing and potential new attractions to raise demographic profile</li><li>- Meet with key select stakeholders, including UTA, Rio Tinto, UDOT, etc.</li><li>- Closing Community Presentation</li></ul>
June – August 2018	Post-Charrette Design Refinement <ul style="list-style-type: none"><li>- Finalize concept plans and framework to identify transportation, parking, pedestrian and mass transit integration opportunities</li><li>- Fiscal impact and market-based analysis of development</li></ul>
June – September 2018	Transportation and Parking Parking Needs Study Pedestrian and Mass Transit Plan
September – October 2018	Master Plan Drafting <ul style="list-style-type: none"><li>- Presentation to City Staff, residents, property owners and key stakeholders</li><li>- One (1) Round of Revisions</li></ul>
November 2018 – December 2018	Adoption <ul style="list-style-type: none"><li>- Planning Commission Public Hearing</li><li>- City Council Public Hearing</li></ul>



## Staff Report

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**File #:** 18-160, **Version:** 1

**Date:** 5/1/2018

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**Agenda Item Title**

Possible Closed Session: character, professional competence, or physical or mental health of an individual.



## Staff Report

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**File #:** 18-157, **Version:** 1

**Date:** 5/1/2018

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**Agenda Item Title:**

Public Utilities recommending the City Council adopt Resolution 18-21C Interlocal Agreement with White City Township

**Presenter:**

Tom Ward

**Description/Background:**

Sandy City desires to enter into an interlocal agreement with White City Township to cost share 50/50, the engineering design fees for the Sandy Canal Trail - 10600 South to Dimple Dell Project (see attached agreement).

**Fiscal Impact:**

**Recommended Action and/or Suggested Motion:**

Recommending approval from the City Council.

RESOLUTION #18-21 C

A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL  
COOPERATION AGREEMENT BETWEEN WHITE CITY AND SANDY  
CITY RELATING TO THE DESIGN OF SANDY CANAL TRAIL

BE IT KNOWN AND REMEMBERED that the City Council of Sandy City, State of Utah, finds and determines as follows:

WHEREAS, Title 11, Chapter 13, Utah Code Annotated 1953, as amended, permits public agencies to enter into cooperative agreements to provide joint undertakings and services; and

WHEREAS, the City desires to complete design of certain improvements to the Sandy Canal Trail ("Design") and the Township agrees to provide funding to the City to assist in completing the Design; and

WHEREAS, the Township and City desire set the obligations and responsibilities of both parties in City's completion of the Design; and

WHEREAS, it has been determined that the best interests of the City and the general public will be served by the execution of the attached Interlocal Cooperation Agreement and by participating as required therein; and

WHEREAS, the attached agreement has been prepared to accomplish such purpose.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Sandy City, Utah:

1. It does hereby approve the attached agreement described as an interlocal agreement between White City and Sandy City relating to the design of Sandy Canal Trail.
2. The Hon. Kurt Bradburn, Mayor of Sandy City, is hereby authorized to execute the agreement on behalf of Sandy City Corporation and to act in accordance with its terms.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2018.

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Linda Martinez Saville, Chairman  
Sandy City Council

ATTEST:

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City Recorder

RECORDED this \_\_\_\_ day of \_\_\_\_\_, 2018.



# SANDY CITY PUBLIC UTILITIES



TOM WARD, P.E.  
PUBLIC UTILITIES DIRECTOR

KURT BRADBURN  
MAYOR

MATTHEW HUISH  
CHIEF ADMINISTRATIVE OFFICER

## MEMORANDUM

**To:** Sandy City Council

**From:** Tom Ward, P.E., Public Utilities Director   
Tyler Shelley, P.E., Chief Engineer 

**Date:** April 26, 2018

**Re:** Sandy Canal Trail – 10600 South to Dimple Dell  
Interlocal Agreement with White City Township

Sandy City desires to enter into an interlocal agreement with White City Township to cost share 50/50, the engineering design fees for the Sandy Canal Trail – 10600 South to Dimple Dell Project (see attached agreement). We ask that the City Council recommend the agreement for approval.

The Sandy Canal (the canal) is no longer used for irrigation and it is desired to convert the canal corridor into a trail system. The canal corridor traverses through Draper City, Sandy City, White City, and across Dimple Dell. The table below shows the different sections of the canal trail and the status of each. The sections are also shown on the attached figure.

**Table – Sandy Canal Trail Improvement Status**

Section	Status	Entities
12200 South to 11780 South	Under construction	Draper City
11780 South to 10600 South	Completed	Sandy City
10600 S to Dimple Dell	Proposed for design	Sandy City and White City
Dimple Dell to Bear Park	Designed and will be constructed 2018-2019	Salt Lake County
North of Bear Park	Future	Sandy City

Sandy City currently owns and maintains the canal property through Sandy City and White City. Once trail improvements are complete, Sandy City will transfer ownership of the canal property and maintenance responsibilities to White City Township, for the sections within White City Township boundary. Sandy City is collaborating with White City to complete the trail and drainage improvements from 10600 South to Dimple Dell.

Proposals from qualified engineering firms have been solicited and received to perform design of the project. Once the interlocal agreement with White City is approved, a Notice of Award will be issued and shortly thereafter we will begin design of the project.

Thank you for your consideration and recommendation.

Attachments



# SANDY CANAL TRAIL IMPROVEMENTS

9400 South

Bear  
Park

Sego Lily Dr

700 E

Interlocal Agreement with  
White City to Cost-Share  
50/50 for Design of Trail  
and Drainage Improvements  
(10600 S to Dimple Dell)

10600 S

Dimple Dell

11000 S

1300 E

1700 E

11400 S

11780 S

12200 S

## Legend

- Future Trail
- Trail to be Completed by  
Salt Lake County 2018-2019
- Trail to be Completed by  
Sandy City and White City 2019
- Completed Trail
- Trail Under Construction  
by Draper City



0 600 1,200  
Feet



# INTERLOCAL COOPERATION AGREEMENT

Between

SANDY CITY

And

WHITE CITY METRO TOWNSHIP

FOR DESIGN OF SANDY CANAL TRAIL

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THIS INTERLOCAL COOPERATION AGREEMENT ("Agreement") is made and entered into this \_\_\_ day of \_\_\_\_\_, 2018, between WHITE CITY METRO TOWNSHIP, a municipal corporation of the State of Utah (hereafter "Township"), and the SANDY CITY, a municipal corporation of the State of Utah ("City"). The Township and City are collectively referred to herein as the "Parties."

## WITNESSETH:

WHEREAS, Utah Code Ann. § 11-13-101, et seq. (the "Interlocal Cooperation Act"), authorizes public agencies to enter into joint agreements with each other to do what each agency is authorized by law to perform; and

WHEREAS, the City desires to complete design of certain improvements to the Sandy Canal Trail (the "Design") and the Township desires to provide funding to the City to assist in completing the Design;

WHEREAS, the Township and City desire to enter into this interlocal cooperation agreement to set forth the obligations and responsibilities of both parties in City's completion of the Design.

## AGREEMENT:

NOW, THEREFORE, the Parties mutually agree as follows:

1. **Improvement Project.** The City intends to complete the Design or cause the Design to be complete as set forth in **Exhibit A** of this Agreement, attached hereto and incorporated by reference. The City hereby agrees that design work related to this Agreement will be competitively bid in compliance with all applicable procurement rules.

2. **Payment.** Within sixty (60) days after receipt (as defined in section 3.I. of this Agreement) of an invoice by the Township, the Township shall pay to the City a portion of the

actual cost of completing the Design, in the amount of fifty percent (50%) of the bid amount. If actual cost exceeds the bid amount, the Township shall pay fifty percent (50%) of actual costs.

3. Miscellaneous Provisions. The following provisions are also an integral part of this Agreement:

A. Binding Agreement. This Agreement shall be binding upon and shall inure to the benefit of the successors and assigns of the respective parties hereto.

B. Captions. The headings used in this Agreement are inserted for reference purposes only and shall not be deemed to define, limit, extend, describe, or affect in any way the meaning, scope or interpretation of any of the terms or provisions of this Agreement or the intent thereof.

C. Counterparts. This Agreement may be signed in any number of counterparts with the same effect as if the signatures upon any counterpart were upon the same instrument. All signed counterparts shall be deemed to be one original.

D. Liability and Indemnification. The Parties are both governmental entities under the "Utah Governmental Immunity Act" (Utah Code Ann. § 63-30-1, et seq.) (the "Act"). Consistent with the terms of the Act, and as provided herein, it is mutually agreed that each party is responsible and liable for its own wrongful or negligent acts which are committed by it or by its agents, officials, or employees. Neither party waives any defenses otherwise available under the Act nor does any party waive any limits of liability currently provided by the Act.

E. Severability. The provisions of this Agreement are severable, and should any provision hereof be void, voidable, unenforceable or invalid, such void, voidable, unenforceable or invalid provision shall not affect the other provisions of this Agreement.

F. Waiver of Breach. Any waiver by either party of any breach of any kind or character whatsoever by the other, whether such be direct or implied, shall not be construed as a continuing waiver of, or consent to any subsequent breach of this Agreement.

G. Amendment. This Agreement may not be modified except by an instrument in writing signed by the parties hereto.

H. Interpretation. This Agreement shall be interpreted, construed and enforced according to the substantive laws of the state of Utah. This Agreement is the result of arms-length negotiations between the parties, and both City and County have had substantive input regarding the various provisions of this Agreement. Accordingly, each of the parties affirms its desire that this Agreement be interpreted in an absolutely neutral fashion with no regard to any rule of interpretation (or the like) requiring that the provisions of this Agreement be construed to favor one party (such as, for example, the party that did not draft this Agreement) over the other.

I. Notice. Any notice required or permitted to be given hereunder shall be deemed sufficient if given by any communication in writing and shall be deemed to have been received (a) upon personal delivery or actual receipt thereof, or (b) within two days after such notice is

(e) No separate legal entity is created by the terms of this Agreement. To the extent that this Agreement requires administration other than as set forth herein, it shall be administered by a joint board of the public works directors of the City and the County, or their designees. No real or personal property shall be acquired jointly by the Parties as a result of this Agreement. To the extent that a Party acquires, holds or disposes of any real or personal property for use in the joint or cooperative undertaking contemplated by this Agreement, such Party shall do so in the same manner that it deals with other property of such Party.

N. Protection of the Scrivener. No provision of this Agreement, nor any ambiguities that may be contained within this Agreement, shall be construed against any party on the grounds such Party or Party's counsel drafted the provision at issue or that the provision at issue contains a covert, representation or warranty of such Party.

IN WITNESS WHEREOF, the parties have entered into this agreement on the day and year set out at the top of this Agreement.

**SANDY CITY**, a Utah municipal corporation

\_\_\_\_\_  
Kurt Bradburn, Mayor

ATTEST:

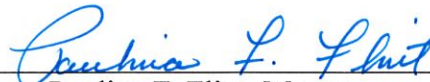
\_\_\_\_\_  
Molly Spira, City Recorder

APPROVED AS TO FORM:

  
\_\_\_\_\_  
METRO TOWNSHIP ATTORNEY

**WHITE CITY METRO TOWNSHIP**,  
a Utah municipal corporation

By:

  
\_\_\_\_\_  
Paulina F. Flint, Mayor

**SANDY CITY APPROVALS**

Department TW  
Risk Mgt. CAB  
Budget BK  
Legal Form DA  
Purchasing Compliance EL

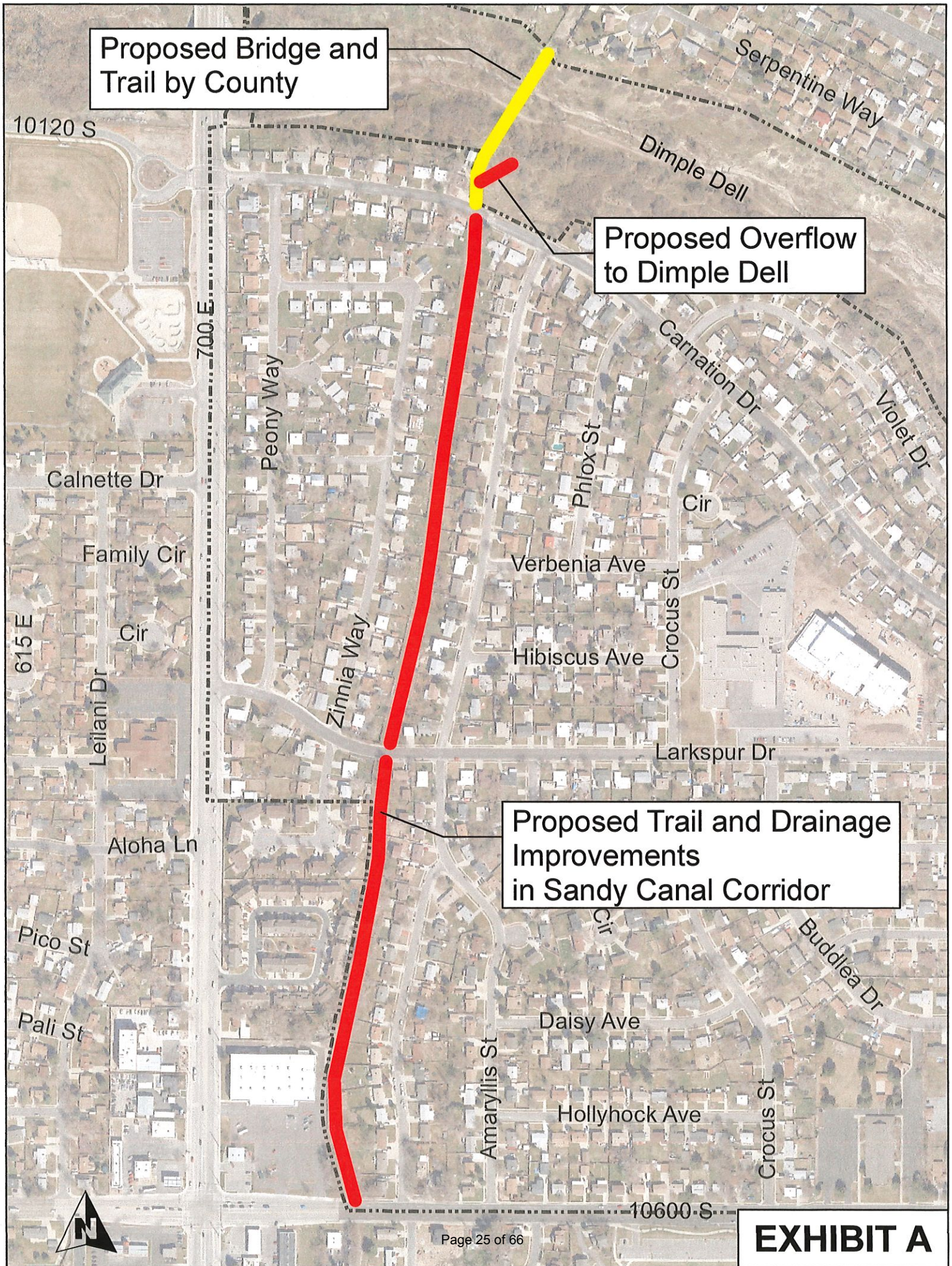


Proposed Bridge and Trail by County

Proposed Overflow to Dimple Dell

Proposed Trail and Drainage Improvements in Sandy Canal Corridor

EXHIBIT A





# ATTACHMENT

“A”

RESOLUTION NO.: 18-04-02 DATE: 04-05-2018

A RESOLUTION OF THE WHITE CITY METRO TOWNSHIP COUNCIL APPROVING  
AND ADOPTING AN INTERLOCAL AGREEMENT BETWEEN WHITE CITY AND  
SANDY CITY FOR THE DESIGN OF THE WHITE CITY-SANDY CANAL TRAIL

RECITALS

- A. The White City Metro Township ("White City") is a Metro Township pursuant to Utah Code Annotated ("UCA") §§ 10-2a-401 *et seq.*
- B. The White City Metro Township Council ("Council") is a Metro Township Council pursuant to UCA §§ 10-3b-501 *et al.*
- C. Sandy City ("Sandy") is a City and neighboring municipality to White City.
- D. Sandy and White City desire to promote the development of a trail along the confluence of the decommissioned Sandy Canal.
- E. As a part of the development of the trail, a design of the trail is needed to determine trail aesthetics and the overall costs to construct.
- F. Partnering with Sandy via an interlocal agreement allows White City and Sandy to more effectively and efficiently achieve work towards the common goal of constructing the trail.

RESOLUTION

THEREFORE BE IT RESOLVED by the White City Metro Township Council, the Council approves and adopts the attached Interlocal Cooperation Agreement between White City and Sandy City for the design of the White City-Sandy Canal Trail, hereinafter to be known as Attachment "A" to this resolution, for the mutual benefit of White City and Sandy.

APPROVED and ADOPTED in the White City Metro Township, Salt Lake County, State of Utah on this 5 Day of April, 2018.

WHITE CITY METRO TOWNSHIP COUNCIL

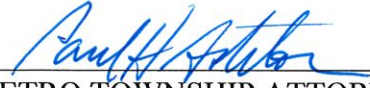
  
Paulina F. Flint, Mayor

ATTESTED:



SHERRIE SWENSEN  
SALT LAKE COUNTY CLERK  
METRO TOWNSHIP CLERK/RECORDER

APPROVED AS TO FORM:



METRO TOWNSHIP ATTORNEY

Voting:

Councilmember Cutler voting Aye

Councilmember Dickerson voting Aye

Councilmember Flint voting Aye

Councilmember Perry voting Aye

Councilmember Price voting Aye





## Staff Report

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**File #:** 18-154, **Version:** 1

**Date:** 5/1/2018

---

**Agenda Item Title:**

Sandy City Fire Department presents the fireworks survey results, updated fireworks map and fireworks ordinance discussion.

**Presenter:**

Fire Marshal Robert DeKorver

**Description/Background:**

Sandy City Fire Department presents the fireworks survey results, updated fireworks map and fireworks ordinance discussion.

**Fiscal Impact:**

**Further action to be taken:**

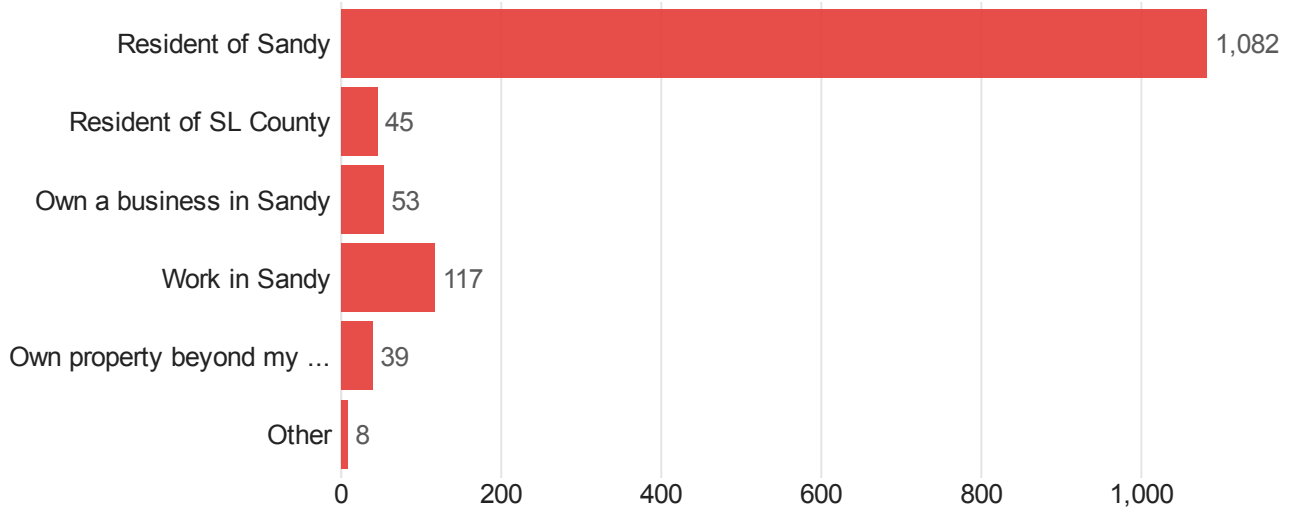
**Recommended Action and/or Suggested Motion:**

Sandy City Fire Department recommends that the updated fireworks map and ordinance be approved.

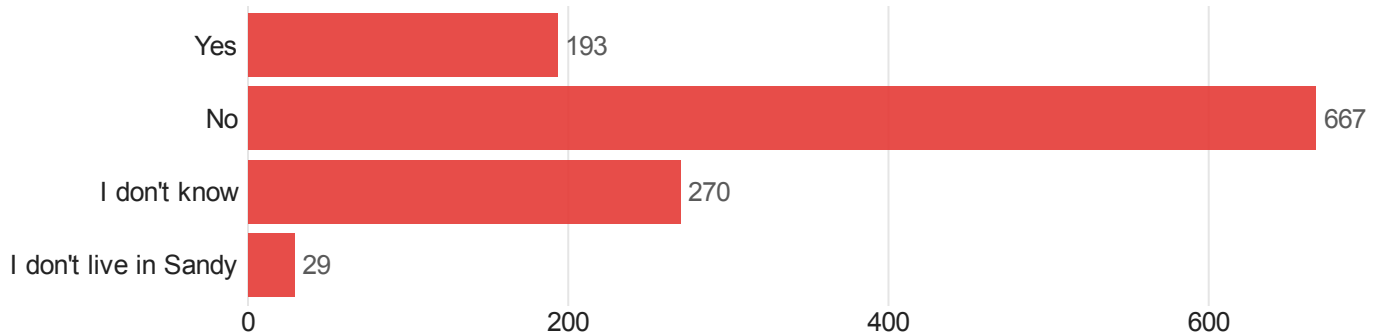
# Firework Restriction Survey - Preliminary Report

Report compiled April 25th, 5:20pm (1159 responses collected at time of preliminary report)

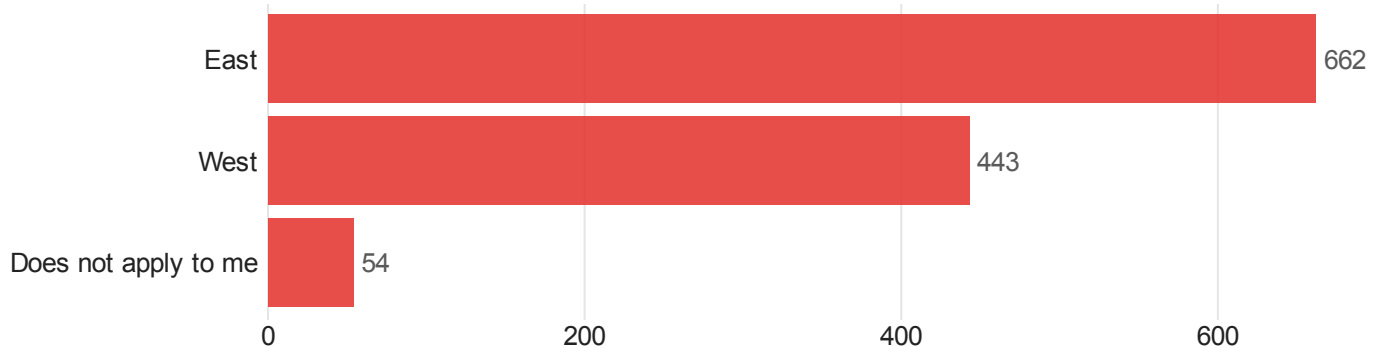
How are you connected to Sandy? (Please select all that apply)\*



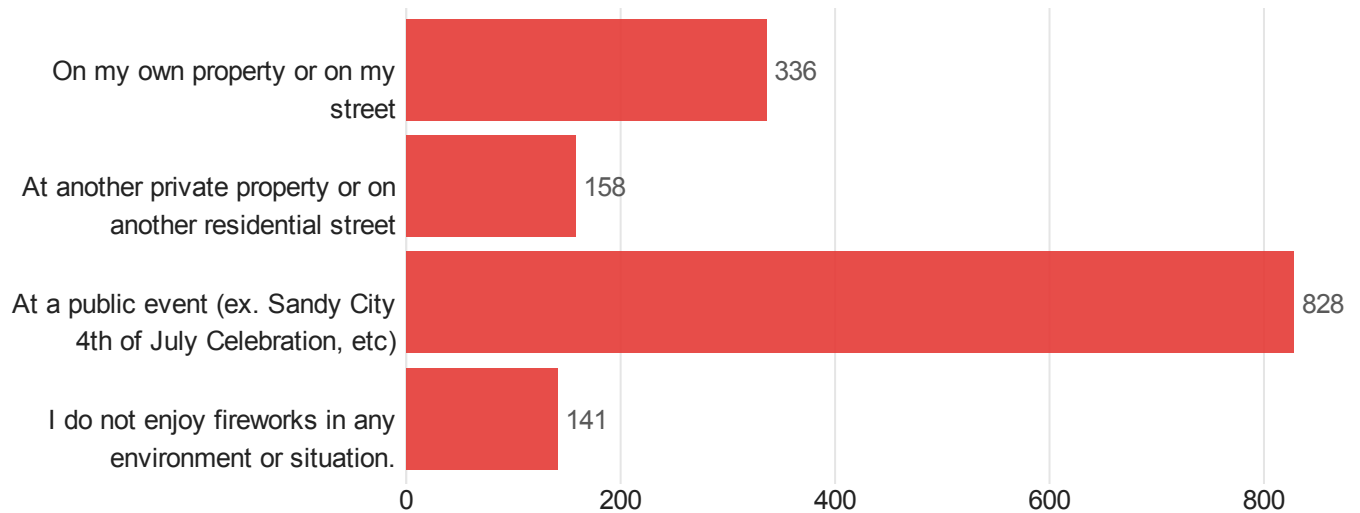
Do you currently live within a firework-restricted area in Sandy?\*



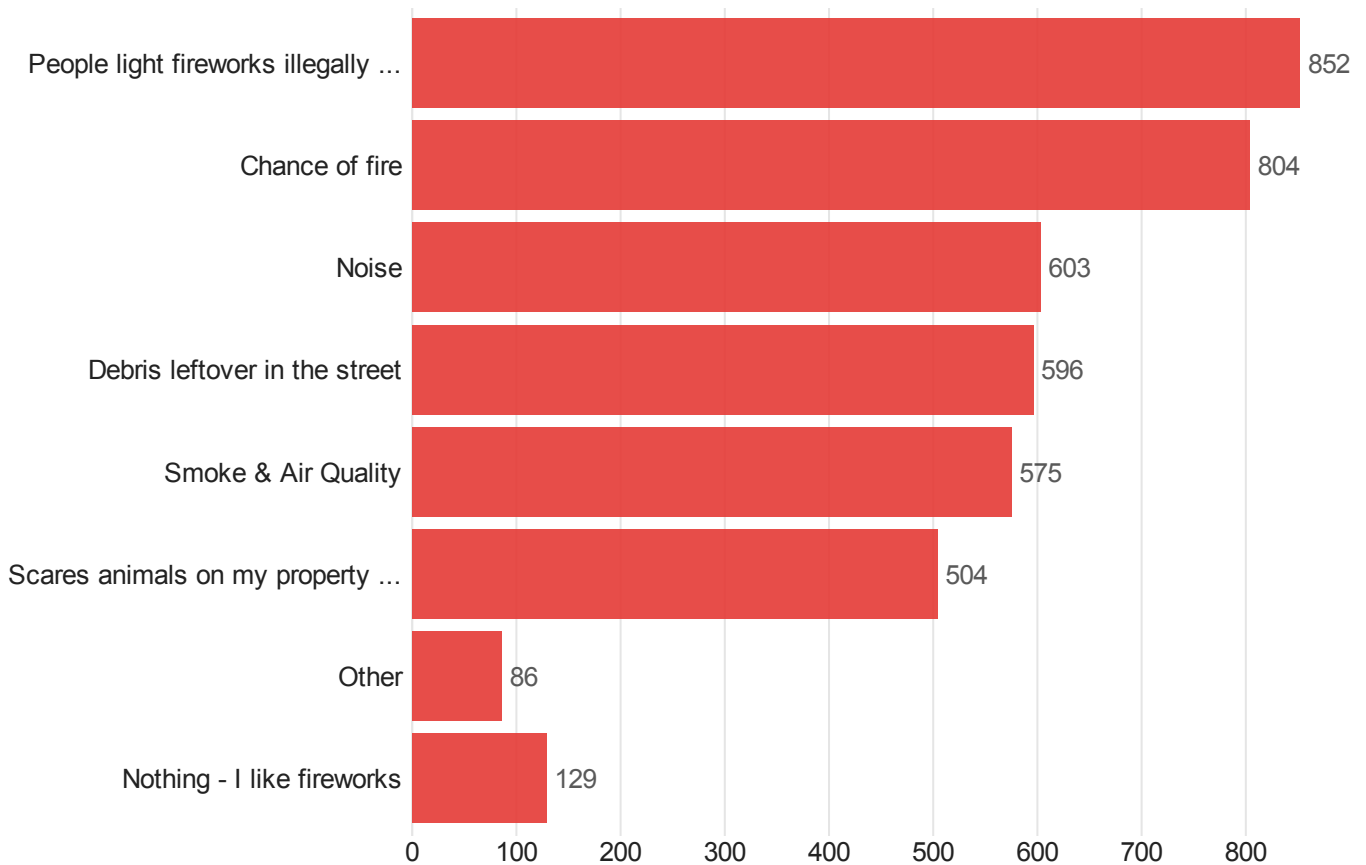
Do you live, own property, or own a business east or west of 1300 East?\*



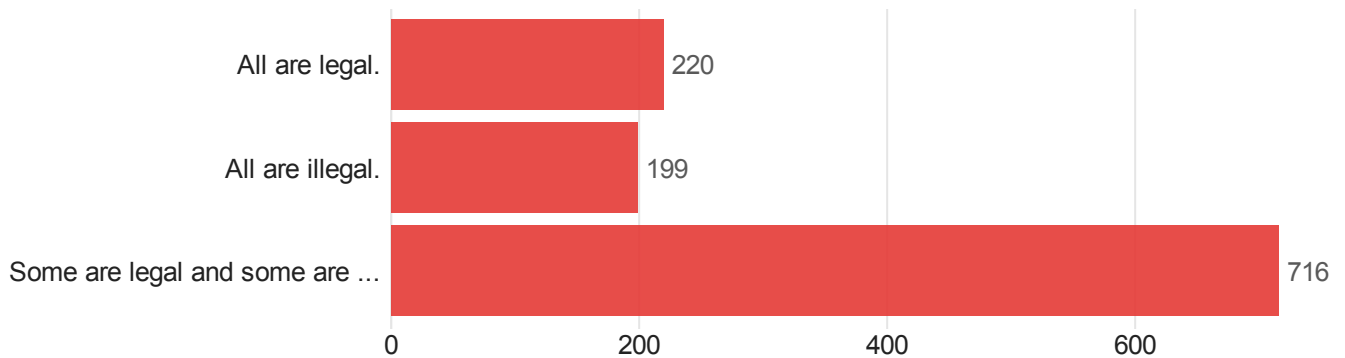
### How do you prefer to enjoy fireworks? (Select all that apply)



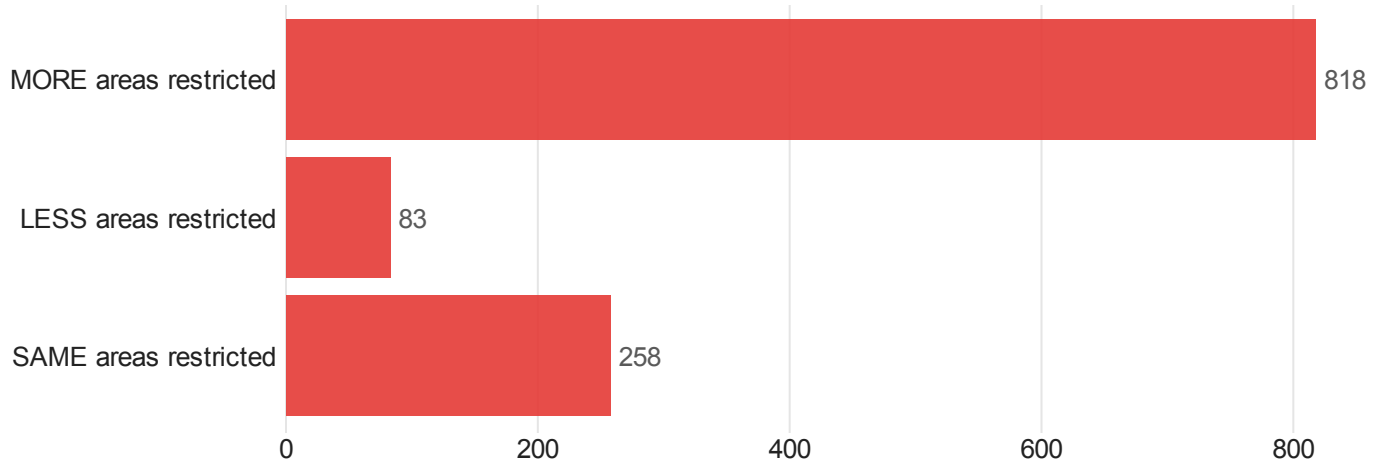
### Is there anything you dislike about fireworks? (Select all that apply)



Do you believe aerial fireworks (those that shoot material at least 10 feet off the ground) are illegal or legal for private use in Utah?

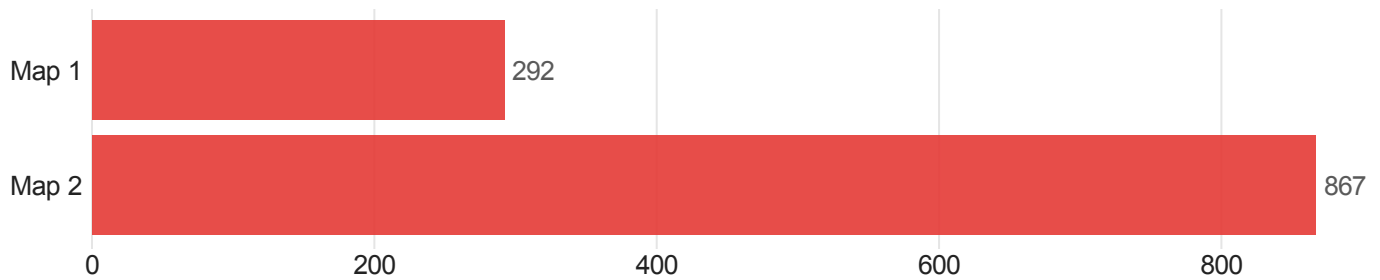


What is your opinion about firework-restricted areas in Sandy?\*



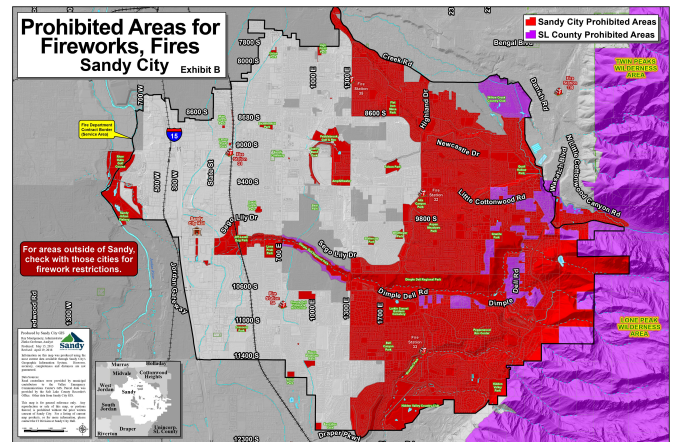
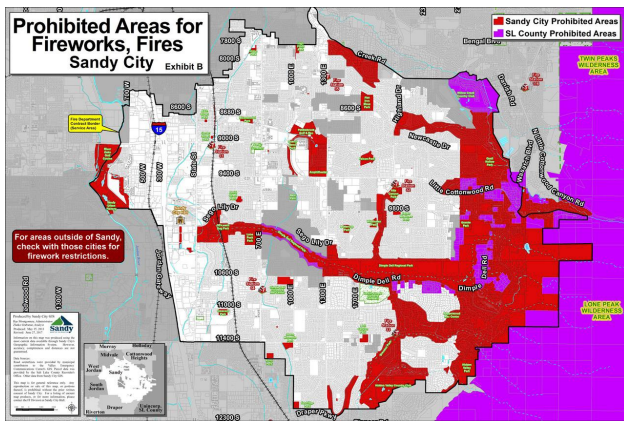
Field	Count
MORE areas of Sandy City should be restricted from fireworks use.	71%
LESS areas of Sandy City should be restricted from fireworks use.	7%
Firework-restricted areas should remain the SAME.	22%

What areas of Sandy City should be restricted from firework use? (Areas marked in red would be restricted.)\*



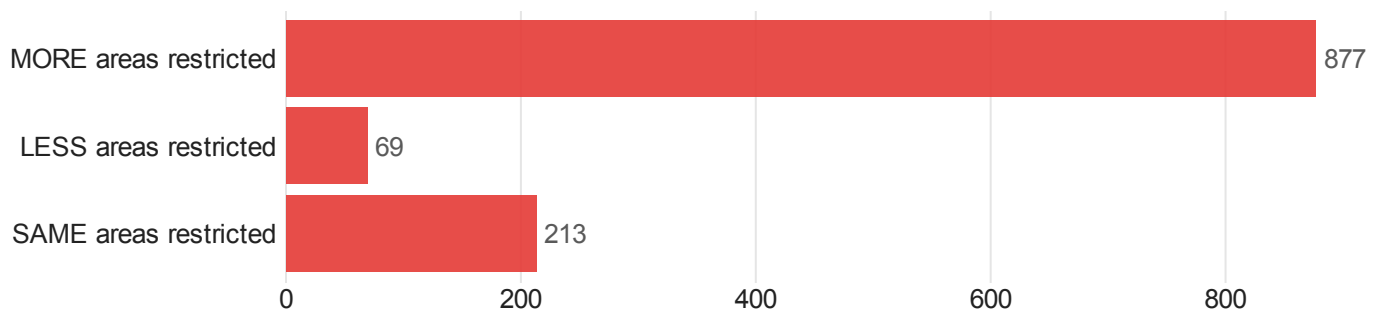
Map 1: 25% of responses

Map 2: 75% of responses

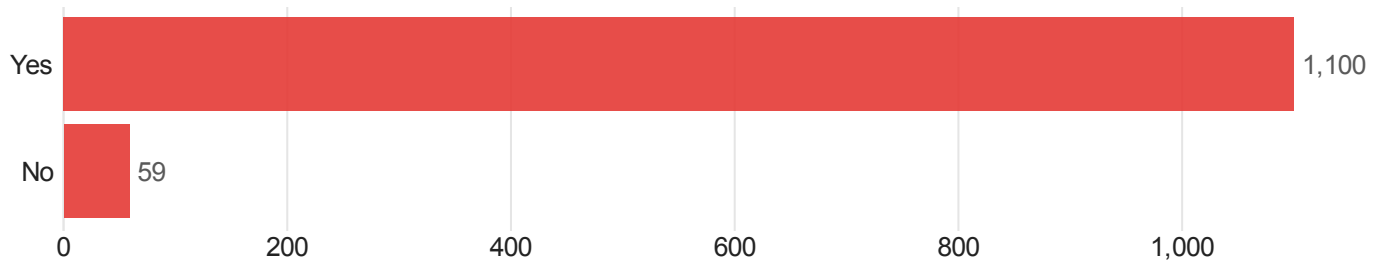


In the last 2 years, the Sandy City Fire Department responded to **62 total firework-related incidents** with an estimated **cost of over \$50,000** in personnel resources (costs for equipment and supplies are not included in this total). This also includes the large fire in Dimple Dell in July 2017.

Asking again, this time based on the information above, what is your opinion about firework-restricted areas in Sandy?\*

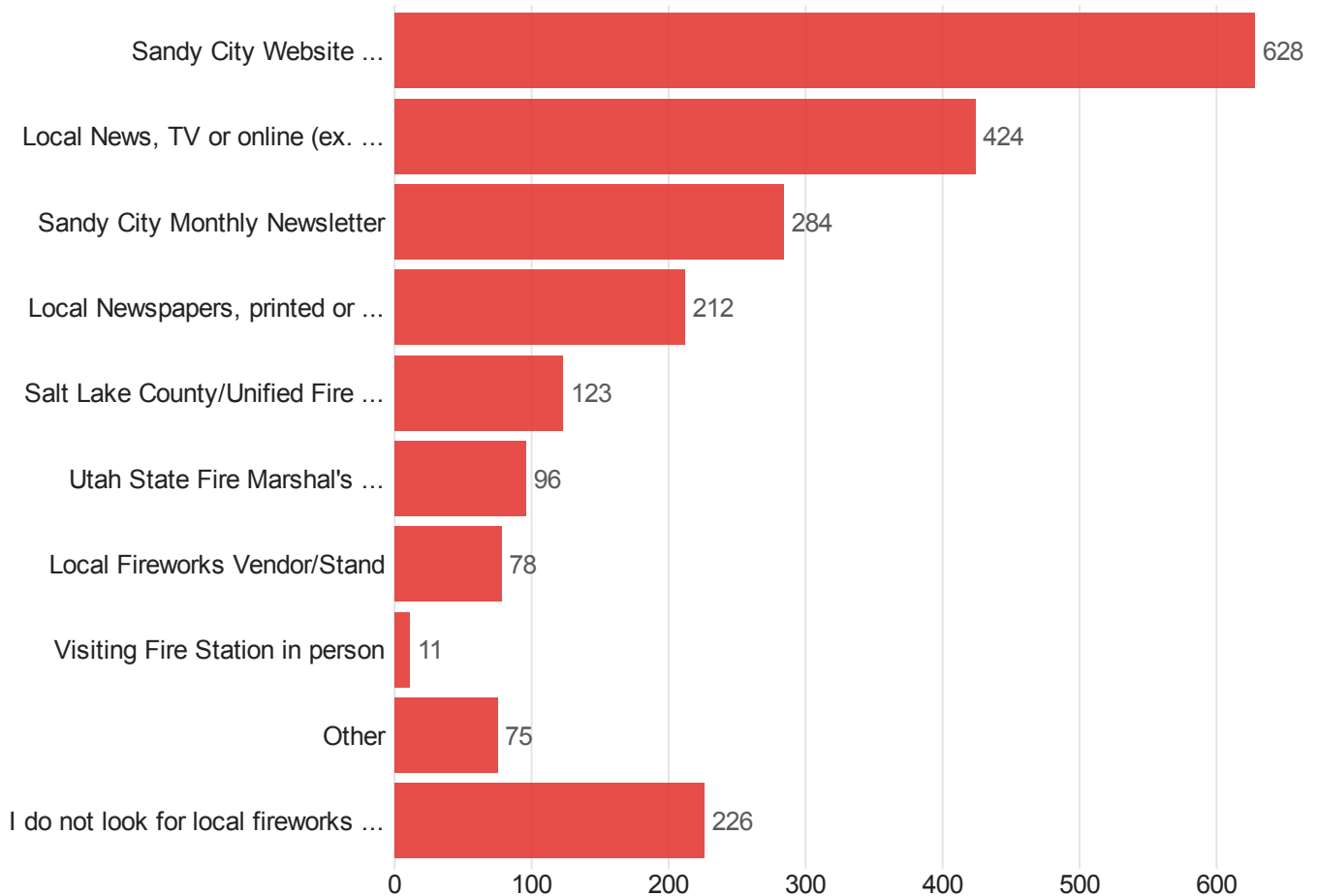


In years with a drought, extreme dry conditions, increased fire hazards, etc., would you support additional firework restrictions?\*



Field	Count
Yes	95%
No	5%

Where do you search or find fireworks laws for your area? (Select all that apply)\*



Do you have any additional comments about firework use or restrictions in Sandy City?

**All comment responses (including those answering "Other" to the previous questions, will be provided in the full report by May 1st.**



# Prohibited Areas for Fireworks, Fires

## Sandy City

Exhibit B

 Sandy City Prohibited Areas  
 SL County Prohibited Areas

Fire Department  
Contract Border  
(Service Area)

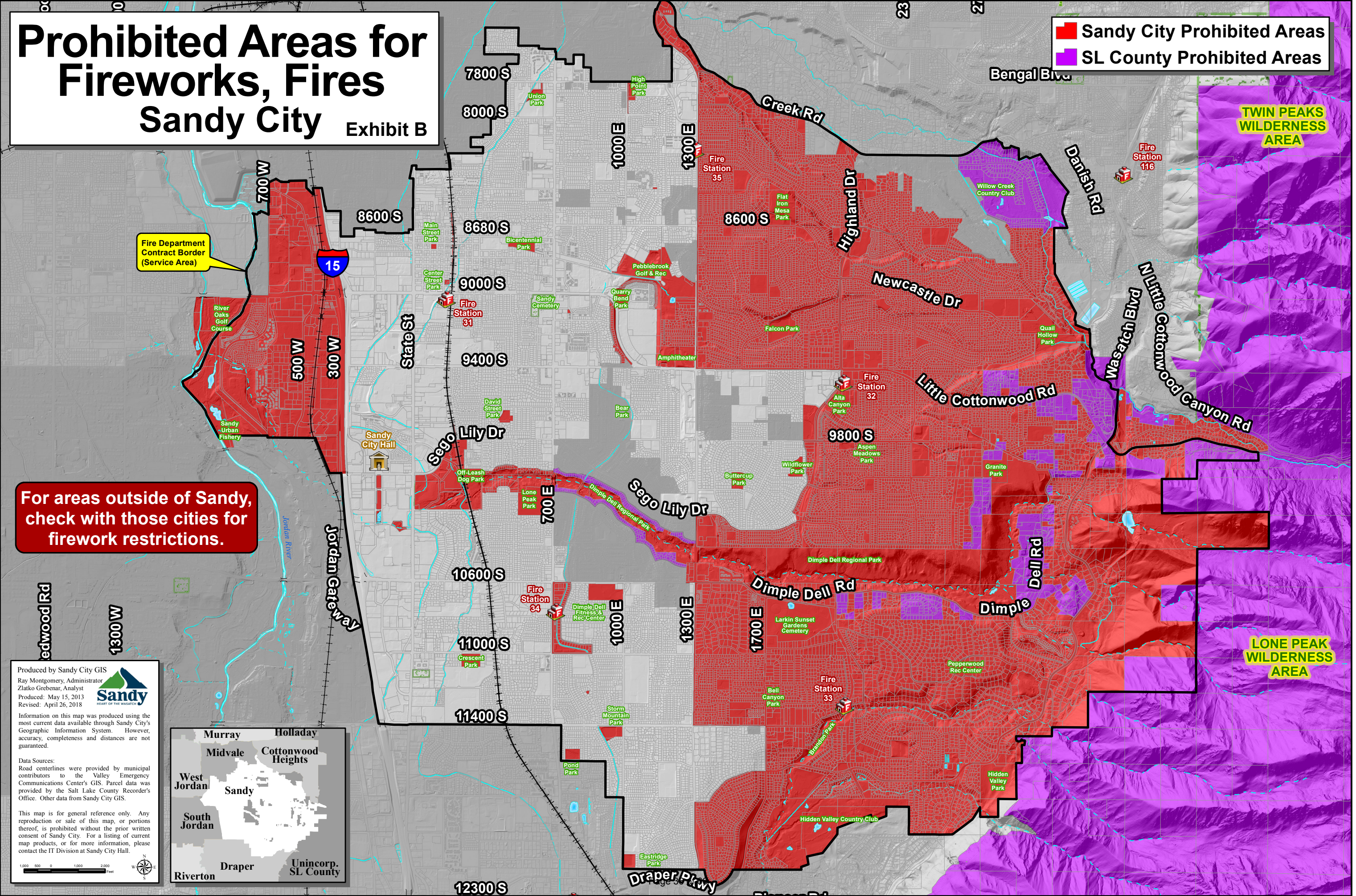
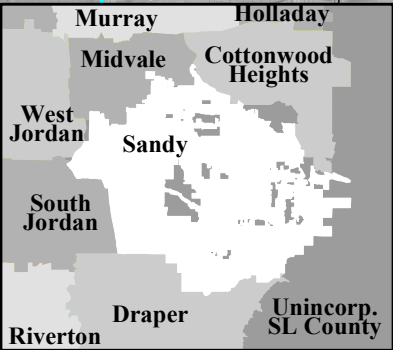


For areas outside of Sandy,  
check with those cities for  
firework restrictions.

Produced by Sandy City GIS  
Ray Montgomery, Administrator  
Zlatko Grebenar, Analyst  
Produced: May 15, 2013  
Revised: April 26, 2018

Information on this map was produced using the most current data available through Sandy City's Geographic Information System. However, accuracy, completeness and distances are not guaranteed.

Data Sources:  
Road centerlines were provided by municipal contributors to the Valley Emergency Communications Center's GIS. Parcel data was provided by the Salt Lake County Recorder's Office. Other data from Sandy City GIS.

This map is for general reference only. Any reproduction or sale of this map, or portions thereof, is prohibited without the prior written consent of Sandy City. For a listing of current map products, or for more information, please contact the IT Division at Sandy City Hall.



TWIN PEAKS  
WILDERNESS  
AREA

LONE PEAK  
WILDERNESS  
AREA





## Staff Report

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**File #:** 18-151, **Version:** 1

**Date:** 5/1/2018

---

**Agenda Item Title:**

Council Member Barker requesting Council discussion and support to initiate a code amendment requiring term limits for City elected officials.

**Presenter:**

Council Member Barker

**Description/Background:**

Council Member Barker proposes to amend the Sandy City Election include to include a term limits provision. Term limits encourage new residents to become involved in the leadership and governance of their community. Newly elected officials can often bring fresh perspective and new ideas for City legislation and administration, while also helping to maintain accountability. The proposal models the presidential term limit, which is widely accepted and understood by voters.

Key elements of the term limits code amendment would include:

1. Two, 4-year terms for each City elected official (Mayor and Council Members). This models presidential term limits and makes sense to voters.
2. An effective date of January 1, 2018. Elected officials who have served a total of 8 years as of the effective date would not be able to run for another term. Elected officials who have served less than 8 years as of the effective date may run for a single 4-year term.
3. The 8-year limitation on Council Members would apply to total time on the Council regardless of whether the elected official held a district or at-large seat.
4. The appointment of a mid-term vacancy counts as a full term only if more than half the term is served by the appointee. If less than half the term is served, the appointee's time filling the term does not count against the 8-year term limitation.
5. If a vacancy occurs at election because no person files for office against an incumbent whose 8-year tenure as expired, the City Council may not appoint the incumbent to fill the new term.
6. Individuals who have been previously "termed out" may serve again in a previously held elected office for two, 4-year terms, after a 4-year break in elected service. No 4-year break is required if the "termed out" official runs for a different office i.e. a termed out Council Member runs for, and is elected to the Office of Mayor.

**Fiscal Impact:**

There is no fiscal impact associated with this item.

**Further action to be taken:**

Council Member Barker will work with the City Attorney's Office and Council staff to formalize the code amendment. Once a draft is completed, it will be returned to the City Council for final consideration and vote.

**Recommended Action and/or Suggested Motion:**

Motion to initiate a Sandy City Code amendment requiring term limits for elected officials as indicated in the staff report.



## Staff Report

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**File #:** 18-153, **Version:** 1

**Date:** 5/1/2018

---

**Agenda Item Title:**

Council Member Nicholl recommending adoption of amendment to Title 3 of the Sandy City Municipal Code regulating the sale of pets in retail establishments.

**Presenter:**

Council Member Nicholl

**Description/Background:**

On January 16, 2018 Council Member Nicholl introduced a proposed code amendment to limit the sale of certain animals in retail settings. The Council approved the development of the code amendment. Utilizing examples from other jurisdictions with similar provisions, Council Member Nicholl worked with the City Attorney's Office and the Animal Services Department to develop the attached amendments.

If adopted, a section 27 would amend Animal Services ordinance (Title 3 of the Sandy City Municipal Code) to disallow the sale of dogs, cats, and rabbits in a retail setting unless the dog, cat or rabbit was obtained from a city shelter or county animal shelter or animal control agency, a humane society, or a non-profit animal rescue organization in a commercial establishment. Pet Stores are allowed to partner with public animal shelters or nonprofit animal welfare organizations.

The amendments do not apply to residents who sell dogs, cats, or rabbits from the location in which the animals are bred.

**Recommended Action and/or Suggested Motion:**

Motion to adopt Resolution regulating the sale of pets in retail establishments.

### **3-1-27. Sale of Animals.**

- (a) It is unlawful for any person to display, offer for sale, deliver, barter, auction, give away, transfer, rent, lease, or sell any live dog, cat, or rabbit in any pet shop, retail business, or other commercial establishment located in the City of Sandy, Utah, unless the dog, cat, or rabbit was obtained from a city or county animal shelter or animal control agency, a humane society, or a non-profit animal rescue organization.
- (b) All pet shops, retail businesses, or other commercial establishments selling, or boarding for the purpose of eventual sale, dogs, cats, or rabbits shall maintain a certificate of source for each of the animals and make it available upon request to animal control officers, law enforcement, code compliance officials, or any other City employee charged with enforcing the provisions of this section.
  - (1) For purposes of this section, a non-profit animal rescue organization is defined as any non-profit corporation that is exempt from taxation under Internal Revenue Code section 501(c)(3), whose mission and practice is, in whole or in significant part, the rescue and placement of dogs, cats, or rabbits without providing payment or other compensation to a breeder or broker; or any non-profit organization that is not exempt from taxation under internal Revenue Code section 501(c)(3) but is currently an active rescue partner with a City or County shelter or humane society, whose mission is, in whole or in significant part, the rescue and placement of dogs, cats, or rabbits.
  - (2) For purposes of this section, a certificate of source is defined as any document from the source city or county animal shelter or animal control agency, humane society, or non-profit animal rescue organization declaring the source of the dog, cat, or rabbit on the premises of the pet shop, retail business, or other commercial establishment.
- (c) This section shall not apply to the display, offer for sale, delivery, bartering, auction, giving away, transfer, or sale of dogs, cats, or rabbits from the premises on which they were bred and reared.
- (d) Nothing in this section shall prevent the owner, operator, or employees of a pet shop, retail business, or other commercial establishment located in Sandy City from providing space and appropriate care for animals owned by a city or county animal shelter or animal control agency, humane society, or non-profit animal rescue organization and maintaining those animals at the pet shop, retail business, or other commercial establishment for the purpose of public adoption.
- (e) Fowl: It shall be unlawful for any person to sell, offer for sale, barter or give away any fowl under two (2) months of age in any quantity less than six (6). Such animals shall not be artificially dyed or colored. Nothing in this provision shall be construed to prohibit the raising of such fowl by a private individual for his personal use and consumption, provided that he shall maintain proper brooders and other facilities for the care and containment of such animals while they are in his possession.

- (f) Premiums and novelties: It shall be unlawful for any person to offer any live animal as a premium, prize, award, novelty, or incentive to purchasing merchandise or services.
- (g) Pet turtles: It shall be unlawful for any pet shop or other business or person to raise or sell any turtle, tortoise or terrapin under four (4) inches front to back carapace length.
- (h) A violation of this section shall be a class C misdemeanor. Each dog, cat or rabbit sold or offered for sale in violation of this section shall constitute a separate offense.

### **3-1-27.      Sale of Animals.**

- (a) It is unlawful for any person to display, offer for sale, deliver, barter, auction, give away, transfer, rent, lease, or sell any live dog, cat, or rabbit in any pet shop, retail business, or other commercial establishment located in the City of Sandy Utah, unless the dog, cat, or rabbit was obtained from a city or county animal shelter or animal control agency, a humane society, or a non-profit animal rescue organization.
- (b) All pet shops, retail businesses, or other commercial establishments selling, or boarding for the purpose of eventual sale, dogs, cats, or rabbits shall maintain a certificate of source for each of the animals and make it available upon request to animal control officers, law enforcement, code compliance officials, or any other City employee charged with enforcing the provisions of this section.
- (1) For purposes of this section, a non-profit animal rescue organization is defined as any non-profit corporation that is exempt from taxation under Internal Revenue Code section 501(c)(3), whose mission and practice is, in whole or in significant part, the rescue and placement of dogs, cats, or rabbits without providing payment or other compensation to a breeder or broker; or any non-profit organization that is not exempt from taxation under internal Revenue Code section 501(c)(3) but is currently an active rescue partner with a City or County shelter or humane society, whose mission is, in whole or in significant part, the rescue and placement of dogs, cats, or rabbits.
- (2) For purposes of this section, a certificate of source is defined as any document from the source city or county animal shelter or animal control agency, humane society, or non-profit animal rescue organization declaring the source of the dog, cat, or rabbit on the premises of the pet shop, retail business, or other commercial establishment.
- (c) This section shall not apply to the display, offer for sale, delivery, bartering, auction, giving away, transfer, or sale of dogs, cats, or rabbits from the premises on which they were bred and reared.
- (d) Nothing in this section shall prevent the owner, operator, or employees of a pet shop, retail business, or other commercial establishment located in Sandy City from providing space and appropriate care for animals owned by a city or county animal shelter or animal control agency, humane society, or non-profit animal rescue organization and maintaining those animals at the pet shop, retail business, or other commercial establishment for the purpose of public adoption.
- ~~(a)~~(e) Rabbits or Fowl: It shall be unlawful for any person to sell, offer for sale, barter or give away any ~~baby rabbits or~~ fowl under two (2) months of age in any quantity less than six (6). Such animals shall not be artificially dyed or colored. Nothing in this provision shall be construed to prohibit the raising of such ~~rabbits and~~ fowl by a private individual for his personal use and consumption, provided that he shall maintain proper brooders and other facilities for the care and containment of such animals while they are in his possession.

~~(b)~~(f) Premiums and novelties: It shall be unlawful for any person to offer any live animal as a premium, prize, award, novelty, or incentive to purchasing merchandise or services.

~~(e)~~(g) Pet turtles: It shall be unlawful for any pet shop or other business or person to raise or sell any turtle, tortoise or terrapin under four (4) inches front to back carapace length.

~~(d)~~(h) A violation of this section shall be a class C misdemeanor. Each dog, cat or rabbit sold or offered for sale in violation of this section shall constitute a separate offense.

ORDINANCE 18-\_\_

AN ORDINANCE AMENDING TITLE 3, CHAPTER 1, SECTION 27, SALE OF ANIMALS, OF THE REVISED ORDINANCES OF SANDY CITY, BY ADOPTING REVISIONS THERETO AND ALSO PROVIDING A SAVING CLAUSE AND AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, the City Council of Sandy City has determined that prohibiting the sale of any dog, cat, or rabbit in any pet shop, retail business, or other commercial establishment located in the City of Sandy, Utah, unless the dog, cat, or rabbit was obtained from a city or county animal shelter or animal control agency, a humane society, or a non-profit rescue organization will protect the public health, safety, and welfare of the City; and

WHEREAS, Section 10-8-84, Utah Code Annotated, authorizes such amendment in order to protect the public health, safety, and welfare of the City;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Sandy City as follows:

Section. 1. Title 3, Chapter 1, Section 27, of the Revised Ordinances of Sandy City is hereby amended and replaced by the revised copy of Title 3, Chapter 1, Section 27, which is attached hereto as **Exhibit A** and incorporated in this ordinance.

Section 2. All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

Section 3. The provisions of this ordinance shall be severable; and if any provision thereof, or the application of such provision under any circumstance is held invalid or unconstitutional by a court of competent jurisdiction, it shall not affect any other provision of this ordinance, or the application in a different circumstance.

Section 4. This ordinance shall become effective upon publication of a summary thereof.

PASSED AND APPROVED by the Sandy City Council this \_\_\_\_ day of \_\_\_\_\_, 2018.

---

Linda Martinez Saville, Chairman  
Sandy City Council



Page 2 of 2

Ordinance 18-\_\_\_\_\_

PRESENTED to the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2018.

APPROVED by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Kurt Bradburn, Mayor

ATTEST:

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

RECORDED this \_\_\_\_ day of \_\_\_\_\_, 2018.

SUMMARY PUBLISHED this \_\_\_\_ day of \_\_\_\_\_, 2018.



## Staff Report

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**File #:** 18-150, **Version:** 1

**Date:** 5/1/2018

---

**Agenda Item Title**

Finance Department recommending the City Council adopt Resolution #18-17C tentatively adopting its annual budget for FY 2019 subject to further public hearing and review.

**Presenter**

Brian Kelley

**Recommended Action and/or Suggested Motion:**

Motion to adopt Resolution #18-17C

## RESOLUTION #18-17 C

### A RESOLUTION ADOPTING TENTATIVE BUDGETS FOR SANDY CITY AND ALTA CANYON RECREATION DISTRICT FOR FISCAL YEAR 2018-2019; SCHEDULING A PUBLIC HEARING; AND PROVIDING FOR PUBLIC ACCESS TO TENTATIVE BUDGETS AND SCHEDULES.

WHEREAS, on April 17, 2018, the Mayor of Sandy City submitted to the City Council a tentative budget for each fund of the City, for the fiscal year beginning July 1, 2018, and ending June 30, 2019, in accordance with Section 10-6-111 of the Utah Code; and

WHEREAS, a tentative budget for the Alta Canyon Recreation Special Service District was also submitted on such date pursuant to the Utah Special Service District Act; and

WHEREAS, on such date the City Council met in regular and open meeting and reviewed, considered and tentatively adopted such proposed budgets, subject to further public hearing and review;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Sandy City, Utah, as follows:

1. The tentative budgets for fiscal year 2018-2019 for Sandy City and the Alta Canyon Recreation Special Service District, as presented, are hereby tentatively adopted, subject to further review and a public hearing.
2. A budget hearing to consider final adoption of these budgets is scheduled to be held by the City Council on May 22, 2018, in the Council Chambers, main floor, Sandy City Hall, 10000 South Centennial Parkway, Sandy, Utah.
3. The City Recorder is hereby ordered to publish notices of the budget hearings at least seven days prior to the budget hearing in at least one issue of a newspaper of general circulation published in Salt Lake County.
4. The City Recorder is also directed to retain each tentative budget so adopted by the City Council and all supporting schedules and data, available for public inspection in her office for ten days prior to adoption of the final budgets.

PASSED AND APPROVED by the Sandy City Council this \_\_\_\_\_ day of April, 2018.

\_\_\_\_\_  
Linda Martinez-Saville, Chair  
Sandy City Council

ATTEST:

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

RECORDED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.



## Staff Report

**File #:** ANEX-3-18-5378,  
**Version:** 2

**Date:** 5/1/2018

---

### Agenda Item Title:

The Community Development Department is recommending that the City Council approve the Waterford III Annexation, located at 9560 and 9572 South 1700 East, and be zoned to the Professional Office (PO) Zone.

### Presenter:

Brian McCuiston

### Description/Background:

Greg Miles, Director of Finance for Waterford School, is requesting annexation for properties located at approximately 9560 and 9572 South 1700 East. The area under consideration for annexation contains two parcels, each owned by Waterford School. The north parcel is vacant and the south parcel has a residential dwelling, with plans to demolish this home within the next couple of months. The applicant is proposing to annex these properties into the City and is requesting the Professional Office (PO) zone to match the existing zone on the school campus. The property owner has consented to be annexed.

The subject properties are bordered by Sandy City on four sides.

The annexation is being considered by the City for the following reasons:

1. The area is **contiguous** to the Sandy City boundary (four sides).
2. The properties are located within an area designated in the **Sandy City General Plan** for incorporation.
3. The City is presently providing **fire service and emergency medical service** to this area.
4. The City can provide a high level of other **municipal services** to these properties.

### Fiscal Impact:

### Further action to be taken:

### Recommended Action and/or Suggested Motion:

The Planning Commission heard this request on April 19, 2018. By a unanimous vote, they are forwarding a positive recommendation for the annexation and proposed zoning. It is recommended that the City Council approve the Waterford III Annexation and zone the subject property to the Professional Office Zone based upon the following findings:

1. The area is **contiguous** to the Sandy City boundary (four sides).
2. The properties are located within an area designated in the **Sandy City General Plan** for incorporation.
3. The City is presently providing **fire service and emergency medical service** to this area.
4. The City can provide a high level of other **municipal services** to these properties.
5. The Professional Office Zone is appropriate for these parcels based upon the surrounding land uses.



# Community Development Department

Kurt Bradburn  
Mayor

Matt Huish  
Chief Administrative Officer

James L. Sorensen  
Director

## MEMORANDUM

April 19, 2018

**To:** City Council via Planning Commission  
**From:** Community Development Department  
**Subject:** Waterford III Annexation (PO) Zone  
9560 and 9572 South 1700 East  
(Community #17 – Willow Canyon)

ANEX-3-18-5378  
1.2 Acres (including  
portion of 1700 East)

**HEARING NOTICE:** *This item has been noticed to property owners within 500 feet of the subject area.*

### BACKGROUND

Greg Miles, Director of Finance for Waterford School, is requesting annexation for properties located at approximately 9560 and 9572 South 1700 East. The area under consideration for annexation contains two parcels, each owned by Waterford School. The north parcel is vacant and the south parcel has a residential dwelling, with plans to demolish this home within the next couple of months. The applicant is proposing to annex these properties into the City and is requesting the Professional Office (PO) zone to match the existing zone on the school campus. The property owner has consented to be annexed.

The subject properties are bordered by Sandy City on four sides.

### ANALYSIS

The annexation is being considered by the City for the following reasons:

1. The area is **contiguous** to the Sandy City boundary (four sides).
2. The properties are located within an area designated in the **Sandy City General Plan** for incorporation.
3. The City is presently providing **fire service and emergency medical service** to this area.
4. The City can provide a high level of other **municipal services** to these properties.

### *General Plan*

Portions of the **Sandy City General Plan** which relate to this application are as follows:

- p.43 *Recognize that economics alone is not sufficient reason to alter established neighborhoods. Human and environmental impacts also should be recognized.*
- p.44 *Require proposed zoning changes to be in harmony with established neighborhoods.*

### **Zoning**

The subject property is currently zoned R-1-8 in Salt Lake County. The R-1-8 Zone allows single family dwellings on minimum 8,000 square foot lots. In general, when Sandy City annexes a property into the City from Salt Lake County we have always been sensitive to what the property was zoned in the County. In most cases we have been able to zone property to a comparable zone as we annex them into the City. As we have done this we have taken into account the existing properties that are adjacent to the area being annexed and try to assure that the annexed area is compatible with the existing area.

In this particular situation, Waterford School has grown over a number of years. Waterford School, Sandy Campus, was founded in 1986 with nine acres. Currently, the campus includes approximately 43 acres with a number of buildings. In 1998, the Sandy City Council approved a rezone request from the R-1-8 and R-1-15 zoning districts to the Professional Office (PO) Zone. A school is a conditional use within the PO Zone. Any modification to the campus will require a conditional use permit review with the Planning Commission.

As we annex these parcels into Sandy City, staff is recommending that they be zoned Professional Office in order to be consistent with the existing Waterford School Sandy Campus.

### **STAFF RECOMMENDATION**

It is recommended that the Planning Commission send a positive recommendation to the City Council that the Waterford III Annexation be approved and zoned Professional Office based upon the following findings:

1. The area is **contiguous** to the Sandy City boundary (four sides).
2. The properties are located within an area designated in the **Sandy City General Plan** for incorporation.
3. The City is presently providing **fire service and emergency medical service** to this area.
4. The City can provide a high level of other **municipal services** to these properties.
5. The Professional Office Zone is appropriate for these parcels based upon the surrounding land uses.

Planner:

Reviewed by:





Brian McCuiston  
Planning Director

 for:

James Sorensen  
Community Development Director

Legal Review:



Darien Alcorn  
City Attorney

Waterford Annexation

<u>Property Owner</u>	<u>Sidwell Number</u>	<u>Market Value (2017)</u>	<u>Acres</u>
Waterford School, LLC	28-09-126-019	\$269,600	.48
Waterford School, LLC	28-09-127-001	\$258,900	.47



THE WATERFORD SCHOOL

RECEIVED  
MAR 15 2018  
SANDY CITY  
COMMUNITY DEVELOPMENT

March 14, 2018

Attn: Brian McCuistion  
Sandy City Community Development  
10000 Centennial Parkway  
Sandy, Utah 84070

My name is Greg Miles, Director of Finance for Waterford School.

Waterford School is now the property owner of property in the unincorporated area of Salt Lake County located at:

9560 South 1700 East, 28-09-126-019 (.48 acres)  
9572 South 1700 East, 28-09-127-001 (.47 acres)

This property is part of an island or peninsula and is contiguous to Sandy City.

We **CONSENT** to have Sandy City annex this property.

I can be reached at: 801.816.2289 and [GregMiles@WaterfordSchool.org](mailto:GregMiles@WaterfordSchool.org)

Note: Since this written consent is used to proceed with an annexation of your property in accordance with Utah Code Section 10-2-418, no public election is required by law to approve the annexation. If you sign this consent and later decide you do not want to support the annexation of your property, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of Sandy City. If you choose to withdraw your signature, you must do so no later than the close of the public hearing on the annexation conducted in accordance with Utah Code Subsection 10-2-418(4)(a)(iv).

Thank you.

Greg Miles  
Director of Finance  
Waterford School

**WATERFORD III ANNEXATION TO SANDY CITY  
(UNINCORPORATED SALT LAKE COUNTY ISLAND NO. 17)**

All that portion of unincorporated Salt Lake County located in the Northwest Quarter of Section 9, Township 3 South, Range 1 East, Salt Lake Base and Meridian, consisting of two parcels and a portion of 1700 East Street that is bounded as follows:

Easterly by a previous annexation to Sandy City that was recorded August 23, 1972 as Entry No. 2479315 in Book MM of plats at Page 21 in the office of the Salt Lake County Recorder;

Southerly by a previous annexation to Sandy City that was recorded September 4, 1986 as Entry No. 4307143 in Book 86-9 of plats at Page 138 in the office of said Salt Lake County Recorder;

Westerly and Northerly by the WATERFORD II ANNEXATION to Sandy City which was recorded November 25, 1996 as Entry No. 6513341 in Book 96-11P of plats at Page 386 in the office of the Salt Lake County Recorder;

said portion of unincorporated Salt Lake County has also been identified as Unincorporated Salt Lake County Island No. 17 by the Salt Lake County Clerk.

The above-described area contains approximately 1.2 acres.

NORTH QUARTER CORNER OF SE  
TOWNSHIP 3 SOUTH, RANGE 1 E  
SALT LAKE BASE AND MERIDIAN

FINAL LOCAL ENTRY PLAT  
WATERFORD III ANNEXATION  
TO SANDY CITY

## ANNEXATION DESCRIPTION

[illegible]

## SANDY CITY

WATERFORD II ANNEXATION  
 DECEMBER 14, 1995

RECORDED NOVEMBER 23  
ENTRY NO. 6513341,  
BK. 96-11P, PG. 386

WATERFORD SCHOOL, LLC  
28-09-126-020



SANDY CITY

BOARD OF EDUCATION OF  
CANYONS SCHOOL DISTRICT  
28-09-176-035

SANDY CITY

WATERLOO SCHOOL, LLC - 28-09-176-034

CANYON SANDY CITY

WATERLOO SCHOOL - 28-09-128-036

SANDY CITY  
ANNEXATION  
RECORDED SEPTEMBER 4, 1986  
ENTRY NO. 4307143,  
BK. 86-9, PG. 138

9620 SOUTH STREET

FINAL LOCAL ENTITY PLAT  
WATERFORD III ANNEXATION  
TO SANDY CITY  
PROPERTY SITUATE IN:  
THE NORTHWEST QUARTER OF SECTION 9,  
TOWNSHIP 10 SOUTH, RANGE 1 EAST

## SURVEYORS' NARRATIVE

This draft has been prepared based upon the following documents which may be found in the office of the Salt Lake County Recorder:

- (1) *Declaration to Study City*, dated August 2, 1992 on *City No. 2429315* in *Book 44* of *plats* at *page 20*.
- (2) *DECLARATION TO STUDY CITY*, recorded *Numerical 4*, 1992 on *City No. 2429315* in *Book 44* of *plats* at *page 20*.
- (3) *ABANDONED A ZONATION* to *Study City*, recorded *Numerical 22*, on *City No. 4131341* in *Book 96* of *plats* at *page 386*.
- (4) *DECLARATION TO STUDY CITY*, recorded *Numerical 1*, 1985 on *City No. 4131341* in *Book 96* of *plats* at *page 387*.

As a result of *Senate Bill 199* which was signed into law May 30, 2010, the number designation for the Office of the Salt Lake County Clerk and the number designation for the Office of the Salt Lake County Surveyor, the area then recorded by the office of the Salt Lake County Surveyor, the area then recorded by the office of the Salt Lake County Clerk, and the area then recorded by the office of the Salt Lake County Recorder, are now designated as *district No. 17*.

The intent of this pilot is to answer any the corporate limits of County City all of the above-referenced Unincorporated Soft Lake County, listed No. 17 consisting of, but not limited to, two percent of land currently identified (March 2012) by the Soft Lake County Auditor as Parcel No. 28-09-126-019 and Parcel No. 28-09-127-001 and a portion of 1700 East Street. This pilot and the description listed herein have been prepared for annotation purposes only, relying on the above-referenced record information, and do not purport to be based upon an actual field survey.

PREPARED BY:  
NOLAN C. HATHCOCK  
SANDY CITY SURVEYOR  
UTAH LICENSE NO. 166346  
8775 SOUTH 700 WEST

PREPARED: MARCH 15, 2018

## SURVEYORS' CERTIFICATION

I, Nelson C. Hothcock, a Professional Land Surveyor licensed under Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act, holding license no. 166346, do hereby certify that a final local entity plot, in accordance with Section 17-21-20, was made by me and shown herein is a true and correct representation of said Final Local Entity Plot.

NOELAN C. HATHCOCK, PROFESSIONAL LAND SURVEYOR

DATE:

### FINAL LOCAL ENTITY PLAN

WATERFORD III ANNEXATION

TO SANDY CITY

PROPERTY SITUATE IN:  
THE NORTHWEST QUARTER OF SECTION  
TOWNSHIP 3 SOUTH, RANGE 1 EAST,  
SALT LAKE BASE AND MERIDIAN,  
SALT LAKE COUNTY, UTAH

## SALT LAKE COUNTY SURVEYOR

## ENGINEERS' CERTIFICATE

## SANDY CITY APPRO

## SALT LAKE COUNTY RECORDER

SECTION CORNER MONUMENT (NOT SEARCHED FOR)  
ANGLE POINT IN ANNEXATION BOUNDARY (NOT MARKED)  
PREVIOUS ANNEXATION BOUNDARY  
ADJACENT SANDY CITY BOULDER & BOUNDARY OF ANNEXED ARE

LOT OR PARCEL UNIT#

Salt Lake County Surveyor or Designee

dy City Engineer

Date \_\_\_\_\_

SANDY CITY ATTIC

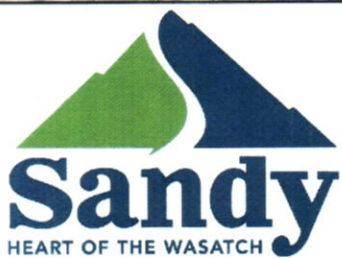
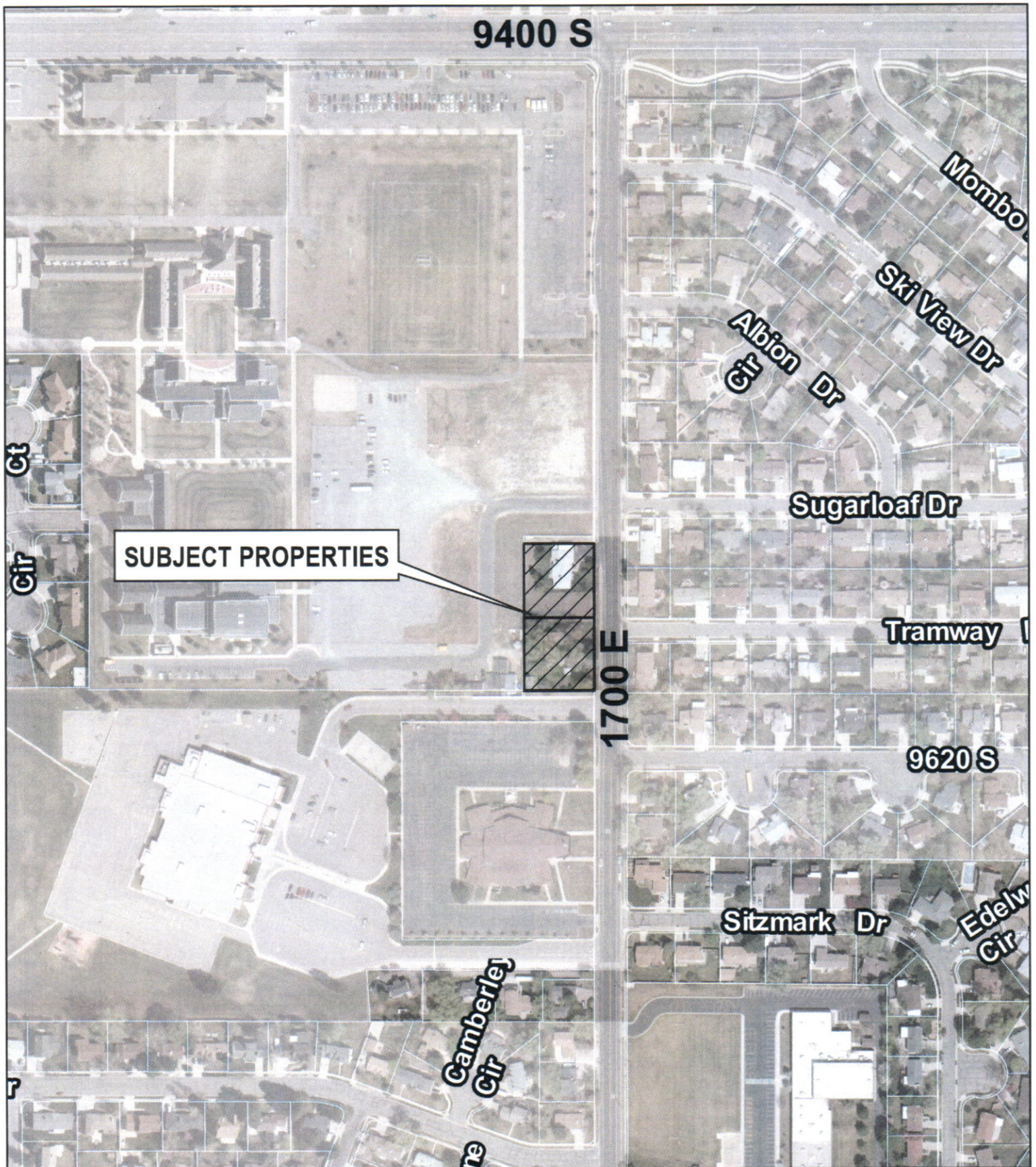
SANDY CITY RECONCILIATION

1

DEPUTY, SALT C

CONCLUSION





**ANEX 03-18-5378**  
**Waterford III Annexation**  
**9560 & 9572 S. 1700 E.**

PRODUCED BY  
THE COMMUNITY DEVELOPMENT DEPARTMENT  
WADE SANNER, PLANNER



## ORDINANCE #18-11

AN ORDINANCE ANNEXING TERRITORY LOCATED AT APPROXIMATELY 9560 SOUTH 1700 EAST AND 9572 SOUTH 1700 EAST IN SALT LAKE COUNTY, COMPRISING APPROXIMATELY 1.2 ACRES INTO SANDY CITY; ESTABLISHING ZONING FOR THE ANNEXED PROPERTIES; ALSO PROVIDING A SEVERANCE AND EFFECTIVE DATE FOR THE ANNEXATION

The Sandy City Council finds:

1. Section 10-2-418, Utah Code Annotated, authorizes the City to annex contiguous areas within unincorporated county islands without a petition if it satisfies certain statutory requirements.
2. The City has complied with all statutory requirements, in that: (1) the areas proposed to be annexed, located at approximately 9560 South 1700 East and 9572 South 1700 East in Salt Lake County, comprising approximately 1.2 acres ("Area"), are contiguous areas and are contiguous to the City; (2) the Area consists of a portion of one or more unincorporated Salt Lake County islands within or unincorporated peninsulas contiguous to the City, which have fewer than 800 residents; (3) the majority of the island or peninsula consists of residential or commercial development; (4) the Area requires the delivery of municipal-type services; and (6) the City has provided one or more municipal-type services to the island or peninsula and to the Areas for more than one year.
3. On March 27, 2018, the City adopted Resolution #18-15C, attached hereto as **Exhibit "A"**, describing the Area and indicating the City's intent to annex the Area. The City determined that not annexing the entire island or peninsula was in its best interest.
4. The City published Notice to hold a public hearing on the proposed annexation of the Area. The Notice was published at least once a week for three successive weeks in a newspaper of general circulation within the City and within the Area, and the City sent written notice to the board of each special district whose boundaries contain some or all of the Area, and to the Salt Lake County legislative body. The Notice, a copy of which is attached hereto as **Exhibit "B"**, complied with all statutory requirements.
5. On or about May 1, 2018, the City Council held a public hearing on the proposed annexation. Prior to the public hearing, the owners of at least 75% of the total private land area representing at least 75% of the value of the private real property within the Area consented in writing to the annexation. Such consent is attached hereto as **Exhibit "C"**. As such, the City may adopt an ordinance annexing the Area without allowing or considering protests and the Area is conclusively presumed to be annexed, as per Section 10-2-418(3)(b), Utah Code Annotated. Only those property owners living within the area proposed for annexation have standing to protest the proposed annexation, as per Section 10-2-418 (2)(b)(iv), Utah Code Annotated.

6. The annexation of the Area is completed and takes effect on the date of the lieutenant governor's issuance of a certificate of annexation as per Section 10-2-425(4), Utah Code Annotated.

NOW, THEREFORE, BE IT ORDAINED by the City Council that it does hereby:

1. Adopt an ordinance annexing the Area as shown in Exhibit "A" and on the plat filed in the office of the Sandy City Recorder.
2. Determine that not annexing the entire island or peninsula is in the City's best interest.
3. Zone the Area to PO.
4. Confirm that, pursuant to Section 10-2-425(4), Utah Code Annotated, this annexation is completed and takes effect upon the date of the lieutenant governor's issuance of a certification of annexation.
5. Declare that all parts of this ordinance are severable and that if the annexation of the Area shall, for any reason, be held to be invalid or unenforceable, this shall not affect the validity of any associated or subsequent annexation.
6. Affirm that this ordinance shall become effective upon publication as provided by law.

PASSED AND APPROVED by vote of the Sandy City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

ATTEST:

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

\_\_\_\_\_  
Chair, Sandy City Council

\_\_\_\_\_  
Mayor, Sandy City

PRESENTED to the Mayor of Sandy City this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

APPROVED by the Mayor of Sandy City this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

## **EXHIBIT A**

WATERFORD III ANNEXATION  
RESOLUTION #18-15C

A RESOLUTION INDICATING INTENT TO ANNEX  
AN UNINCORPORATED AREA, SETTING A HEARING  
TO CONSIDER SUCH AN ANNEXATION, AND  
DIRECTING PUBLICATION OF HEARING NOTICE.

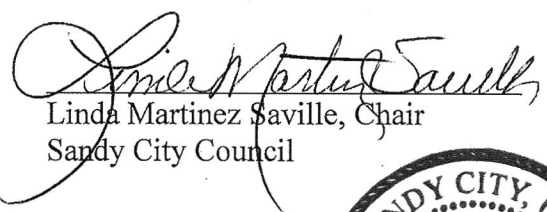
The City Council of Sandy City, State of Utah, finds and determines as follows:

1. Sandy City ("City") desires to annex a certain contiguous unincorporated area, totaling approximately 1.2 acres, located at approximately 9560 South 1700 East and 9572 South 1700 East in Salt Lake County, Utah, and more specifically described in the description attached hereto as Appendix "A".
2. The City is authorized to annex the area without a petition pursuant to Utah Code Annotated §10-2-418.
3. The annexation of that portion of an island or peninsula, leaving unincorporated the remainder of that island or peninsula, is in the City's best interests.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Sandy City, Utah that it does hereby:

1. Indicate the City Council's intent to annex the area described in Appendix "A".
2. Determine that not annexing the entire unincorporated island or unincorporated peninsula is in the City's best interest.
3. Set a public hearing for May 1, 2018, at 7:05 p.m. to consider the annexation.
4. Direct the City Recorder to publish and send notice of such hearing in accordance with Utah Code Annotated §10-2-418.

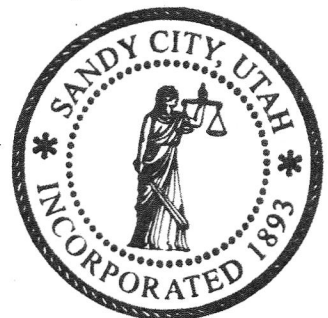
ADOPTED by the Sandy City Council this 27 day of March, 2018.

  
Linda Martinez Saville, Chair  
Sandy City Council

ATTEST:

  
City Recorder

RECORDED this 4<sup>th</sup> day of April, 2018.



## **APPENDIX A**



## APPENDIX A – LEGAL DESCRIPTION

### WATERFORD III ANNEXATION TO SANDY CITY (UNINCORPORATED SALT LAKE COUNTY ISLAND NO. 17)

All that portion of unincorporated Salt Lake County located in the Northwest Quarter of Section 9, Township 3 South, Range 1 East, Salt Lake Base and Meridian, consisting of two parcels and a portion of 1700 East Street that is bounded as follows:

Easterly by a previous annexation to Sandy City that was recorded August 23, 1972 as Entry No. 2479315 in Book MM of plats at Page 21 in the office of the Salt Lake County Recorder;

Southerly by a previous annexation to Sandy City that was recorded September 4, 1986 as Entry No. 4307143 in Book 86-9 of plats at Page 138 in the office of said Salt Lake County Recorder;

Westerly and Northerly by the WATERFORD II ANNEXATION to Sandy City which was recorded November 25, 1996 as Entry No. 6513341 in Book 96-11P of plats at Page 386 in the office of the Salt Lake County Recorder;

said portion of unincorporated Salt Lake County has also been identified as Unincorporated Salt Lake County Island No. 17 by the Salt Lake County Clerk.

The above-described area contains approximately 1.2 acres.

## **EXHIBIT B**

**SANDY CITY PUBLIC NOTICE  
INTENT TO ANNEX**

**NOTICE IS HEREBY GIVEN** that the Sandy City Council has adopted a resolution indicating its intent to annex an unincorporated area, located at approximately 9560 South 1700 East and 9572 South 1700 East, into the Municipality of Sandy City. On May 1, 2018, at 7:05 p.m., in the City Council Chambers, Sandy City Hall, 10000 Centennial Parkway, Sandy, Utah, the Sandy City Council will hold a public hearing on the proposed annexation.

**Legal Description:**

All that portion of unincorporated Salt Lake County located in the Northwest Quarter of Section 9, Township 3 South, Range 1 East, Salt Lake Base and Meridian, consisting of two parcels and a portion of 1700 East Street that is bounded as follows: Easterly by a previous annexation to Sandy City that was recorded August 23, 1972 as Entry No. 2479315 in Book MM of plats at Page 21 in the office of the Salt Lake County Recorder; Southerly by a previous annexation to Sandy City that was recorded September 4, 1986 as Entry No. 4307143 in Book 86-9 of plats at Page 138 in the office of said Salt Lake County Recorder;

Westerly and Northerly by the WATERFORD II ANNEXATION to Sandy City which was recorded November 25, 1996 as Entry No. 6513341 in Book 96-11P of plats at Page 386 in the office of the Salt Lake County Recorder; said portion of unincorporated Salt Lake County has also been identified as Unincorporated Salt Lake County Island No. 17 by the Salt Lake County Clerk. The above-described area contains approximately 1.2 acres.

The City Council will annex the area unless written protests to the annexation are presented at the public hearing, or are filed by 5:00 p.m., on the day of such hearing, with the Sandy City Recorder, Suite 311, Sandy City Hall, 10000 Centennial Parkway, Sandy Utah, by the owners of private real property that:

- (A) is located within the area proposed for annexation;
- (B) covers a majority of the total private land area within the entire area proposed for annexation; and
- (C) is equal in value to at least ½ the value of all private real property within the entire area proposed for annexation.

The area under consideration for annexation comprises approximately 1.2 acres. It is being proposed to annex these properties to the City with the Professional Office (PO) Zone. Any questions you may have regarding this annexation, may be directed to Brian McCuiston in the Community Development Department - 801-568-7268, or [bmccuiston@sandy.utah.gov](mailto:bmccuiston@sandy.utah.gov)

Posted	April 9, 2018	Sandy City Hall Sandy Parks & Recreation Sandy Library Sandy City Website ( <a href="http://www.sandy.utah.gov">http://www.sandy.utah.gov</a> ) Utah Public Notice Website ( <a href="http://pmn.utah.gov">http://pmn.utah.gov</a> )
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Published	April 10, 2018 April 17, 2018 April 24, 2018	Salt Lake Tribune
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## **EXHIBIT C**





## THE WATERFORD SCHOOL

March 14, 2018

Attn: Brian McCuiston  
Sandy City Community Development  
10000 Centennial Parkway  
Sandy, Utah 84070

My name is Greg Miles, Director of Finance for Waterford School.

Waterford School is now the property owner of property in the unincorporated area of Salt Lake County located at:

9560 South 1700 East, 28-09-126-019 (.48 acres)  
9572 South 1700 East, 28-09-127-001 (.47 acres)

This property is part of an island or peninsula and is contiguous to Sandy City.

We **CONSENT** to have Sandy City annex this property.

I can be reached at: 801.816.2289 and [GregMiles@WaterfordSchool.org](mailto:GregMiles@WaterfordSchool.org)

Note: Since this written consent is used to proceed with an annexation of your property in accordance with Utah Code Section 10-2-418, no public election is required by law to approve the annexation. If you sign this consent and later decide you do not want to support the annexation of your property, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of Sandy City. If you choose to withdraw your signature, you must do so no later than the close of the public hearing on the annexation conducted in accordance with Utah Code Subsection 10-2-418(4)(a)(iv).

Thank you.

\_\_\_\_\_  
Greg Miles  
Director of Finance  
Waterford School