



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

Tuesday, December 10, 2019

5:15 PM

Council Chambers

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: <https://sandy.utah.gov/government/city-council/procedure-guidelines>. Public comment will be taken on all voting items. Each speaker is allowed three minutes per voting item. The Citizen Comment sections of the meeting are for issues not listed on the agenda. Each speaker is allowed three minutes to address the Council during Citizen Comments. If a citizen is unable to attend a meeting in person, he or she may provide written comments to the City Council Executive Director by 3:00 PM the day of the Council Meeting to have those comments distributed to the City Council and have them read into the record at the appropriate time.

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.

4:30 Dinner

5:15 Council Meeting

Roll Call

Per Utah Code Annotated 52-4-207 and City Council policy, Council Member Barker may be participating in the December 10, 2019 City Council meeting via telephone and/or video conference.

Prayer / Pledge of Allegiance

Non-voting Items

Agenda Planning Calendar Review & Council Office Director's Report

Council Member Business

Mayor's Report

CAO Report

Citizen Comments

Information Items

1. [19-454](#) UDOT recommending the City Council receive an update on the Little Cottonwood Canyon Environmental Impact Statement for Wasatch Blvd to Alta

Attachments: [UDOT Presentation 12-10-19](#)
[Little Cottonwood Canyon EIS Overview](#)
[Little Cottonwood Canyon EIS Purpose and Need Screening](#)

Voting Items

Consent Calendar

2. [19-448](#) City Council reappointing Sheldon Wayne as a regular member of the Historic Committee for a term ending December 31, 2021.

Attachments: [19-48C](#)

3. [19-446](#) City Council reappointing Jeff Budge as a regular member of the Public Utilities Advisory Board (PUAB) for a term ending December 31, 2021.

Attachments: [Public Utilities Recommendation](#)
[19-46C](#)

4. [19-447](#) City Council reappointing Don Milne as a regular member of the Public Utilities Advisory Board (PUAB) for a term ending December 31, 2021.

Attachments: [19-45C](#)

5. [19-437](#) The Mayors Office requesting that the City Council provide advice and consent for the appointment of Cameron Duncan as a regular member of the Planning Commission for a term ending on March 31, 2023

Attachments: [20-03_Duncan](#)

Council Items

6. [19-438](#) The Mayors Office is requesting that the City Council provide advice and consent for the appointment of Daniel Schoenfeld as an alternate member of the Planning Commission for a term ending on March 31, 2024

Attachments: [20-01_Schoenfeld](#)

7. [19-441](#) The Mayors Office is requesting that the City Council provide advice and consent for the appointment of Nathaniel Houston Rather as an alternate member of the Planning Commission for a term ending on March 31, 2024
- Attachments:** [20-02 Rather](#)
8. [19-444](#) Resolution Indicating Request to Withdraw from Municipal Services District Areas Annexed before May 14, 2019
- Attachments:** [MSD Withdrawal Resolution #19-47c](#)
[Appendix "A" - Annexations to Sandy 01-jan-2016 to 14-May-2019](#)
[Appendix "B" - Annexation Plats](#)
9. [19-458](#) Administrative Services Department recommending that the Council make a Municode Correction for Purchasing Ordinance #18-07
- Attachments:** [19-32 Ordinance](#)
[18-07 Ordinance](#)
10. [19-460](#) Council Member Robinson recommending the Council adopt revisions to the policy on the Election of Council Officers.
- Attachments:** [Current Election of Council Officers Policy](#)
[Council Member Robinson Amendments](#)
11. [19-445](#) Election of City Council Chair and Vice Chair for January 1, 2020 through June 30, 2020.
- *Council Chair and Staff are recommending that Item #11 be moved to the top of the meeting as to accomodate Council Member Barker, who will be phoning into the meeting**

6:00 Time Certain Items and Public Hearings

Time Certain Items

12. [19-456](#) The Council Office recommending that the Council receive a special presentation from the South Valley Chamber of Commerce
13. [19-455](#) Council Member Fairbanks recommending that the Council receive a presentation from the Beehive Academy Lego League

Adjournment



Staff Report

File #: 19-454, **Version:** 1

Date: 12/10/2019

Agenda Item Title:

UDOT recommending the City Council receive an update on the Little Cottonwood Canyon Environmental Impact Statement for Wasatch Blvd to Alta

Presenter: John Thomas



Little Cottonwood Canyon



ENVIRONMENTAL IMPACT STATEMENT

Wasatch Boulevard to Alta

Sandy City Council Update

December 10, 2019

TRANSPORTATION CONSIDERATIONS

- Transit
- Travel Delay and Congestion
- Tolling
- Bicycle and Pedestrian Access
- Recreation Access
- Business and Residential Access
- Utility Relocations
- Local Land Use and Zoning Plans
- Regional Growth
- Safety

Little Cottonwood Canyon  EST. 1984
Wasatch Boulevard

2019 Scoping Summary Report

Little Cottonwood Canyon Environmental Impact Statement Wasatch Boulevard to Alta

Lead agency:
Utah Department of Transportation

September 27, 2019

TRANSPORTATION IMPROVEMENTS
Do you have any suggestions for solutions to the
question? THAT EMPHASIS

TRANSPORT

Do you have any suggestions?
previous question?

SOLUTIONS THAT EMPHASIS

SYSTEMS (BUS & SPECIFICALLY) COME FROM
CHANGING CONSEQUENCE RESOURCES (BUSES)
IMPROVING PEOPLE
MIND WILL SHOW

AS MUCH AS THEY MAY

ENVIRONMENTAL CONSIDERATION!

UDOT studies various environmental ri
What Washington Boulevard that UDOT
and Watschall Boulevard that UDOT

DISRUPTION OF SPACE
ALREADY BEEN DE

GENERAL COMMENTS
Do you have any other questions?
you

Do you have
THANK
SERIOUSLY
GETTED
WE HAVE
WE MUST
COMPROMISE
THE INFRAS
BUT IF
THIS INCOB

MAIL TO

2825 E. C
Cottonv

THE
OF
BY

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated January 17, 2017, and executed by FHWA and UDOT.

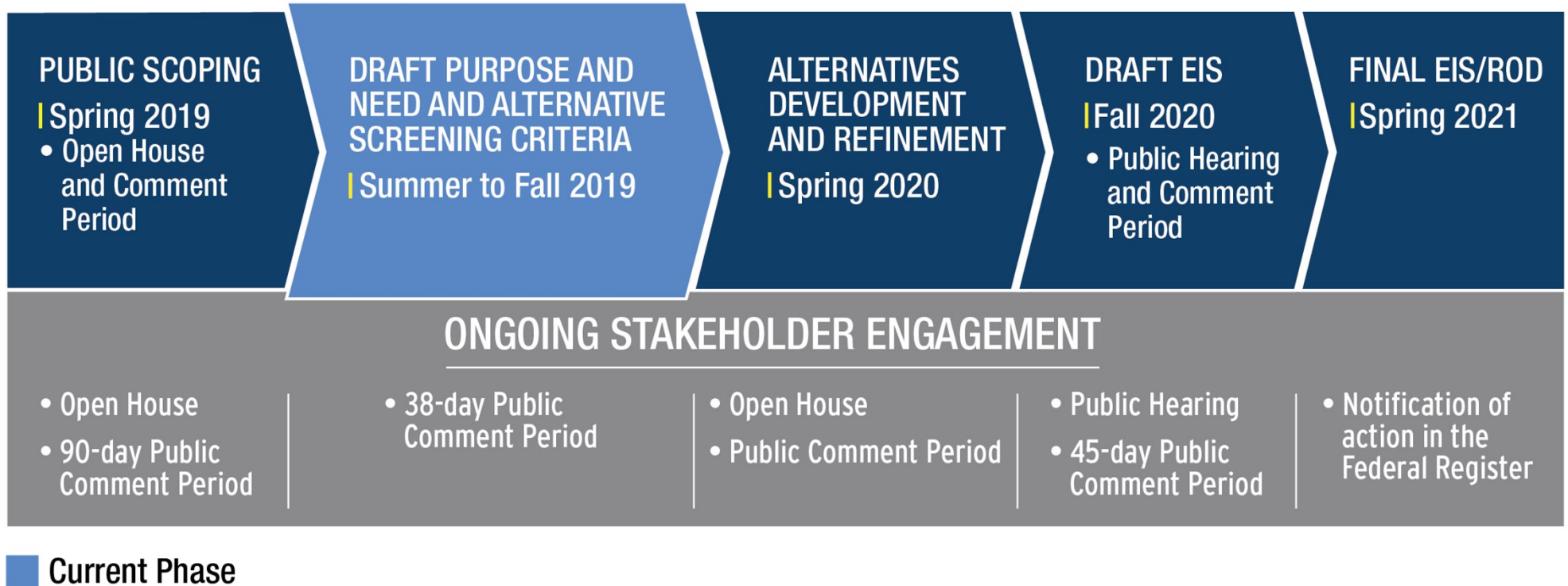
	Comment Source (Type)
...discuss its results, move to the next easiest and least	
...of ski season to the end. Keep it simple--charge each car rate for single occupancy vehicles or slower rate for expensive measure.	
...say they will or will not do is usually quite different from	
...es. No matter what else is decided later, a toll should	
...already paid a huge amount of money for studies! Just try	
...ks.	Website
...al. Don't turn it into NJ! Don't ruin what makes Alta special.	Website
...need to find the money to build a public rail up the existing road	Website
...to take public transportation up our canyons. The bottom line is	
... Canyon Pathway, would be a great solution:	Website
...etc.	
...will only increase the number of vehicles in the canyons.	
...canyons. For example, if the cost of transportation were subsidized,	
...led stops to Snowbird and Alta. Current bus schedule is no good for	Website
.../don is to drive given poor bus schedule.	
...y money to go on a hike does not make sense!	Website
...pay rent/buy their groceries!	
...ns of entertainment, and for those on a budget. Not everyone spends	
...wed climate scientist and ask if the resorts will still have natural snow in 20	Website
...Website	Website
...rd who was an Alta resident, lodge employee, and business owner for 10	
...and, and the resulting ecosystem services such as clean water and	
...modified and exploited by humans since Western settlement. While a	
...ports remain an essentially industrial use of federal public and private inholding	
...so a 6-year employee of the USFS, at the Central Adminis Enterprise level	
...all scales for the canyon environments, snowfall patterns and resultant viability or	
...ative winter demand due to the lack of snow at lower elevations on the Park City	
...socio analysis of climate change scenarios. It should also address how climate	
...interests and almost entirely during the winter ski season. Peaks fall largely on	
...control or reduce peak demand. Demand management must be the primary means	
...an appropriate and effective price on parking rather than making most parking "free"	
...r season. They already have parking lot attendants who can check for passes -- leave	
...r fewer than 3 people were charged \$20/day for parking in addition to passes.	
...ne San Francisco Bay Area, tolls for Single Occupancy Vehicles into the city mean that	
...city, reducing congestion.	
...lower, there is rarely congestion during the ~7 off season months of the year so it	
...or parking at the trailheads. I do not think that expanding trailheads is a good idea, much	
...ns, low-income individuals who qualify for other federal and state benefits should be	
...althy others in our society who are hale and hearty and recreate a lot and can afford full	
...ny of my friends do as well as a well aware of users. I strongly support significant safety and	

Background

Table A-1. Preliminary Evaluation of Alternatives/Concepts Suggested during EIS Scoping Periods

Suggested Alternative	Part of No-Action/ Baseline	Reason for Not Including in the Proposed Alternatives				Evaluated Further in Level 1 Screening	Considered as Part of Alternative Design, Environmental Analysis, and/or Potential Mitigation	Additional Information
		Does Not Meet Project Objectives	Outside the EIS Study Area	Outside the Scope of the EIS	Technically and/or Feasibly Prohibitive			
Mobility/Capacity								
Build transit hubs at gravel pit and 9400 South.						✓		
Provide parking for cars waiting to enter Little Cottonwood Canyon.						✓		Considered as part of the transit alternative to reduce vehicle use and avalanche mitigation to reduce closure and eliminate backup both of which reduce the number of vehicles waiting to enter Little Cottonwood Canyon.
Eliminate on-road parking at ski resorts.						✓		
Increase road capacity (three and four lanes).						✓		
Don't expand road capacity.	✓							
Consider reversible lanes.						✓		
Add a dedicated travel lane for Alta.						✓		Considered in reversible lane and widen road alternatives. If alternatives provide enough roadway capacity, there would be no need for a dedicated lane.
Add more pullouts for slow vehicles.		✓					✓	Concept will be included as part of adding capacity. Slow vehicle pull outs for buses would substantially increase travel time making buses less feasible. Does not meet project objective of improving mobility for all users (including transit users)
Build a longer merge lane at S.R. 209/S.R. 210.						✓		
Don't build a merge lane at S.R. 209/S.R. 210, and reduce speed limits.	✓			✓				Reducing speed limits is a UDOT operational consideration. Reducing speed limits would not change the need for mobility improvements.
Add a traffic signal at S.R. 209/S.R. 210.				✓				UDOT is currently making safety improvements to this intersection outside the EIS process for immediate implementation.
Restrict larger vehicles during peak periods.						✓		Transit and tolling options are being considered to reduce overall vehicle use.
Allow buses only.						✓		
Add bicycle lanes.							✓	Will be considered as part of road improvement alternatives.
Limit the number of vehicles.						✓		
Eliminate single-occupant vehicles.						✓		Will be considered as part of transit and tolling alternatives.
Provide transit priority.							✓	Will be considered as part of road improvement alternatives.
No vehicle waiting at base of canyon.						✓		Part of screening criteria to reduce vehicle waiting at base of canyon. Considered under all alternatives.
Road should be one way during AM and PM peak periods.						✓		
Provide police escorts for traffic.				✓				Operational consideration that can be implemented outside the EIS process. Would still need to have large wait areas for cars to be platooned up canyon.
Provide more smaller shuttles and fewer big buses						✓		Feasibility of transit alternatives will be considered. Size of buses to accommodate demand will be managed by UTA outside the EIS process.

Process and Schedule



Purpose and Need & Alternative Screening Criteria

LITTLE COTTONWOOD CANYON PURPOSE AND NEED & ALTERNATIVE SCREENING

PROJECT OVERVIEW



LITTLE COTTONWOOD CANYON (LCC) BY THE NUMBER OF
ANNUAL VISITORS
2.1 MILLION

REGIONAL POPULATION
Salt Lake City
Utah
Combined new

LCC EIS PURPOSE

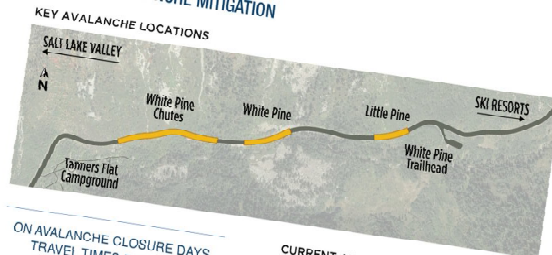
UDOT's purpose is to substantially improve safety, reliability, and mobility on S.R. 210 from Fort Union Boulevard through the town of Alta for all users on S.R. 210.

NEED FOR THE PROJECT

- Decreased mobility in winter during the morning (AM) and afternoon (PM) peak travel periods related to visits to ski areas, with the greatest traffic volumes on weekends and holidays and during and after
- Decreased mobility on Wasatch Boulevard resulting from weather-related closures
- Safety concerns associated with avalanche hazard and traffic volume on weekends and holidays and during and after
- Neighborhoods at the entrance of the canyon.
- Roadway elements do not meet current design standards, for example, horizontal and vertical curves that are steep and/or sharp
- Limited parking at trailheads and ski areas leads to on-road for all users.

WHAT IS THE PROJECT?
Reliability and performance
Mobility and ease of travel

NEED FOR AVALANCHE MITIGATION

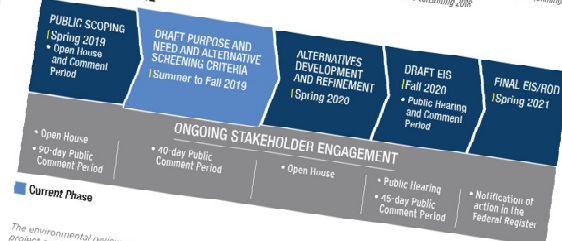


ON AVALANCHE CLOSURE DAYS, TRAVEL TIMES FROM I-215 TO ALTA RANGE FROM **45 TO 120 MINUTES** COMPARED TO **28 MINUTES** UNDER IDEAL CONDITIONS.

Hazard Category	AHI
Very Low	Less than 1
Low	1 to 10
Moderate	10 to 40
High	40 to 150
Very High	Greater than 150

Source: Dynamic Avalanche Consulting 2008
* LCC AHI=90 (Midrange)
* LCC AHI=7,304 (Unmitigated)

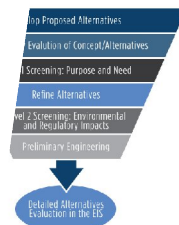
PROJECT TIMELINE



The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated January 17, 2017, and executed by FHWA and UDOT.



Little Cottonwood Mobility



4 or 5 days during which avalanches delay users at roadway users at locations of motorized and nonmotorized transportation modes improve the safety and operational characteristics

as the 30th-busiest hour) travel times for uphill and downhill travel times with the No-Action Alternative demand on busy ski days in S.R. 210 and S.R. 739 through residential areas on busy Service (LOS) D in the weekday AM and PM peak periods

LEVEL 2 SCREENING CRITERIA

Criterion	Measure
Cost	• Alternative's cost compared to other alternatives that pass Level 1 screening
Consistency and compatibility with local and regional plans	• Alternative's consistency with local and regional land use and transportation plans • Alternative's compliance with the Wilderness Act of 1964 and consistency with the 2003 Revised Wasatch-Cache Forest Plan
Compatibility with permitting requirements	• Permit requirements
Impacts related to Clean Water Act	• Acres and types of wetlands and other waters of the United States
Impacts to natural resources	• Acres and types of sensitive habitat • Acres of floodplain • Acres of critical habitat
Impacts to the built environment	• Number and areas of parks • Number of community facilities • Number of potential property acquisitions including residential, business and utility acquisitions • Number of Section 4(f)/Section 6(f) uses • Number of cultural resources (for example, historic and archaeological resources) affected

NEED FOR IMPROVEMENTS TO WASATCH BLVD.

EXISTING CONDITIONS (2015)
P.M. PEAK PERIOD



FUTURE NO-ACTION CONDITIONS
(2050) P.M. PEAK PERIOD



LEVEL OF SERVICE

- A - NO DELAYS**
Highest quality of service. Free traffic flow with few restrictions on maneuverability or speed.
- B - NO DELAYS**
Steady traffic flow. Speed becoming slightly restricted. Low restriction on maneuverability.
- C - MINOR DELAYS**
Steady traffic flow, but less freedom to select speed.
- D - MODERATE DELAYS**
Intermittent traffic flow. Speed changes quickly and maneuverability is low.
- E - SEVERE DELAYS**
Heavy congested traffic. Forward travel capacity and speed varies greatly.

Comment Period

Little Cottonwood
Canyon  ENVIRONMENTAL
IMPACT STATEMENT
Wasatch Boulevard to Alta

November 6, 2019 thru December 13, 2019



udot.utah.gov/LittleCottonwoodEIS



LittleCottonwoodEIS@utah.gov





Little Cottonwood Canyon



ENVIRONMENTAL IMPACT STATEMENT

Wasatch Boulevard to Alta

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated January 17, 2017, and executed by FHWA and UDOT.

PROJECT OVERVIEW

1989-2015

16 transportation related studies

2017

SB 277 approved funding for **Recreation Hotspots**

2017

The Utah Transportation Commission allocated **\$66 million to Little Cottonwood Canyon**



LITTLE COTTONWOOD CANYON ENVIRONMENTAL IMPACT STATEMENT (EIS)

Environmental analysis and selection of a transportation alternative for Little Cottonwood Canyon that improves reliability, mobility and safety.



Avalanche Mitigation



Wasatch Boulevard



Trailhead Parking

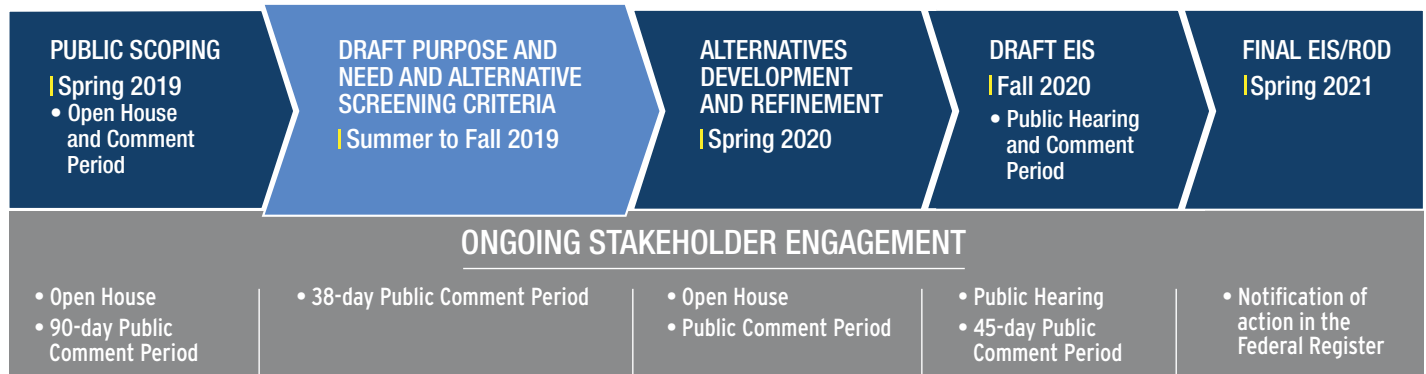


Little Cottonwood Mobility

**Technical analysis of tolling and transit will support the alternatives development process of both the EIS and future improvements in Big Cottonwood Canyon.*

**\$13 million in funding for the purchase of property for a future transit hub.*

PROCESS AND PUBLIC INVOLVEMENT



Current Phase

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated January 17, 2017, and executed by FHWA and UDOT.

Learn more at udot.utah.gov/LittleCottonwoodEIS

December 10, 2019

12 of 89



LITTLE COTTONWOOD CANYON EIS

PURPOSE AND NEED & ALTERNATIVE SCREENING CRITERIA

PROJECT OVERVIEW



LITTLE COTTONWOOD CANYON (LCC) BY THE NUMBERS

ANNUAL VISITORS
2.1 MILLION

REGIONAL POPULATION GROWTH BY 2050

Salt Lake County	37% GROWTH
Utah County	108% GROWTH

Combined new residents **1 MILLION**

LCC EIS PURPOSE

UDOT's purpose is to substantially improve safety, reliability, and mobility on S.R. 210 from Fort Union Boulevard through the town of Alta for all users on S.R. 210.

NEED FOR THE PROJECT

- Decreased mobility in winter during the morning (AM) and afternoon (PM) peak travel periods related to visits to ski areas, with the greatest traffic volumes on weekends and holidays and during and after snowstorms.
- Decreased mobility on Wasatch Boulevard resulting from weekday commuter traffic.
- Safety concerns associated with avalanche hazard and traffic delays caused by the current avalanche-control program in Little Cottonwood Canyon. Periodic road closures for avalanche control can cause 2-to-4-hour travel delays, or longer, which can cause traffic to back up in the neighborhoods at the entrance of the canyon.
- Roadway elements do not meet current design standards; for example, shoulders that are narrow, and horizontal and vertical curves that are steep and/or sharp.
- Limited parking at trailheads and ski areas leads to on-road parking that reduces mobility and safety for all users.

WHAT ARE RELIABILITY AND MOBILITY?

Reliability refers to the degree of certainty and predictability in travel times on the transportation system.

Mobility refers to the ability and level of ease to travel along a roadway.

OBJECTIVES



Avalanche
Mitigation



Wasatch
Boulevard



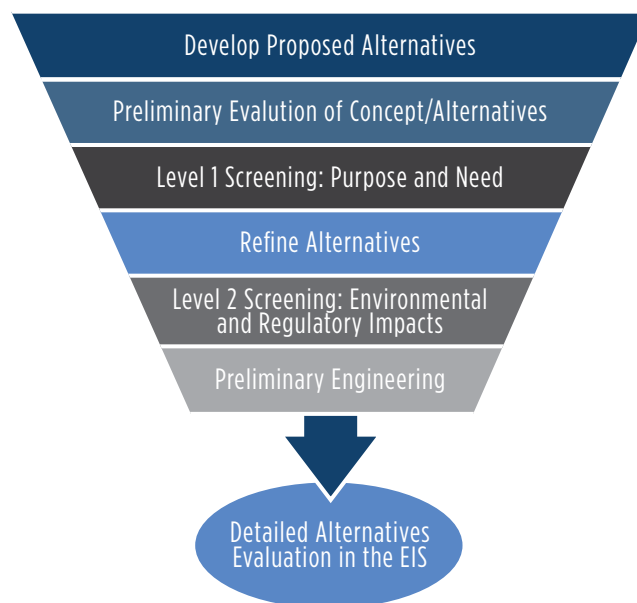
Trailhead
Parking



Little Cottonwood
Mobility

ALTERNATIVE DEVELOPMENT AND SCREENING PROCESS

The alternatives development and screening process will provide critical information about how well an alternative satisfies the project's purpose and meets the transportation needs, and whether it is reasonable under the National Environmental Policy Act (NEPA), practicable under the Clean Water Act, and prudent and feasible under Section 4(f) of the Department of Transportation Act of 1966. The alternatives development and screening process will consist of the phases shown in the figure to the right. The key phases in the screening process are Level 1 screening based on the project purpose and need and Level 2 screening based on environmental and regulatory evaluation. The criteria used for Level 1 and Level 2 screening are shown below.



LEVEL 1 SCREENING CRITERIA (PURPOSE AND NEED)

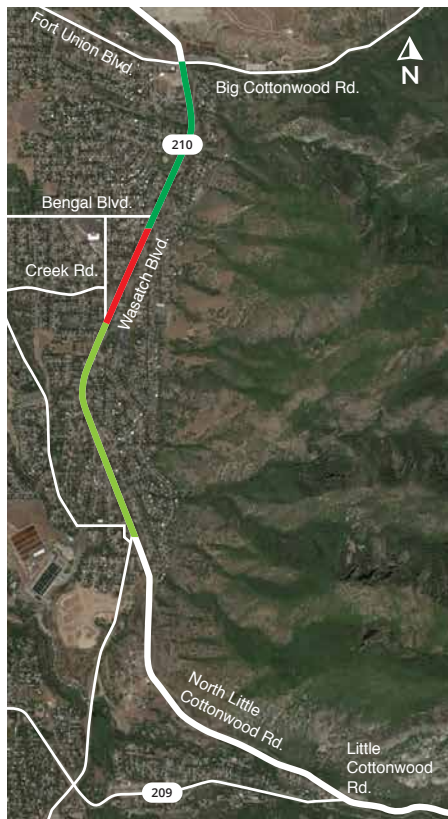
Criterion	Measure
Safety, Reliability, Residential Access and Mobility	
Improve reliability and safety by 2050	<ul style="list-style-type: none"> • Substantially reduce the number of hours and/or days during which avalanches delay users • Substantially reduce the avalanche hazard for roadway users • Improve roadway safety at existing trailhead locations • Reduce or eliminate traffic conflicts between motorized and nonmotorized transportation modes at existing trailhead locations • Reduce or eliminate on-road parking to improve the safety and operational characteristics of S.R. 210
Improve mobility by 2050	<ul style="list-style-type: none"> • Substantially improve peak-hour (defined as the 30th-busiest hour) travel times for uphill and downhill users in 2050 compared to travel times with the No-Action Alternative • Meet peak-hour average total person demand on busy ski days • Substantially reduce vehicle backups on S.R. 210 and S.R. 209 through residential areas on busy ski days • By 2050, meet UDOT's goal of Level of Service (LOS) D in the weekday AM and PM peak periods on Wasatch Blvd

LEVEL 2 SCREENING CRITERIA

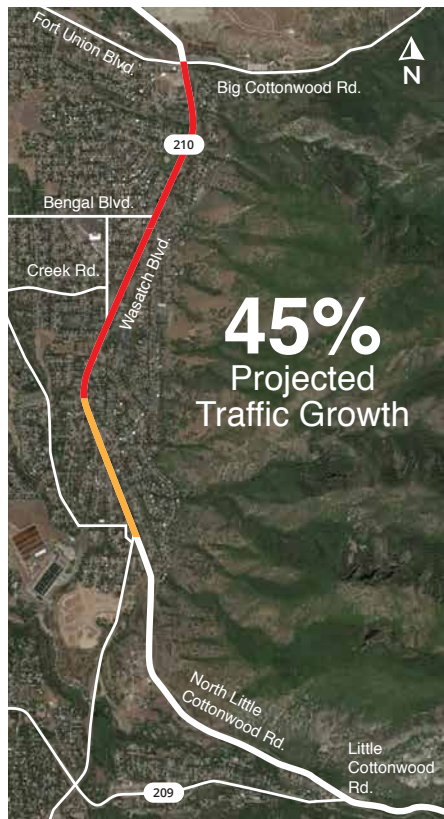
Criterion	Measure
Cost	<ul style="list-style-type: none"> Alternative's cost compared to other alternatives that pass Level 1 screening
Consistency and compatibility with local and regional plans	<ul style="list-style-type: none"> Alternative's consistency with local and regional land use and transportation plans Alternative's compliance with the Wilderness Act of 1964 and consistency with the 2003 <i>Revised Wasatch-Cache Forest Plan</i>
Compatibility with permitting requirements	<ul style="list-style-type: none"> Permit requirements
Impacts related to Clean Water Act	<ul style="list-style-type: none"> Acres and types of wetlands and other waters of the United States
Impacts to natural resources	<ul style="list-style-type: none"> Acres and types of sensitive habitat Acres of floodplain Acres of critical habitat
Impacts to the built environment	<ul style="list-style-type: none"> Number and area of parks Number of community facilities Number of potential property acquisitions including residential, business and utility acquisitions Number of Section 4(f)/Section 6(f) uses Number of cultural resources (for example, historic and archaeological resources) affected

NEED FOR IMPROVEMENTS TO WASATCH BLVD.

EXISTING CONDITIONS (2015) P.M. PEAK-PERIOD



FUTURE NO-ACTION CONDITIONS (2050) P.M. PEAK-PERIOD



LEVEL OF SERVICE

A | NO DELAYS

Highest quality of service. Free traffic flow with few restrictions on maneuverability or speed.

B | NO DELAYS

Stable traffic flow. Speed becoming slightly restricted. Low restriction on maneuverability.

C | MINIMAL DELAYS

Stable traffic flow, but less freedom to select speed.

UDOT Goal

D | NOTICEABLE DELAYS

Traffic flow becoming unstable. Speed subject to sudden change.

E | CONSIDERABLE DELAYS

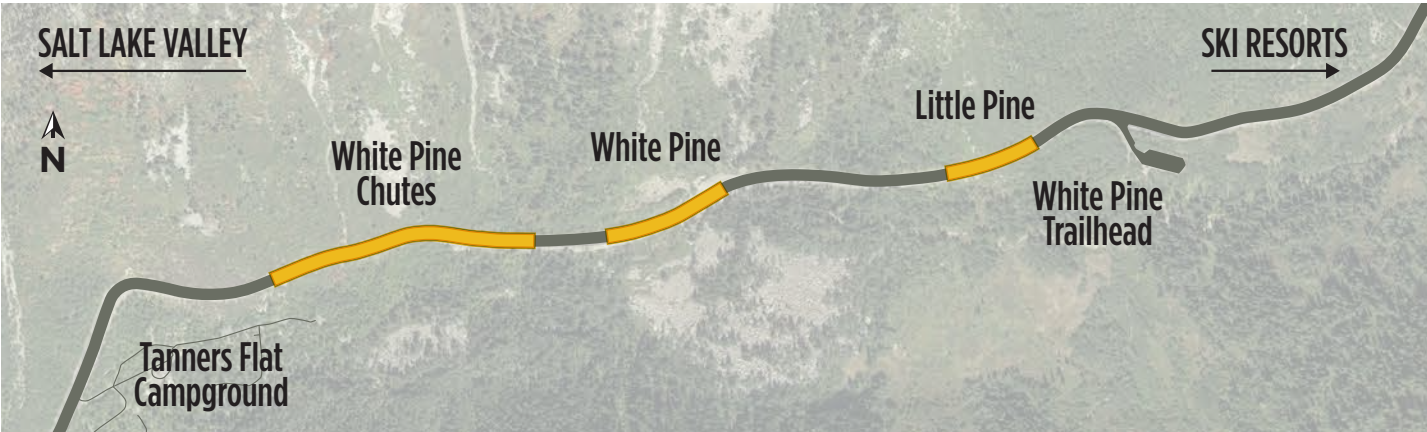
Unstable traffic flow. Speed changes quickly and maneuverability is low.

F | CONSIDERABLE DELAYS

Heavily congested traffic. Demand exceeds capacity and speed varies greatly.

NEED FOR AVALANCHE MITIGATION

KEY AVALANCHE LOCATIONS



ON AVALANCHE CLOSURE DAYS,
TRAVEL TIMES FROM I-215
TO ALTA RANGE FROM
45 TO 120 MINUTES
COMPARED TO
28 MINUTES
UNDER IDEAL CONDITIONS.

CURRENT AVALANCHE HAZARD INDEX (AHI)

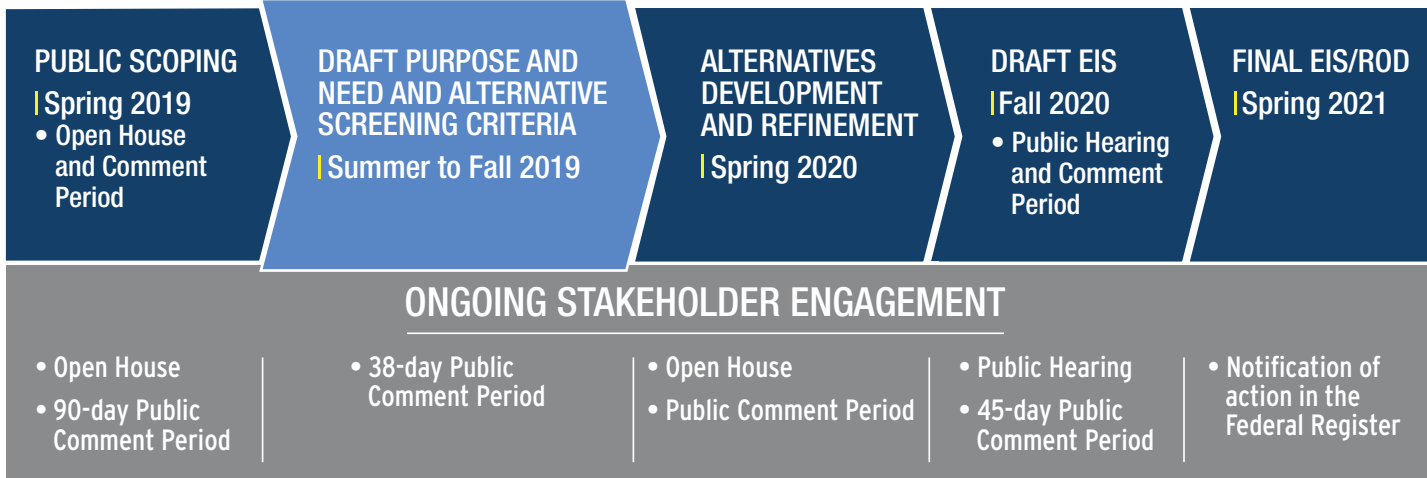
Hazard Category	AHI
Very Low	Less than 1
Low	1 to 10
Moderate	10 to 40
High	40 to 150
Very High	Greater than 150

← LCC AHI=90 (Mitigated)

← LCC AHI=7,304 (Unmitigated)

Source: Dynamic Avalanche Consulting 2018

PROJECT TIMELINE



Current Phase

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated January 17, 2017, and executed by FHWA and UDOT.



Staff Report

File #: 19-448, **Version:** 1

Date: 12/10/2019

Agenda Item Title:

City Council reappointing Sheldon Wayne as a regular member of the Historic Committee for a term ending December 31, 2021.

Presenter: Dustin Fratto

Description/Background:

This is a reappointment of a member who has an expiring term. The Historic Committee has one other member with an expiring term, Terry Parkin. Terry has declined the opportunity to be reappointed to the Historic Committee, leaving an open Council appointment. Should the Council wish to make an appointment to fill the vacant position, you can do so on a future agenda.

Recommended Action and/or Suggested Motion:

Motion to adopt resolution 19-48C appointing Sheldon Wayne as a regular member to the Historic Committee for a term ending December 31, 2021

RESOLUTION #19-48C

A RESOLUTION APPOINTING **SHELDON WAYNE** AS A **REGULAR** MEMBER TO THE SANDY CITY HISTORIC COMMITTEE

BE IT RESOLVED by the City Council in Sandy City, Utah, that Sheldon Wayne be appointed as a regular member to the Sandy City Historic Committee.

The appointment will be as follows:

to fill a term as a regular member, beginning on January 1, 2020 and ending on December 31, 2021.

PASSED AND APPROVED this 10th of December 2019

Chris McCandless, Chair
Sandy City Council

ATTEST:

City Recorder

RECORDED this _____ day of _____, 2019



Staff Report

File #: 19-446, **Version:** 1

Date: 12/10/2019

Agenda Item Title:

City Council reappointing Jeff Budge as a regular member of the Public Utilities Advisory Board (PUAB) for a term ending December 31, 2021.

Presenter: Dustin Fratto

Recommended Action and/or Suggested Motion:

Motion to adopt resolution 19-46C appointing Jeff Budge as a regular member to the Public Utilities Advisory Board for a term ending December 31, 2021



SANDY CITY PUBLIC UTILITIES

TOM WARD, P.E.
PUBLIC UTILITIES DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

To: Sandy City Council

From: Tom Ward, Director of Public Utilities

A handwritten signature in black ink, appearing to read "T. Ward", is written over the printed name.

Date: December 2, 2019

Re: Reappointment of Public Utilities Advisory Board Members

On December 31, 2019, two members of the Public Utilities Board terms will end. Those currently up for Council reappointment are: Jeff Budge and Don Milne. The Public Utilities department respectfully recommends these two board members to be reappointed. The current board has brought expertise and works well together. These two individuals are valuable to the board and the Public Utilities department.

We have spoken to each of the following board members and each has expressed interest in continuing to serve on the Public Utilities Advisory Board. We would like to recommend their reappointment: Jeff Budge and Don Milne to the Public Utilities Advisory Board.

Colleen Hansen's (current board member) term is also expiring. She is a mayoral appointment for Mayor Bradburn's consideration.

All of these terms end December 31, 2019 and would be extended to December 31, 2021. These are now two year terms.

Thank you.

RESOLUTION #19-46C

A RESOLUTION APPOINTING **JEFF BUDGE** AS A **REGULAR** MEMBER TO THE SANDY CITY PUBLIC UTILITIES ADVISORY BOARD

BE IT RESOLVED by the City Council in Sandy City, Utah, that Jeff Budge be appointed as a regular member to the Sandy City Public Utilities Advisory Board.

The appointment will be as follows:

Jeff Budge to fill a term as a **regular** member, beginning on **January 1, 2020** and ending on **December 31, 2021**.

PASSED AND APPROVED this December 10, 2019

Chris McCandless, Chair
Sandy City Council

ATTEST:

City Recorder

RECORDED this _____ day of _____, 2019



Staff Report

File #: 19-447, **Version:** 1

Date: 12/10/2019

Agenda Item Title:

City Council reappointing Don Milne as a regular member of the Public Utilities Advisory Board (PUAB) for a term ending December 31, 2021.

Presenter: Dustin Fratto

Recommended Action and/or Suggested Motion:

Motion to adopt resolution 19-45C appointing Don Milne as a regular member to the Public Utilities Advisory Board for a term ending December 31, 2021

RESOLUTION #19-45C

A RESOLUTION APPOINTING **DON MILNE** AS A **REGULAR** MEMBER TO THE SANDY CITY PUBLIC UTILITIES ADVISORY BOARD

BE IT RESOLVED by the City Council in Sandy City, Utah, that Don Milne be appointed as a regular member to the Sandy City Public Utilities Advisory Board.

The appointment will be as follows:

Don Milne to fill a term as a **regular** member, beginning on **January 1, 2020** and ending on **December 31, 2021**.

PASSED AND APPROVED this December 10, 2019

Chris McCandless, Chair
Sandy City Council

ATTEST:

City Recorder

RECORDED this _____ day of _____, 2019



Staff Report

File #: 19-437, **Version:** 1

Date: 12/10/2019

Agenda Item Title:

The Mayors Office requesting that the City Council provide advice and consent for the appointment of Cameron Duncan as a regular member of the Planning Commission for a term ending on March 31, 2023

Description/Background:

Mr. Duncan is currently serving as an alternate member of the planning commission. The Mayors Office is requesting that he be appointed as a regular member.

Recommended Action and/or Suggested Motion:

Motion to provide advice consent to Resolution 20-03M for the appointment of Cameron Duncan as a regular member of the Sandy City Planning Commission.

RESOLUTION #20-03M

A RESOLUTION APPOINTING **CAMERON DUNCAN** AS A REGULAR MEMBER TO THE SANDY CITY PLANNING COMMISSION

BE IT RESOLVED by the Mayor, with the advice and consent of the City Council in Sandy City, Utah, that Cameron Duncan be appointed as a regular member to the Sandy City Planning Commission.

The appointment will be as follows:

Cameron Duncan to fill a term as a **Regular Member** ending on March 31, 2023

PASSED AND APPROVED this _____



Kurt Bradburn
Mayor

Chairman,
Sandy City Council

ATTEST:

City Recorder

RECORDED this _____ day of _____ 2019.



Staff Report

File #: 19-438, **Version:** 1

Date: 12/10/2019

Agenda Item Title:

The Mayors Office is requesting that the City Council provide advice and consent for the appointment of Daniel Schoenfeld as an alternate member of the Planning Commission for a term ending on March 31, 2024

Recommended Action and/or Suggested Motion:

Motion to provide advice consent to Resolution 20-01M for the appointment of Daniel Schoenfeld as an alternate member of the Sandy City Planning Commission.

RESOLUTION #20-01M

A RESOLUTION APPOINTING **DANIEL SCHOENFELD** AS AN ALTERNATE MEMBER TO THE SANDY CITY PLANNING COMMISSION

BE IT RESOLVED by the Mayor, with the advice and consent of the City Council in Sandy City, Utah, that Daniel Schoenfeld be appointed as an alternate member to the Sandy City Planning Commission.

The appointment will be as follows:

Daniel Schoenfeld to fill a term as an **Alternate Member** ending on March 31, 2024

PASSED AND APPROVED this _____



Kurt Bradburn
Mayor

Chairman,
Sandy City Council

ATTEST:

City Recorder

RECORDED this _____ day of _____ 2019.



Staff Report

File #: 19-441, **Version:** 1

Date: 12/10/2019

Agenda Item Title:

The Mayors Office is requesting that the City Council provide advice and consent for the appointment of Nathaniel Houston Rather as an alternate member of the Planning Commission for a term ending on March 31, 2024

Recommended Action and/or Suggested Motion:

Motion to provide advice consent to Resolution 20-02M for the appointment of Nathaniel Houston Rather as an alternate member of the Sandy City Planning Commission.

RESOLUTION #20-02M

A RESOLUTION APPOINTING **NATHANIEL HOUSTON RATHER** AS AN ALTERNATE MEMBER TO THE SANDY CITY PLANNING COMMISSION

BE IT RESOLVED by the Mayor, with the advice and consent of the City Council in Sandy City, Utah, that Nathaniel Houston Rather be appointed as an alternate member to the Sandy City Planning Commission.

The appointment will be as follows:

Nathaniel Houston Rather to fill a term as an **Alternate Member** ending on March 31, 2024

PASSED AND APPROVED this _____



Kurt Bradburn
Mayor

Chairman,
Sandy City Council

ATTEST:

City Recorder

RECORDED this _____ day of _____ 2019.



Staff Report

File #: 19-444, **Version:** 1

Date: 12/10/2019

Agenda Item Title:

Resolution Indicating Request to Withdraw from Municipal Services District Areas Annexed before May 14, 2019

Presenter:

Brian McCuiston

Description/Background:

Sandy City has annexed 19 different areas since January 2016. These annexed properties are currently located within the Municipal Services District which was created in 2015. Because the City provides municipal services to the annexed areas the City desires to request withdrawal of the annexed areas from the Municipal Services District pursuant to Utah Code Annotated Section 17B-1-503(g).

Fiscal Impact:

The City already has been providing municipal services to these areas so there should not be any fiscal impact.

Further action to be taken:

Upon approval of this Resolution, staff will send a letter of request to the Municipal Services District to withdraw these annexed areas from their boundary.

Recommended Action and/or Suggested Motion:

Staff recommends that the City Council adopt Resolution #19-47c, indicating request to withdraw from Municipal Services District areas annexed before May 14, 2019.

RESOLUTION #19-47c

A RESOLUTION INDICATING REQUEST TO WITHDRAW
FROM MUNICIPAL SERVICES DISTRICT AREAS
ANNEXED BEFORE MAY 14, 2019.

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

1. Prior to May 14, 2019, Sandy City (“City”) annexed certain unincorporated area(s) in Salt Lake County, Utah, more specifically shown in Appendix “A” and Appendix “B” attached hereto.
2. The annexed area(s) are located within the boundaries of the Municipal Services District.
3. The City provides municipal services to the annexed area(s).
4. The City desires to request withdrawal of the annexed area(s) from the Municipal Services District pursuant to Utah Code Annotated §17B-1-503(g).

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

1. As required by Utah Code Annotated §17B-1-503(g), included with this Resolution are the final entity plat(s) attached hereto as Appendix “B”.
2. Request withdrawal from the Municipal Services District of the area(s) shown in Appendix “A” and Appendix “B”, named as follows:

- a. Garmish Cove Annexation
- b. Island No. 6 Annexation
- c. Island No. 8 Annexation
- d. Island No. 20 Annexation
- e. Island No. 28 Annexation
- f. Island No. 35 Annexation
- g. Granite Slope Ln Annexation
- h. Foxwood Ln Annexation
- i. Hirschi Annexation
- j. Miles Annexation
- k. Chytraus Annexation
- l. Levine Annexation
- m. Mock Annexation
- n. Honeysett Annexation
- o. Waterford III Annexation
- p. East Willow Creek Annexation
- q. Willow Creek Country Club Annexation
- r. Mosher Annexation

s. Garza Annexation

ADOPTED by the Sandy City Council this ____ day of _____, 2019.

Chris McCandless, Chair
Sandy City Council

ATTEST:

City Recorder

RECORDED this ____ day of _____, 2019.

APPENDIX A

(Annexations Map)

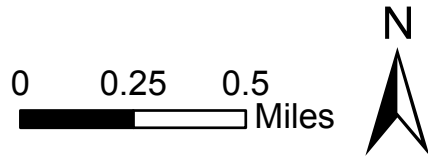
APPENDIX B

(Final Entity Plats)

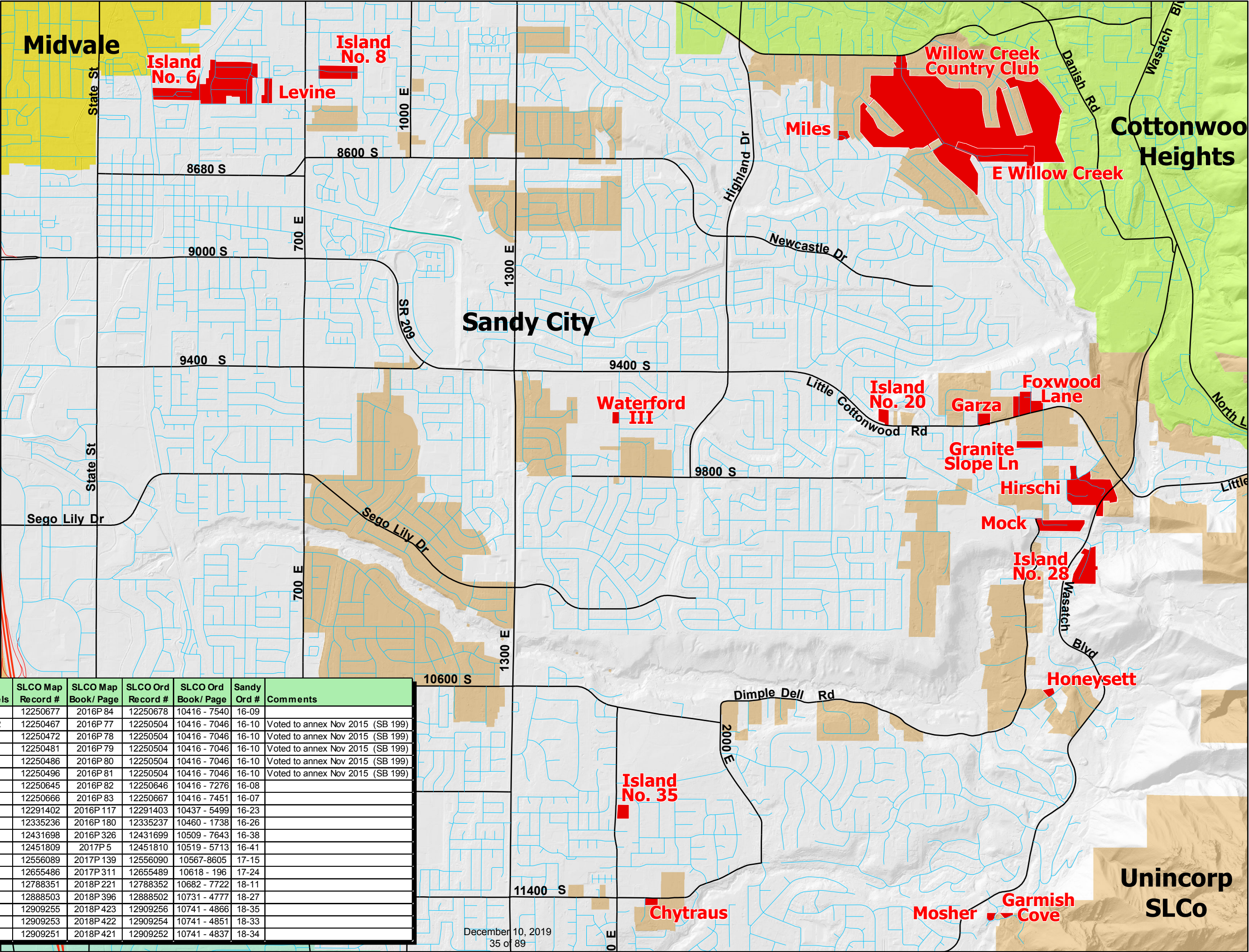
Annexations to Sandy City

between
01-Jan-2016 and
14-May-2019

See separate Excel
file for all annexed
Parcel Numbers.



Prepared by Sandy City GIS
Ray Montgomery, GIS Administrator
December 2, 2019



Name	Effective Date	Acres	Parcels	SLCO Map Record #	SLCO Map Book/ Page	SLCO Ord Record #	SLCO Ord Book/ Page	Sandy Ord #	Comments
Garmish Cove	28-Mar-2016	0.73	1	12250677	2016P 84	12250678	10416 - 7540	16-09	
Island No. 6	31-Mar-2016	38.5	162	12250467	2016P 77	12250504	10416 - 7046	16-10	Voted to annex Nov 2015 (SB 199)
Island No. 8	31-Mar-2016	7.7	27	12250472	2016P 78	12250504	10416 - 7046	16-10	Voted to annex Nov 2015 (SB 199)
Island No. 20	31-Mar-2016	2.1	2	12250481	2016P 79	12250504	10416 - 7046	16-10	Voted to annex Nov 2015 (SB 199)
Island No. 28	31-Mar-2016	9.6	21	12250486	2016P 80	12250504	10416 - 7046	16-10	Voted to annex Nov 2015 (SB 199)
Island No. 35	31-Mar-2016	2.7	4	12250496	2016P 81	12250504	10416 - 7046	16-10	Voted to annex Nov 2015 (SB 199)
Granite Slope Ln	31-Mar-2016	2.7	7	12250645	2016P 82	12250646	10416 - 7276	16-08	
Foxwood Ln	31-Mar-2016	7.9	15	12250666	2016P 83	12250667	10416 - 7451	16-07	
Hirschi	1-Jun-2016	20.6	38	12291402	2016P 117	12291403	10437 - 5499	16-23	
Miles	3-Aug-2016	1.42	4	12335236	2016P 180	12335237	10460 - 1738	16-26	
Chytraus	12-Dec-2016	1.35	2	12431698	2016P 326	12431699	10509 - 7643	16-38	
Levine	11-Jan-2017	3.3	16	12451809	2017P 5	12451810	10519 - 5713	16-41	
Mock	15-Jun-2017	7.84	13	12556089	2017P 139	12556090	10567-8605	17-15	
Honeysett	9-Nov-2017	1	1	12655486	2017P 311	12655489	10618 - 196	17-24	
Waterford III	11-Jun-2018	1.2	2	12788351	2018P 221	12788352	10682 - 7722	18-11	
East Willow Creek	19-Nov-2018	14.9	41	12888503	2018P 396	12888502	10731 - 4777	18-27	
Willow Creek Country Club	26-Dec-2018	176.5	43	12909255	2018P 423	12909256	10741 - 4866	18-35	
Moshier	26-Dec-2018	0.89	2	12909253	2018P 422	12909254	10741 - 4851	18-33	
Garza	26-Dec-2018	2.3	2	12909251	2018P 421	12909252	10741 - 4837	18-34	

FINAL LOCAL ENTITY PLAT GARMISH COVE ANNEXATION TO SANDY CITY

GARMISH COVE ANNEXATION DESCRIPTION

All of these two (2) parcels of land delineated by the Salt Lake County Assessor for tax year 2015 as Parcel No. 28-23-327-006 described in that certain Warranty Deed recorded April 7, 2003 as Entry No. 860154 in Book 8773 at Pages 3168-3170 in the office of the Salt Lake County Recorder and Parcel No. 28-23-327-007 as described in that certain Warranty Deed recorded December 2, 2003 as Entry No. 860155 in Book 8773 at Pages 3171-3172 in the office of the Salt Lake County Recorder, and the Southwest Quarter of Section 23, Township 3 South, Range 1 East, Salt Lake Base and Meridian being further described as follows:

Beginning at the Southwest Corner of Lot 7, HANSEN P.U.D., recorded July 23, 1986 as Entry No. 428318 in Book 86-7 of plats at Page 120 in the office of said Salt Lake County Recorder, said point also being on the current Sandy City boundary as established by 428318 in Book 86-7 at the point at Page 4 in the office of said Salt Lake County Recorder, said point lies West 1045.26 feet and South 326.70 feet from the Center Quarter Corner of Section 23, Township 3 South, Range 1 East, Salt Lake Base and Meridian as established by said HANSEN P.U.D.; thence along HANSEN P.U.D. boundary as established by said HANSEN P.U.D. to the southeast corner of said HANSEN P.U.D.; thence along the easterly line of said Parcel No. 28-23-327-006 and 28-23-327-007, South 07°48' West 59.90 feet to the north edge of an asphalt road; thence along the southerly boundary of said Parcel No. 28-23-327-007 and the northerly edge of said asphalt road the following seven (7) courses:

- (1) South 82°53'45" West 16.85 feet; (2) South 71°31'03" West 41.80 feet;
- (3) South 85°38'00" West 38.01 feet; (4) South 61°21'18" West 35.33 feet;
- (5) South 64°32'32" West 36.29 feet; (6) South 75°72'32" West 32.69 feet;
- (7) South 82°11'31" West 36.22 feet to the centerline of Little Willow Creek; thence Northwesterly along said creek 153.35 feet more or less, to intersect the southerly boundary of said Parcel No. 28-23-327-006; thence along the southerly boundary of said Parcel No. 28-23-327-006 the following two courses:
- (1) North 82°09'10" West 91.26 feet; (2) North 82°52'31" East 33.01 feet to the Point of Beginning;

The above described area contains approximately 0.73 acre.

SURVEYOR'S CERTIFICATION

I, Nolan C. Hathcock, a Professional Land Surveyor licensed under Title 58, Chapter 2, Section 2-201, of the Utah Code, do hereby certify that a final local entity plat, in accordance with Section 17-23-30, was made by me and shown hereto is a true and correct representation of said Final Local Entity Plat.

Nolan C. Hathcock, PROFESSIONAL LAND SURVEYOR

DATE: March 7, 2016



FINAL LOCAL ENTITY PLAT
GARMISH COVE
ANNEXATION TO SANDY CITY
PROPERTY SITUATE IN
THE SOUTHWEST QUARTER, RANGE 1 EAST,
TOWNSHIP 3 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN.

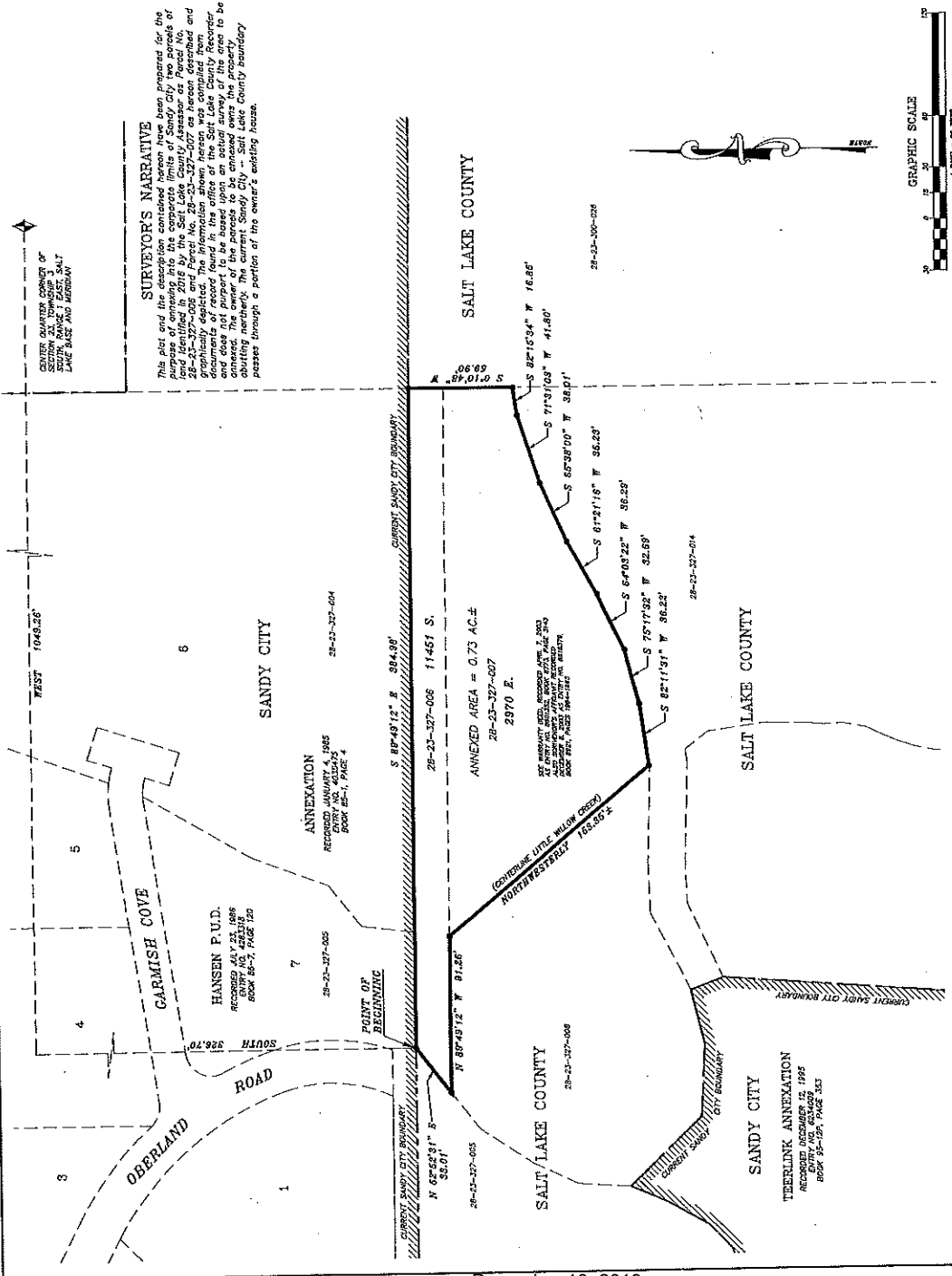
PREPARED DECEMBER 22, 2015
REVISED FEBRUARY 24, 2016



SALT LAKE COUNTY
RECORDED / 127,454 (LAPD)
Date of this County of Salt Lake, Nevada and
Filed at the request of
Sandy City
Page 8 of 8
Book 86-7
Entry No. 860154
Nolan C. Hathcock, Professional Land Surveyor

SURVEYOR'S NARRATIVE

This plat and the description contained herein have been prepared for the purpose of annexing into the corporate limits of Sandy City two parcels of land situated in the Southwest Quarter of Section 23, Township 3 South, Range 1 East, Salt Lake Base and Meridian, as shown on the plat. The information shown herein was compiled from documents of record found in the office of the Salt Lake County Recorder. The owner of the parcels to be annexed into the city limits of Sandy City is the current owner of the property abutting northerly. The current Sandy City - Salt Lake County boundary passes through a portion of the owner's existing house.



LEGEND

- SECTION CORNER MONUMENT (NOT SEARCHED FOR)
- ANGLE POINT IN ANNEXATION BOUNDARY (NOT MARKED)
- PREVIOUS ANNEXATION BOUNDARY
- CURRENT SANDY CITY BOUNDARY
- BOUNDARY OF ANNEXED AREA
- LOT OR PARCEL LINES

SALT LAKE COUNTY SURVEYOR
Approved this 22nd day of March, A.D. 2016,
Nolan C. Hathcock, Professional Land Surveyor
for the Salt Lake County Surveyor

DATE: March 7, 2016

ENGINEER'S CERTIFICATE
I hereby certify that this is a true and correct
representation of the Final Local Entity Plat
Deposited with the County of Salt Lake, Utah.

DATE: March 7, 2016

SANDY CITY ATTORNEY
Approved this 22nd day of March, A.D. 2016,
Nolan C. Hathcock, Professional Land Surveyor
for the Sandy City Attorney

DATE: March 7, 2016

SANDY CITY ENGINEER
Approved this 22nd day of March, A.D. 2016,
Nolan C. Hathcock, Professional Land Surveyor
for the Sandy City Engineer

DATE: March 7, 2016

PREPARED BY:
NOLAN C. HATHCOCK
SANDY CITY ENGINEER
SANDY, UTAH 84070
PHONE: 801-886-2885

ANNEXATION TO SANDY CITY
ANNEXED AREA = 38.5 ACRES±

that their portion of unincorporated Salt Lake County located between approximately 8220 South Street and 8400 South Street and between approximately 1500 East Street and Larimer Lane (715 East), enclosing any areas already included within the municipal boundaries of Sandy City, Utah, and unincorporated area is bounded by preburea annexations to Sandy City, Utah, their recordd plats of which are found in the office of the Salt Lake County Recorder, as follows:

.....

ANNEXATION TO SANDY CITY

APPROVED
SALT LAKE COUNTY

SALT LAKE

RECORDED / 122500
State of Utah County of Salt Lake

Filed at the request of:

Date: 3/2/2016 Time: 11:05 AM

Page: _____
No Fee
Printed: _____

OFFICE OF THE ATTORNEY GENERAL

[illegible]

Approved this 10th day of May

=====

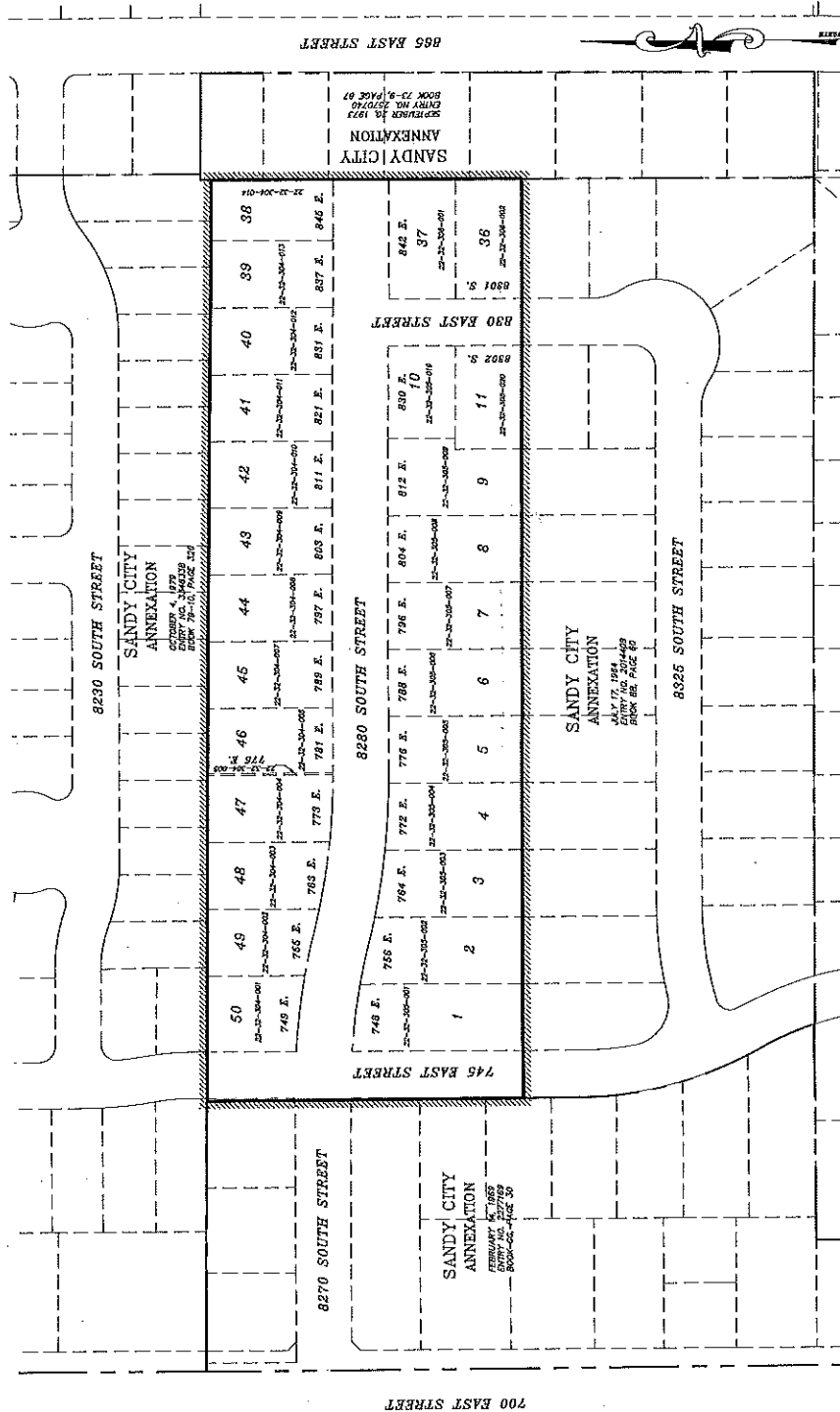
[illegible]

PREVIOUS ANNEXATION BOUNDARY
BOUNDARY OF ANNEXED AREA
LOT OR PARCEL LINES

1

~~37 of 89~~

FINAL LOCAL ENTITY PLAT
ISLAND NO. 8
ANNEXATION TO SANDY CITY
ANNEXED AREA = 7.7 ACRES±



ANNEXATION DESCRIPTION

ISLAND NO. 8 ANNEXATION DESCRIPTION

All that portion of unincorporated Salt Lake County located between approximately 8230 South Street and 8325 South Street and between approximately 745 East Street and 865 East Street, excepting any areas already included within the municipal boundaries of Sandy City, Utah, said unincorporated area is bounded by private improvements to Sandy City, the unincorporated area is located in the office of the Salt Lake County Recorder, as follows:

(1) Westerly by an annexation recorded February 14, 1989 as Entry No. 2277189 in Book 02 of plats at Page 30;

(2) Northerly by an annexation recorded October 4, 1979 as Entry No. 1346338 in Book 79-10 of plats at Page 128;

(3) Easterly by an annexation recorded September 20, 1973 as Entry No. 2307940 in Book 75-9 of plats at Page 87;

(4) Southerly by an annexation recorded July 17, 1984 as Entry No. 2014409 in Book 88 of plats at Page 50.

The above described area contains approximately 7.7 acres.

SURVEYOR'S NARRATIVE

The area graphically depicted and described herein is being annexed into the corporate limits of Sandy City as a result of Senate Bill 199 which was signed into law May 20, 2015. Said Senate Bill 199 required that the election held November 3, 2015 provide the residents of unincorporated portions of Salt Lake County the opportunity to express their will as to whether unincorporated areas should be annexed by an eligible city or remain in Salt Lake County. The area shown herein was designated as Island No. 8 and given a number designation by the Office of the Salt Lake County Clerk and then described by the office of the Salt Lake County Surveyor previous to said election. The area shown herein was designated as Island No. 8. The majority of the voters cast by the voters in Island No. 8 were in favor of the annexation of the area shown herein into Sandy City. The area shown herein is a true and correct representation of said final local entity plat. Island No. 8 is graphically depicted and described herein.

SURVEYOR'S CERTIFICATION

I, Nolan C. Hancock, a Professional Land Surveyor licensed under Title 88, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act, holding license no. 165346, do hereby certify that a final local entity plat in accordance with Section 17-25-20, was made by me and shown herein is a true and correct representation of said final local entity plat.

Nolan C. Hancock, Professional Land Surveyor

DATE: March 7, 2016

FINAL LOCAL ENTITY PLAT
ISLAND NO. 8
ANNEXATION TO SANDY CITY

PROPERTY SITUATE IN
THE SOUTHWEST QUARTER OF SECTION 32,
TOWNSHIP 2 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN.

PREPARED DECEMBER 7, 2015

ADDITION OF SURVEYOR'S NARRATIVE - JANUARY 12, 2016

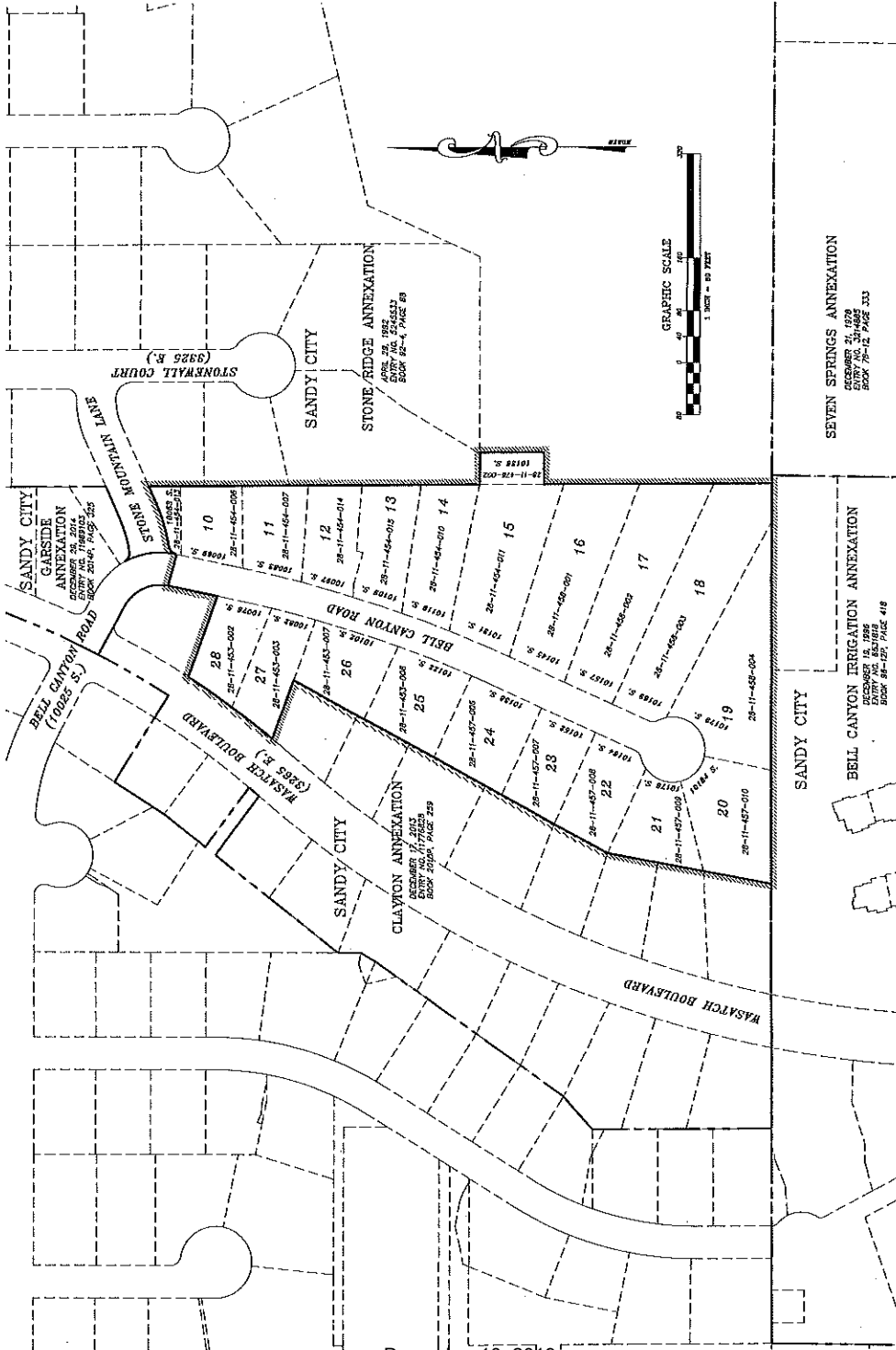
SALT LAKE COUNTY SURVEYOR	ENGINEER'S CERTIFICATE	SANDY CITY ATTORNEY	SALT LAKE COUNTY
Approved this 21st day of March, A.D. 2016, as a Final Local Entity Plat by the Salt Lake County Surveyor.	I hereby certify that this is a true and correct map of that area to be annexed to the Corporate Limits of Sandy City, Utah.	Approved this 21st day of March, A.D. 2016, as the Salt Lake County Attorney.	Recorded 1/25/2017 State of Utah, County of Salt Lake, Recorder and Trust of Records in the Office of the County Clerk.
<i>Nolan C. Hancock</i> SALT LAKE COUNTY SURVEYOR	<i>Nolan C. Hancock</i> SALT LAKE COUNTY ENGINEER	<i>Robert J. Smith</i> SANDY CITY ATTORNEY	<i>Robert J. Smith</i> SANDY CITY ATTORNEY
DATE: 10 March 2016	DATE: 10 March 2016	DATE: 10 March 2016	DATE: 10 March 2016

PREPARED BY:
NOLAN C. HANCOCK
SANDY CITY SURVEYOR
SANDY CITY, UTAH 84070
PHONE: 801-565-2886

LEGEND

PREVIOUS ANNEXATION BOUNDARY
BOUNDARY OF ANNEXED AREA
LOT OR PARCEL LINES

FINAL LOCAL ENTITY PLAT
ISLAND NO. 28
ANNEXATION TO SANDY CITY
ANNEXED AREA = 9.6 ACRES±



ANNEXATION DESCRIPTION

ISLAND NO. 28 ANNEXATION DESCRIPTION

All that portion of unincorporated Salt Lake County located between approximately Bell Canyon Road (10225 South) and 10200 South and between approximately Wasatch Boulevard (3325 East) and Stoneridge Court (3325 East), excepting any area already included within the municipal boundaries of Sandy City, Utah, said unincorporated area is bounded by previous annexations to Sandy City, this recorded plat of which are found in the office of the Salt Lake County Recorder, as follows:

- (1) Westside by the CLAYTON annexation recorded December 17, 2013 as Entry No. 11776828 in Book 2013P at page 259;
 - (2) Northside by the CLAYTON annexation recorded December 29, 2014 as Entry No. 15939103 in Book 2014P at page 325;
 - (3) Northside and Eastside by the STONE RIDGE annexation recorded April 29, 1992 as Entry No. 2245553 in Book 92-4 at page 40;
 - (4) Southside by the BELL CANYON IRRIGATION annexation recorded December 19, 1998 as Entry No. 820515 in Book 98-12P at page 410;
- The above described area contains approximately 9.6 acres.

SURVEYOR'S NARRATIVE

The area graphically depicted and described herein is being annexed into the corporate limits of Sandy City as a result of Senate Bill 199 which was signed into law May 30, 2013. Said Senate Bill 199 required that the annexation of unincorporated areas of Salt Lake County to the City of Sandy City be done in accordance with the provisions of the Utah Municipal Annexation Act. The area shown herein is the portion of Island No. 28 which is unincorporated. Unincorporated Salt Lake County "Islands" were identified and given a number designation by the Office of the Salt Lake County Clerk and are located by the Office of the Salt Lake County Surveyor. The majority of the water east by the water in Island No. 28 was in favor of annexation into the corporate limits of Sandy City. The intent of this annexation is to annex into Sandy City all parcels of land located within said Island No. 28 as graphically depicted and described herein.

SURVEYOR'S CERTIFICATION

I, Nolan C. Hathcock, a Professional Land Surveyor licensed under Title 28, Chapter 2, Section 2-201, Utah Code, and holding license No. 161346, do hereby certify that a final local entity plat, in accordance with Section 17-23-20, was made by me and shown herein is a true and correct representation of said Final Local Entity Plat.

Nolan C. Hathcock
NOLAN C. HATHCOCK, PROFESSIONAL LAND SURVEYOR

DATE: March 7, 2016

FINAL LOCAL ENTITY PLAT

ISLAND NO. 28

ANNEXATION TO SANDY CITY

PROPERTY SITUATE IN
THE SOUTHEAST QUARTER OF SECTION 11,
TOWNSHIP 3 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN.

PREPARED FEBRUARY 7, 2016
ADDITION: SURVEYOR'S NARRATIVE - JANUARY 12, 2016

SALT LAKE COUNTY SURVEYOR	ENGINEER'S CERTIFICATE	SANDY CITY ATTORNEY	SALT LAKE COUNTY
Approved this 21st day of December, A.D. 2016, as a Final Local Entity Plat by the Salt Lake County Surveyor.	I hereby certify that this is a true and correct map of that area to be annexed to the Corporation limits of Sandy City, Utah.	Approved this 23rd day of February, 2016, as the Salt Lake County Council as Ordinance No. 2016-01, in the name of the City of Sandy City.	RECORDED 12:25AM '16 State of Utah, County of Salt Lake, Recorder and File # of the Record of Sandy City Date of Filing: 12/23/2016 Page: 28 Book: 2016P Page: 410
PREPARED BY: NOLAN C. HATHCOCK SANDY CITY SURVEYOR SANDY CITY, UTAH 84070 PHONE: 801-583-2965	FILED BY: Nolan C. Hathcock SALT LAKE COUNTY SURVEYOR	FILED BY: Nolan C. Hathcock SANDY CITY ATTORNEY	FILED BY: Nolan C. Hathcock SALT LAKE COUNTY RECORDER

LEGEND

- PERMITS ANCHORAGE ADJACENCY
- BOUNDARY OF ANCESTRAL AREA
- LOT OR PARCELS LINES

FINAL LOCAL ENTITY PLAT
ISLAND NO. 35
ANNEXATION TO SANDY CITY
ANNEXED AREA = 2.7 ACRES±

ANNEXATION DESCRIPTION

ISLAND NO. 35 ANNEXATION DESCRIPTION:
All that portion of unincorporated Salt Lake County located between approximately Susan Drive (11025 South) and 11150 South Street and between approximately 1700 East Street and Susan Drive (1765 East); encompassing any area already included within the municipal boundaries of Sandy City, Utah, and any area not included within the municipal boundaries of Sandy City, Utah, that is not included in a recorded plat or previously annexed to Sandy City, Utah, and is located within the Salt Lake County Survey, as follows:
(1) West half by the TAYLOR annexation recorded August 25, 1985 as Entry No. 4815392 in Book 89-8 of plats at Page 88;
(2) Northeast, East half and Southwest by an annexation recorded March 6, 1972 as Entry No. 2441085 in Book 86 of plats at Page 86;
The above described area contains approximately 2.7 acres.

SURVEYOR'S NARRATIVE

The area graphically depicted and described herein is being annexed into the corporate limits of Sandy City as a result of Senate Bill 199 which was signed into law May 30, 2015. Said Senate Bill 199 required that the election of March 3, 2015 provide the residents of unincorporated portions of Salt Lake County the opportunity to vote on whether or not they wished to be annexed into the corporate limits of an eligible city or ranch. Unincorporated islands should be annexed by an eligible city or ranch when a number designation by the Office of the Salt Lake County Clerk and then described by the Office of the Salt Lake County Surveyor previous to the election of March 3, 2015, is recorded in the Salt Lake County Survey. The majority of the voters east by this voters in Island No. 35 were in favor of annexation into the corporate limits of Sandy City. The intent of this annexation is to annex into Sandy City all parcels of land located within said Island No. 35 as graphically depicted and described herein.

SURVEYOR'S CERTIFICATION

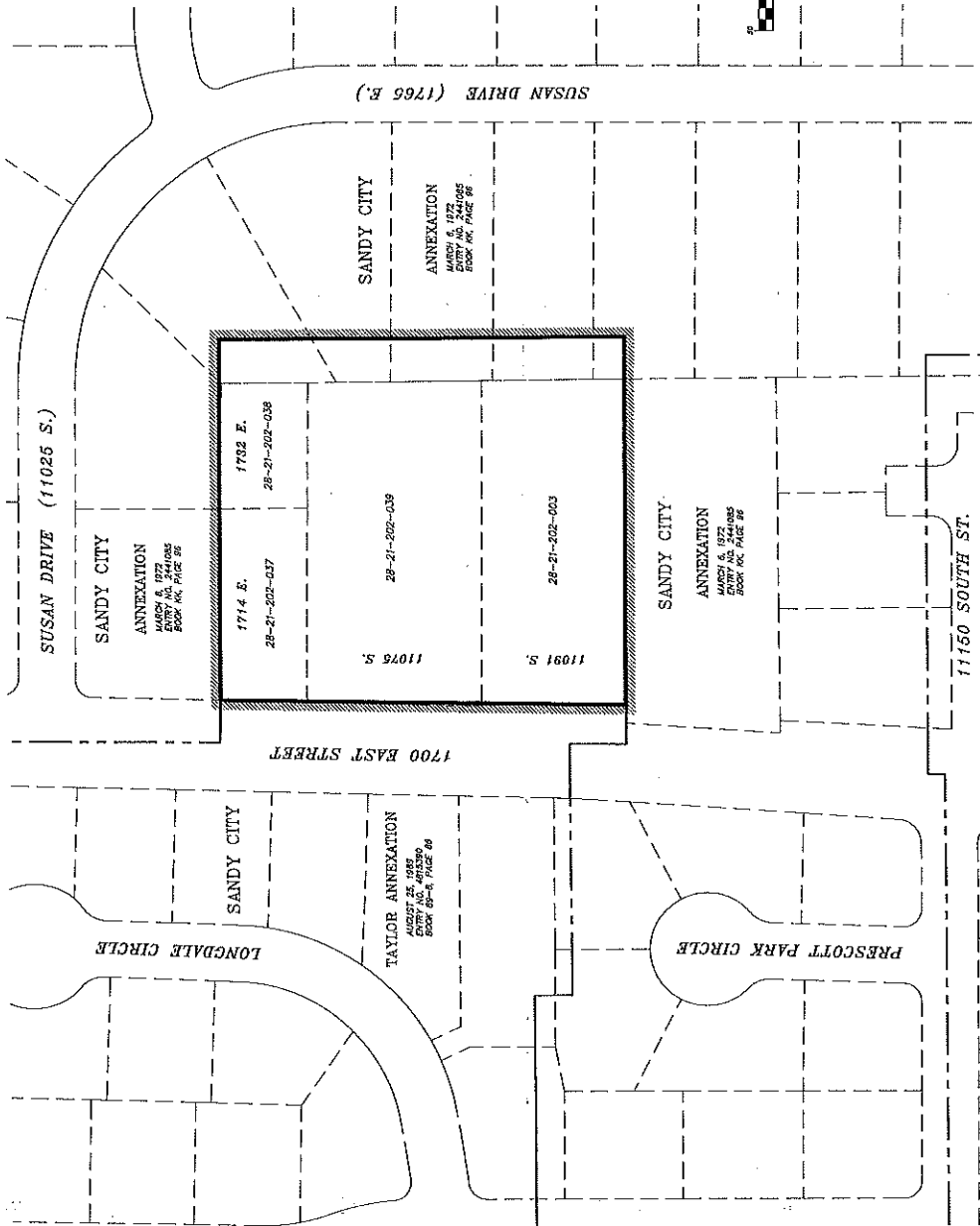
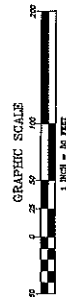
I, Nolan C. Harkcock, a Professional Land Surveyor licensed under Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act, holding license no. 166346, do hereby certify that a final local entity plat of Island No. 35, as graphically depicted and described herein, is a true and correct representation of said Final Local Entity Plat.

Nolan C. Harkcock
NOLAN C. HARKCOCK, PROFESSIONAL LAND SURVEYOR

DATE: March 7, 2016



FINAL LOCAL ENTITY PLAT
ISLAND NO. 35
ANNEXATION TO SANDY CITY
PROPERTY SITUATE IN
THE NORTHEAST QUARTER OF SECTION 21,
TOWNSHIP 3 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN.



LEGEND

PREVIOUS ANNEXATION BOUNDARY
BOUNDARY OF ANNEXED AREA
LOT OR PARCEL LINES

PREPARED BY:
NOLAN C. HARKCOCK
SANDY CITY SURVEYOR
ENTRY NO. 2441085
BOOK 86 PAGE 86
PHONE: 801-566-2985

SALT LAKE COUNTY SURVEYOR
Approved this 28th day of December, A.D. 2016,
as a Final Local Entity Plat by the Salt Lake County
Surveyor.

DATE: 12/28/2016

ENGINEER'S CERTIFICATE
I hereby certify that this is a true and correct
map of that area to be annexed to the
Corporate Limits of Sandy City, Utah.

DATE: 12/28/2016

SANDY CITY APPLICANT
Approved this 28th day of December, A.D. 2016,
the Sandy City Council as Ordinance
Filed at the request of:
Sandy City Council Chair
Sandy City Clerk
Sandy City Recorder

DATE: 12/28/2016

PREPARED BY:
NOLAN C. HARKCOCK
SANDY CITY SURVEYOR
ENTRY NO. 2441085
BOOK 86 PAGE 86
PHONE: 801-566-2985

DATE: 12/28/2016

28-21-21

NORTH QUARTER CORNER OF
SECTION 11, TOWNSHIP 3
SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND
MERIDIAN

A portion of unincorporated Salt Lake County identified as Unincorporated Salt Lake County Island No. 23, located in the Northwest Quarter of Section 17, Township 33 South, Range 1 East, Salt Lake Base and Meridian described by metes and bounds as follows:

[illegible]

The above described area contains approximately 7.9 acres.

I, Nelson C. Hathcock, 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 plat, in accordance with Section 17-23-20, was made by me and shown thereon is a true and correct representation of said Final Local Entity Plat.

Nolan C. Hathcock
NOLAN C. HATHCOCK, PROFESSIONAL LAND SURVEYOR

DATE: MARCH 7, 2016

FOXWOOD LANE

ANNEXATION TO SANDY CITY

GRAPHIC SCALE
50 100
1 INCH = 50 FEET

PREPARED DECEMBER 28, 1917

TY APPROVAL *

of February A.D. 1861
as Ordinance No. 16-07.

FILED
CLERK OF DISTRICT COURT
SANDY CITY

Mully, S. J.
 Mully, S. J.
 Date: 3/17/14 Time: 11:20 AM Book: 2016
 Paper: 123

SANDY GTR RECORDER	No Fee FAR \$	Deputy Sall Lake County Recorder
--------------------	------------------	----------------------------------

28-11-12

ENGINEER'S CERTIFICATE

herby certify that this is a true and correct
map of that area to be annexed to the

Corporate Limits of Sandy City, Utah.

2011

Wm. L. F. L. L. L. L. DATE
GANDY CITY ENGINEER

SALT LAKE COUNTY SURVEYOR

Approved this 10 day of March A.D. 2016
as a Final Local Entry Plot by the Salt Lake County

***1066**

0

10, 1968

DATE

SALT LAKE COUNTY SURVEYOR

SURVEYOR'S NARRATIVE

This plat and the description contained herein have been prepared for the purpose of annexing into the corporate limits of Sandy City the area described and graphically depicted hereon. The information hereon was compiled from documents of record found in the office of the Salt Lake County Recorder and does not purport to be

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

INDEXED AND ABSTRACTED NOT SEARCHED FOR

ABSTRACTS

CITY BOUNDARY

ANNEXED AREA

LINES

UNIVERSITY

CONCLUSIONS

1

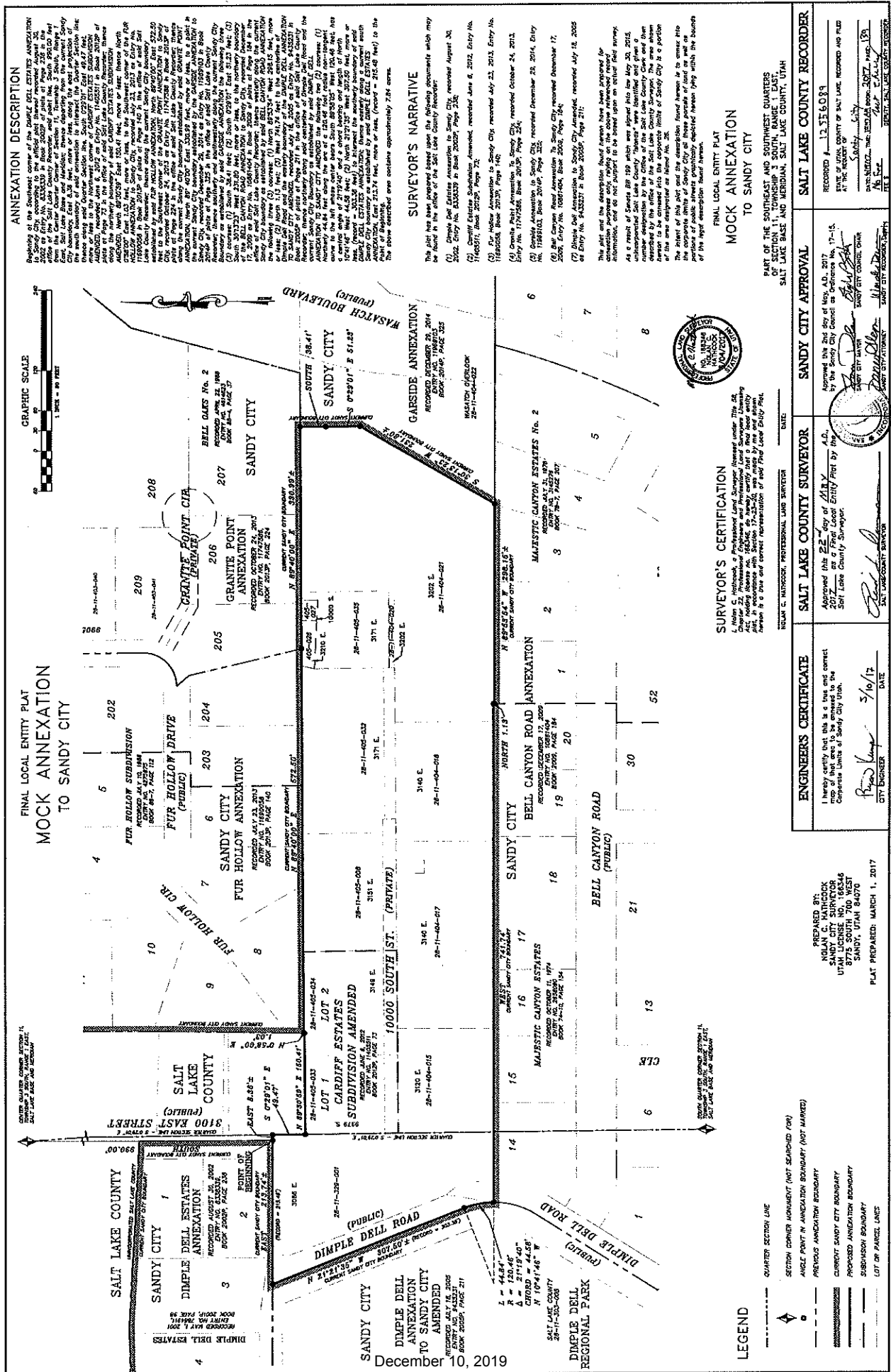
Weller

1

11

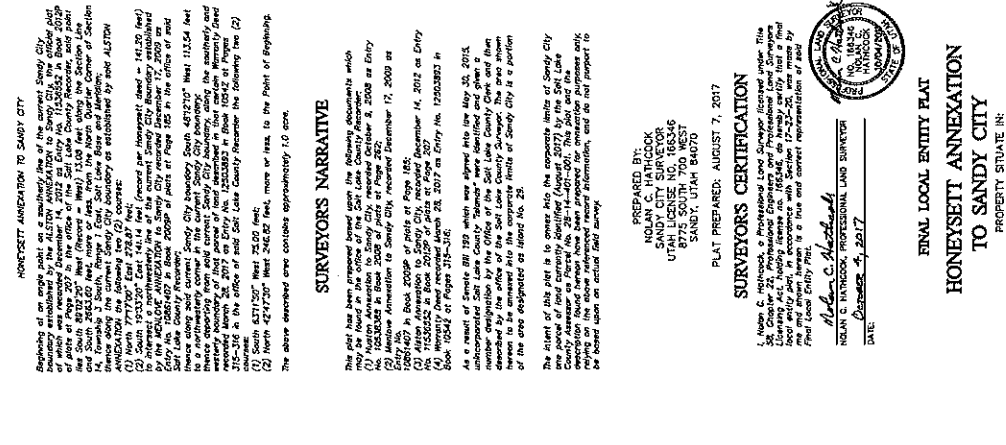
43 of 89

46 of 89



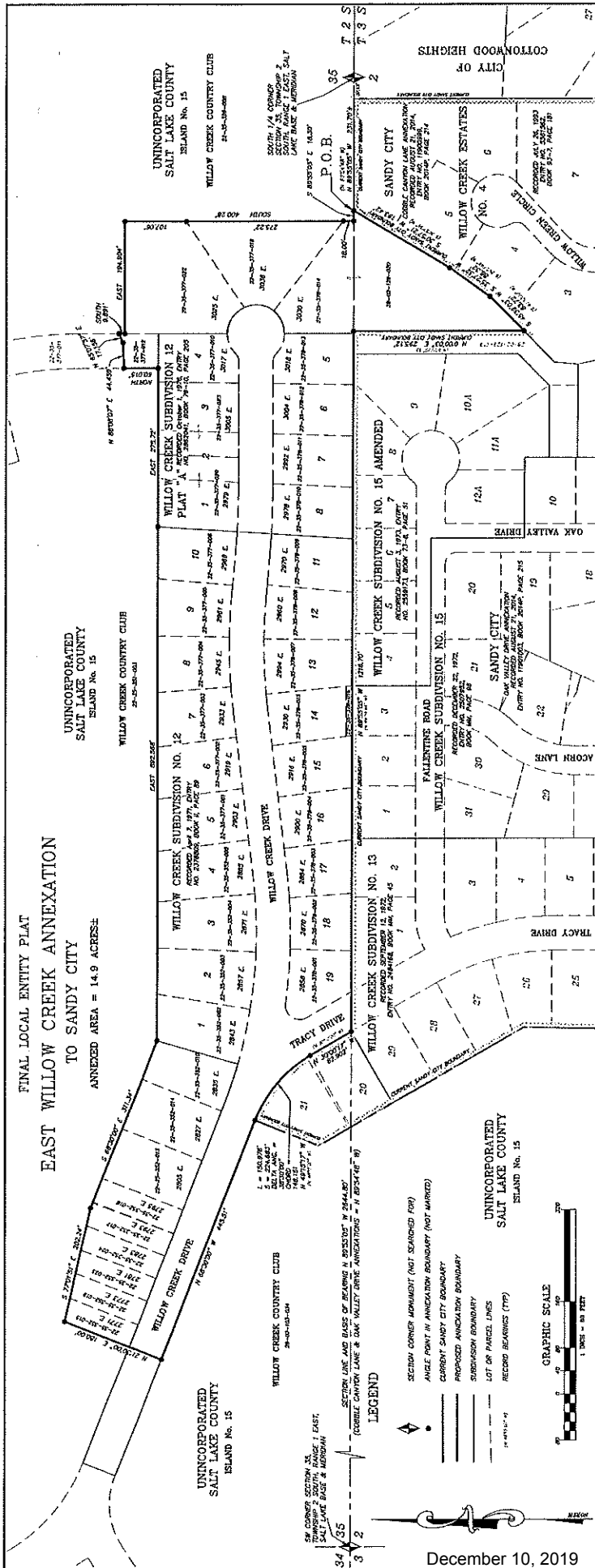
ANNEXATION DESCRIPTION

S 89°02'20" W 13.08'
(DEED - WEST)



SECTION CORNER MONUMENT (NOT SEARCHED FOR)
ANGLE POINT IN ANNEXATION BOUNDARY (NOT MARKED)
PREVIOUS ANNEXATION BOUNDARY
CURRENT SANDY CITY BOUNDARY
BOUNDARY OF ANNEXED AREA
LOT OR PARCEL LINES

$$2P = 14 \times 41, \quad 2P = 11 \times 21$$



SURVEYOR'S NARRATIVE:

This plot and the description contained herein have been prepared based upon the following plots and documents which may be found in the office of the Salt Lake County Recorder:

- [illegible]

ANNEXATION	DESCRIPTION
------------	-------------

FROM THE UNIVERSITY OF CALIFORNIA, BERKELEY

WICKLEY ROAD
ALDINGTON
TO SANDY CITY

[illegible]

100

Publication	Year	Country	Sample Size	Effect Size
1. Smith et al.	2015	USA	1,200	0.15
2. Jones et al.	2016	UK	800	0.12
3. Brown et al.	2017	Canada	950	0.18
4. White et al.	2018	Australia	1,100	0.14
5. Black et al.	2019	Germany	1,300	0.16
6. Green et al.	2020	France	1,050	0.13
7. Grey et al.	2021	Italy	1,150	0.17
8. White et al.	2022	Spain	1,250	0.15
9. Black et al.	2023	Japan	1,350	0.16
10. Green et al.	2024	South Korea	1,400	0.17

[illegible]

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843

SURVEYORS' CERTIFICATION
I, Nolan C. Hathcock, a Professional Land Surveyor, licensed under Title 58, Chapter 222, Professional Engineers and Professional Land Surveyors Licensing Act, holding license no. 166346, do hereby certify that a final local entity plat, in accordance with Section 17-23-20, was made by me and shown hereon is a true and correct representation of said final Local Entity Plat.

Nolan C. Hathcock
NOLAN C. HATHCOCK, PROFESSIONAL LAND SURVEYOR
DATE: SEPTEMBER 18, 2018

FINAL LOCAL ENTITY PLAT
EAST WILLOW CREEK ANNEXATION
TO SANDY CITY

PROPERTY SITUATE IN THE NORTHWEST QUARTER OF
SECTION 2, TOWNSHIP 3 SOUTH, RANGE 1 EAST,
AND THE SOUTHWEST QUARTER OF SECTION 35,
TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN
JULY 3, 2018

<p><i>Paul J. D.</i></p> <p>Approved this 22nd day of <u>October</u> A.D. 2018 I hereby certify that entry paid to the Salt Lake County Surveyor.</p>	<p><i>Payson King</i> 9/16/18</p> <p>ENGINEER'S CERTIFICATE</p> <p>I hereby certify that this is a true and correct copy of the Survey returned to the County Office of Salt Lake City, Utah.</p>	<p><i>John A. King</i></p> <p>SANDY CITY WATER</p> <p>SANDY CITY APPROVAL</p> <p>Approved this 11th day of September, A.D. 2018 The Sandy City Council on September 11, 2018 at the City of Sandy, Utah.</p>	<p>RECORDED # 130695033 FILED AT THE OFFICE OF THE CLERK OF THE DISTRICT COURT SANDY CITY, UTAH</p> <p>DEPUTY CLERK OF DISTRICT COURT SANDY CITY, UTAH</p>	<p>SALT LAKE COUNTY</p>
--	---	--	--	-------------------------

PREPARED BY:
NOLAN C. HATHCO
SANDY CITY SURV
8775 S. 700 V
SANDY UTAH 84

2010 P. 3A6

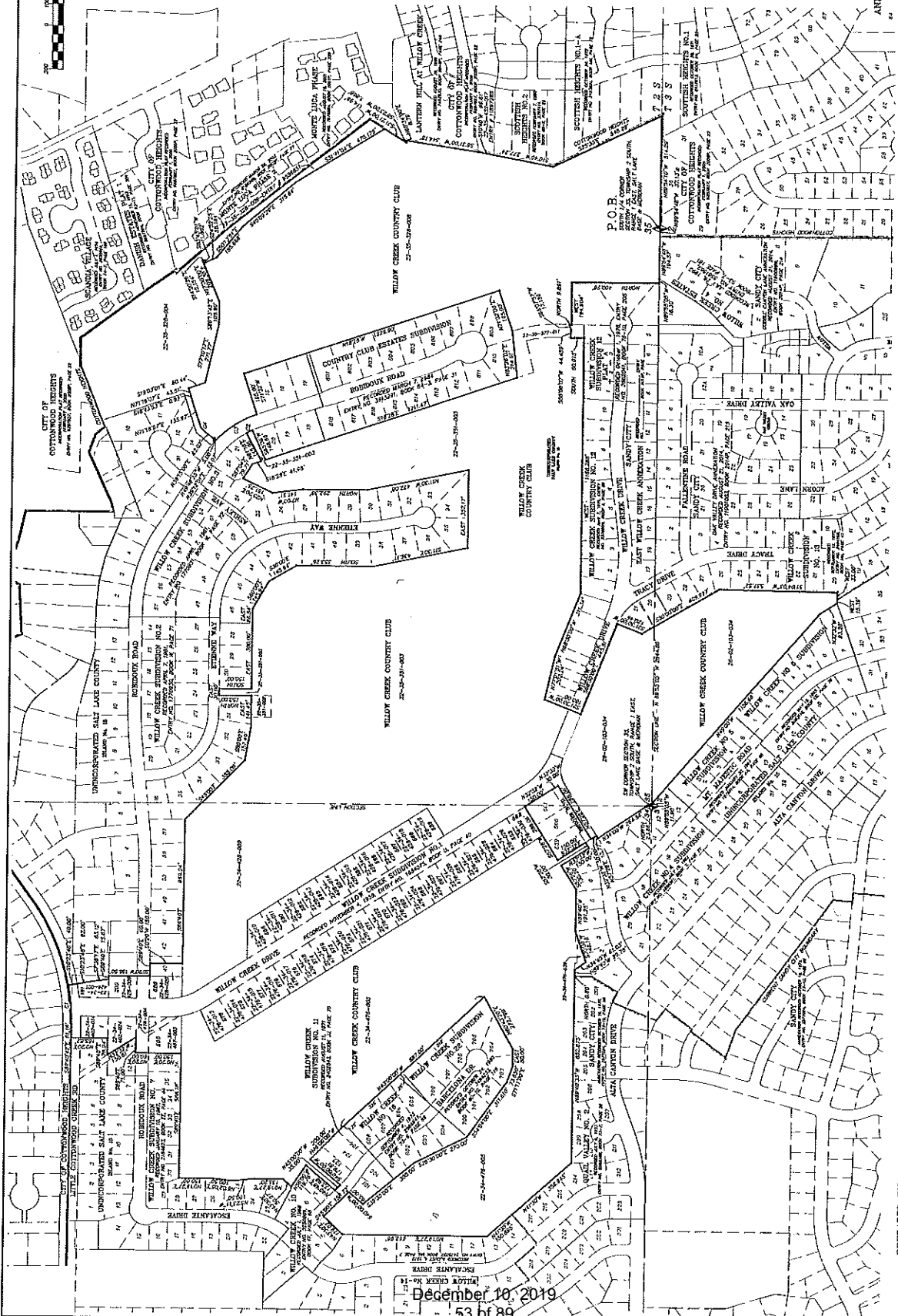
GRAPHIC SCALE
1 INCH = 100 FEET



ANNEXED AREA - 176.5 ACRES ±

FINAL LOCAL ENTITY PLAT
WILLOW CREEK COUNTRY CLUB
ANNEXATION TO SANDY CITY

SHEET 2 OF 2



SITUATE IN THE SOUTHEAST QUARTER OF SECTION 34,
THE SOUTHWEST AND SOUTHEAST QUARTERS OF SECTION 35,
AND IN THE NORTHWEST QUARTER OF SECTION 2,
TOWNSHIP 3 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN

AREA	ACRES	PERCENT
ANNEXED AREA	176.5	100.00
RESERVED AREA	0.0	0.00
TOTAL AREA	176.5	100.00

PREPARED BY:
NOLAN C. HATHCOCK
SANDY CITY SURVEYOR
879 S. 700 W.
SANDY, UTAH 84070

MOSHER
ANNEXATION TO SANDY CITY.

[illegible]

¹ Beginning at the Southwesterly Corner of Lot 7, HANSEN P.L.D., recorded July 21, 1980 as Entry No. 4283331 in Book 86-7 of plats 20 in the office of the Salt Lake County Recorder, and point also being on the current Sandy City boundary as established by a previous annexation to Sandy City recorded January 4, 1985 as Entry No. 4032478 in book 85-1; of plats of Page 6 in the office of said Salt Lake County Recorder, and point also being on the current Sandy City boundary as established by a plat to Sandy City recorded March 31, 2018 as Entry No. 12505077 in Book 2018-6 of plats of Page 84 in the office of said Salt Lake County Recorder, said point lies West 1049.25 feet East and South 379.70 feet from the Center Quarter Corner of Section 33 Township 3 North, Range 10 East, Salt Lake Base and Meridian as established by said HANSEN P.L.D.; and

² Beginning at the Southeast corner of the easternmost parcel of land designated as AMERICAN LOUTH #25231-31, West 17.01 feet; thence easterly from said current Sandy City boundary and along the easterly boundary of said parcels of land designated as Parcel Nos. 25-22-236-006 the following four (4) courses:

(1) South 52°29'21" West 28.86 feet; (2) South 33°48'26" West 38.65 feet; (3) South 24°48'4" West 29.19 feet; (4) South 47°21'1" West 30.60 feet to a point on the current Sandy City boundary established by the FIRE/INK ANCIENITY to Sandy City Ordinance 12, 1995 as Entry No. 623-0009, Book 95-12p of plats at Page 353 in the office of said Salt Lake County Recorder, hence along said current Sandy City boundary and the southerly boundary of said Parcel 28-23--23--006 the following survey:

(1) South 23°4'02" West 23.43 feet; (2) South 29°5'53" West 27.84 feet;

(3) South 46°49'32" West 19.09 feet; (4) South 71°26'02" West 54.41 feet;
(5) South 88°24'45" West 44.62 feet; (6) North 55°34'40" West 39.70 feet;

(7) North 35°50'33" West 51.49 feet, more or less, to intersect the westerly line of the Northeast Quarter of the Southwest Quarter of said Section 23 and the current Sandy

City boundary established by a previous annexation to Sandy City, recorded December 19, 1979 as Entry No. 3379569 in Book 79-12 at Page 363 in the office of said Salt Lake County Recorder, thence along said line, North (Doubt = North 008°35' East) 137.70 feet,

more or less, to a current Sandy City boundary established by said previous annexation to Sandy City recorded as Entry No. 4033475; thence East (Annexation plat shows 1/4 mile) 978.10 feet along said current Sandy City boundary to the Sandy City boundary.

The above described area contains approximately 0.89 acre.

I, Nolan C. Hathcock, 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 plat in accordance with Section 17-23-20, was made by me and shown to the person is a true and correct representation of said Final Local Entity Plat.

Melanie Netherton

DATE: November 16, 2018

FINAL LOCAL ENTITY PLAT

MOSHER

PROPERTY SITUATE IN
THE SOUTHWEST QUARTER OF SECTION 23,
TOWNSHIP 3 SOUTH, RANGE 1 EAST,
SALT LAKE BASE AND MERIDIAN.

<p>SALT LAKE COUNTY SURVEYOR</p> <p>Approved this <u>12th</u> day of <u>December</u>, A.D. 2018, as a Final Local Entry Filed by the Salt Lake County Surveyor.</p> <p><i>[Signature]</i> SALT LAKE COUNTY SURVEYOR</p> <p>DATE: <u>12-04-2018</u></p>	<p>ENGINEER'S CERTIFICATE</p> <p>I hereby certify that this is a true and correct copy of the map of first entry to be given to the County of Salt Lake, Utah.</p> <p><i>[Signature]</i> SALT CITY ENGINEER</p> <p>DATE: <u>11/16/18</u></p>	<p>SANDY CITY APPROVAL</p> <p>Approved this <u>4th</u> day of November, A.D. 2018 by the Sandy City Council on Ordinance No. 16-123.</p> <p><i>[Signature]</i> SALT CITY COUNCIL CHAIR</p>	<p>SALT LAKE COUNTY</p> <p>RECORDED: <u>13/04/23</u></p> <p>County of Utah, County of Salt Lake, Recorder and State of this report is:</p> <p><u>0684 119</u></p> <p>DATE: <u>12-04-2018</u> Book: <u>20182</u> Page: <u>412</u></p> <p><i>[Signature]</i> COUNTY SALT LAKE COUNTY RECORDER</p> <p>Pin: <u>5</u></p>
---	---	---	---

PREPARED BY:
NOLAN C. HATHCOCK
SANDY CITY SURVEYOR
8775 S. 700 W.
SANDY, UTAH 84070
PHONE: 801-568-2965

SECTION CORNER MONUMENT (NOT SEARCHED FOR)
ANGLE POINT IN ANNEXATION BOUNDARY (NOT MARKED)
PREVIOUS ANNEXATION BOUNDARY
CURRENT SANDY CITY BOUNDARY
BOUNDARY OF ANNEXED AREA
LOT OR PARCEL LINES
EXISTING PRIVATE RIGHT-OF-WAY

2018 422

December 10, 2019

N 89°45'53" E 2639.329 (PINECONE SUBDIVISION) SECTION LINE - BASIS OF BEARING

MOUNTAIN STATES HOLDINGS, L.P.
 10000 MOUNTAIN STATES DRIVE, SUITE 1700
 DALLAS, TEXAS 75243-1700
 EVERY DAY, 9:00 AM - 5:00 PM, 2014

SURVEYOR'S NARRATIVE

This plot and the description contained hereon have been prepared for the purpose of attaching to the same the appropriate limits of Sandy Creek section of two parcels of land

BOOK 102-4, PAGE 5800-5801
FACILE NO. 26-41-119-02

As a result of Senate Bill 199 which was signed into law July 30, 2012, unincorporated Salt Lake County "Islands" were identified and given a number designation by the Office of the Salt Lake County Clerk and then described by the office of the Salt Lake County Assessor. The area shown herein to be entered into the corporate limits of Sandy City is a portion of the area designated as Island 29-11-104-029 as herein described and graphically depicted.

No. 25. This plot and the description found hereon have been prepared for annexation purposes only, relying on the record information cited hereon. This plot does not purport to be based upon an actual field survey. The intent of this plot and the

description round hereon is to annex into the corporate limits of Sandy City all these parcels of land as well as any public or private streets shown hereon within the bounds of the legal description also found hereon.

THE ERICH L. FREUDTZ FAMILY PROTECTION TRUST
DATED 7TH DAY OF JUNE, 1999
LOCAL, DISTRICT, STATE AND FEDERAL
SPECIAL WARRANTY DEED.
RECORDED NOVEMBER 17, 2010
ENTRY NO. 1107284, BOOK 3893, PAGES 97-97A1
PARCEL NO. 25-01-125-015

UNINCORPORATED

CURRENT SANDY CITY BOUNDARY

RECEIVED
SANDY CITY
(H1005)
#5 00-0 S

—

GRAPHIC SCALE

0 10 20 30 40

SECTION CORNER MOVEMENT (NOT SEARCHED FOR)
ANGLE POINT IN ANNEXATION BOUNDARY (NOT MARKED)
PREVIOUS ANNEXATION BOUNDARY
CURRENT SANDY CITY BOUNDARY
BOUNDARY OF ANNEXED AREA
LOT OR PARCEL LINES
APPROXIMATE RIGHT-OF-WAY LINE

PREPARED BY:
NOLAN & ASSOCIATES, INC.
SANDY CITY SURVEYOR
SANDY, UTAH 84070
8775 S. 700 W.
PHONE: 801-566-2365

100

~~55 of 89~~



Staff Report

File #: 19-458, **Version:** 1

Date: 12/10/2019

Agenda Item Title:

Aministrative Services Department recommending that the Council make a Municode Correction for Purchasing Ordinance #18-07

Presenter: Brian Kelley

Description/Background:

This amendment is to correct a clerical error that occurred with the adoption of Municode this past year. On March 13, 2018 the City Council adopted Ordinance #18-07 amending Title 11 of the purchasing ordinance (now Title 7). Among other items, the amendment increased a purchasing threshold from \$25,000 to \$40,000 in various sections. However, with the implementation of Municode, changes were not reflected in all sections of the updated ordinance. The following sections were not updated correctly with the Municode implementation:

7-1-5 Scope

(c) Cooperative Procurements

(f) Goods and Services Costing \$5,001 to \$25,000 - Three Written Bids

In these two sections, all instances of \$25,000 should be corrected to read \$40,000 to match what was adopted in March 2018. Other amendments adopted in the #18-07 Ordinance were updated correctly.

Please see the attached ordinance #19-32 for specific language.

Recommended Action and/or Suggested Motion:

Motion to adopt Ordinance 19-32

ORDINANCE #19-32

AN ORDINANCE UPDATING THE SANDY CITY CODE TITLE 7, "PURCHASING PROCEDURES", CHAPTER 7-1, "PURCHASING" BY AMENDING SECTION 7-1-5, "SCOPE"; ALSO PROVIDING A SAVING CLAUSE FOR THE ORDINANCE AND AN EFFECTIVE DATE.

WHEREAS, it is necessary to update the Sandy City Code by amending Title 7, "Purchasing Procedures", Chapter 7-1, "Purchasing" by amending Section 7-1-5, "Scope"; 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. The Sandy City Code, Title 7, "Purchasing Procedures", is hereby amended by updating Section 7-1-5, "Scope" of Chapter 7-1, "Purchasing", as set forth in **Exhibit "A"** which is attached to and incorporated in this ordinance.

Section 2. All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the Code hereby adopted 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 circumstances is held invalid, 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 and the City Recorder is hereby directed to publish such summary as soon as practically possible.

PASSED AND APPROVED by the Sandy City Council this ____ day of _____, 2019.

Chris McCandless, Sandy City Council

PRESENTED to the Mayor this ____ day of _____, 2019.

APPROVED by the Mayor this ____ day of _____, 2019.

Kurt Bradburn, Mayor

ATTEST:

City Recorder

RECORDED this _____ day of _____, 2019.

SUMMARY PUBLISHED this _____ day of _____, 2019.

EXHIBIT “A”

TITLE 7 – PURCHASING PROCEDURES

CHAPTER 7-1. – PURCHASING

Sec. 7-1-5. – Scope.

(c) *Cooperative Procurements.* The City may join with other units of Federal, State or local government, or with special districts, school districts, and such other similar agencies as the City Council may by resolution direct, in purchasing goods and services. In such cases the City is encouraged, but is not required to follow a competitive bidding process or request for proposals where that would be required if the service or goods were procured by the City alone. Notwithstanding the foregoing, purchases shall be made in accordance with state law, such as U.C.A. 1953, § 10-7-20, regarding contracts for new public improvements construction costs where the estimated cost exceeds ~~\$25,000.00~~40,000.00.

(f) *Goods and Services Costing \$5,001.00 to ~~\$25,000.00~~40,000.00—Three Written Bids.* Procurements of goods and services reasonably expected to cost more than \$5,001.00 but not more than ~~\$25,000.00~~40,000.00 in total shall require the receipt of three bids or proposals in writing unless three vendors willing to submit such bids or proposals cannot reasonably be obtained. In the event three vendors willing to provide quotes cannot reasonably be obtained, then the Purchasing Agent or Department Buyer shall make a signed written record of quotes and product and service information about each vendor willing to provide quotes, and a record of efforts to obtain other quotes. Procurements within this subsection shall be made by purchase order unless made by written contract.

(Revised Ords. 1978, § 11-1-5; Ord. No. 18-07, § 1(exh. A, § 11-1-5), 3-20-2018; Ord. No. 18-31, § 1(11-1-5), 11-13-2018)

ORDINANCE # 18-07

AN ORDINANCE AMENDING THE REVISED ORDINANCES OF SANDY CITY TITLE 11, "PURCHASING PROCEDURES;" ALSO PROVIDING A SAVING CLAUSE FOR THE ORDINANCE AND AN EFFECTIVE DATE.

WHEREAS, it is necessary to amend the Revised Ordinances of Sandy City Title 11, "Purchasing Procedures"; 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. Amendment. Title 11 of the Revised Ordinances of Sandy City is hereby amended as set forth in **Exhibit "A"** which is attached to and incorporated in this ordinance. All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the Code hereby adopted are hereby repealed.

Section 2. Severable. The provisions of this ordinance shall be severable; and if any provision thereof, or the application of such provision under any circumstances is held invalid, it shall not affect any other provision of this ordinance, or the application in a different circumstance.

Section 3. Effective. This ordinance shall become effective upon publication of a summary thereof and the City Recorder is hereby directed to publish such summary as soon as practically possible.

PASSED AND APPROVED by the Sandy City Council this 13th day of March, 2018.


Linda Martinez Saville, Chairman
Sandy City Council

PRESENTED to the Mayor this 16th day of March, 2018.

APPROVED by the Mayor this 16th day of March, 2018.



Kurt Bradburn, Mayor

ATTEST:


City Recorder

RECORDED this 19th day of March, 2018.

SUMMARY PUBLISHED this 20th day of March, 2018.

EXHIBIT "A"

TITLE 11 PURCHASING PROCEDURES

Chapter 1 PURCHASING

11-1-1. Purpose.

The underlying purposes of this ordinance are:

- (a) To provide for the economy, efficiency, and to encourage competition in City procurement activities.
- (b) To procure the best services, materials and construction at the most reasonable cost to the City.
- (c) To provide fair treatment of persons who conduct business or wish to do business with the City.

Nothing in this statement of purposes shall create rights, interests, or causes of action against the City, its officers, agents or employees. Failure to follow the procedures set out herein shall not invalidate a procurement unless otherwise provided by law.

11-1-2. Definitions.

As used in this chapter:

"Business day" means a day when Sandy City administration offices are open for public business.

"City" means Sandy City Corporation.

"City Purchasing Agent" or "Purchasing Agent" means the purchasing agent or assistants whose duties include procurements of goods and services for the entire City.

"Department Buyer" means the person or persons charged by a City department head to make procurements for that department.

"Emergency" means an imminent threat to the public's health, welfare, safety or of an imminent and substantial risk of injury or loss to property under conditions which reasonably do not permit fulfilling all of the purchasing requirements provided for in this chapter.

"Item" means goods, services, or a combination of both, of one type.

"Professional services" includes, but is not limited to the following services: medical diagnosis or treatment; veterinary; psychological or emotional diagnosis, testing, analysis, counseling or treatment; auditing; banking; insurance; bonding; risk management; engineering; architectural; legal; public surveying and statistical analysis; hazardous substance consulting and disposal; construction management; tax consulting; financial investment; appraisal; title research; geology consulting; hydrology; history; technical writing; seismic consulting; impresarios, producers, directors, music conductors, choreographers, authors, artists, and other artistic services; and other consulting services which require a high level of training, skill and special knowledge not common among lay people.

"Provider" means a person who offers or provides goods, services, or a combination of both to the City under contract.

11-1-3. Purchasing Agent, Specifications.

The City may appoint a Purchasing Agent whose duties shall be defined by the City Administrator and the Finance Director. Those duties may include: procurement, soliciting bids and proposals, negotiating, recommending and administering contracts, advising departments on procurements, maintaining a bidders' list, vendors' catalogue files, and records needed for the efficient operation of his or her duties, making written determinations for the City, and the development and maintenance of forms as are reasonably needed for the purposes of this chapter, supervise the inspection of supplies and equipment. The Purchasing Agent may recommend rules and regulations to govern matters covered by this ordinance, including, but not limited to protests and appeals, the preparation, maintenance, and content of specifications for supplies, services and construction required by the City. One or more assistants may be employed to assist the City Purchasing Agent in performing his or her duties.

11-1-4. Specifications.

The City may prepare specifications for the purchase of goods, services and construction which contain information and detail which seeks to promote the purposes of this Chapter 11-1. The specifications shall be maintained for the period of time required by law. The Purchasing Agent may, in addition, promulgate rules and regulations to govern the preparation, maintenance, and content of specifications for supplies, services and construction required by the City for the purposes set out in this Section.

11-1-5. Scope.

(a) *Superior or More Suitable Products.* Whenever the requisitioning department head or his or her designated representative finds in a signed memorandum a copy of which shall be sent to the Purchasing Agent and the City Administrator, that a particular product significantly surpasses competing products in terms of quality, serviceability or longevity, or that such a product is better suited to the needs of the City in order to lower costs of inventory, to maintain compatibility with City equipment, or because doing so will lower the costs of service or

procurements, such a product may be procured notwithstanding the fact that a competing product could be procured at a lower cost.

(b) *State or Federal Purchasing Prices.* The City need not solicit competitive bids or proposals when making procurements through cooperative purchasing contracts administered by the State Division of Purchasing, or an agency of the Federal government, the benefits of which are also available to the City.

(c) *Cooperative Procurements.* The City may join with other units of Federal, State or local government, or with special districts, school districts, and such other similar agencies as the City Council may by resolution direct, in purchasing goods and services. In such cases the City is encouraged, but is not required to follow a competitive bidding process or request for proposals where that would be required if the service or goods were procured by the City alone. Notwithstanding the foregoing, purchases shall be made in accordance with State law, such as Section ~~40-7-20~~ 11-39-103, Utah Code Annotated, regarding contracts for new public improvements construction costs where the estimated cost exceeds ~~\$2540~~,000.

(d) *Goods \$2,000 or Less - No Bids.* City procurements of goods and services reasonably expected to cost \$2,000 or less do not require the solicitation of bids or proposals, although bids may be solicited orally or otherwise if desired. Procurements under this subsection may be made by cash payment, but in such cases the procurer should obtain a receipt for the payment.

(e) *Goods and Services Costing \$2,001 to \$5,000- Three Oral Quotes.* Procurements of goods and services reasonably expected to cost more than \$2,001 but not more than \$5,000 in total shall require three telephone, oral, or written quotes for prices from proposed vendors of goods or services. The Purchasing Agent or Department Buyer shall make a signed written record of quotes and reasonably detailed product or service information about each of them, sufficient to compare and make a reasonably informed choice from among the vendors who make offers or bids, including the name of the vendor, the vendor's address, telephone number, and the price quoted. Procurements within this subsection (e) shall be made by purchase order unless made by written contract. In the event three vendors willing to provide quotes cannot reasonably be obtained, then the Purchasing Agent or Department Buyer shall make a signed written record of quotes and product and service information about each vendor willing to provide quotes, and a record of efforts to obtain other quotes. The decision about which vendor to choose for the services or goods shall be made based upon the information submitted. The Purchasing Agent or Department Buyer may allow a person who has prepared or helped to prepare specifications for use in a City procurement to bid or submit a proposal for the procurement if doing so is not unfair to other bidders or proponents, in the reasonable discretion of the Purchasing Agent or Department Buyer; otherwise, such person shall not be allowed to bid or submit a proposal.

(f) *Goods and Services Costing \$5,001 to ~~\$2540~~,000 - Three Written Bids.* Procurements of goods and services reasonably expected to cost more than \$5,001 but not more than ~~\$2540~~,000 in total shall require the receipt of three bids or proposals in writing unless three vendors willing to submit such bids or proposals cannot reasonably be obtained. In the event three vendors willing to provide quotes cannot reasonably be obtained, then the Purchasing Agent or Department Buyer shall make a signed written record of quotes and product and service information about each vendor willing to provide quotes, and a record of efforts to obtain other quotes. Procurements within this subsection 11-1-5(f) shall be made by purchase order unless made by written contract.

(g) *May Use Formal Bidding Requirements.* All formal bidding and requests for proposals shall be issued by the City Purchasing Agent or his or her assistants. The requirements contained herein are minimal requirements, and nothing in this section shall prevent the Purchasing Agent, the City Council, Mayor or the City Administrator may require that the procurement of services, supplies, materials or equipment be competitively bid or that competitive offers be solicited in cases that otherwise would not so require if it is determined that such action to be in the best interest of the City.

11-1-6. Exceptions.

The competitive purchasing requirements of this chapter need not be followed in the following circumstances. In such cases, written documentation should be made demonstrating that a procurement falls within one of the following provisions of this section.

(a) *Grant, Gift, Bequest.* In complying with the terms and conditions of any grant, gift, or bequest to the City, or to one of the City's departments or subdivisions, committees, or a community organization which functions under City auspices if such action is approved by the City Council and is otherwise consistent with law.

(b) *Federal or State Assistance.* When a procurement involves the expenditure of federal or State assistance funds, and to the extent that doing so requires that federal or State law or regulations be followed rather than City ordinances.

(1) Suspension and Debarment Certification. For subrecipients and contractors receiving ~~\$2540~~,000 or more in federal funds from the City, request-for-bid or proposal documents will contain language notifying bidders or proponents of federal or State suspension and debarment requirements, which shall be provided in forms by which bidders or proponents can certify their status. At time of bid, bidders or proponents will be required to certify their suspension and debarment status as a mandatory element of their bids or proposals.

(2) System for Award Management (sam.gov). Purchases in excess of ~~\$2540~~,000 in federal funds where bidding is not required (i.e., in State contracts, or where disbursements exceed ~~\$2540~~,000 on existing contracts) the Purchasing Agent or the Department Buyer shall not award contracts or orders to persons suspended or debarred by the United States government, which shall be determined by checking the federal suspension and debarment website (currently, sam.gov) for a favorable suspension and debarment status for such persons before a bid or proposal is awarded, an order is placed, or a contract for goods or services with such person is signed.

(3) Supporting Documentation. Supporting documentation relating to suspension and debarment status shall be kept by the Purchasing Agent and/or the Department Buyer pursuant to federal, State and City laws and regulations.

(c) *Emergency Procurements.* Notwithstanding any other provision of this chapter, procurements may be made in emergencies by the Purchasing Agent, a department head, or a designee of either in instances in which the procurement could not reasonably have been made pursuant to this chapter, provided that procurements shall be made with as much competition as practicable under the circumstances. Promptly thereafter the department head of the department which made the procurement shall provide a signed written statement to the City Purchasing Agent

setting out in reasonable detail the item procurement, the price, and cause and basis for the emergency and why the procedures set out in this chapter were not followed. A copy of the statement shall be included in the contract file.

(d) *Single-Source Provider.* Procurements of products, services or construction items available only from a single provider. The Mayor, City Administrator, Department head or the Purchasing Agent shall find in writing that there is only one source for the item or service.

(e) *Compatibility, Parts, Training.* Procurements of equipment which, by reason of the training of City personnel who service such equipment, or which is an addition to or for the repair or maintenance of equipment owned by the City which may be more efficiently added to, repaired or maintained by a certain brand, person or firm.

(f) *Additional or Replacement Parts.* Equipment which, due to an inventory of replacement parts maintained by the City is compatible only with existing equipment owned, leased or used by the City, need not, where the department head or the Purchasing Agent finds in a signed writing that the City's interest is better served by so purchasing, procurement a different brand of such equipment.

(g) *Professional Services.* Contracts for professional services reasonably expected to cost more than ~~\$5,07,500~~ for the services specifically set out in the contract shall be awarded at the discretion of the Mayor, or a person designated by the Mayor.

(1) *Criteria for Award.* Contracts for professional services shall be based on the evaluation of professional qualifications, service ability, cost of service, and other service-related criteria.

(2) *Manner of Selection.* Criteria for award of professional service contracts costing more than ~~\$5,07,500~~ may be determined through one or more of the following methods:

(A) Competitive bid;

(B) Request for Proposals (RFP); or

(C) Informal Survey.

(3) Where criteria for award of professional service contracts costing more than ~~\$5,07,500~~ are determined through informal survey or through some lesser review, then award of the contract or its proposed award shall be disclosed in writing to the City Council by the department head or a person designated by the department head along with a reasonably detailed written summary of the findings of that survey.

(h) *Insufficient Bids.* Where fewer than three responses are made to a bid solicitation or request for proposals after reasonable efforts to obtain three or more bids or proposals, the Purchasing Agent or Department Buyer responsible for the purchase may, after making a signed writing setting out the circumstances thereof, a copy of which shall be placed in the contract file, make a purchase which in his or her reasonable discretion meets the purposes of this ordinance by purchasing in a manner which does not conform to the formal bidding or RFP process set out in this chapter.

(i) *City Council Determinations.* The City Council may authorize the procurement of supplies, equipment and services without complying with the provisions of this chapter when it determines that compliance with the procedure is not in the best interests of the City. A memo shall be placed in the file for the purchase setting out the reasons for doing not following the purchasing provisions which otherwise would apply.

(j) *Special Opportunity Purchases.* Where a substantial savings will be realized thereby in the purchase of goods or non-professional services costing more than ~~\$2540,000~~, and provided that sufficient money has been appropriated for the purchase, a Department may avoid competitive bidding or the RFP requirements set out in Section 11-1-8, by the following streamlined procedures, provided other applicable provisions of this Chapter are met before the purchase is made:

(1) It shall, in its reasonable discretion, obtain offers from competing sources in a manner most likely to meet the purposes of this Chapter; and

(2) The Department Head shall disclose the proposed purchase in a signed written memorandum to the Mayor and City Administrator, setting out in reasonable detail the reason the purchase is recommended, the reason normal purchasing procedures are not recommended, and the proposed savings, and what efforts have been made to obtain competitive offers; and

(3) The Mayor and City Administrator each agrees in a signed memorandum that he or she believes that the purchase is justified, and that the purposes of this Chapter will be met thereby.

11-1-7. Splitting Orders to Avoid Competitive Bidding Prohibited.

No person may split or separate into smaller orders the procurement of supplies, materials, equipment or services for the purpose of evading the competitive bidding or request for proposal provisions of this ordinance.

11-1-8. Formal Bidding Procedure.

The following procedures shall apply to the procurements of all materials, supplies, equipment, public improvements, and non-professional services which cost ~~\$2540,000~~ or more, and may be used for professional services. All bids and requests for proposals shall be made by the City Purchasing Agent.

(a) *General.* The Purchasing Agent shall issue Invitations to Bid or Requests for Proposals for materials, supplies, equipment, services, insurance, public contracts, and other items required for the City.

(b) *Invitations to Bid.* An invitation to Bid shall describe the material, supplies, equipment, services or insurance with sufficient particularity to allow for competitive bidding and evaluation, and shall include a procurement description, and contractual terms and conditions applicable to the procurement.

(c) *Bid and Proposal Submissions.* Bidders must submit responsive Bids and Proposals on or before the bid closing to the Purchasing Agent to be eligible for consideration. The City Purchasing Agent may in his or her discretion consider a Bid or Proposal which was timely

submitted via a delivery medium which arrives after the bid closing, provided acceptance of the Bid or Proposal is reasonably determined by the Purchasing Agent to be in the best interests of the and there is no evidence or likelihood of collusion or fraud upon the procurement process. Formal Bids shall otherwise be opened at a public bid opening.

(1) Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the invitation for bids. The amount of each bid and any other relevant information specified by rules and regulations, together with the name of each bidder, shall be recorded. The record and each bid shall be open to public inspection.

(2) Bids shall be unconditionally accepted without alteration or correction, except as authorized in this chapter. Bids shall be evaluated based on the requirements set forth in the invitation for bids, which may include criteria to determine acceptability such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose, except that criteria in determining responsible bidders contained in this chapter 11-1 need not be set forth in the invitation for bids. The Purchasing Agent shall attempt to make selections based on those criteria that will affect the bid price and be considered in evaluation for award shall be objectively measurable. The criteria may include discounts, transportation costs, and total or life cycle costs.

(3) Correction or withdrawal of inadvertently erroneous bids before or after award, or cancellation of awards or contracts based on such bid mistakes, shall be permitted in the interest of the City in the reasonable discretion of the Purchasing Agent in consultation with a representative of the interested City department. After bid opening no changes in bid prices or other provisions of bids prejudicial to the interest of the City or to fair competition shall be permitted. Except as otherwise provided by this chapter, or rules and regulations, all decisions to permit the correction or withdrawal of bids or to cancel awards or contracts based on bid mistakes by a provider shall be supported by a written determination made by the Purchasing Agent.

(d) *Award Under Invitation to Bid.* Contracts for procurement under an Invitation to Bid shall be awarded with reasonable promptness by written notice to the lowest responsive and responsible bidder whose bid meets the requirements and criteria set forth in the invitation for bids. Determinations may be based on one or more or any combination of factors which will serve to meet City requirements at the best economic advantage to the City including but not limited to: unit cost, life cycle cost, economic cost analysis, operating efficiency, warranty and quality, compatibility with existing equipment, maintenance costs (to include consideration for the cost associated with proprietary invention), experience and responsibility of bidder. In the event all bids for a construction project exceed available funds as certified by the appropriate fiscal officer, and the low responsive and responsible bid does not exceed such funds by more than 5%, the chief procurement officer or the head of a purchasing agency is authorized, in situations where time or economic considerations preclude resolicitation of work of a reduced scope, to negotiate an adjustment of the bid price, including changes in the bid requirements, with the low responsive and responsible bidder, in order to bring the bid within the amount of available funds.

(e) *Two-Step Awards.* When it is considered impractical to prepare initially a purchase description to support an award based on price, an invitation for bids may be issued requesting the submission of unpriced offers to be followed by an invitation for bids limited to those bidders whose offers have been qualified under the criteria set forth in the first solicitation.

(f) *Lowest Responsible Bidder.*

(1) In determining lowest responsible bidder, the Purchasing Agent may in his or her discretion consider one or more of the following criteria, which may be included as purchase criteria in the invitation for bids:

- (A) The quality of supplies offered;
- (B) The ability, capacity and skill of the bidder to perform the contract or provide the supplies or service required;
- (C) Whether the bidder can perform the contract or provide the supplies promptly, or within the time specified, without delay or interference;
- (D) The sufficiency of the bidder's financial resources and the effect thereof on his ability to perform the contract or provide the suppliers or services;
- (E) The character, integrity, reputation, judgment, experience and efficiency of the bidder;
- (F) The quality of bidder's performance on previous orders or contracts for the City or others;
- (G) Litigation or claims by the bidder without substantial basis;
- (H) Any previous or existing noncompliance by the bidder with laws and ordinances relating to the subject of the contract;
- (I) The ability of the bidder to provide future maintenance and service, where such maintenance and service is essential; and
- (K) Price.

(2) Determination of nonresponsibility of a bidder, or written determination of nonresponsibility of a bidder or offeror shall be made in accordance with this chapter. The unreasonable failure of a bidder or offeror to promptly supply information in connection with an inquiry with respect to responsibility may be grounds for a determination of nonresponsibility with respect to the bidder or offeror. Information furnished by a bidder or offeror pursuant to this section shall not be disclosed outside of the department making the purchase and the Purchasing Agent's office without prior written consent by the bidder or offeror.

(3) After reasonable notice to the person involved, the Purchasing Agent may debar a person for cause from consideration for award of City contracts.

(g) *Competitive Sealed Proposals.* As an alternative to the bidding process provided for this section, competitive proposals may be solicited in the discretion of the Purchasing Agent, the Mayor,

City Administrator, or a Department head, and a contract may be entered into by competitive sealed proposals.

- (1) Competitive sealed proposals may be used for the procurement of services of consultants, professionals, and providers.
- (2) Proposals shall be opened so as to avoid disclosure of the contents to competing offerors before a contract is signed with the offeror during the process of negotiation.
- (3) A register of proposals shall be prepared and shall list such information with respect to each proposal as is important in making the decision which shall be open for public inspection after award of the contract. The register shall be open for public inspection after award of the contract.
- (4) The request for proposals shall state the relative importance of price and other evaluating factors.
- (5) As provided in the request for proposals, discussions may be conducted with responsible offerors who submit proposals for the purpose of assuring full understanding of, and responsiveness to, solicitation requirements. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals, and revisions may be permitted after submissions and before the contract is awarded for the purpose of obtaining best and final offers. In conducting discussions, reasonable care shall be taken to avoid the disclosure of information derived from proposals submitted by competing offerors which is not known to the competitors.

The contract file shall contain the basis on which the award is made.

(h) *Waiver of Defects, Technicalities.* The City Purchasing Agent together with the head of the department purchasing the item or service may waive defects and technicalities when doing so is in the best interests of the City. The City Purchasing Agent shall, where practicable, take reasonable efforts to notify all bidders of the determination thereof.

(i) *Bid Bond.* A bid bond may be required on items, contracts, materials and services procurement under this chapter.

(j) *Notices Inviting Bids and Quotations.* Notices inviting bids or quotations shall be published at least five ~~(5)~~ business days before the date of the opening of the bids in a manner which the Purchasing Agent determines is in the City's best interest to meet the purposes of this ordinance, including but not limited to publication on an electronic bulletin board, on the Internet, in commonly read trade publications, radio, television, cable television, or in a newspaper of general circulation in the City. Notices advertising pending procurements by bid or request for proposals under this Section 11-1-8 shall be posted on a public bulletin board in City Hall, and where practicable, shall be posted at least five days before the procurement is contracted for.

Formatted: Strikethrough

(k) *Tie Bids.* If two or more bids received are for the same total amount or unit price, quality and service being equal, and if the Purchasing Agent determines that the City's interest is better served by not re-advertising for bids, the City may require the tie bidders to submit a rebid within five (5) days.

11-1-9. Relief Due to Computation Error.

Any bidder who seeks to withdraw or modify a Bid because of inadvertent computational error shall notify the Purchasing Agent no later than three (3) working days following the bid closing. The bidder shall provide worksheets and such other information as may be appropriate or required by the City Purchasing Agent to substantiate the claim of inadvertent error. Failure to do so may bar such relief and allow recourse from the bid surety, in the discretion of the Purchasing Agent. The burden is upon the bidder to prove such error.

11-1-10. Notice Inviting Bids or Proposals.

Notice inviting bids or proposals shall include a general description of the articles to be procurement and shall state where bid blanks and specifications may be secured, and the time and place for opening bids, along with any other information which the Purchasing Agent deems appropriate.

11-1-11. Construction Projects.

(a) Municipal construction projects are governed by Section ~~10-7-20~~ 11-39-103, Utah Code Annotated (1953), as amended. The requirement for obtaining payment bonds in municipal construction contracts is covered by Chapter 14-1, Utah Code Annotated.

(b) A City department head is authorized to approve extra work or change orders on City construction projects in an amount not to exceed 20 percent of the contract in the best interests of the City in the discretion of the department head. Notice of such provision may be included in the invitation for bids.

11-1-12. Performance and bid bonds.

Performance and bid bonds in such amounts as the Purchasing Agent determines are needed to protect the best interests of the City may be required by the Purchasing Agent. The nature, form and amount of such bonds shall be described in the notice inviting bids or in the request for competitive sealed proposals.

11-1-13. Prequalification of Bidders, Proponents and Suppliers.

Bidders, proponents and/or suppliers may be prequalified for particular types of supplies, services and construction. Solicitation mailing lists of potential contractors shall include but shall not be limited to prequalified suppliers.

(a) *Standard of Responsibility.* Factors to be considered in determining whether the standard of responsibility has been met by a bidder, supplier or proponent include:

(1) Availability of the appropriate financial, material, equipment, facility and personnel resources and expertise, or the ability to obtain them, necessary to indicate the capability of the bidder, proponent or supplier to meet all contractual requirements;

(2) A satisfactory record of performance, including, but not limited to, the record of performance for the City or other governmental agencies, and debarment by any such agency;

- (3) A satisfactory record of integrity;
- (4) Legal qualifications to contract with the City; and
- (5) Whether all necessary information has been supplied in connection with the inquiry concerning responsibility.
- (6) Those considerations in respect to low responsible bidders in Section 11-1- 8(g) above.

(b) *Information Pertaining to Responsibility.* The proponent, bidder or supplier shall supply information requested by the City concerning the responsibility of such bidder, proponent or supplier. If such information is not supplied, the City shall base the determination of responsibility upon any available information or may find the proponent, bidder or supplier nonresponsible if such failure, as determined by the City, is unreasonable.

11-1-14. Cancellation and Rejection of Bids and Proposals.

An invitation for bids, a request for proposals, or other solicitation may be canceled, or any or all bids or proposals may be rejected, in whole or in part, as may be specified in the solicitation, when it is in the best interests of the City in the reasonable discretion of the Purchasing Agent or the Department Buyer responsible for the purchase. The reasons for the cancellation shall be made part of the contract file.

11-1-15. Records.

Except when a longer minimum time is required by State law or City ordinance, the Purchasing Agent or Department Buyer making a procurement of more than ~~\$5-97,500~~ shall keep records relating to the procurement ~~for not less than one year in accordance with the State retention schedules~~ from the time of the procurement.

Formatted: Strikethrough

11-1-16. Procurement Protests.

(a) Any actual or prospective bidder or offeror who is aggrieved in connection with the solicitation or award of a contract for procurement may protest the procurement by filing a written protest with the Purchasing Agent. The protest shall contain the following information:

- (1) The protesting party's name, mailing address and daytime telephone number, the signature of the protesting party or the attorney for the protesting party, and the date the protest is signed; and
- (2) The relief sought, a statement of facts and a recitation of the reasons and legal authority in support of the protest sufficient to permit review.

(b) Protests shall be submitted prior to the closing date for receiving bids or proposals unless the protestor did not know and could not reasonably have known of the facts giving rise to the protest prior to such time, but in any event, all protests shall be submitted within five days after the closing date for receiving bids or proposals.

(c) The City may proceed with the procurement except that the Purchasing Agent may suspend the procurement process for so long as he or she determines is appropriate.

(d) The Purchasing Agent may designate another individual to assist in reviewing the matter, which assistance may include finding facts, analyzing the protest, and making recommendations to the Purchasing Agent.

(e) The Purchasing Agent or the Purchasing Agent's designated representative may request additional information from the protesting party or from other persons to make a determination. The protesting party shall provide all information requested by the Purchasing Agent reasonably needed to decide the protest except information which is protected from disclosure by law, or which could reasonably be expected to result in unfair competitive injury to the protestor in spite of the protections for the protestor provided by law, including the Utah Government Records Access Management Act, Chapter 63-2, Utah Code Annotated.

(f) The Purchasing Agent shall review and decide protests, and shall issue a written determination to the protester party within fifteen days of receipt of the protest.

(g) The protesting party may appeal the written decision of the Purchasing Agent by filing a written appeal with the Director of Finance. The notice of appeal shall contain the following information:

(1) The petitioner's name, mailing address and daytime telephone number, the signature of the petitioner or of the attorney for the petitioner, and date; and

(2) The relief sought, a statement of facts and a recitation of the reasons and legal authority in support of the protest sufficient to permit review.

(h) The Director of Finance or another person selected by the Mayor or City Administrator shall review and hear the appeal. No later than five days after receiving a notice of appeal, the Director shall schedule a hearing on the appeal. Unless otherwise agreed to by the City and the petitioner, the hearing shall be held no sooner than five days and not later than 30 days from the date of the filing of the appeal.

(i) At the hearing before the Director, the appellant and the City's representative shall be allowed to testify, present evidence, and comment on the issues under the direction of the committee chairman. The Director may allow other interested persons to testify, comment or provide evidence on the issues.

(j) No later than fifteen business days after the hearing, the Director shall issue a signed order either granting the petition in whole or in part, or upholding the determination of the Purchasing Agent in whole or in part. The order of the Director shall include:

1. The decision, and any reasons for the decision the committee may wish to provide; and

2. A statement that any party to the appeal may appeal the decision to the State district court.

(k) If the Director fails to issue a decision within fifteen business days after the hearing, said failure shall be considered the equivalent of an order denying the appeal.

(l) The Mayor or the City Administrator may appoint a person other than the Purchasing Agent or the Director of Finance to fulfill their respective responsibilities described in this

section.

11-1-17. Ineligibility.

In addition to all other remedies permitted by law, the Mayor or the City Council may declare a bidder or contractor ineligible to bid on City procurement and public works contracts for a period not to exceed five years for any of the following grounds: two or more claims of computational error in bid submission within a two-year period; a not-reasonably-justified refusal to provide or execute contract documents; unsatisfactory performance of contract; unjustified refusal to perform or complete contract work or warranty performance; unjustified failure to honor or observe contractual obligations or legal requirements pertaining to the contract; conviction under state or federal statutes for fraud, bribery, theft, falsification or destruction of records, receiving stolen property or of any other similar crime or offense indicating a lack of business integrity and which would directly affect the reliability and credibility of performance of such a vendor or contractor with future contracts with the City; or, based on the limited department by another government agency.

11-1-18. Penalties.

Collusion among Bidders. Any agreement or collusion among bidders or prospective bidders is a restraint of freedom of competition and any agreement to bid a fixed price, or otherwise, shall render the bids of such bidders void.

11-1-19. Right to Inspect Place of Business.

Gratuities. The acceptance of any gift, benefit or gratuity in the form of cash, merchandise or any other thing of value by an official or employee of the City from a vendor or contractor, or prospective vendor or contractor, which would reasonably be expected to substantially influence the actions of the official or employee in favor of the giver in future procurements or negotiations may be deemed to be a violation of this ordinance and may be cause for removal or other disciplinary action.

11-1-20. Personal Purchases.

Procurements of goods and services ordered on City credit or paid for by the City which are for the personal use of an official or employee of the City shall not be delivered, or if delivered, may be void or voidable at the City's option. Such personal procurements shall not be permitted and may be considered cause for disciplinary action. City officers and employees may purchase goods or services for personal use from suppliers at discounted rates offered to the City where the supplier makes such goods or services available to all City officials and employees on the same terms, provided the official or employee pays for such items from the official's or employee's own money, and provided the purchase is not reasonably likely to improperly influence the official, employee or a City department in the discharge of their duties or in making purchases of supplies or services.

The City may, at reasonable times, inspect the part of the plant or place of business of a contractor, or any subcontractor which is related to the performance of any contract awarded or to be awarded by the City.

11-1-21. Allowable Incurred Costs.

The City may allow the reimbursement of costs reasonably and necessarily incurred by a contractor or according to the terms of written contract with the City.

11-1-22. Cost-Plus-Percentage-of-Cost Contract Prohibited Except When Determined Less Costly.

Subject to the limitations of this section or other applicable law, any type of contract which will promote the best interests of the City may be used; provided that a cost-plus-a-percentage-of-cost contract is prohibited. A cost-reimbursement contract may be used only when a determination is made in writing by the Mayor, City Administrator, or Purchasing Agent, the Department Buyer, or the department head, that such contract is likely to be less costly to the City than any other type, or that it is impracticable to obtain the supplies, services or construction required except under such a contract.

11-1-23. Sales of Goods or Services to the City by Officials or Employees.

City officials and employees may sell goods or services to the City under the following conditions:

(a) An employee or the employee's spouse, parent, children, or siblings may not sell goods or services to the employee's department unless the sale is first approved in writing by the department head, and either the Mayor or City Administrator;

(b) All such transactions are subject to applicable provisions regarding ethics or municipal officials and employees of the Utah Code Annotated.

11-1-24. Surplus Real and Personal Property.

(a) Definitions as used in this section:

(1) "Dispose" or "disposal" means to sell, lease, trade, gift, convey, or encumber surplus property.

(2) "Exchange" means transactions where surplus property is transferred as a full or partial consideration for the transfer to the City of other property.

(3) "Highest and best return" means maximizing economic return to the City as estimated by one or more of the following methods:

- (A) Competitive bid which may include electronic auction;
- (B) Evaluation by a qualified and disinterested appraiser;
- (C) Other professional publications and valuation services; or
- (D) An informal market survey by the City's Purchasing Agent (Purchasing Agent) in the case of items of property possessing readily-discernible market value.

(4) "Property" means real and personal property.

(5) "Reasonable notice" means publication in a newspaper or newsletter of general

circulation within the City, posting in public places within the City, Internet posting on the City's Website, publication on the City's government and education cable television channel, or other means of notification accessed by City residents.

(6) "Significant parcel of real property" means City owned real property whose reasonable estimated value exceeds \$40,000.

(7) "Surplus property" means City property that is so used, obsolete, depreciated, excess or is no longer necessary to current and projected needs as to be unfit or undesirable for use or retention by the City.

(b) The Purchasing Agent shall dispose of surplus property pursuant to existing State law and as follows:

(1) All department heads shall, from time to time, identify and give notice in a signed writing to the City's Chief Administrative Officer (CAO) and the Purchasing Agent of surplus property within the control of that department.

(2) Whenever the surplus property is real property, or personal property with a reasonable estimated value of more than \$2,000, prior to its disposal the CAO or his designee shall disclose the disposal to the Mayor's cabinet.

(3) Before any disposal of a significant parcel of real property, the City shall allow an opportunity for public comment on the proposed disposal providing reasonable notice at least 14 days before such public comment.

(4) The Purchasing Agent shall dispose of the surplus property in a method likely to produce the highest and best return unless in the opinion of the Purchasing Agent:

(A) the value of the surplus property is considered negligible in relation to the time, labor and expense of competitive bidding or bidding procedures are deemed unlikely to produce a competitive offer, or

(B) the surplus property is disposed to units of government or other public or charitable organizations pursuant to existing State law.

(5) When any surplus property has been disposed, the monies or credit there for shall be credited:

(A) to the City department or City office which requested its disposal if the disposal has been contemplated in the current annual budget,

(B) to the City's general fund if the disposal has not been contemplated in the current annual budget, or

(C) to a revenue account within the specific enterprise fund if originally procured from an enterprise fund or from properties attributable by the Mayor to use by an existing enterprise fund.

(6) The Finance Director shall report any disposal of surplus property to the City Council in the Comprehensive Annual Financial Report.

(c) Notwithstanding the provisions of this section:

(1) Every conveyance or encumbrance of City property shall be made by the Mayor, or under the Mayor's express written authority, and pursuant to existing State law.

(2) The City may impose limitations or conditions on the future use of surplus property, in addition to those required under other Titles of City ordinances, which limitations or conditions must be disclosed by the Purchasing Agent prior to its disposal.

(3) No provision of this section shall be construed to require or to invalidate any sale, conveyance, transaction, transfer or encumbrance by the City, nor to vest rights of action of any kind against the City, its officers, agents or employees.

11-1-25. Participation by Bidder Who Supplies Specifications.

A person other than a City employee who has prepared specifications used substantially by the City in determining from which bidder or proponent it wishes to purchase goods or services may participate in a bid or proposal procurement in the City where the Purchasing Agent determines in his or her reasonable discretion that such participation will be in the best interest of the City in light of the stated purposes of this chapter contained in Section 11-1-1. A City employee who has prepared specifications used substantially by the City in determining the bidder or proponent from which it wishes to purchase goods or services may participate as a bidder or proponent in a bid or proposal procurement by the City when the Purchasing Agent determines in his or her reasonable discretion that doing so is fair and in the best interests of the City in light of the purposes of this ordinance.

11-1-26. Period of Time for Contract of Supplies.

(1) Unless otherwise provided by law, a contract for supplies or services may be entered into for any period of time deemed to be in the best interests of the City; provided that the term of the contract and conditions of renewal or expansion, if any, are included in the solicitation and funds are available for the first fiscal period at the time of contracting. Payment and performance obligations for succeeding fiscal periods shall be subject to the availability and appropriation of funds.

(2) When funds are not appropriated or otherwise made available to support continuation of performance in a subsequent fiscal period, the contract shall be canceled. The contractor may apply for reimbursement for the reasonable value of any nonrecurring costs incurred but not amortized in the price of the supplies or services delivered under the contract, which may be awarded in the reasonable discretion of the Purchasing Agent. The cost of cancellation may be paid from any appropriations available for that purpose.

11-1-27. Alternative Methods of Construction.

The City may contract for any method of construction management allowed by law in the reasonable discretion of the department head responsible for the construction, or the Purchasing Agent.

11-1-28. Failure to Follow Ordinance.

The failure to follow any provision of this ordinance shall not render a

procurement invalid, nor give a bidder or proponent a claim or right against the City or the employee responsible for such failure.

Chapter 2 LOST, ABANDONED OR UNCLAIMED PROPERTY

11-2-1. Disposition of Lost, Abandoned or Unclaimed Property.

It shall be the duty of the Chief of Police to keep all lost, abandoned or unclaimed property which comes into the possession of the Police Department or any of its members and he shall make all reasonable efforts to identify and locate the owner or owners thereof and restore said property to such owner.

11-2-2. Definitions.

- (a) Abandoned Property is personal property found under circumstances reasonably indicating that the owner does not intend to control or possess it.
- (b) Lost Property is personal property the location of which is unknown to the owner.
- (c) Unclaimed Property is personal property held by the Police Department for a period of three months or more and is unclaimed within that period by the owner; or, is personal property held by the police in connection with a court proceeding, the disposition of which is not otherwise determined by law or court order, and is unclaimed by the owner within a period of three months following the end of said court proceeding.

11-2-3. Identified Owner.

Whenever the owner of lost, abandoned, or unclaimed property is identified and located, the Chief of Police shall send by way of registered letter, written notice to the owner, describing the property, giving its present location, stating the circumstances under which he came into possession thereof, and giving notice to the owner that he must claim his property within the time provided by this notice or the property will be disposed of as hereinafter provided.

11-2-4. Advertising Property.

If the owner of lost, abandoned, or unclaimed property fails to claim such property within fifteen days after the receipt of notice, or is not identified and located within a period of three months, the Chief may compile a list of said property for distribution to other City departments as stated in the next following section. If, after thirty days of notifying other City departments of available property, there is still property for sale, the Chief may advertise the sale of such property for at least five days in a newspaper of general circulation in the City and may, on the date specified in such advertisement, offer the property to the public at public auction. The time of the public sale shall be scheduled for a date not more than thirty days after published notice of the sale has been completed.

11-2-5. Notifying City Departments.

The Chief shall also mail the above-described list of all lost, abandoned, or unclaimed property which is available for public sale to the Purchasing Department. The Purchasing Department will then notify the other City departments of the property offered for public sale.

11-2-6. Requests for Use of Property.

If a City department wishes to utilize any of the lost, abandoned, or unclaimed property offered for sale, then a written request stating which property is needed shall be forwarded to the Police Department and the Purchasing Department not later than seven days before the public sale.

11-2-7. Joint Committee to Review Requests.

A joint committee comprised of an authorized representative from the Police Department and an authorized representative from the City Purchasing Department shall then review departmental requests for the use of property and shall determine which department, if more than one request for the same property is received, shall be assigned the property. The remaining advertised property will then be offered for public sale on the published date. Provided, however, that this joint committee may authorize the Police Department to destroy or otherwise dispose of any property subject to this ordinance where such property is determined valueless or of such little value that the costs of conducting a sale and advertising would exceed the amount realized therefrom.

11-2-8. Sale of Firearms.

11-2-9. Donated or Destroyed Property.

All advertised lost, abandoned, or unclaimed property remaining unsold or unassigned for Departmental use under the preceding sections of this ordinance may then either be destroyed or donated to public or private charities as directed by the joint committee.

11-2-10. Report to the Recorder by Committee.

The joint committee shall make a report to the City Recorder, at the time of sale or disposition, containing: a listing of property sold or distributed under the provisions of this chapter; the amount of money received from public sales; and the fair market value, estimated by the joint committee, of any property distributed for use by a City department.

11-2-11. Separate Fund for Monies Received.

All money from the public sale of lost, abandoned or unclaimed property shall be kept in a separate fund credited to the City.

11-2-12. Reclaiming of Property by Owner.

If the owner, his legal representative or successor, of any lost, abandoned, or unclaimed property sold at auction or utilized by a City department demands his property within three years from the date the property was received by the Police Department, the City Treasurer shall pay to him after deducting the fees and expenses of the City in relation to the matter, the proceeds of the public sale or, if the property was assigned for use by a City department, the fair market value of the property.

11-2-13. Failure to Claim Property by Owner.

If the owner, his legal representative or successor of any lost, abandoned, or unclaimed property sold at auction does not claim the proceeds from the sale of his property within three year period, the proceeds from the public sale shall revert to the City General Fund.

11-2-14. Chief of Police to Act as Depository.

The Chief shall have the power to receive lost, abandoned, or unclaimed tangible or intangible property from a private citizen. He shall then make reasonable efforts to locate the owner of said property, but, if after three months, the owner has not been located or this property claimed, the property shall be returned to the citizen. If the citizen disclaims the property, then the property shall be distributed according to the provisions of this chapter.

Chapter 3 CONSTITUTIONAL TAKINGS

11-3-1. Purpose/Intent.

Private property owners should be treated fairly and should not be unconstitutionally deprived of real property interests without just compensation. This chapter shall be construed to provide for the objective and fair review of claims by persons asserting deprivation of vested real property rights or interests, without just compensation. Nothing contained herein shall be construed to limit the ability of the City to lawfully fulfill its duties and functions.

11-3-2. Review of Decision by Mayor.

Any owner of private real property or a real property right who claims there has been an unconstitutional taking of their property, without just compensation, shall petition for a review of a final decision of any City officer, employee, board, commission, or the Council. Consistent with the separation of powers which is integral to the City's form of government, the Council hereby designates the Mayor to hear and consider such petitions. The Mayor may delegate such responsibility to another individual or board.

11-3-3. Review Procedures.

The following procedures for review of a final decision shall be followed:

(1) Final Decision. The person petitioning for review shall obtain a final decision before requesting review.

(2) Petition for Review. Within fifteen (15) days from the date of the final decision, the person requesting the review shall file, in the office of the City Recorder, a written petition for review of that decision. A copy shall also be filed with the City Attorney.

(3) Hearing Date. The Mayor, or the Mayor's designee, shall set a time to review the decision that gave rise to the petition as soon as reasonably practical. The Mayor, or the Mayor's designee, shall hear and consider the evidence related to and submitted by the petitioner, the City, and other parties whom the City determines have an interest in the proceedings. In the discretion of the Mayor, or the Mayor's designee, the hearing may be oral or based upon written submittals.

(4) Applicant Information Submittal.

(a) *Initial Filing Information.* In addition to the petition for review, the petitioner shall submit, within 7 days prior to the date of the review, the following:

- (i) The name of the petitioner requesting review;
- (ii) The name and business address of the current owner of the property; the form of ownership, i.e. whether sole proprietorship, for-profit or not-for-profit corporation, partnership, joint venture or other; and if owned by other than a real person, the name and address of all partners or shareholders owning 10% or more of the outstanding shares;
- (iii) A detailed statement of the factual and legal grounds for the claim that there has been a unconstitutional taking, without just compensation;
- (iv) A legal description of the property allegedly taken and a detailed description of the nature of the property; and
- (v) A detailed description of the protectable property interest claimed to be affected.

(b) *Supplemental information.* If the Mayor or the Mayor's designee determines that there may be an unconstitutional taking, and additional information is needed, in his sole discretion, the Mayor, or the Mayor's designee, may further require the following to be submitted:

- (i) The evidence and documentation as to the value of the property interest claimed taken, including the date and cost at the date the property was acquired. This material should include any evidence of the value of that same property before and after the alleged unconstitutional taking; the name of the

party from whom purchased, including the relationship, if any, between the person requesting a review; and the party from whom the property was acquired;

- (ii) The terms, including sale price, of any previous purchase or sale of a full or partial interest in the property during the three years prior to the date of application;
- (iii) All appraisals of the property prepared for any purpose, including financing, offering for sale, or ad valorem taxation, within the three years prior to the date of application;
- (iv) The assessed value of and ad valorem taxes on the property for the previous three years;
- (v) All information concerning current mortgages or other loans secured by the property, including the name of the mortgagee or lender, current interest rate, remaining loan balance, term of the loan and other significant provisions, including but not limited to, the right of purchasers to assume the loan;
- (vi) All listings of the property for sale or rent, price asked and offers received, if any, within the previous three years;
- (vii) All studies commissioned by the petitioner or agents of the petitioner within the previous three years concerning feasibility of development or utilization of the property;
- (viii) For income-producing property, itemized income and expense statements from the property for the previous three years;
- (ix) Information from a title policy or other source showing all recorded liens or encumbrances affecting the property; and
- (x) The Mayor, or the Mayor's designee, may request additional information reasonably necessary, in their opinion, to arrive at a fair and well supported conclusion concerning the nature of and the value of the alleged unconstitutional taking.

11-3-4. Reviewing Guidelines.

The Mayor or the Mayor's designee shall review the facts and information presented by the petitioner, the City, and other parties whom the City determines have an interest in the proceedings, and determine if the action by the City constitutes an unconstitutional taking. The City Attorney's office may serve as the City's legal counsel. The Mayor, or the Mayor's designee shall review the facts in light of the applicable state and federal constitutional law.

11-3-5. Time for Final Decision.

If the Mayor, or the Mayor's designee, fails to hear and decide the petition within 14 days after the filing of the petition, the administrative decision of the City officer, employee, board, commission, or the Council shall be deemed approved; provided, however, the Mayor, or the Mayor's designee, may extend the time to reach a decision, not exceeding an additional 120 days following the receipt of the petitioner's submissions required in Section 11-3-3.

11-3-6. Results of Review.

After completing the review the Mayor or the Mayor's designee shall make a determination regarding the petition and may in his or her discretion make a recommendation to the Council or the appropriate officer, employee, board, commission.

11-3-7. Guidelines Advisory.

The guidelines adopted and decisions rendered pursuant to the provisions of this chapter are advisory, and shall not be construed to expand or limit the scope of the City's liability for an unconstitutional taking of a property interest. The decision rendered pursuant to the provisions of this chapter are not admissible in court for any purpose other than to demonstrate that the petitioner has exhausted the requisite administrative remedies, and in no event shall any recommended compensation be admissible into evidence.

11-3-8. Severability.

If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.



Staff Report

File #: 19-460, **Version:** 1

Date: 12/10/2019

Agenda Item Title:

Council Member Robinson recommending the Council adopt revisions to the policy on the Election of Council Officers.

Presenter:

Council Member Robinson

Description/Background:

Under the Council's current policy, the election of Council officers (Chair and Vice Chair) are to occur no later than the last Tuesday in December and June for a six-month term. When a new Council Member is elected to office he or she takes the oath of office in January and therefore does not vote have a vote in the election of officers.

The attached amendments to the Election of Council Officers policy moves the elections from December to January, and from June to July. This enables new Council Members elected in November to have a vote on the election of officers.

Fiscal Impact:

There is no fiscal impact associated with this item.

Recommended Action and/or Suggested Motion:

Motion to adopt revisions to the Election of Council Officers policy as included with this agenda item.

Sandy City Council

Legislative Policies and Procedures

SUBJECT: Election of Council Chair

BACKGROUND:

State law requires the City Council to elect one of its members as Council Chair. Specifically, Utah Code Annotated Section 10-3b-203(1)(a)(iv) says:

“The council in a municipality operating under a council-mayor form of government shall elect one of its members to be chair of the council.”

POLICY:

1. The Election of Council Officers policy adopted on January 13, 2009, as amended on March 31, 2015 and August 18, 2015 is hereby repealed.
2. The City Council will elect a Chair by ballot vote no later than the last regularly scheduled meeting in June to commence a six-month term beginning July 1 and ending December 31 the same year. The City Council will also elect a Chair by ballot vote no later than the last regularly scheduled meeting in December to commence a six-month term beginning January 1 and ending June 30 the same year.
3. A majority vote of the entire membership of the Council (four affirmative votes) is required for election of the Chair regardless of absences or abstentions.
4. If, after three ballots at the regularly scheduled semi-annual election for the Chair, no Council Member receives a majority vote, the incumbent will continue to serve as Chair until a subsequent, regularly scheduled meeting of the City Council. No more than three ballots for Chair will be taken at any one Council meeting. A Council Member who receives a majority vote for the office of Chair after July 1 or January 1 shall assume the role and responsibility of Chair immediately at the meeting in which the election occurred and shall serve the term described in Section 2.
5. The Chair may be reelected for one consecutive term upon a majority vote of the Council. A council member may not serve more than two consecutive terms.
6. The Council shall elect a Vice-Chair by ballot vote. The Vice-Chair will chair the Council meetings in the absence of the Chair. There is no presumption that the Vice-Chair will serve as the next Chair. The same voting procedures and requirements outlined in sections 2 through 5 also apply to the office of Vice-Chair.

History:

Original Adoption: November 15, 2017

Revision: June 13, 2017

Sandy City Council
Legislative Policies and Procedures

SUBJECT: Election of Council Officers

Deleted: Chair

BACKGROUND:

State law requires the City Council to elect one of its members as Council Chair. Specifically, Utah Code Annotated Section 10-3b-203(1)(a)(iv) says:

“The council in a municipality operating under a council-mayor form of government shall elect one of its members to be chair of the council.”

POLICY:

1. The Election of Council Officers policy adopted on January 13, 2009, as amended on March 31, 2015 and August 18, 2015 is hereby repealed.
2. Unless the City Council changes this policy by majority vote regarding the term, manner of election, or other conditions influencing the election of its officers, the City Council Chair and Vice Chair will serve approximately six-month terms. The City Council shall conduct an election for its officers by ballot vote on the first regularly scheduled meetings in January and July.
3. The election for the Chair will be conducted first followed by the election for the Vice Chair.
4. A majority vote of the entire membership of the Council (four affirmative votes) is required for election of the Chair and Vice Chair regardless of absences or abstentions.
5. If, after three ballots at the regularly scheduled semi-annual election for the Chair or Vice Chair, no Council Member receives a majority vote, the incumbent will continue to serve as Chair or Vice Chair. A new election will be held at the next regularly scheduled meeting of the City Council. No more than three ballots for Chair will be taken at any one Council meeting. A Council Member who receives a majority vote for the office of Chair shall assume the role and responsibility of Chair immediately at the meeting in which the election occurred and shall serve the term described in Section 2.
6. The Chair and Vice Chair may be reelected for one consecutive term upon a majority vote of the Council. A council member may not serve more than two consecutive terms.
7. The Vice-Chair will chair the Council meetings in the absence of the Chair. There is no presumption that the Vice-Chair will serve as the next Chair.

Deleted: The City Council will elect a Chair by ballot vote no later than the last regularly scheduled meeting in June to commence a six-month term beginning July 1 and ending December 31 the same year. The City Council will also elect a Chair by ballot vote no later than the last regularly scheduled meeting in December to commence a six-month term beginning January 1 and ending June 30 the same year.

Formatted: Condensed by 0.15 pt

Formatted: Indent: Left: 0.58", No bullets or numbering

Deleted: until a subsequent,

Deleted: .

Deleted: after July 1 or January 1

Deleted: The Council shall elect a Vice-Chair by ballot vote. The ...

Deleted: The same voting procedures and requirements outlined in sections 2 through 5 also apply to the office of Vice-Chair....

History:

Original Adoption: November 15, 2017
Revision: June 13, 2017



Sandy City, Utah

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

Staff Report

File #: 19-445, **Version:** 1

Date: 12/10/2019

Election of City Council Chair and Vice Chair for January 1, 2020 through June 30, 2020.



Staff Report

File #: 19-456, **Version:** 1

Date: 12/10/2019

Agenda Item Title:

The Council Office recommending that the Council receive a special presentation from the South Valley Chamber of Commerce

Presenter: Greg Summerhays



Staff Report

File #: 19-455, **Version:** 1

Date: 12/10/2019

Agenda Item Title:

Council Member Fairbanks recommending that the Council receive a presentation from the Beehive Academy Lego League

Presenter: Students from Beehive Academy