



Sandy City, Utah

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

Meeting Agenda

City Council

Brooke Christensen, District 1
Alison Stroud, District 2
Kristin Coleman-Nicholl, District 3
Monica Zoltanski, District 4
Marci Houseman, At-large
Zach Robinson, At-large
Cyndi Sharkey, At-large

Tuesday, April 7, 2020

5:30 PM

Online Meeting

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

The April 7, 2020 Sandy City Council Meeting will be conducted via Zoom Webinar. Public comment will occur no sooner than 6:00 PM. Each speaker is allowed three minutes. Citizens wishing to comment must access the meeting via the Zoom Webinar link below. The call-in number is for listening only. If a citizen is unable to attend a meeting via Zoom, he or she may e-mail the City Council Executive Director at mapplegarth@sandy.utah.gov 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.

Please click the link below to join the webinar:
<https://zoom.us/j/422434754>

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 346 248 7799 or +1 669 900 6833 or +1 312 626 6799 or +1 929 436 2866 or +1 253 215 8782 or
+1 301 715 8592

Webinar ID: 422 434 754

5:30 Council Meeting

Non-voting Items

1. [20-104](#) Utah Transit Authority presentation on the Point of the Mountain Transit Study.

Attachments: [Transit Study Presentation.pptx](#)

Voting Items

Consent Calendar

2. [20-107](#) Public Utilities Department recommending the Council:
1. Approve Resolution 20-09C amending an existing agreement with Salt Lake County Flood Control resulting in additional \$250,000 reimbursement for the Dry Creek Improvements project, and
2. Approve Resolution 20-08C amending the existing Storm Drainage and Flood Control Agreement between Sandy City and Salt Lake County Flood Control providing an additional \$50,000 for the Sandy Canal Trail project, and to relieve Sandy Public Utilities and Salt Lake County Flood Control of future liability and expense responsibilities within that right of way corridor.
- Attachments:** [Salt Lake County Flood Control Memo - Funding Amendment 20200402.pdf](#)
 [20-09c.pdf](#)
 [Dry Creek Amendment.pdf](#)
 [20-08c.pdf](#)
 [Sandy Canal Amendment.pdf](#)
3. [20-094](#) In the case of the ongoing wetland delineation study, Administration is requesting that the Council authorize the procurement of supplies, equipment and services without complying with the provisions of the purchasing ordinance determining that compliance, in this case, is not in the best interests of the City.
- Attachments:** [professional services extension memo](#)
4. [20-098](#) Approval of the February 18, 2020 Minutes.
- Attachments:** [February 18, 2020 Minutes](#)
5. [20-099](#) Approval of the February 19, 2020 Special Meeting Minutes.
- Attachments:** [February 19,2020 Special Meeting Minutes](#)
6. [20-102](#) Approval of the February 25, 2020 Minutes.
- Attachments:** [February 25, 2020 Worksession Minutes](#)
7. [20-100](#) Approval of the March 3, 2020 Minutes.
- Attachments:** [March 3, 2020 Minutes](#)
8. [20-101](#) Approval of the March 10, 2020 Minutes.
- Attachments:** [March 10, 2020 Work Session Minutes](#)

Council Items

9. [20-103](#) Mayor Bradburn requesting the City Council renew and continue the March 12 Proclamation of Local Emergency, and consent to the renewal of all other related proclamations issued by the Mayor.

Attachments:

[Emergency Proclamation No.2 2.pdf](#)

[Resolution Re Consent to Emer Proc Extension.docx](#)

6:00 Time Certain Items

Citizen Comment

Adjournment



Sandy City, Utah

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

Staff Report

File #: 20-104, **Version:** 1

Date: 4/7/2020

Agenda Item Title:

Utah Transit Authority presentation on the Point of the Mountain Transit Study.

Presenter:

Patti Garver

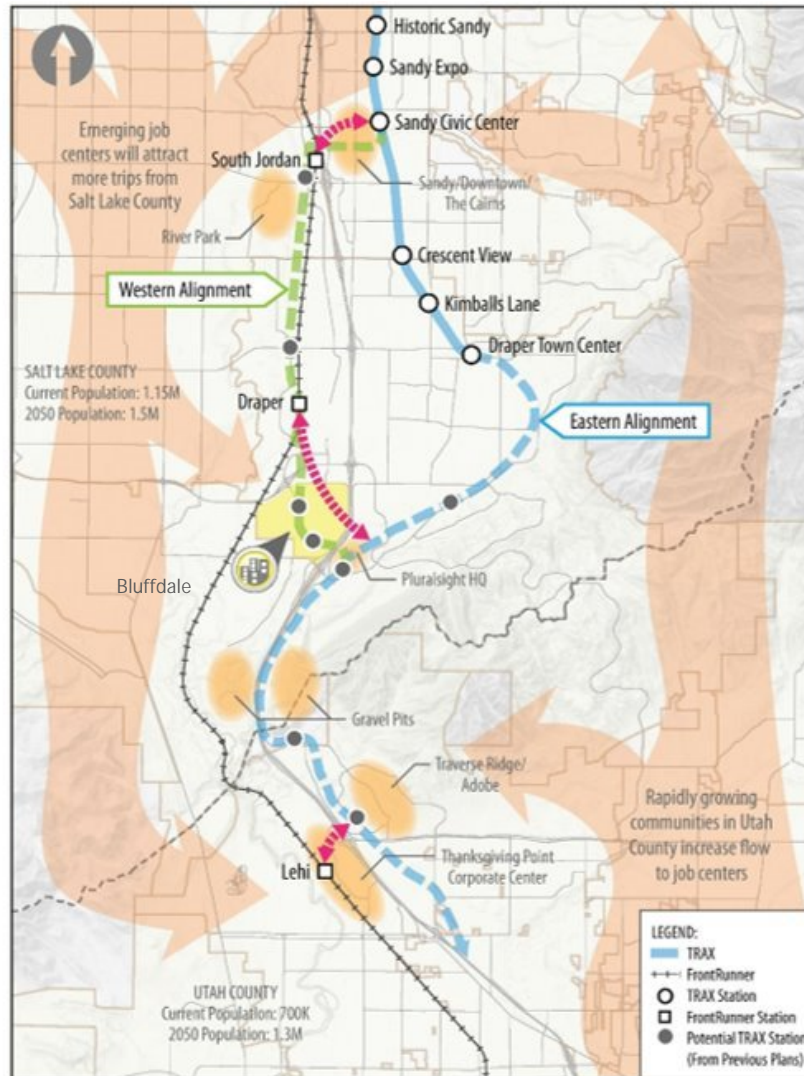


POINT OF THE MOUNTAIN TRANSIT STUDY

Patti Garver
Utah Transit Authority



Study Background



- Current Transit
 - LRT, commuter rail, bus
- Previous Planning Efforts
 - Draper LRT, Sandy SoJo Circulator, SW SLCo Transit, PoM Visioning
- Key Des? na? ons
 - Silicon Slopes, Prison Site, other

Point of the Mountain Transit Study Overview

The Preferred Alternative will identify the:

- Transit corridor (locations to be served)
- Transit mode (type of transit technology)



Factors to Consider



Land
Use



Transit
Ridership



Travel
Times



Travel
Markets



Economics



Conceptual
Engineering



Environmental
Factors



Capital and
Operating Costs



Public and Stakeholder
Outreach and Input

Project Activity Updates

Describe
Setting and
Problem
Aug-Oct
2019



Set Project
Goals
Sep-Nov
2019



Develop
Draft
Alternatives
Oct-Dec
2019



Evaluate
Alternatives
Jan-Mar
2020



Refine the
Best
Performing
Alternatives
April-June
2020
(Unfunded)



Select a
Locally
Preferred
Alternative
July 2020
(Unfunded)

Committee Meetings and Public Open Houses

➤ Technical Advisory Committee Meetings

- August 29, 2019
- October 15, 2019
- October 22, 2019
- December 5, 2019
- January 21, 2020

➤ Steering Committee Meetings

- Kickoff Workshop September 16, 2019
- High Level Meeting November 13, 2019
- December 16, 2019

➤ Public Open House

- November 14, 2019

One-on-One Meetings and Public Surveys

➤ Jurisdiction One-on-One Meetings to Review Employment and Population Projections

- Bluffdale
- Draper
- Lehi
- Sandy
- South Jordan

➤ Public Opinion Survey Work

- Meeting with stakeholders in late January to include their input for surveys. Beginning public surveys in February.

Project Purpose

Provide faster, more frequent, and reliable transit service to:

- Improve access and mobility between southern Salt Lake County and northern Utah County
- Connect to the regional transit system
- Support the long-range transportation demands in southern Salt Lake County and northern Utah County
- Support land use and economic development goals in the Point of the Mountain communities and region

In addition, stakeholders want a transit project that:

- Is affordable
- Leverages existing and planned facilities and services
- Protects the environment, including air quality, and quality of life

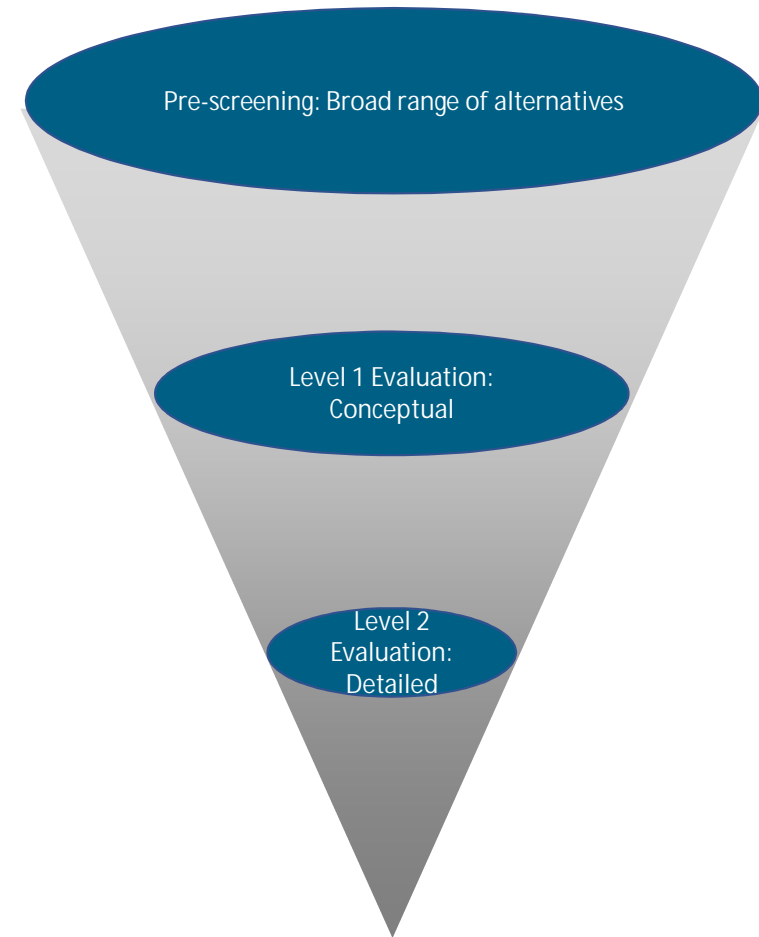
Project Need

The need for the project includes the following:

- Roadway congestion is increasing on Interstate 15
- Regional transit service lacks connections
- Long-term population and employment growth
- Increased residential and commercial development and employment centers
- Environmental and quality of life goals

Alternative Screening Methods

- Presented draft Level 1 screening measures to Technical Advisory Committee in October 2019
- Refined and streamlined Level 1 screening to provide most useful data to paint the initial picture of each alternative
- Additional detailed evaluation will occur in Level 2 screening



Concepts for Level 1 Screening

Developed concepts based on:

- Previous planning efforts
- TAC workshop and feedback
- Input from:
 - November 14th Public Meeting
 - December 5th Technical Advisory Committee Meeting
 - December 9th Steering Committee Meeting

Concepts for Level 1 Evaluation

Concepts for Level 1

- Western Alignment – Light Rail Transit
- Eastern Alignment – Light Rail Transit
- Western Alignment – Bus Rapid Transit
- Eastern Alignment – Bus Rapid Transit
- East-West Bus Connections – Leverage FrontRunner

Concepts for Level 1 Evaluation

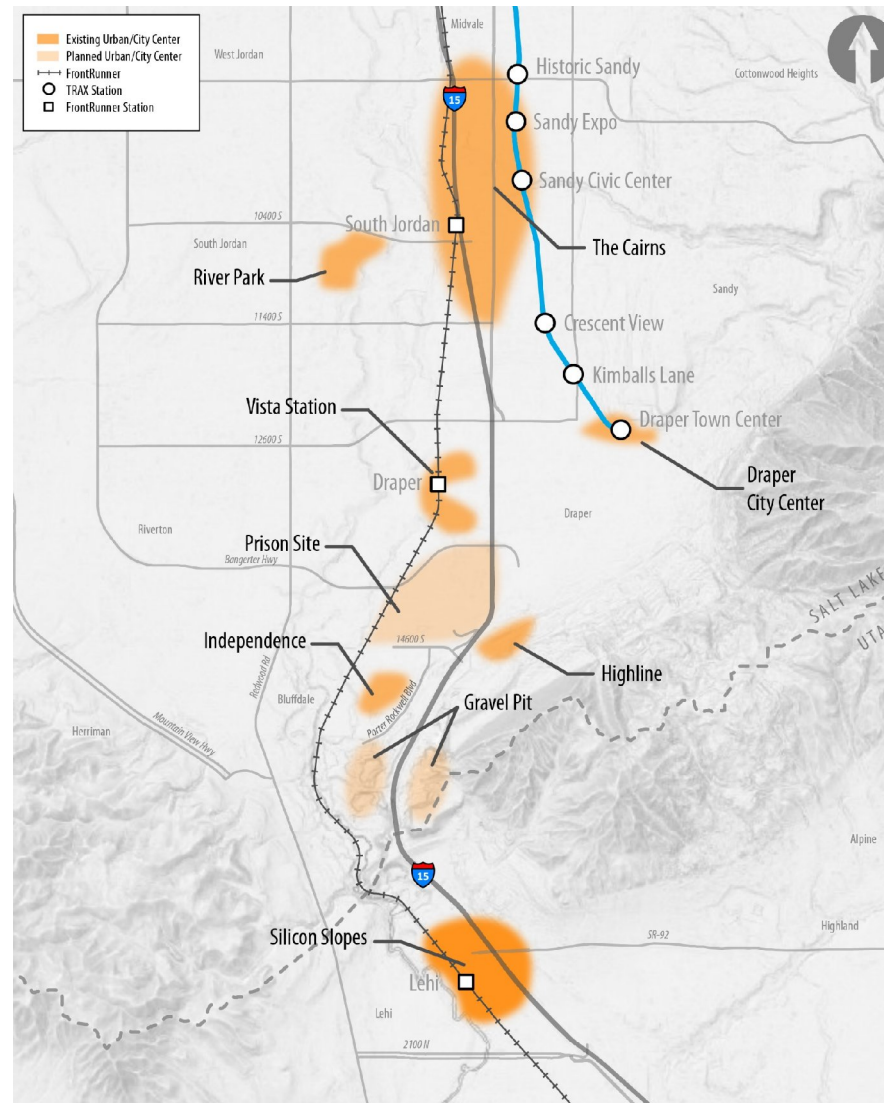
These concepts are:

- Representative alignments/station areas – to define scope of work (general alignment and station areas) and use for consistent measurement of Level 1 criteria
- Going to evolve – concepts will evolve through this project, and through future phases of project development. Concepts will be refined further based on findings from Level 1.

These concepts **are not**:

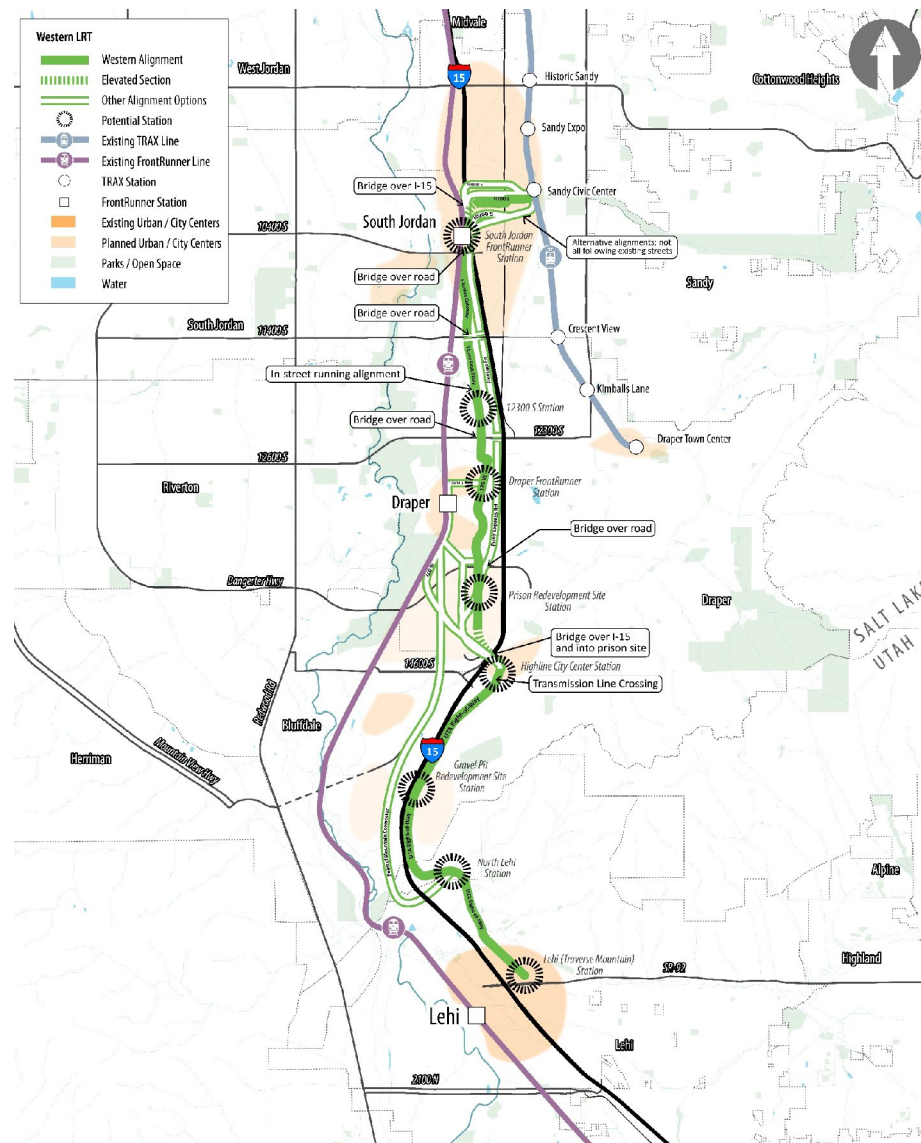
- Final determinations of engineering, impacts, or station locations

Concepts for Level 1 Evaluation



Concepts for Level 1 Evaluation

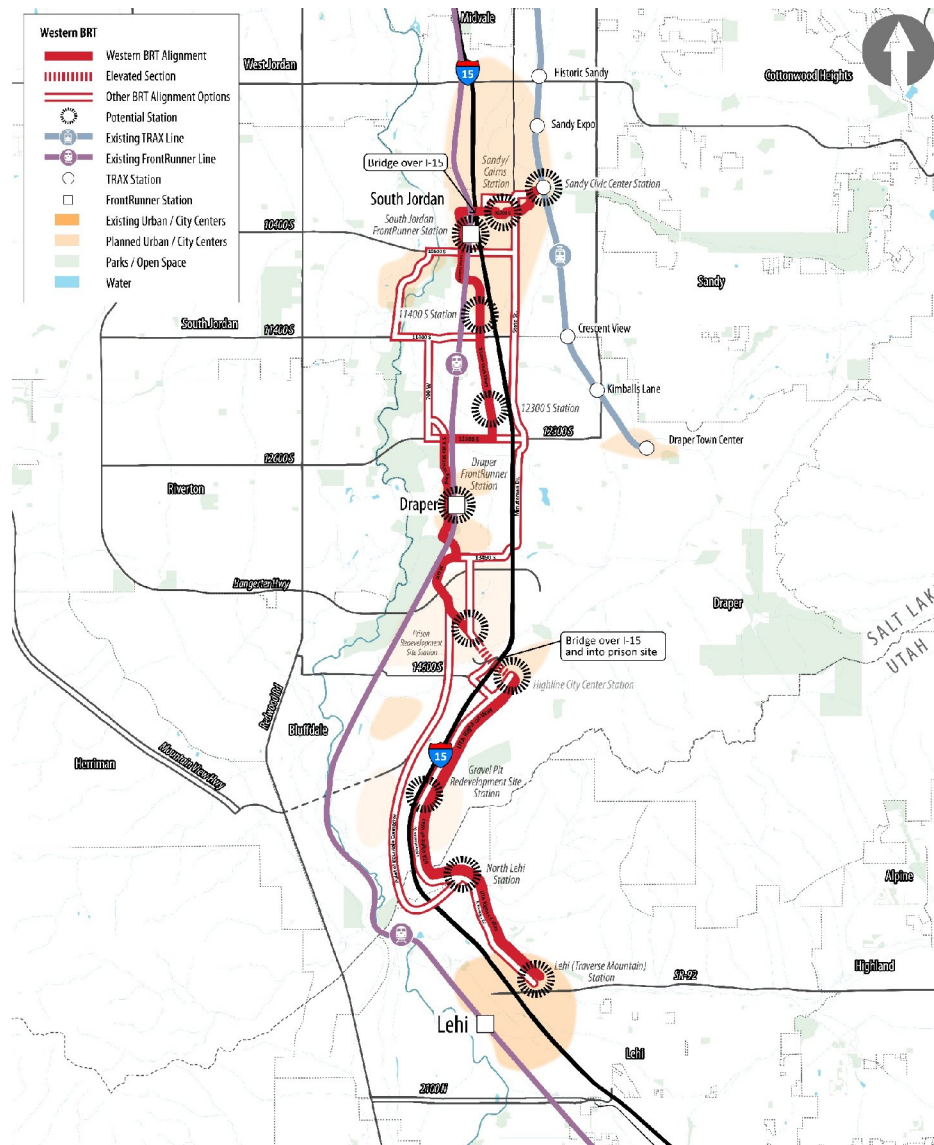
Western LRT



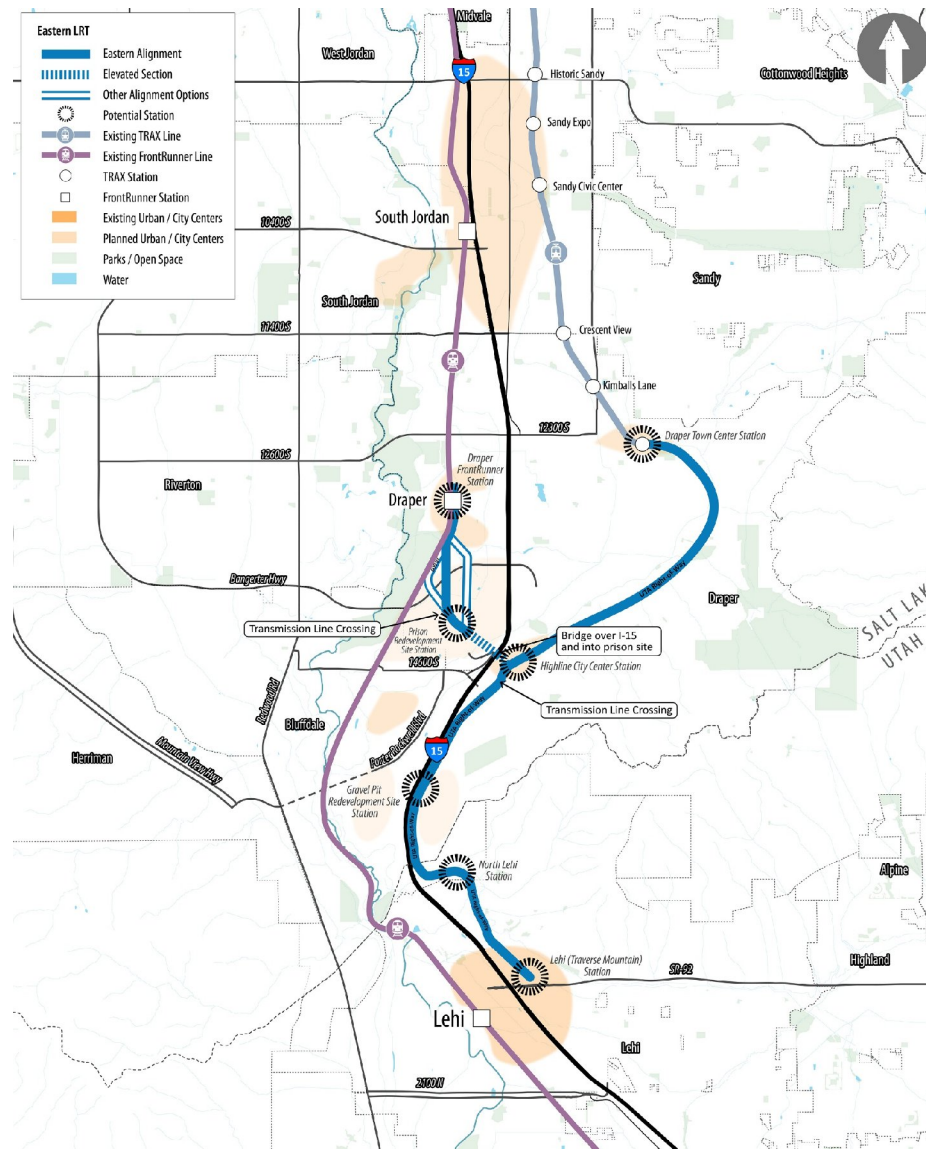
POINT OF THE MOUNTAIN
TRANSIT STUDY

Concepts for Level 1 Evaluation

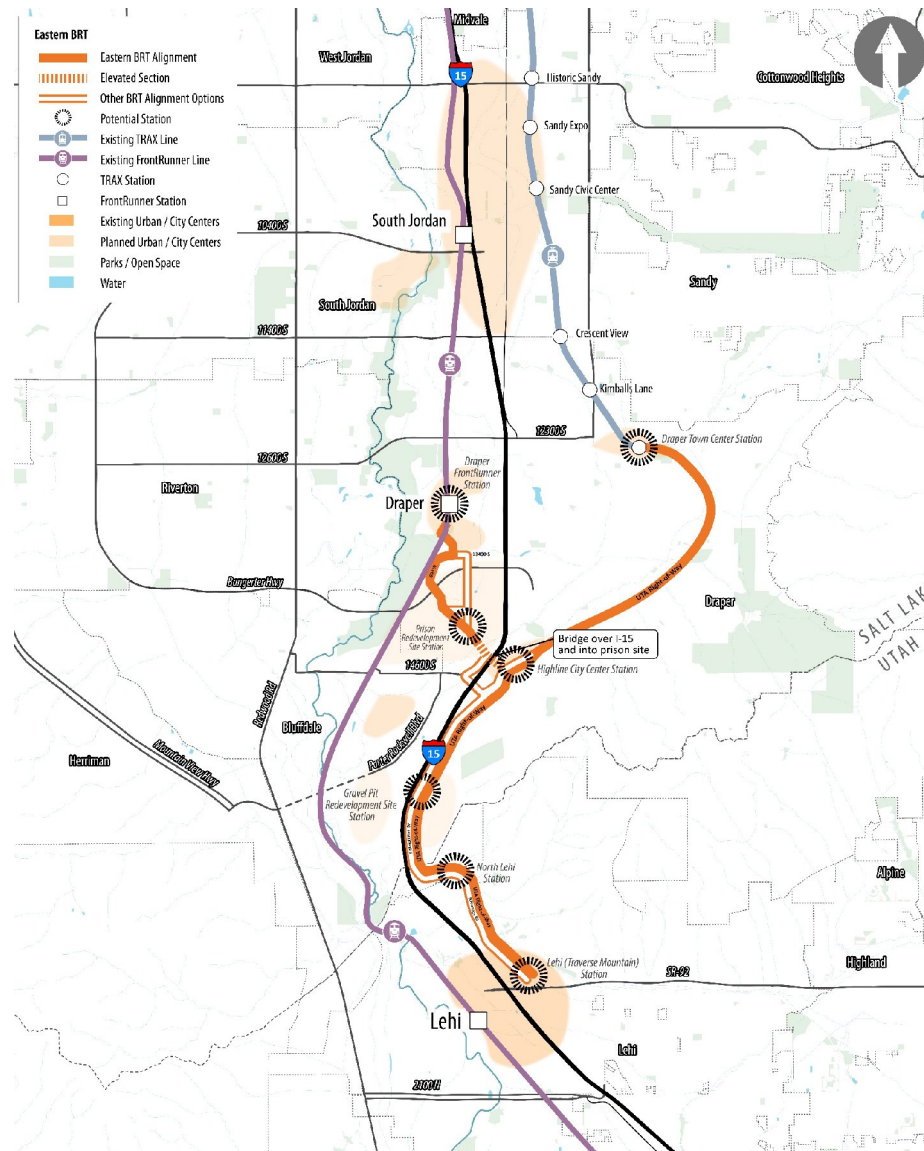
Western BRT



Concepts for Level 1 Evaluation Eastern LRT

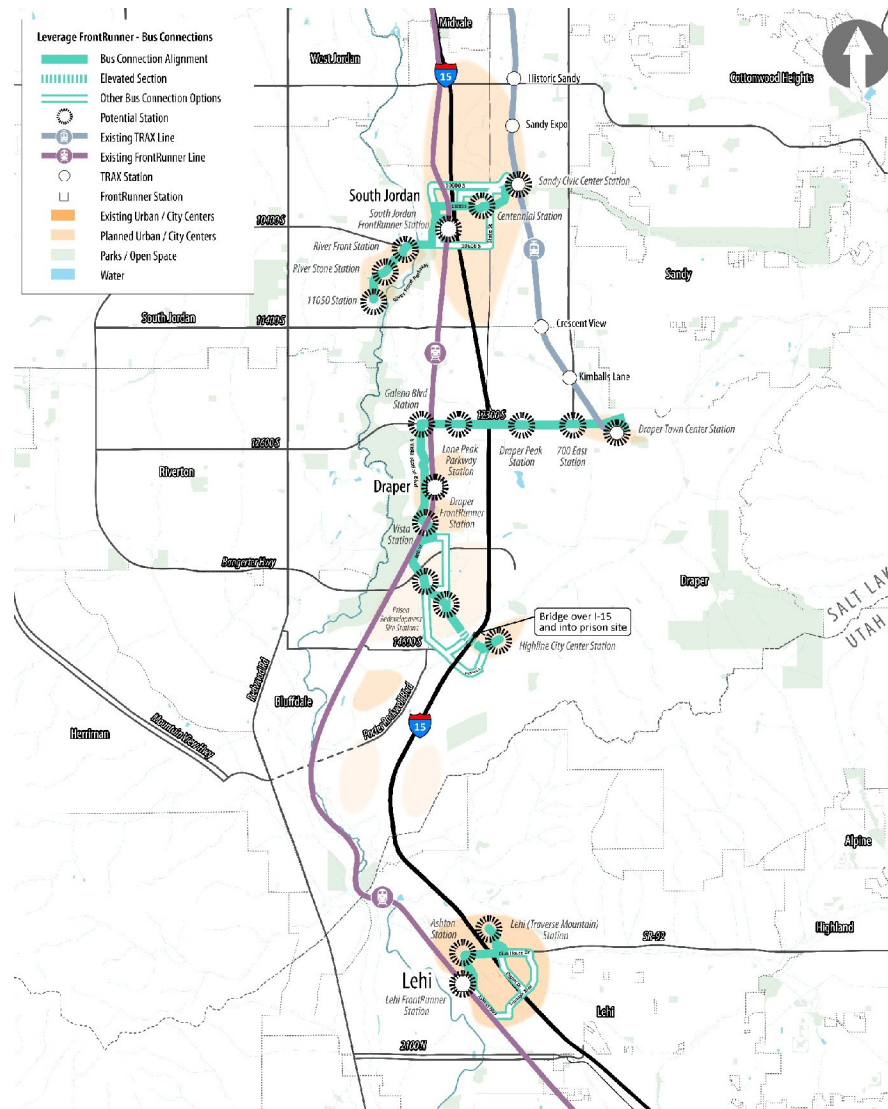


Concepts for Level 1 Evaluation Eastern BRT



Concepts for Level 1 Evaluation

East/West Bus Connections



Next Steps

- Finalize Level 1 Evaluations and Identify Alternatives Meeting Criteria
- Public Surveys and Open House #2
- Complete More Detailed Design and Conduct Level 2 Evaluations for Alternatives Moved on From Level 1
- Identify Locally Preferred Alternative
- Determine Potential for Funding
- Begin Environmental Document, if Appropriate

Questions?

Thank You

Patti Garver, UTA Point of the Mountain Project Manager

➤ pgarver@rideuta.com

➤ 801-898-5856

Level 1 Evaluation Criteria

- Transit Speed
- Transit Reliability
- Ridership Potential
- Multimodal Access and Connections
- Transit Connections
- Community Compatibility
- Mixture and Density of Land Uses
- Walkable Design
- TOD Opportunities and Economic Development
- Cost Considerations
- Constructability and Operational Considerations
- Effects on the Environment, Air Quality & Built Environment
- Support Equity



Staff Report

File #: 20-107, **Version:** 1

Date: 4/7/2020

Agenda Item Title:

Public Utilities Department recommending the Council:

1. Approve Resolution 20-09C amending an existing agreement with Salt Lake County Flood Control resulting in additional \$250,000 reimbursement for the Dry Creek Improvements project, and
2. Approve Resolution 20-08C amending the existing Storm Drainage and Flood Control Agreement between Sandy City and Salt Lake County Flood Control providing an additional \$50,000 for the Sandy Canal Trail project, and to relieve Sandy Public Utilities and Salt Lake County Flood Control of future liability and expense responsibilities within that right of way corridor.

Presenter:

Tom Ward

Description/Background:

Please see the memo attached.

Fiscal Impact:

These resolutions result in an additional \$300,000 in revenue for the specified projects.

Recommended Action and/or Suggested Motion:

Motion to approve Resolution 20-08C and 20-09C.



TOM WARD, P.E.
PUBLIC UTILITIES DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

To: Sandy City Council
From: Tom Ward, P.E., Public Utilities Director
Tyler Shelley, P.E., Public Utilities Chief Engineer
Date: April 2, 2020
Re: Amendments to Agreements with Salt Lake County Flood Control

INTRODUCTION AND RECOMMENDATION

Sandy City desires to approve amendments to two existing agreements with Salt Lake County Flood Control (SLCoFC). The first (Resolution #20-09 C) amendment is for an additional \$250,000 reimbursement from SLCoFC to Sandy City for the Dry Creek Improvements project in 2020.

The second (Resolution #20-08 C) is to amend the existing Storm Drainage and Flood Control Agreement between SLCoFC and Sandy City. We ask that the City Council recommend the amendments for approval. That agreement provides for joint funding from the County, Sandy and White City to convert an abandoned canal right of way to a regional trail (the Sandy Canal Trail), and to relieve Sandy Public Utilities and County Flood of future liability and expense responsibilities with that right of way corridor. This amendment provides for an additional \$50,000 funding from County Flood Control.

SECOND AMENDMENT TO INTERLOCAL AGREEMENT FOR DRY CREEK IMPROVEMENTS (Resolution # 20-09 C)

An interlocal cooperation agreement was executed in 2018 between SLCoFC and Sandy City that defined a \$200,000 reimbursement from SLCoFC to Sandy City for the Dry Creek Improvements. A first amendment was executed in 2019 for an additional \$250,000 reimbursement in 2019. This proposed second amendment is for an additional \$250,000 reimbursement for Dry Creek Improvements in 2020.

AMENDMENT TO STORM DRAINAGE AND FLOOD CONTROL AGREEMENT (Resolution #20-08 C)

A Storm Drainage and Flood Control agreement between SLCoFC and Sandy City was entered into July 1981. Per this agreement SLCoFC has used the Sandy Canal and Union Jordan ditches for storm drainage and flood control purposes. In exchange, SLCoFC has been required to pay 25% of Sandy City's annual maintenance costs of the canals/ditches. The agreement will expire after 50 years, which will be in July 2031.

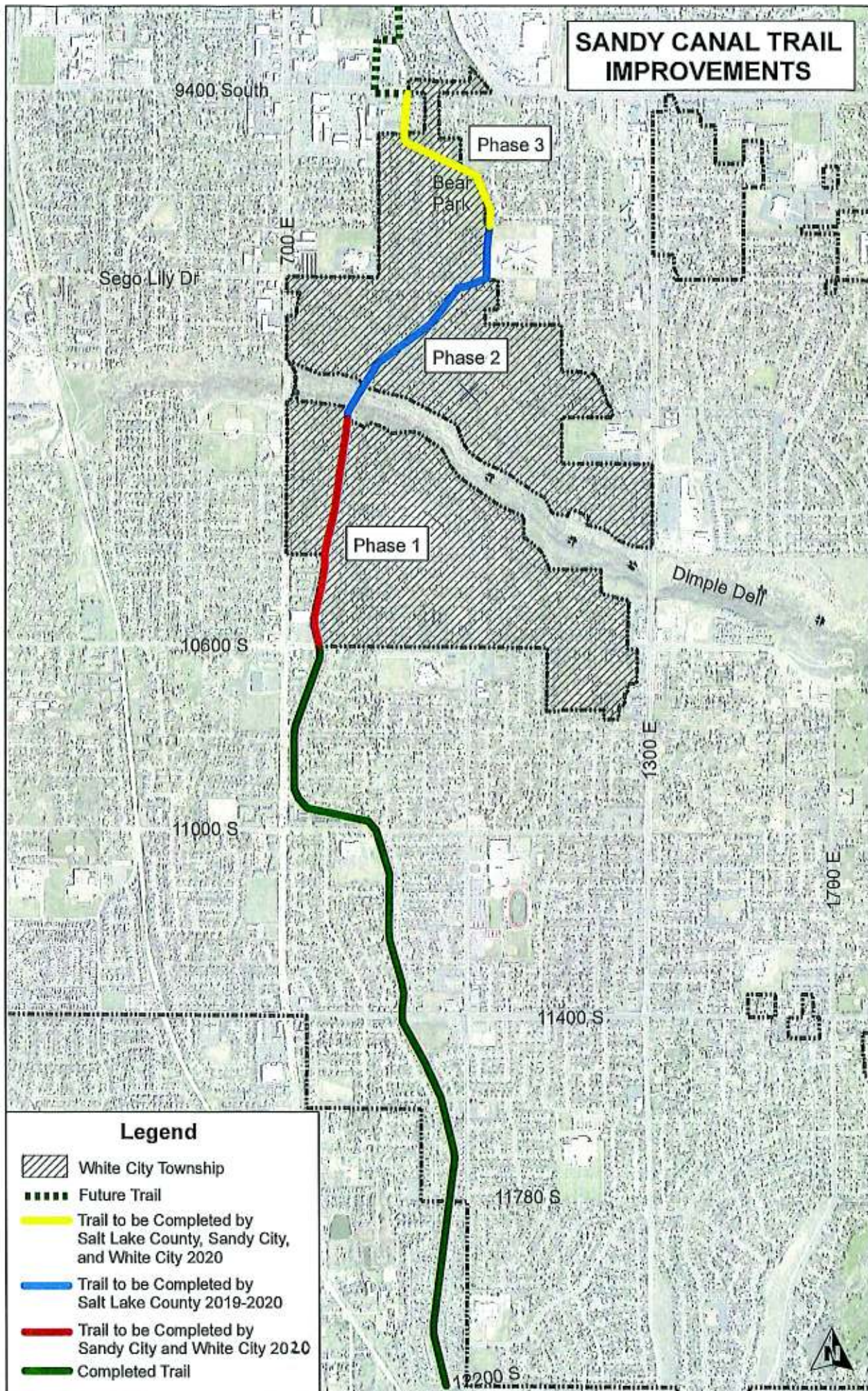
Sandy City and SLCoFC agree to amend the existing agreement. The Union Jordan ditches are no longer used for irrigation and are no longer maintained by Sandy City. Sandy Canal is no longer used for irrigation and is in the process of being converted into a trail system. Also, much of the unincorporated County areas that historically drained to the canals/ditches, have annexed into Sandy City and White City. Only small areas of unincorporated County convey storm runoff to the Sandy Canal.

The proposed amendment will allow SLCoFC to pay in lump sum \$50,000 to Sandy City in lieu of the continued annual payments (through July 2031) and thereafter terminate the agreement. Sandy City plans to use the \$50,000 toward completing the Sandy Canal trail and drainage improvements. As indicated previously, the Sandy Canal corridor is in the process of being converted into a trail system. The trail will eventually extend from Draper City to north of Sandy City and will provide access to Dimple Dell Regional Park. See the attached figure for completed and planned trail improvements.

Sandy City currently owns and maintains the canal property through Sandy City and White City. Sandy City, White City, and Salt Lake County Parks and Recreation are working together to design and construct trail and drainage improvements from 10600 South to 9400 South in three phases as shown on the attached figure. Per agreements that have been previously executed, the canal property through White City and associated maintenance requirements will be conveyed to White City upon completion of each phase. The \$50,000 will be used toward these phases of the Sandy Canal trail and allow the ownership and maintenance responsibilities to be transferred from Sandy Public Utilities to White City.

Attachments

SANDY CANAL TRAIL IMPROVEMENTS



RESOLUTION #20-09 C

A RESOLUTION AUTHORIZING A SECOND AMENDMENT TO THE
INTERLOCAL COOPERATION AGREEMENT BETWEEN SALT LAKE COUNTY
AND SANDY CITY.

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

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

WHEREAS, County and City agree to amend the Agreement, executed on the 29 day of
March, 2018 to clarify Section 2. County Payment;

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

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

1. It does hereby approve the attached amendment to the Agreement between
Salt Lake County and Sandy City to clarify County payments to the City to satisfy financial
obligations arising from the Agreement.

2. The Hon. Kurt Bradburn, Mayor of Sandy City, is hereby authorized to execute
the amendment to the Agreement on behalf of Sandy City Corporation and to act in
accordance with its terms.

DATED this ____ day of _____, 2020.

Kristin Coleman-Nicholl
Sandy City Council

ATTEST:

City Recorder

RECORDED this ____ day of _____, 2020.

**SECOND AMENDMENT
to the
INTERLOCAL COOPERATION AGREEMENT**

Between

SALT LAKE COUNTY

And

SANDY CITY

THE INTERLOCAL COOPERATION AGREEMENT ("*Agreement*") executed on the 29 day of March, 2018, by and between **SALT LAKE COUNTY** ("*County*"), and **SANDY CITY** ("*City*"), is hereby amended as follows effective as of the ____ day of _____, 2020.

NOW, THEREFORE, in exchange for valuable consideration, including without limitation, the mutual covenants, agreements and representations contained in this First Amendment, the receipt of which is hereby acknowledged, the County and the City agree to amend the Agreement as follows:

A. Section 2 is hereby amended as follows:

2. County Payment. Upon substantial completion of each phase of the Dry Creek Improvements, City shall submit records of the actual cost of completing these improvements, including a breakout of the costs that are strictly flood control related. Only County approved flood control related work is considered eligible for reimbursement. County has budgeted \$250,000 for the year 2020. Within thirty (30) days after receipt (as defined in section 5.1. of this Agreement) of the records by the County, County shall pay to the City the actual flood control cost of completing the improvements, up to \$250,000. Under no circumstances will County be obligated to provide more than \$250,000, regardless of actual cost. If additional funds are approved by the Salt Lake County Mayor and Salt Lake County Council for following years, written notification will be sent to Sandy City. Possible future funding shall follow the same protocols as the initial funding.

B. All parts, paragraphs, and other provisions of the Agreement not specifically modified by this amendment shall be the same and remain in full force and effect.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the City caused this First Amendment to be signed by its Mayor and attested by its City Recorder; and the County caused this First Amendment to be signed by the Mayor, or his designee, his or her signature being duly notarized.

SALT LAKE COUNTY

By: _____
Mayor or Designee

Administrative Approvals

By: _____
Scott Baird, Department Director

By: _____
Kade D. Moncur, Division Director

SANDY CITY

By: 74 B. [Signature]
Mayor or Designee



Attest: [Signature]
DEPUTY CITY RECORDER

Approved As To Form and Legality:

Ryan W. Lambert 2/25/2020
For Salt Lake County Date

Daniel Sloan 3/12/20
For Sandy City Date

SANDY CITY APPROVALS
Department [Signature]
Risk Mgt. [Signature]
Budget BK
Legal Form [Signature]
Purchasing Compliance BK

RESOLUTION #20-08 C

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE INTERLOCAL
COOPERATION AGREEMENT BETWEEN SALT LAKE COUNTY AND SANDY
CITY FOR STORM DRAINAGE AND FLOOD CONTROL

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

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

WHEREAS, County and City desire to amend the Agreement, entered in July 1981 to
allow County to pay a lump sum in lieu of continued annual payments and thereafter
terminate the Agreement;

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

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

1. It does hereby approve the attached amendment to the Agreement between
Salt Lake County and Sandy City to allow County to transfer the sum of fifty thousand dollars
(\$50,000) to City to satisfy all outstanding financial obligations arising from the Agreement.

2. The Hon. Kurt Bradburn, Mayor of Sandy City, is hereby authorized to execute
the amendment to the Agreement on behalf of Sandy City Corporation and to act in
accordance with its terms.

DATED this ____ day of _____, 2020.

Kristin Coleman-Nicholl
Sandy City Council

ATTEST:

City Recorder

RECORDED this ____ day of _____, 2020.

County Contract No. _____

District Attorney No. 19-13919

**AMENDMENT TO
STORM DRAINAGE AND FLOOD CONTROL AGREEMENT**

between

SALT LAKE COUNTY

and

SANDY CITY

THIS AMENDMENT TO THE STORM DRAINAGE AND FLOOD CONTROL AGREEMENT ("Amendment") is made this ____ day of _____, 2020, by and between SALT LAKE COUNTY, on behalf of its Engineering and Flood Control Division, a political subdivision of the State of Utah (the "County"); and SANDY CITY CORPORATION, a municipal corporation of the State of Utah (the "City"). The County and City are sometimes jointly referred to as the "Parties."

RECITALS:

WHEREAS, the Parties are local governmental units and "public agencies" that are therefore authorized by the Utah Interlocal Cooperation Act, Section 11-13-101, *et seq.*, Utah Code Annotated (the "Interlocal Act"), to enter into agreements with each other for joint and cooperative action to make the most efficient use of their powers on a basis of mutual advantage; and

WHEREAS, in July 1981, Salt Lake County and Sandy City entered into Storm Drainage and Flood Control Agreement ("Agreement") allowing County to use existing canals within the City for storm drainage and flood control purposes (attached hereto as Exhibit A); and

WHEREAS, Sandy City operates and maintains the Sandy Irrigation Canal ("Canal"), which is specifically referenced in the July 1981 Agreement and which traverses Sandy City and currently functions solely to collect stormwater (depicted on the attached map, incorporated as Exhibit B); and

WHEREAS, pursuant to the Agreement, County pays 25% of the City's maintenance costs annually; and

WHEREAS, County and City desire to amend the Agreement pursuant to this Amendment to allow County to pay a lump sum in lieu of continued annual payments and thereafter terminate the Agreement.

NOW, THEREFORE, in consideration of the mutual promises set forth herein and the above recitals which are incorporated by reference, the sufficiency of such consideration is hereby acknowledged, the Parties hereby agree to amend the existing Agreement as follows:

1. In consideration for this Amendment, County shall transfer the sum of fifty thousand dollars (\$50,000.00) to City to satisfy all outstanding financial obligations arising from the Agreement.

2. The Agreement shall terminate upon receipt by City of the payment described in Paragraph 1, above.

IN WITNESS WHEREOF, the Parties have entered into this Agreement as of the date first written above.

SALT LAKE COUNTY

By _____
Mayor or Designee

SALT LAKE COUNTY
ADMINISTRATIVE APPROVAL:

By: _____
Scott Baird,
Public Works Department Director

SALT LAKE COUNTY
APPROVAL AS TO FORM:

By: Ryan W. Lambert 2/24/2020
Ryan W. Lambert,
Deputy District Attorney

By: _____
Kade Moncur,
Engineering Division Director



SANDY CITY CORPORATION

By: [Signature]
Mayor

ATTEST

[Signature]
City Recorder

SANDY CITY
APPROVAL AS TO FORM:

By: [Signature]
City Attorney

Date: 3/12/20

deputy

EXHIBIT A
July 1981 Storm Drainage and Flood Control Agreement

000 2.17

STORM DRAINAGE AND FLOOD CONTROL AGREEMENT

Sandy Canal

FILE

A STORM DRAINAGE AND FLOOD CONTROL AGREEMENT made and entered into as of the 1st day of July 1981, by and between SALT LAKE COUNTY, a body corporate and politic of the State of Utah, hereinafter called "County," and SANDY CITY, a corporation of the State of Utah, hereinafter called "City".

1. As part of its flood control program, County proposes to utilize existing canal rights-of-way, real property and improvements thereon (hereafter referred to as "Canals") in order to promote the general welfare of the citizens of County. City is willing for its canals to be used for storm drainage and flood control purposes upon the terms and conditions hereinafter set forth. For the purposes of this agreement City's canals shall include the Sandy Irrigation Canal and the Union Jordan North and South Ditches from Little Cottonwood Creek to the Jordan River. Storm drainage and flood waters as either or both terms are used in this Agreement are hereby defined to mean waters which fall and/or are artificially conveyed into the canals through curb and gutter, paving, storm drain pipelines or open channels approved by County and City to divert such storm waters into Canals. This contemplates, but is not limited to, storm runoff into said Canals from private property, subdivision development, industrial development, commercial and recreational development, and streets and roads owned or acquired by County and approved by County and City. It is understood and agreed that City shall have the right to refuse such approval for any reason and City may require of County that any water entering Canal be properly and adequately treated or stopped as soon as reasonably possible after notice and/or prevented from entering Canal when found by the City, any water user, City-County Health Department or other State, County or Federal agency to be physically harmful to animals, crops of any kind, or any other beneficial use of the water.

2. The City agrees that the County, its officers, employees and agents shall have the non-exclusive right to discharge waters into Canals under terms and conditions set forth herein. Such right, however, so far as City is concerned, being only the right to use the Canal as it now exists, and to the extent only of City's rights in said Canal. This right and power contemplates discharge and release of storm drainage or waters into Canals from

Not
Said
11"

subdivisions and other developments expressly authorized by City and County.

3. Subject to the reservations herein contained, City agrees that County may use a reasonable extent of Canal right-of-way, real property and improvements thereon which City now owns or has an interest in and is using for the conveyance of irrigation water. City further agrees that it will not prejudice the rights granated herein to County and that whenever it conveys any of said interest in its Canal property and/or right-of-way it will do so, upon proper and reasonable compensation from County, with an express reservation to County of its right to conduct storm drainage and flood waters in Canals for the period and as controlled in this Agreement.

4. The parties agree that the County, its officers, employees and agents shall have the non-exclusive right to enter upon any City Canals for the purposes of its flood control program, cooperatively but under supervision and direction of and only with the prior written approval of City, to operate equipment for the dredging or cleaning of said Canals, or for the purpose of installing pipelines and spillways.

5. The parties agree that the COUNTY through its duly authorized representative (which representative must reliably inform himself as to the distribution of waters under flood control and other emergency conditions) shall have a set of keys to all spillway gates constructed by the COUNTY and the COUNTY shall have authority to open, close, and otherwise regulate these spillways and other critical relief points, to distribute the waters therein in times of flood and other emergency conditions, only in the event the superintendent or other authorized representative of the City is not available. Except in times of flood, the COUNTY shall not open flood control gates without specific consent of the City. COUNTY and City shall maintain lists of authorized representatives with 24-hour telephone contact numbers for use by all parties.

6. (a) In the exercise of the rights and powers described in the foregoing paragraphs, the parties agree that COUNTY shall exercise reasonable discretion and shall not do any damage to or impair City's Canals' ability to carry out, or interfere with their main purpose of conveying stockholders' water; and shall restore all City property to the condition existing before entry by COUNTY, except that the Canals may be altered when complying with the specifications agreed to in writing by City and in compliance with provisions

set forth in paragraph 7 hereinbelow. COUNTY agrees that in performing widening and deepening of said Canals, in no event shall such width or depth exceed the original depth and width of the Canals. Other than for maintenance requested in writing by City, COUNTY agrees to perform any such work on said Canals only at times other than between April 1 and October 15 of any calendar year or at such times as City can and agrees to turn the water from the canal.

(b) City also agrees that COUNTY shall have the right pursuant to its work in deepening, widening and improving Canals to place any excavation materials on the canal banks, and COUNTY AGREES to promptly dispose of same.

It is the intent of the parties hereto that whenever exercising these rights and powers COUNTY and City will work together and keep each other informed of any action which one of them might take which would materially affect the interests of the other with respect to the rights and duties set forth herein.

7. As consideration for the rights and duties described herein, COUNTY agrees to require that all persons who might discharge water into City's Canals pursuant to authority from City and COUNTY shall strictly comply with the following specifications. COUNTY will require that any water discharged into City's Canals shall be in a pipe of such size as to carry the maximum flow from the source, and said pipe shall be of such length as will project for one foot beyond the bank of the Canal at high water line, and the bottom of the pipe shall be set at two inches above the high water mark, but with a concrete spillway, at least three (3') feet in width and extending to the center of the canal. Sand traps will be installed and maintained by County, at such places when and as requested by City. No discharge facility which will discharge water into City's Canals shall be constructed by any person, under terms of this Agreement, until City has approved the facility in writing forwarded to County.

8. (a) County agrees to pay twenty-five percent (25%) of all City's clean up and maintenance operations of said City Canals. Semiannual payments will be due within forty-five (45) days of billing which will occur on or about July 1 and January 1 of each year. Invoices from City shall show actual clean up and maintenance charges for such work performed during the previous billing period including overhead. It is agreed that City will keep complete records of all expenses for said maintenance costs as defined below and that City's books and records thereof will be open to inspection and audit by

County at the end of each year to determine whether said costs are reasonable. It is agreed that only the books and records pertaining to maintenance costs defined below will be subject to review and inspection pursuant to the terms of this paragraph. These maintenance costs are subject to review annually by the parties as set forth in paragraph 12 below. It is agreed that the maintenance costs contemplated by this paragraph shall include work done annually by City to clean Canals and dispose of silt, debris, weeds, moss, garbage and like foreign matter; to strengthen the banks against normal wear and tear due to erosion, the traffic of animals or vehicles and from the surface water which is caused by snow or rainfall or other sources being conducted into Canals by County improvements and also strengthening the banks at other known weak points where overflow might occur and where potential hazards might exist, and repair of breaks in canal banks. Maintenance costs as contemplated by this paragraph, except where the rebuilding and placing of concrete linings in Canals increase the carrying capacity of said Canals at County's request, do not include rebuilding Canals, placing concrete linings therein, constructing bridges, irrigation dams, headgates or other diversions therein, solely for City's use and benefit, but it will include any maintenance of those facilities which now carry storm water on spring runoff over and under Canal or flumes and pipes over Canals. It is agreed that the maintenance costs shall include all operational costs including employees salaries, directors fees, and overhead when directly applicable to said Canal cleaning, operation and maintenance.

(b) County agrees to meet with City after October 15 and November 1 of each year and patrol said Canals and concurrently determine what debris or sand removal and repair and other maintenance work is required, which work will be performed by County at its sole expense with its own equipment and employees on a schedule, but prior to April 1 of the following year. City may elect to drain its canals at some other time during the year in which case the patrol and maintenance activity will be completed as mutually agreed by the parties at the time the canals are patrolled. If City desires to have County do other work on the Canals solely for City's benefit, County agrees to provide its men and equipment to do the work requested at cost.

9. As consideration for the rights and powers granted to County as set forth hereinabove, County agrees to perform and/or have contracts let for the improvements listed on attached Exhibit "A".

10. In consideration of City's providing its Canal facilities for storm drainage and flood control waters, County agrees, to the maximum extent authorized by law, to indemnify, save harmless and defend City, its agents and employees from all claims, mechanics liens, damages, demands, actions, costs and charges arising out of any and all operations by or on behalf of County hereunder including, but not limited to, any damage caused by the introduction of any of the storm drainage or other authorized drainage, including damage arising from the harmful contents of such waters, which are artificially diverted into Canals through curb and gutter, paving, storm drain pipelines or other channels approved by County, irrespective of whether City may have approved or not, or by reason of the escape, or release by City or County or others, of storm drainage or flood waters from City's Canals..

11. The primary responsibility for maintenance of Canals shall be that of the City, and where facilities to relieve Canal from storm water have been provided by County, County agrees to operate the spillways or other relief outlets on said facilities to control flood waters and storm drainage in Canals as necessary with County protecting and indemnifying City as set forth in Article 10 hereof. It is agreed that title to any pipelines and spillways installed by County shall remain the property of County and shall be maintained solely by County, however, City may use any of said County facilities in controlling flow of its irrigation water.

12. The parties hereto further agree that storm drainage and flood control conditions change annually and that the expanding growth of County through the construction of subdivision and other public works will influence terms as set forth herein. Because of these considerations, the parties hereto agree to review this contract annually and agree that this contract shall continue automatically from year to year except as modified by mutual written consent. The parties further agree that the contract will continue in full force and effect until County provides its own storm drainage and flood control facilities and County no longer uses City's Canals for storm drainage and for flood control waters as defined in paragraph 1 above, or for a period of fifty years, provided that either party shall have the right to terminate this agreement upon 365 days prior written notice. County will notify City, in writing, when County no longer is going to use City Canals at which time this Agreement will terminate.

13. Should any United States Government or State laws or regulations be enacted concerning the handling or treatment or otherwise regarding said storm drainage and flood control waters, County agrees at its sole expense to comply with the requirements thereof and to hold City harmless from any loss, cost or expenses in connection therewith.

14. All notices provided for herein or pertaining to this agreement shall be in writing and shall be deemed to have been given to the addressee at the time when mailed at a United States Post Office, enclosed in registered or certified, postpaid envelope addressed to County at Salt Lake County Flood Control Division, 2033 South State Street, Salt Lake City, Utah 84115, and to Sandy City at 800 East 100 North, Sandy, Utah 84070.

15. This Agreement is binding upon the parties hereto, their assigns and successors, and supersedes all earlier agreements between the parties pertaining to the same subject matter.

16. This Agreement sets forth the entire understanding, intent and agreement of the parties hereto with respect to the subject matter contained herein and there are no other representations or warranties either written or oral which shall be binding on the parties hereto except those contained herein. Any modifications of this Agreement must be in writing and signed by both parties.

IN WITNESS WHEREOF, the parties have subscribed their names
hereon and caused this agreement to be duly executed on this 18th
day of January, 1982.

SALT LAKE COUNTY

Mustawant

Board of County Commissioners

ATTEST:

W. Sterling Evans
W. Sterling Evans
Salt Lake County Clerk

ATTEST:

Shirley G. B. [Signature]
CITY RECORDER

Approved as to form

Michael E. Burton
CITY ATTORNEY

[Signature]
COUNTY DIRECTOR OF FLOOD CONTROL

SANDY

CITY

By Lawrence P. Smith

"APPROVED AS TO FORM"

By Kevin F. Smith
Dep. Salt Lake County Attorney

As consideration for the rights and powers granted to County as set forth herein, County agrees to perform and/or have contracts let for the following improvements:

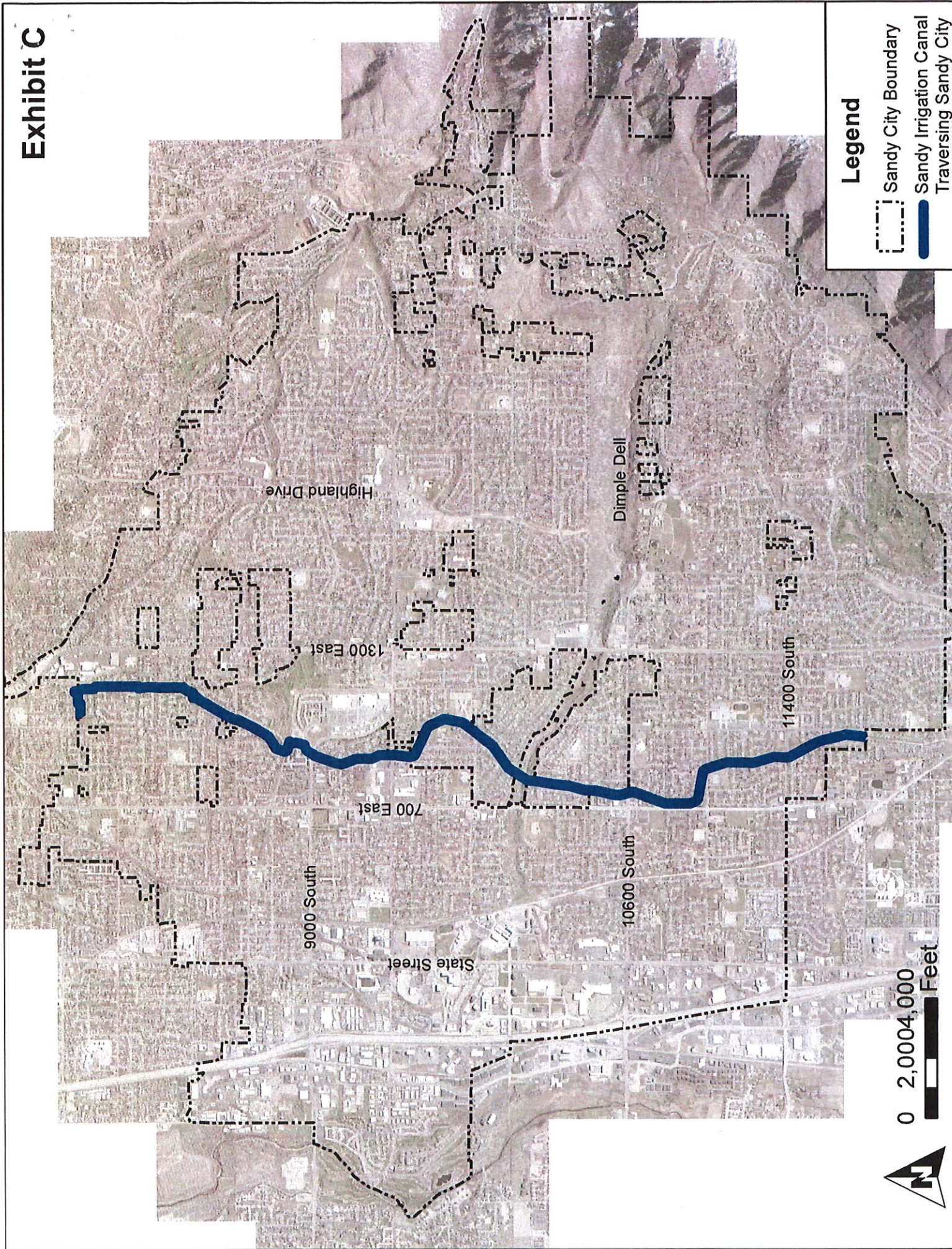
a) Construct an overflow connection from Sandy Irrigation Canal at approximately 9000 South to the existing stormdrain at 9000 South and East Jordan Canal.

b) Construct storm drains and spillways to relieve canals of storm water as required.

It is agreed that County will be responsible to pay all costs of said foregoing improvements and rights-of-way. County shall proceed and perform its agreements contained herein as to improvements to be constructed as rapidly as flood control funds are available.

EXHIBIT B
Map of Sandy Irrigation Canal

Exhibit C





Staff Report

File #: 20-094, **Version:** 1

Date: 4/7/2020

Agenda Item Title:

In the case of the ongoing wetland delineation study, Administration is requesting that the Council authorize the procurement of supplies, equipment and services without complying with the provisions of the purchasing ordinance determining that compliance, in this case, is not in the best interests of the City.

Presenter: Nick Duerksen

Recommended Action and/or Suggested Motion:

Motion to authorize the procurement of supplies, equipment and services without complying with the provisions of the purchasing ordinance as, in the case of the ongoing wetland delineation study, we find compliance is not in the best interests of Sandy City.



MEMORANDUM

To: City Council
Mayor Bradburn
Matthew Huish

From: Nick Duerksen, Economic Development Director

Date: March 6, 2020

Re: Wetland Delineation Study

Sandy City contracted with Bowen, Collins & Associates in December 2011 to complete a wetland delineation study for the Dry Creek area of Sandy that would be accepted by the Army Corps of Engineers. This study also includes a wetland mitigation strategy for the Centennial Parkway wetlands. Jamie Tsandes, the Engineering Project Manager, with Bowen, Collins & Associates has been working with the Army Corps of Engineers on this project since its inception.

As the study progressed, the City acquired additional properties totaling approximately 8.24 acres located near the wetlands, commonly known as the Horman properties. The agreement was amended to include these properties in the study in April 2014.

Dry Creek is considered a flood control facility; therefore, a flood control permit with Salt Lake County is required. In addition, any impacts to Dry Creek require a stream alteration permit from the Army Corps of Engineers if the impact to the creek is more than 300 linear feet.

Any delay in the progress of this project would be detrimental to the completion and could also increase costs to the city. Having to bring another engineering firm up to speed and possibly resubmit with the Army Corps of Engineers would be a significant detriment to this project.

Continuing to contract the Professional Services of Bowen, Collins & Associates meets the criteria for an exception as outlined in the Professional Services section of the Sandy City Purchasing Ordinance under section 7-1-6 (9).

Under Purchasing Ordinance Section 7-1-6 (9), City Council may authorize the procurement of supplies, equipment and services without complying with the provisions of this chapter of the Purchasing Ordinance when it determines that compliance with the procedure is not in the best interests of the City. With Council approval of this request, this memo will be placed in the file. This memo, as required, details the reasons for not following the purchasing provisions, which would otherwise apply.

Thank you.

cc: Tyler Shelley, Public Utilities Chief Engineer



Sandy City, Utah

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

Staff Report

File #: 20-098, **Version:** 1

Date: 4/7/2020

Approval of the February 18, 2020 Minutes.

Motion to approve the minutes as presented.



Sandy City, Utah

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

Meeting Minutes

City Council

Brooke Christensen, District 1
Alison Stroud, District 2
Kristin Coleman-Nicholl, District 3
Monica Zoltanski, District 4
Marci Houseman, At-large
Zach Robinson, At-large
Cyndi Sharkey, At-large

Tuesday, February 18, 2020

5:15 PM

Council Chambers

5:15 Council Meeting: Business Session

Present: 6 - Council Member Alison Stroud
Council Member Zach Robinson
Council Member Monica Zoltanski
Council Member Marci Houseman
Council Member Cyndi Sharkey
Council Member Brooke Christensen
Absent: 1 - Council Member Kristin Coleman-Nicholl

Roll Call

Council Office Director Michael Applegarth
Council Office Analyst Dustin Fratto (Excused)
Council Attorney Tracy Cowdell

Administration:

Mayor Kurt Bradburn
CAO Matthew Huish
Deputy Mayor Evelyn Everton
Deputy Chief Administrative Officer Kim Bell
Economic Development Director Nick Duerksen
City Attorney Bob Thompson
Senior Civil Attorney Jeff Robinson
Senior Civil Attorney Darien Alcorn
Community Development Director James Sorensen
Assistant Director-Community Development Jared Gerber
Planning Director Brian McCuiston
Development Services Manager Doug Wheelwright
Business Licence Administrator Leslie Casaril
Administrative Assistant- Planning Brynn Bohlender
Chief Building Official Scott Marsell
Administrative Services Director Brian Kelley
Fire Chief Bruce Cline
Deputy Fire Chief Ryan McConaghie
Battalion Chief/Fire Marshall Robert DeKorver
Deputy Police Chief Greg Severson

Police Captain Justin Chapman
Parks & Recreation Director Scott Earl
Public Utilities Director Tom Ward
Public Utilities Engineering Manager Richard Benham
Public Works Director Mike Gladbach
City Engineer Ryan Kump

Prayer / Pledge of Allegiance

Acting Chair Zach Robinson welcomed everyone in attendance. Chair Kris Nicholl was excused due to illness.

Council member Brooke Christensen offered the opening prayer.

Council Member Monica Zoltanski led the audience in the pledge.

Non-voting Items

Agenda Planning Calendar Review & Council Office Director's Report

Mike Applegarth reviewed the procedural items for tonight's meeting.

Zach Robinson took introductions of Council members and Staff present.

Council Member Business

Cyndi Sharkey reported on the Association of Municipal Councils meeting where House Bill 34, moderate income housing, was discussed. She also attended The Jordan River Commission informing the Council of funding for the Big Bend Habitat restoration.

Monica Zoltanski reported on the White City pedestrian bridge construction across Dimple Dell park. She addressed what she felt was a need for a Council vote to implement facebook live streaming of work session meetings. She asked the Council to request this from the Administration.

Alison Stroud attended the Sandy Arts Guild performance of "Arsenic and Old Lace". She stated that it was "an impressive performance".

Marci Houseman celebrated presidents day and shared some thoughts on our founding fathers.

Mayor's Report

Mayor Bradburn reported on the appointment of Greg Severson as the new Sandy City Police Chief.

CAO Report

No Report.

Legislative Report

Evelyn Everton updated the Council on a few bills that could affect the City. Cyndi Sharkey expressed concerns with HB 273.

Evelyn will be sending talking points out to the Council so they can each out to our local representatives.

The Council motioned to recess City Council meeting until the 6:00 p.m. hour . The Council unanimously approved.

Meeting reconvened at approximately 6:00 p.m.

Information Items

1. [20-070](#) Community Development Department briefing on Kuwahara Wholesale. (This information item will be heard after 6:00 PM)

Attachments: [Kuwahara Oct 2019 Letter](#)
[Kuwahara Chronology](#)
[Public Comment](#)
[Handout for the city from Kuwahara](#)
[Kuwahara Aerials](#)

Zach Robinson referenced protocols for the public to follow during the informational report on Kuwahara. No formal votes would be made on this item.

James Sorenson and Jared Gerber spoke regarding the review process for businesses in the city. A chronology of events on the Kuwahara business was presented by Doug Wheelwright. Fire Marshall Robert DeKorver, Chief Building Official Scott Marsell, City Engineer Ryan Kump, Public Utilities Assistant Director Richard Benham, Development Services Manager Doug Wheelwright, Senior City Attorney Darien Alcorn made comments.

Mr. Alex Kuwahara and Sara Morrison presented a book with 11,000 petition signatures. They presented their timeline and improvements made on their site. They asked the City for help. They feel the requirements the City is asking them to meet are out of their pay range.

Tracy Cowdell asked audience participants to please follow the rules.

Public Comments:

Steven Kerksick, Beaver Nursery, proud to be a part of the nursery business. Alex is honest man and trying to make a living.

Patti Barlow- Kuwahara's is only open six months of the year. She will do what she can to help save this farm.

Horizon Harver - should not be expensive to meet codes, and the City should understand how hard the Kuwahara's are working.

Mariah Baird- not present. In favor of keeping Kuwahara's in business

Judy Weeks Rohner- spent hours supporting this business and their products. Implored Council to listen and have compassion.

Angie Jackson-neighbor to Kuwahara. This is a unique business. Asked City to create a zone that is special to them.

Wendy Janson- worked for Alex Kuwahara for 3 years. They employ people with autism.

Gary Trujillo- not present. In favor of keeping Kuwahara's in business.

Tyler Sundee- this business is a roll model in the community. Listen to voice of people and keep them open.

John Lamb- Boseman Montana, farmer, knows difficulties to stay in business with unjust codes. Make it easier for small businesses to operate.

Jared Green- not present. In favor of keeping Kuwahara's in business.

Tyler Smith-worked for Kuwahara and saw them jump through hoops. He has done everything possible to address violations.

Loren Pearce-came from Clearfield. Government is to protect property not take it away.

Joey Moreno- worked for Alex Kuaharra. He does this for family and the community.

Lillian Johnson- Council has power to change all of our lives. Give them an agricultural licence.

Carol Ann Rea- Alex's Grandmother- the business should be grandfather in since her mother raised flowers on this property.

Madelyn Ek - customer, sell high quality plants. They should not have to meet certain codes especially road issues.

Launa Carrillo - enjoy visiting Kuwahara's. Don't close them down.

Sherilyn Sorensen- Laura Arnold- Penny Chriss- thanked the Kuwahara's and are opposed to closing the business.

Chirapoyn Baker- feels like home when she visits Kuwahara's. This is family business not a commercial business.

Jacqueline Call- not present.

Gerald Soderquist - Things can be worked out to keep this business open.

Sravanthi Tipirneni- Great place, family run business, do not shut the business down.

Kevin Paulson- spoke on free market, conspiracies. Development needs to mind their own business. Council better listen.

Michael Marcial- not present. In favor of keeping Kuwahara's in business.

Ted Matthew- not present.

Shane Siwick- Council can make changes to allow Kuwahara's to operate their business.

James Diamant- Kuwahara's would need to build a new building to meet codes.

Shahzad Qureshi- spoke on free government, free market and outreach of government. No allegiance to the National Fire codes.

Micah Turner-- bureaucrat are bad people. Back off of Kuwahara's and leave him alone.

Lee Larson- not present

JR Feland- President Salt Lake County Farm Bureau, nature deficit, food conservation. Agriculture is the issue. Make some adjustments for the business.

Bruce Parker-- Alex is being stone walled by the Planning Department. Looking forward to working with the Council to get what they need to stay in business.

Mick Christopherson- Kuwahara's are great people. Sell best plants. Keep them in business.

Don Belliston- bee keeper, sells his product to Kuwahara.

Pam Logston- Love's Kuwahara's. They are hard workers. Keep them open.

Pam Peterson- Kuwahara's needs to stay. Keep local businesses.

Linda Bishop- Kuwahara should be grand fathered in. Do the right thing.

Ryan Stradley- help save the Kuwahara business.

Laurinda Kuwahara- not present.

Sharron Burkinshaw- scent trained her dog at Kuwahara's. Help make this small business fit in the community.

Kathryn Gritten- Life Liberty and the Pursuit of Happiness. Hope the Council will intervene and change the codes.

Dennis Tenney- former City Council member, City staff is good to the core and thanked Mayor Bradburn for working to keep this business. Small business generate vast majority of jobs. Recommend that the Mayor and Staff give the business a temporary permit to operate, an Ombudsman to represent small businesses.

Kathy Walker- Don't forget the small businesses.

Candice Simplins-City is taking away this small business and being paid off to put a big business in. Provide for the poor.

Don McFall- advocate for the Kuwahara farm. Fight for the citizens.

Paul Faddis- wife had no problem getting around Kuwahara's with her prosthetic leg.

Hugo Rodier- Medical Doctor, Kuwahara's grows good food, environmentally conscience.

Ellen Winder-there has to be some way for Kuwahara to stay in business.

Nielsen Brown- this business brings community together to protect life liberty, property. Regulations run small businesses out of business.

Charlotte Allgair- please stand behind the Kuwahara business.

Randy Amis- shops at Kuwahara for good food. Who will provide good food if they go out of business.

Ted Martinez- contractor for Kuwahara, they provide jobs for high school kids. It would be an injustice if the City does not give them a permit to run their business.

Sarah Morris- Kuwahara's do a lot for kids.

Julio Durand-- Coffee farmer, Alex gave him an opportunity for work. Alex has a big heart.

Mike Applegarth read e-mails into the record from people who were unable to attend the meeting.

Hein Kam- Kuwahara a great business. Provide valuable service to the community. Why is there so many demands on a small business. Support keeping Kuwahara's open.

Dawn McFall- we will loose another great business by forcing Kuwahara to close. Advocate for this business.

Nancy Perkins- Please do not shut down Kuwahara. They offer a lot to the community.

Name Redacted- he took his business elsewhere when he learned that Kuwahara's was not willing to comply with City codes. The city has gone above and beyond to help the Kuwahara business.

Jan Lister- Sandy should realize the jewel that Kuwahara's is. Find a way to help them remain in business.

Danny Johnson- daughter with special needs is allowed to volunteer at Kuwahara's. Please let them stay in business.

Trudy Daxton- please don't take this business away.

Alex Kuwahara and Sara Morrison thanked everyone who came in support to keep this business in the community. This is a time sensitive matter. Prime time planting. Please don't shut off gas and water. Alex pushed hard to make business work. They are asking for help.

Council comments and discussion followed. Council Attorney Tracy Cowdell offered comment, along with Mayor Bradburn.

Voting Items

2. 20-069 Sandy City Fire Department recommends City Council to adopt the revised Metro Fire Agency Interlocal Agreement and Resolution.

Attachments: Metro Fire Agency Board of Trustees Memo 2-18-20

Metro Fire Agency Interlocal Agreement signed 2017

Final Interlocal Agreement 2-12-2020

Resolution 20-06C

Fire Chief Bruce Cline introduced the revised Metro Fire Agency Interlocal Agreement, Resolution 20-06C

Senior Civil Attorney Jeff Robinson was present to answer Council questions.

Zach Robinson opened public comment.

Steve Van Maren- has not been able to find public meeting notices for the Metro Fire Agency meetings. Their meetings should be noticed on the public notice website in accordance to the open and public meetings act. He was concerned with Metro Fire's budget and how it will impact the city's budget.

Chief Cline learned that their meetings need to be noticed through the City Recorder's Office. Each City contributes an assessment as training is needed. This does not impact budget members.

A motion was made by Brooke Christensen, seconded by Marci Houseman, to adopt Resolution 20-06C authorizing the Mayor to execute the revised Metro Fire Agency Interlocal Agreement... The motion carried by the following vote:

Yes: 6 - Alison Stroud
Zach Robinson
Monica Zoltanski
Marci Houseman
Cyndi Sharkey
Brooke Christensen

Absent: 1 - Kristin Coleman-Nicholl

6:00 Time Certain Items

Citizen Comments

Acting Chair Zach Robinson opened citizen comments.

Steve Van Maren- thanked the Council for stepping up to provide audio feed for tomorrow's Special Meeting. He felt that the new Police Chief's qualifications should be made public.

Public comments were closed.

3. [20-059](#) Special recognition in honor of the 100th anniversary of the League of Women Voters.

Acting Chair Zach Robinson welcomed the President of Salt Lake League of Woman Voters, Kathy Bailey, along with Shauna, Sandy resident, and Shelly, member and Sandy resident in recognition of the 100th anniversary of the Utah League of Woman Voters. Zach Robinson read the resolution into the record.

Adjournment

Zach Robinson announced the Special Meeting tomorrow evening, Wednesday, February 19th at 4:00 p.m.

The meeting adjourned at approximately 10:41 p.m. by Brooke Christensen. The next scheduled meeting of the City Council is Tuesday, February 25, at 5:15 p.m.

Kris Coleman Nicholl, Chair
Sandy City Council

Pam Lehman
Meeting Clerk



Sandy City, Utah

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

Staff Report

File #: 20-099, **Version:** 1

Date: 4/7/2020

Approval of the February 19, 2020 Special Meeting Minutes.

Motion to approve the minutes as presented.



Sandy City, Utah

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

Meeting Minutes

City Council

Brooke Christensen, District 1
Alison Stroud, District 2
Kristin Coleman-Nicholl, District 3
Monica Zoltanski, District 4
Marci Houseman, At-large
Zach Robinson, At-large
Cyndi Sharkey, At-large

Wednesday, February 19, 2020

4:00 PM

Council Chambers

Special Meeting

4:00 Council Meeting

Rollcall

Council Office Director Michael Applegarth
Council Office Analyst Dustin Fratto (excused)

Administration:

Mayor Kurt Bradburn
CAO Matthew Huish
Deputy to the Mayor Evelyn Everton
Deputy Chief Administrative Officer Kim Bell
Economic Development Director Nick Duerksen
City Attorney Bob Thompson
Senior Civil Attorney Jeff Robinson
Risk Manager/Fund Counsel Chase Parker
Assistant Risk Manager Megan Sandquist
Emergency Manager Jeff Mulcahy
Animal Services Director Ian Williams
Community Development Director James Sorensen
Planning Director Brian McCuiston
Business Licience Administrator Leslie Casaril
Administrative Services Director Brian Kelley
Fire Chief Bruce Cline
Police Chief Greg Severson
Parks & Recreation Director Scott Earl
Assistant Director Parks and Recreation Dan Medina
Public Utilities Director Tom Ward
Public Works Director Mike Gladbach
Transporation Engineer Brittney Ward

Present: 7 - Council Member Alison Stroud
Council Member Kristin Coleman-Nicholl
Council Member Zach Robinson
Council Member Monica Zoltanski
Council Member Marci Houseman
Council Member Cyndi Sharkey
Council Member Brooke Christensen

1. [20-073](#) Mayor Bradburn requesting the Council's advice and consent for the appointment of Greg Severson as the Sandy City Police Chief.

Attachments: [Job Description - Police Chief](#)

Resume - Severson

[RESOLUTION 20-07 C](#)

[Executed Resolution 20-07C](#)

Mayor Bradburn introduced Greg Severson as the new Sandy City Police Chief.

Chair Kris Nicholl invited Greg Severson to introduce himself to the Council.

Greg Severson was humbled and asked for the Council's support.

Council questions followed.

Meeting went into Recess

Meeting Reconvened

A motion was made by Brooke Christensen, seconded by Kristin Coleman-Nicholl, to adopt Resolution 20-07 C, a resolution of the Sandy City Council consenting to the appointment of Greg Severson as Police Chief of Sandy City effective February 19, 2020.... The motion carried by the following vote:

Yes: 7 - Alison Stroud
Kristin Coleman-Nicholl
Zach Robinson
Monica Zoltanski
Marci Houseman
Cyndi Sharkey
Brooke Christensen

3. [20-071](#) Capital projects prioritization workshop. (This item may be heard in the Council Chamber Overflow Room)

Attachments: [CAPITAL FACILITIES MASTER PLAN FINAL.pptx](#)[LYRB General Fund CFSP Worksession Presentation \(March 2019\).pptx](#)[Public Works Building Estimate - Phase 2.pdf](#)[Facilities Updated Estimates.xlsx](#)[Alta Canyon Cost Estimates Final Zap App 11 23-2015.pdf](#)[Alta Canyon Neighborhood Meeting Combined Results.xlsx](#)[Alta Canyon Qualtrics Survey.pdf](#)[CRSA 2017 Update Report and 2008 Parks and Rec Building Study.pdf](#)[Budget Option for Council Discussion 5.14.19.pdf](#)[Letter from Kay Burton and Steve Van Maren](#)

Kris Nicholl noted that the purpose for the Special Meeting was to provide an update from Council member Marci Houseman on the Priority Based Budgeting work shop she attended, and to conduct an exercise, with thoughts from Council Office Director Mike Applegarth.

The discussion began at approximately 4:45 p.m. in the Council Overflow. The discussion included all 7 council members including Mike Applegarth and Matt Huish.

2. 20-061

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

No closed door meeting was held.

Adjournment

The Special meeting was adjourned by Brooke Christensen. The next scheduled meeting of the City Council is Tuesday, February 25, 2020 at 5:15 p.m.

Kris Coleman Nicholl, Chair
Sandy City Council

Pam Lehman
Meeting Clerk



Sandy City, Utah

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

Staff Report

File #: 20-102, **Version:** 1

Date: 4/7/2020

Approval of the February 25, 2020 Minutes.

Motion to approve the minutes as presented.



Sandy City, Utah

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

Meeting Minutes

City Council

Brooke Christensen, District 1
Alison Stroud, District 2
Kristin Coleman-Nicholl, District 3
Monica Zoltanski, District 4
Marci Houseman, At-large
Zach Robinson, At-large
Cyndi Sharkey, At-large

Tuesday, February 25, 2020

5:15 PM

Council Chambers

5:15 Council Meeting: Work Session

Roll Call

Council Office Director Michael Applegarth (excused)
Council Office Analyst Dustin Fratto (excused)
Council Attorney Tracy Cowdell

Administration:

Mayor Kurt Bradburn
CAO Matthew Huish
Deputy Chief Administrative Officer Kim Bell
Economic Development Director Nick Duerksen
Senior Economic Development Project Manager Kasey Dunlavey
City Attorney Bob Thompson
Community Development Director James Sorensen
Administrative Services Director Brian Kelley
Human Resources Director Katrina Frederick
Fire Chief Bruce Cline
Police Chief Greg Severson
Parks & Recreation Director Scott Earl
Public Utilities Director Tom Ward
Public Works Director Mike Gladbach

Present: 7 - Council Member Alison Stroud
Council Member Kristin Coleman-Nicholl
Council Member Zach Robinson
Council Member Monica Zoltanski
Council Member Marci Houseman
Council Member Cyndi Sharkey
Council Member Brooke Christensen

Non-voting Items

1. [20-074](#) Administrative Services report on audit findings.

Jim Andres, Independent Auditor from Percy, Bowler, Taylor and Kern, presented the audit report finding no significant findings other than posting of minutes within three days of approval.

2. [20-075](#)

Administrative Services presenting personnel and compensation information.

Brian Kelley introduced Human Resource Director Katrina Frederick who reported on the Compensation Study.

Council questions and discussion followed. Mayor Bradburn addressed changes to the Tier 2 retirement plan.

Council Attorney Tracy Cowdell addressed Council questions.

3. [20-076](#)

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

Council meeting adjourned at approximately 6:25 p.m. for closed session. The closed session was held in the Council Conference Room on Tuesday, February 25, 2020 at 6:25 p.m.

Meeting went into Recess and City Council meeting was adjourned.

A motion was made by Kristin Coleman-Nicholl, seconded by Zach Robinson, to adjourn City Council Meeting and enter into a Possible Closed Session: to discuss the character, professional competence, or physical or mental health of an individual... The motion carried by the following vote:

Yes: 7 - Alison Stroud
Kristin Coleman-Nicholl
Zach Robinson
Monica Zoltanski
Marci Houseman
Cyndi Sharkey
Brooke Christensen

6:00 Time Certain Items

Citizen Comments

There were no public comments.

Adjournment

The closed door session adjourned at approximately 7:00 p.m. The next scheduled meeting of the City Council is Tuesday, March 3, 2020 at 5:15 p.m.

Kris Coleman Nicholl, Chair
Sandy City Council

Pam Lehman
Meeting Clerk



Sandy City, Utah

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

Staff Report

File #: 20-100, **Version:** 1

Date: 4/7/2020

Approval of the March 3, 2020 Minutes.

Motion to approve the minutes as presented.



Sandy City, Utah

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

Meeting Minutes

City Council

Brooke Christensen, District 1
Alison Stroud, District 2
Kristin Coleman-Nicholl, District 3
Monica Zoltanski, District 4
Marci Houseman, At-large
Zach Robinson, At-large
Cyndi Sharkey, At-large

Tuesday, March 3, 2020

5:15 PM

Council Chambers

Amended Agenda

5:15 Council Meeting

Rollcall

Council Office Director Michael Applegarth (excused)
Council Office Analyst Dustin Fratto
Council Attorney Tracy Cowdell

Administration:

Mayor Kurt Bradburn
CAO Matthew Huish
Deputy to the Mayor Evelyn Everton
Deputy Chief Administrative Officer Kim Bell
Economic Development Director Nick Duerksen
City Attorney Bob Thompson
Community Development Director James Sorensen
Emergency Manager Jeff Mulcahy
Fire Chief Bruce Cline
Police Chief Greg Severson
Parks & Recreation Director Scott Earl
Special Events Coordinator -Parks & Recreation Keaton Asay
Public Utilities Director Tom Ward
Assistant Director-Public Utilities Scott Ellis
Public Utilities Engineering Manager Richard Benham
Public Works Director Mike Gladbach

Present: 7 - Council Member Alison Stroud
Council Member Kristin Coleman-Nicholl
Council Member Zach Robinson
Council Member Monica Zoltanski
Council Member Marci Houseman
Council Member Cyndi Sharkey
Council Member Brooke Christensen

Prayer / Pledge of Allegiance

Council Chair Kris Coleman Nicholl welcomed all those in attendance.

Council Member Brooke Christensen offered the opening prayer.

Council Member Marci Houseman led the audience in the pledge.

Non-voting Items

Council Member Business

Monica Zoltanski- Please mark your calendars for Dimple Dell Earth Day clean-up on April 25th. Volunteers are needed. Meet at the Wrangler Trail at 8:00 a.m. Monica reminded everyone that today was Super Tuesday and to get out and vote. She asked the Administration for an update on the Covid-19 virus.

Alison Stroud- gave an open challenge to all residents to give a wave to our Police Officers, a five finger wave, to show our appreciation for their service.

Brooke Christensen thanked the Administration for working with Kuwahara.

Marci Houseman- clarified that there would be no action from the Council on behalf of Kuwahara. Brooke indicated that South Valley Chamber is reaching out to Kuwahara on training along with experts to help with site plans. Marci would like city ordinances looked into to determine what barriers exist for Kuwahara. Brooke indicated a committee will partner with local business and the chamber.

Marci Houseman reported on the Senior Center appreciation luncheon. Healthy Sandy will be visiting the Senior Center on March 5th. The Sandy Club Gala will be held in April either the 17th or 24th. She is soliciting on behalf of the CWC for input from the community on transportation issues.

Mayor's Report

Mayor Bradburn reported on the success of the Sandy Peak Awards held last Thursday. "Hats off" to the Chamber of Commerce and the incredible businesses in our community.

CAO Report

Matt Huish reported that a task force that was created after the fluoride event due to a communication gap. He asked Kim Bell and Eric Richards to present their report on the communication action plan.

Kim Bell and Eric Richards reported on the communication action plan and the test exercise conducted last week. Methods used are social, web, e-mail app, press alerts, text, city marquee. Residents prefer notifications through text.

Council questions followed.

Kris Nicholl stated that the Administration should have scheduled this report as an agenda item. This item was more than a brief update.

Matt Huish presented an update on the Corona Virus (Covid-19). The Administration created a leadership team to develop a preventative operational plan.

Council questions followed.

Legislative Report

Evelyn Everton reported on a few bills and where they stand before the Legislature.

Information Items

1. [20-087](#) Fluoride and Sampling Update

Attachments: [Sandy City 2019 Fluoride Overfeed \(Council v2-28-20\)](#)
[Sandy Water Study Fact Brief \(v2-28-20\)](#)
[Fact Brief Feb2020 Fluoride Update](#)
[Najm Resume 2020 - 2 Page](#)
[Jones Steve Resume 2019](#)
[Revised Presentation](#)

Public Utilities Director Tom Ward introduced Issam Najm, PH.D P.E. WQTS, Steven C. Jones, M.S. P.E. Vice President Hansen, Allen, Luce, Inc., and Public Utilities Engineering Manager Richard Benham, who all presented on the update on the fluoride event. This also included a report on the water study.

Council questions and discussion followed.

2. [20-077](#) Short-Term Rental (STR) Update

Attachments: [Short Term Rental Map.pdf](#)
[Courtesy Notice.docx](#)

James Sorensen presented an update on the Short Term Rental program in the City. Zoning Technician Claire Hague helps administer and track the Short Term rentals in the City.

Council discussion and questions followed.

3. [20-084](#) Informational Report from Parks and Recreation on City Events.

Attachments: [Sandy City Events Slideshow](#)

Park and Recreation Director Scott Earl along with Special Events Coordinator-Parks and Recreation Keaton Asay presented an informational report on City Events.

Voting Items

Consent Calendar

Approval of the Consent Calendar

A motion was made by Brooke Christensen, seconded by Zach Robinson, to approve the Consent Calendar. The motion carried by the following vote:

Yes: 7 - Alison Stroud
Kristin Coleman-Nicholl
Zach Robinson
Monica Zoltanski
Marci Houseman
Cyndi Sharkey
Brooke Christensen

4. [20-089](#) Approval of the February 4, 2020 Meeting Minutes.

Attachments: [February 4, 2020 Minutes](#)

Item approved.

5. [20-090](#) Approval of the February 11, 2020 Minutes.

Attachments: [February 11, 2020 Minutes](#)

Item approved.

Council Items

6:00 p.m. Time Certain/ Voting Items

Citizen Comments

Aaron DeKiser- take fluoride out of the water. Working with a focus group to have it removed.

Comments were closed.

6. [20-072](#) Chase Hansen presenting on Project Empathy.

Monica Zoltanski introduced and invited Chase Hansen to come forward and introduce Project Empathy, a non-profit organization that was created by him.

Chase Hansen explained the purpose of helping the homeless people. He came before the City Council to spread his message and have everyone try it once by reaching out.

Monica Zoltanski read a resolution of commendation that was presented to Chase from the City Council and Mayor.

7. [20-091](#) Reconsideration Live Streaming of Work Sessions.

Attachments: [Zoltanski Memo](#) [Live Streaming](#)

The Council discussed Monica Zoltanski's motion.

Public Comment:

Jim Edwards- felt it would be in best interest of the City Council to live stream work session meetings.

Public Comments were closed.

Monica Zoltanski made a motion seconded by Zach Robinson requesting that the Administration provide facebook live streaming of all council work sessions, effective immediately...

Council discussion followed.

The motion was denied by the following vote:

- Yes:** 3 - Zach Robinson
Monica Zoltanski
Brooke Christensen
- No:** 4 - Alison Stroud
Kristin Coleman-Nicholl
Marci Houseman
Cyndi Sharkey

Adjournment

The meeting adjourned at approximately 8:31 p.m. by Brooke Christensen seconded by Zach Robinson. The next scheduled meeting of the City Council is Tuesday, March 10, 2020 at 5:15 p.m.

Kris Coleman Nicholl, Chair
Sandy City Council

Pam Lehman
Meeting Clerk



Sandy City, Utah

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

Staff Report

File #: 20-101, **Version:** 1

Date: 4/7/2020

Approval of the March 10, 2020 Minutes.

Motion to approve the minutes as presented.



Sandy City, Utah

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

Meeting Minutes

City Council

Brooke Christensen, District 1
Alison Stroud, District 2
Kristin Coleman-Nicholl, District 3
Monica Zoltanski, District 4
Marci Houseman, At-large
Zach Robinson, At-large
Cyndi Sharkey, At-large

Tuesday, March 10, 2020

5:15 PM

Council Chambers

5:15 Council Meeting: Work Session

Roll Call

Council Office Director Michael Applegarth (Excused)
Council Office Analyst Dustin Fratto
City Council Attorney Tracy Cowdell

Administration:

Mayor Kurt Bradburn
CAO Matthew Huish
Deputy Chief Administrative Officer Kim Bell
Economic Development Director Nick Duerksen
City Attorney Bob Thompson
Risk Manager/Fund Counsel Chase Parker
Community Development Director James Sorensen
Administrative Services Director Brian Kelley
Fire Chief Bruce Cline
Police Chief Greg Severson
Parks & Recreation Director Scott Earl
Assistant Director Parks and Recreation Dan Medina
Assistant Director Parks and Recreation Todd Asay
Alta Canyon Center Manager Jetta Marriott
Assistant Director- Public Utilities Scott Ellis
Public Works Director Mike Gladbach

Present: 6 - Council Member Alison Stroud
Council Member Kristin Coleman-Nicholl
Council Member Zach Robinson
Council Member Monica Zoltanski
Council Member Cyndi Sharkey
Council Member Brooke Christensen

Excused: 1 - Council Member Marci Houseman

Non-voting Items

Information Items

1. [20-093](#) Parks and Recreation Department presenting an in depth history of the Alta Canyon Sports Center for Council discussion

Attachments: [Presentation](#)
[Memo from Council Office Authority of Alta Canyon SSD](#)
[Memo from Council Office Expansion and Bonding](#)
[Updated Decision Tree](#)
[Public Comment_Jamie Moore Zayach](#)

Scott Earl introduced the Council, Administration and Alta Canyon Board members who were present.

An overview of Alta Canyon Sports Center was presented by Scott Earl, Dan Medina, and Jetta Marriott. They discussed the neighborhood meeting, Special Service District Overview, History of Alta Canyon Sports District, proposed improvement plans, 2008 design canceled due to recession, 2008 main floor plan, adding an expansion along with a parks and recreation building, current assets, completed projects, current concerns.

The discussion was paused to take Citizen Comments at 6:00 p.m.

The discussion on Alta Canyon resumed.

Dustin Fratto explained the truth in taxation process for expansion.

Tracy Cowdell added that the Council should decide what they want for Alta Canyon then determine how to accomplish those goals.

Council and Administration discussion and questions followed.

Upon conclusion of the discussion on Alta Canyon, Council Member Zach Robinson suggested putting a plan together to determine how Council business moves forward during the Covid-19 virus.

Tracy Cowdell suggested looking to the Mayor for leadership on this.

Council discussion along with comments from the Mayor, City Attorney Bob Thompson, and Dustin Fratto followed.

6:00 Time Certain Items

Citizen Comments

Amelia Hohl- would like to have indoor tennis courts at Alta Canyon. Build a facility that is large enough to host tennis tournaments. The center can make a profit on pickle ball and tennis courts.

Kevin Passey- his family has to drive all over to find tennis facility during the winter months. He would like to see tennis courts at Alta Canyon.

Brandi Peyton- looking to see how residents go about getting speed bumps on Newcastle

Drive. Cars travel through the area at a high rate of speed making it very dangerous. Chair Kirs Nicholl invited the residents to meet with the Public Works and Police Chief.

Dustin Fratto read an e-mail into the record from Jamie Zirak regarding Alta Canyon Center. The center is outdated and needs to be expanded. There is nothing at the center for children. Build a basketball court and gymnasium for children in the winter.

Adjournment

The meeting adjourned at approximately 7:50 p.m. by Zach Robinson seconded by Brooke Christensen. The next scheduled meeting of the City Council is Tuesday, March 17, 2020 at 4:15 p.m.

Kris Coleman Nicholl, Chair
Sandy City Council

Pam Lehman
Meeting Clerk



Staff Report

File #: 20-103, **Version:** 1

Date: 4/7/2020

Agenda Item Title:

Mayor Bradburn requesting the City Council renew and continue the March 12 Proclamation of Local Emergency, and consent to the renewal of all other related proclamations issued by the Mayor.

Presenter:

Bob Thompson.

Recommended Action and/or Suggested Motion:

Motion to adopt resolution consenting to the renewal and continuance of the March 12, 2020 Proclamation of Local Emergency.

SANDY CITY EMERGENCY PROCLAMATION
No. 2 of 2020

MAYOR'S EXERCISE OF EMERGENCY POWERS RELATED TO
SANDY CITY PROCLAMATION OF LOCAL EMERGENCY OF MARCH 12, 2020

On March 12, 2020, pursuant to his authority under Utah Code Ann. § 53-2a-208(1)(a), the Mayor of Sandy City declared a local emergency due to the global outbreak of COVID-19.

On March 18, 2020, the Governor of the State of Utah issued Executive Order "Suspending the Enforcement Provisions of Utah Code §§ 52-4-202 and 52-4-207, and Related State Agency Orders, Rules, and Regulations, Due to Infectious Disease COVID-19 Novel Coronavirus."

Pursuant to Utah Code Ann. §§ 53-2a-205(1) and (2), -208(2), -209(1), the Mayor of Sandy City may exercise certain emergency powers by proclamation while the proclamation of local emergency is in effect and to carry out measures as may be ordered by the Governor.

The Mayor of Sandy City therefore exercises the following emergency powers, effective immediately and throughout the Term (defined below):

1. **Public Meetings.**

1. Effective as of the date of this Proclamation, the Planning Commission, Board of Adjustment and all other Executive City boards and committees shall convene and hold electronic meetings so long as at least a quorum of the members are present electronically (eliminating the requirement for the members to be physically present at the Boards', Commission's or committees' anchor location).

2. Electronic meetings will comply with the State of Utah's Governor's Executive Order "Suspending the Enforcement Provisions of Utah Code §§ 52-4-202 and 52-4-207, and Related State Agency Orders, Rules, and Regulations, Due to Infectious Disease COVID-19 Novel Coronavirus."

2. **Water Service.** During the Term, water service will not be turned off for failure to pay Sandy City Public Utilities bills.

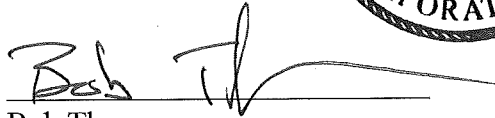
3. **Term.** This Proclamation shall take effect immediately and will be ongoing for as long as Sandy City Proclamation of Local Emergency is in effect, unless this Proclamation is amended or rescinded by the Mayor ("Term").

4. **Filing and Dissemination.** This Proclamation will be filed with the Sandy City recorder and will be delivered to Salt Lake County and will be disseminated to local media.

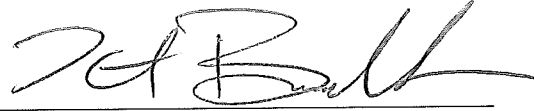
Dated this 25th day of March, 2020



Approved as to form:

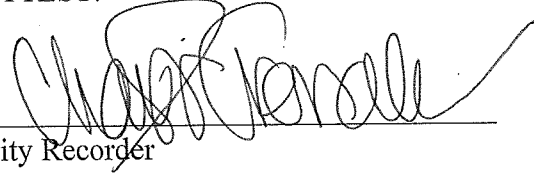


Bob Thompson
Sandy City Attorney



Kurt Bradburn
Mayor

ATTEST:



DEPUTY City Recorder

RESOLUTION #20-____

A RESOLUTION CONSENTING TO RENEWAL AND CONTINUANCE
OF THE MARCH 12, 2020 PROCLAMATION OF LOCAL EMERGENCY

WHEREAS, on March 6, 2020, the Governor of the State of Utah declared a State of Emergency concerning the COVID-19 pandemic (the “Pandemic”), as authorized by the Disaster Response and Recovery Act, Utah Code Ann. § 53-2a-201, *et. seq.* (the “Act”); and

WHEREAS, on March 12, 2020, the Mayor of Sandy City (the “City”), in his capacity as the City’s Chief Executive Officer, issued a proclamation declaring a local emergency concerning the Pandemic (the “Proclamation”), as authorized by the Act; and

WHEREAS, (a) the Proclamation will expire on April 11, 2020; (b) the Pandemic is still occurring; and (c) the Mayor desires to renew and continue the Proclamation beyond April 11, 2020 until it has been determined that the Pandemic is no longer a threat to the City and its residents; and

WHEREAS, pursuant to the Act, Utah Code Ann. § 53-2a-208(1)(b), a local emergency shall not be continued or renewed for a period in excess of 30 days except by or with the consent of the City’s governing body; and

WHEREAS, the Sandy City Council met in regular session on April 7, 2020 to consider the Mayor’s proposal to renew and continue the Proclamation; and

WHEREAS, after due consideration, the Council has determined that to consent to renew and continue the Proclamation, as proposed, is in the best interest of the health, safety and welfare of the City and its residents,

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

1. The Sandy City Council consents to the Mayor renewing and continuing the Proclamation beyond April 11, 2020 until such time as the Mayor determines that the Pandemic is no longer a threat to the City and its residents.

2. The Sandy City Council further consents to the renewal of all other proclamations issued by the Mayor related to the Proclamation, including but not limited to Sandy City Emergency Proclamation No. 2 of 2020, beyond April 11, 2020 until such time as the Mayor determines that the Pandemic is no longer a threat to the City and its residents.

3. This Resolution shall take effect immediately upon passage.

PASSED AND APPROVED by the Sandy City Council this 7th day of April, 2020.

Kris Nicholl, Chair
Sandy City Council

ATTEST:

City Recorder

Recorded this ____ day of April, 2020.