



# CITY OF NORTH SALT LAKE

## CITY COUNCIL MEETING NOTICE & AGENDA October 1, 2019

Posted September 26, 2019

Notice is given that the North Salt Lake City Council will hold a regular meeting on **OCTOBER 1, 2019** at City Hall, 10 East Center Street, North Salt Lake, Utah. A work session will be held at 6:00 pm in the Council Conference Room followed by the regular session at 7:00 pm in the Council Chambers. Some members may participate electronically. The following items of business will be discussed; the order of business may be changed as time permits.

### WORK SESSION –6:00 p.m.

1. Utah Rivers Council Presentation – Zach Frankel
2. Approve City Council Minutes – September 17, 2019
3. Action Items
4. City Council Reports
5. Mayor's Report
6. Adjourn

### REGULAR SESSION - 7:00 p.m.

1. Introduction by Mayor Len Arave
2. Invocation and Pledge of Allegiance ~ Council Member Ryan Mumford
3. Citizen Comment
4. Consideration of **Resolution 2019-38R**: A resolution authorizing the issuance of sales tax revenue refunding bonds and related matters.
5. Consideration of **Resolution 2019-39R**: A resolution authorizing the issuance of water revenue refunding bonds and related matters.
6. Presentation and discussion of Parks and Arts Committee 2020 Program – Alisa VanLangeveld, Committee Chair.
7. Consideration of an amended application for a concept plan for Arrowhead Twinhomes (previously a general development plan application) at 150 East 350 North, Paul Poteet, applicant.
8. Consideration of site plan approval for Mirella at Foxboro Apartments at 760 North Cutler Drive, Bryce Thurgood, applicant.
9. Consideration of Preliminary Plan and Final Plat for Townes at Vantage Point PUD at 142 South Orchard Drive, TAG SLC, applicant.
10. Consideration of **Resolution 2019-37R**: A resolution approving Agreement 2019-47A, accepting a Partial Assignment of Rights of Development Agreement (AGR2019-19A) from CW The Ridge, LLC to DRP UT 1, LLC, affecting certain lots within The Ridge PUD.
11. Consideration of **Resolution 2019-40R**: A resolution requesting the Utah Department of Transportation to set the Legacy Parkway Speed Limit at 65 miles per hour.

12. City Attorney Report

13. City Manager Report

14. Adjourn

**CLOSED SESSION**

1. Possible closed session for the purpose of discussing pending or reasonably imminent litigation; to discuss the character professional competence, or physical or mental health of an individual; to discuss collective bargaining; or to discuss the purchase, exchange, sale, or lease of real property.  
*Utah Code 52-4-205*

The public is invited to attend all City Council meetings. If you need special accommodations to participate in the City Council meeting, please call the City office at 801-335-8709. Please provide at least 24 hours' notice for adequate arrangements to be made.

Notice of Posting:

I, the duly appointed City Recorder for the City of North Salt Lake, hereby certify that the foregoing agenda was posted on the Utah Public Notice website, at city hall, and sent to the required newspapers this 26th day of September, 2019.

Dated this 26th day of September, 2019.

---

1  
2 CITY OF NORTH SALT LAKE  
3 CITY COUNCIL MEETING-WORK SESSION  
4 SEPTEMBER 17, 2019

5 **DRAFT**

6  
7 Mayor Arave called the meeting to order at 6:05 p.m.

8  
9 PRESENT: Mayor Len Arave  
10 Council Member Brian Horrocks  
11 Council Member Stan Porter  
12 Council Member Ryan Mumford  
13 Council Member James Hood  
14 Council Member Lisa Watts Baskin

15  
16 STAFF PRESENT: Ken Leetham, City Manager; Paul Ottoson, City Engineer; Karyn Baxter,  
17 Assistant City Engineer; David Frandsen, Public Works Director; Janice Larsen, Finance  
18 Director; Craig Black, Police Chief; David Church, City Attorney; Sherrie Llewelyn,  
19 Community Development Director; Linda Horrocks, City Recorder; Marty Peterson, Emergency  
20 Preparedness Manager; Andrea Bradford, Minutes Secretary.

21  
22 OTHERS PRESENT: Nancy Weber, 2020 U.S. Census Bureau.

23  
24  
25 1. CENSUS PRESENTATION-NANCY WEBER

26  
27 Nancy Weber, representing the U.S. Census Bureau, presented information to the council on the  
28 2020 census and spoke on house bill H.B. 1001 for Supplemental Appropriations Adjustments,  
29 which would provide funds for census workers. She said the census would commence April 1,  
30 2020 and the focus was to hire census workers so they could obtain completed census from those  
31 who did not complete the online, phone, or paper versions. Ms. Weber said this was the first year  
32 that an online response option would be available. She said census takers could make \$17 an  
33 hour and would work in their own communities to visit those residents who had not responded to  
34 the census. This job would have flexible hours and allow for weekend and evening shifts. The  
35 census workers would begin training in March 2020.

36  
37 Nancy Weber stated that she worked the 2010 and the 2000 census and enjoyed engaging with  
38 her neighbors. She also said there were recruiting jobs available right now. Ms. Weber spoke on  
39 the job requirements and said the individual must be 18 years old, a U.S. citizen, would need  
40 internet access, and must pass an aptitude test and a criminal background check.

41  
42 Ken Leetham asked about reaching out to minority populations and non-English speakers. Nancy  
43 Weber replied that they do like to hire bilingual census workers as well,

44  
45 Ken Leetham commented that there was fear from minority populations that the census workers  
46 may ask about citizenship. He asked how this would be addressed. Nancy Weber responded that  
47 HB 1001 would provide funding for outreach to those minority populations.

48  
49 Council Member Baskin addressed HB 1001, which was passed the day before, and said the bill  
50 would allow the State to have paid workers versus volunteers. She explained that volunteer  
51 workers would have resulted in under counting and reduced funding available for Medicaid,  
52 transportation, etc. The bill still needed to be approved by the Governor's office and the Census  
53 Complete Count Committee with a detailed plan to be presented to the Executive Appropriations  
54 Committee before the two million dollars would be allocated. These funds would be used to  
55 focus on census outreach efforts in rural areas of the State, areas with limited internet access,  
56 populations of lower socioeconomic status, racial and ethnic minority communities, and aging  
57 populations. She said the District Court of Appeals ruled that the citizenship question would not  
58 be allowed on the 2020 census.

59  
60 Nancy Weber showed a short video entitled "Be a Census Taker (The People) related to census  
61 workers. The video explained that an accurate count helped to determine the number of  
62 representatives each State would get in the U.S. House of Representatives, contributes towards  
63 the creation of State legislative districts, school districts, and where federal funds were spent in  
64 regards to roads, schools and hospitals. Ms. Weber said her area of oversight included Davis  
65 County, and Salt Lake County.

66  
67 2. DEPARTMENT REPORT: ENGINEERING-CONSTRUCTION UPDATE

68  
69 Paul Ottoson updated the Council on several construction projects including the UDOT I-215  
70 and Redwood Road project, which was just completed. He thanked the police chief for providing  
71 overhead photos of the project area. Mr. Ottoson showed the new diverging diamond interchange  
72 and how it worked. He said the City's betterment funds would be used for landscaping along the  
73 north and south of the project area.

74  
75 Mayor Arave asked how the diverging diamond was functioning. Paul Ottoson replied that staff  
76 met with UDOT Region One, regarding issues with the timing of the traffic lights. He said the  
77 diverging diamond had doubled capacity with two lanes both north and southbound. There was  
78 also a new double left turn lane that would help with traffic flow

79  
80 Council Member Porter asked about access from Flying J gas station. He suggested posting an  
81 approved truck route at the gas station. Paul Ottoson responded that staff would review this with  
82 Region One.

83

84 Paul Ottoson reported that construction had started on the Deer Hollow detention basin. He said  
85 damage from the recent storm had delayed the project but concrete would be poured on Thursday  
86 if the weather allowed.

87  
88 Paul Ottoson said Orchard Drive was shut down and 75% of the project was completed as two  
89 contractors were working together to finish by the first of October.

90  
91 Council Member Porter asked about a section of sidewalk that was damaged by the weather. Paul  
92 Ottoson replied that this section would be replaced.

93  
94 Council Member Horrocks commented that traffic backed up from Highway 89 during rush hour  
95 and asked if the traffic light could be adjusted at 3800 South. Paul Ottoson replied that staff  
96 could look into the timing of and/or sensor for the light.

97  
98 Paul Ottoson reported that the second phase of Orchard Drive was the street reconstruction. The  
99 road was roto-milled last week and crews would start on the storm drains this week. He said the  
100 excavation of the street would occur next week and the roundabout would be closed for one  
101 weekend starting on October 12<sup>th</sup>. The police department would monitor Valley View Drive for  
102 excessive traffic speeds as it would be the alternative route.

103  
104 Paul Ottoson spoke on the Jordan River Trail ribbon cutting, which was held September 14<sup>th</sup>. He  
105 said the trail was 95% completed with the installation of fencing, railing, and striping still to be  
106 completed.

107  
108 Council Member Porter commented that there was a section of weeds next to the landscaping  
109 near the drain along the Jordan River Trail. He asked who would maintain that area. Paul  
110 Ottoson replied that staff would look into this.

111  
112 Council Member Horrocks referenced the map of the Jordan River Trail area and said it ended  
113 north of the boat takeout at Center Street. Paul Ottoson said that if the potential annexation  
114 occurred they would install a trail on the other side and a connecting bridge to the existing  
115 Jordan River Trail.

116  
117 Council Member Baskin asked if the lighting had been installed particularly near the overpass.  
118 Paul Ottoson replied that the lighting was a separate contract and had not been installed yet.

119  
120 Paul Ottoson reported that upcoming projects included the miscellaneous street preservations  
121 including the chip seal on a portion of 1100 North. The chip seal would be done on September  
122 29<sup>th</sup> and would not impact traffic as it was a rolling closure. The fog seal on 1100 North would  
123 be applied on October 6<sup>th</sup>, which would result in a road closure for two hours. Staff would work  
124 with the local businesses on the closure.

125

126 Mayor Arave asked if the chip and fog seal would fix the ruts in 1100 North. Paul Ottoson  
127 replied that it would even out the surface a little but would not directly fix the ruts. He said the  
128 seal would help to preserve the life of the road.

129  
130 Paul Ottoson showed which sections of 1100 North would be chip/fog sealed and which would  
131 have a slurry seal. Staff was unsure when the slurry seal would occur as the date had not been  
132 finalized with the contractor.

133  
134 Paul Ottoson spoke on the storm drain improvements in the canyon next to Marialana Way. Staff  
135 only received two bids for the project, with the low bid at \$170,000 over budget. He said it had  
136 been a hard year for bids so staff would rebid in November.

137  
138 Karyn Baxter reported on the Eaglewood pump station project and said that based on public  
139 input staff would try to preserve the existing trees, match the feel of the existing tank, and add  
140 additional landscaping to obscure the building. She said there was an option to include a view-  
141 obscuring wall but staff felt this might affect the existing trees. The landscaping plan would be  
142 separate from the reconstruction of the building. Ms. Baxter said the building reconstruction  
143 would include removal of the pump station, rerouting the old lines, plus construction of the new  
144 building, which would take four or five months.

145  
146 Ken Leetham asked about the public feedback related to the building architecture. Karyn Baxter  
147 replied that most of those present preferred the original design.

148  
149 Council Member Horrocks commented that he felt it was better to spend money on the  
150 landscaping to obscure the building rather than on the architecture or appearance of the building.

151  
152 Ken Leetham said the police department felt a wall could be a safety issue as it would create an  
153 obscured area behind the wall.

154  
155 Karyn Baxter said the proposed building would be CMU block walls for strength and structure,  
156 and colors and landscaping would blend with the existing tanks. She said this was the preferred  
157 option from the public open house.

158  
159 3. APPROVE CITY COUNCIL MINUTES

160  
161 The City Council minutes of September 3, 2019 were reviewed and amended. **Council Member**  
162 **Mumford moved to approve the City Council minutes of September 3, 2019. Council**  
163 **Member Porter seconded the motion. The motion was approved by Council Members**  
164 **Horrocks, Porter, Mumford, Hood and Baskin.**

165  
166 4. ACTION ITEMS

167

168 The action items list was reviewed. Completed items were removed from the list.

169

170 Council Member Baskin said she left a message for Century Link regarding the outage issues  
171 and had not heard back. Ken Leetham replied that staff would follow up.

172

## 173 5. COUNCIL REPORTS

174

175 Council Member Hood reported on the League of Cities and Towns Conference and said there  
176 were two standout sessions. One of these sessions was about suicide prevention and the potential  
177 to have individuals trained in Question, Persuade, Refer (QPR) to teach classes in the  
178 community. He suggested that the City could partner with the Recreation District to hold these  
179 types of community classes.

180

181 Council Member Hood also said the Utah Association of Youth Council would also train every  
182 adult advisor at the Logan Conference in QPR and Counseling on Access to Lethal Means  
183 (CALM). He related that a youth in the unincorporated area of the City had been found  
184 unresponsive last weekend and that this issue hit close to home.

185

186 Council Member Horrocks commented that the sessions debunked several myths about suicide  
187 including: avoiding talking about it, that an intervention was just delaying the inevitable, and that  
188 the high risk groups were teenagers, veterans or LBGTQ. He said that the correct way to handle  
189 the situation was to confront and get a commitment from the individual, that interventions could  
190 help prevent suicides, and that another member of the high-risk group was older men.

191

192 Council Member Porter said that there used to be a monthly speaker at the high school who  
193 spoke on mental illness. He said he hoped this was still occurring.

194

195 Council Member Mumford thanked City staff for several recent events including the North Salt  
196 Lake Sunset Concert Series, Get to the River Event, and football at Legacy Park. He said the  
197 NSL Reads event would be Wednesday the 25<sup>th</sup> at Orchard Elementary, and events would  
198 include a magician, announcing the winners of the writing contest, and would feature special  
199 guest author, Brandon Mull.

200

201 Council Member Mumford said he received resident feedback regarding the soccer games at  
202 Hatch Park and football at Legacy Park. Residents had complaints about the length and the  
203 wetness of the grass as well as the interaction with City staff at the events. David Frandsen  
204 commented that he spoke with both groups on Tuesday night and afterward staff shut the water  
205 off and had the contractor cut the grass shorter. He said that he was present on Saturday and  
206 while the football organizers were understanding, the soccer parent was argumentative with staff.

207

208 Ken Leetham said the grass could be cut lower but would require increasing expenses for  
209 increased mowing and water. David Frandsen said it would require more watering to allow for  
210 more cutting during the week.

211

212 The Council discussed obtaining the cost for additional watering and mowing and comparing  
213 that with the fees the football and soccer groups paid to use the fields before Saturday.

214

215 6. ADJOURN

216

217 Mayor Arave adjourned the meeting at 7:06 p.m. to begin the regular session.

218

CITY OF NORTH SALT LAKE  
CITY COUNCIL MEETING-REGULAR SESSION  
SEPTEMBER 17, 2019

**DRAFT**

Mayor Arave called the meeting to order at 7:13 p.m. Pastor Alex Lucero, Abundant Life Church, offered the invocation and Mason Booth BSA Troop 4777, led those present in the Pledge of Allegiance.

STAFF PRESENT: Ken Leetham, City Manager; Paul Ottoson, City Engineer; Karyn Baxter, Assistant City Engineer; David Frandsen, Public Works Director; Janice Larsen, Finance Director; Craig Black, Police Chief; David Church, City Attorney; Sherrie Llewelyn, Community Development Director; Linda Horrocks, City Recorder; Marty Peterson, Emergency Preparedness Manager; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Dee Lalliss, Damon Cross, Brandon Dickey, Justin Walker, Alex Lucero, Gary Smith, residents; Glenn Ellis, Rachelle Ellis, Mason Booth, BSA Troop 4777; Carson Walker, BSA Troop 748; Amber Naluci, Auka Naluci, Noah Waite, Aiden Bulfin, Tim Hansen, BSA Troop 4388; Lisa Benson, Landmark Design; Chris Artell, Pendleton Construction.

1. CITIZEN COMMENT

Damon Cross, 150 South Orchard Drive, commented on narrowing of Orchard Drive and the construction of additional housing units and asked that the speed limit be lowered to 25 miles per hour. He then spoke on the TAG Orchard Townhome development and asked if a public meeting would be held.

Mayor Arave explained that the zoning on the (TAG Orchard Townhome project) property was RM-20 and allowed for multi-family dwellings at 20 units per acre as a conditional use. He said the property was zoned RM-20 many years ago. Mayor Arave also said that the City's Safety Committee could review the request to lower the speed limit on that road.

Ken Leetham said that no public hearings would be held regarding the TAG project but public meetings would be held. Sherrie Llewelyn said the resident could contact her to review the project.

2. CONSIDERATION OF ORDINANCE 2019-11: AN ORDINANCE AMENDING THE CITY CODE AND ADOPTING THE NSL COMMUNITY FORESTRY ORDINANCE

Sherrie Llewelyn reported that the Community Forestry Ordinance was a result of the Transportation Land Connection grant from Wasatch Front Regional Council (WFRC). A

261 consultant was hired to write the tree ordinance to regulate street trees, for the protection of  
262 infrastructure, and designate appropriate trees for park strips and soils.

263  
264 Lisa Benson, Landmark Design, explained that the ordinance update came about to deal with  
265 several issues including trees that were too big for the park strips, trees that had damaged  
266 sidewalks or streets, maintenance, clearance issues, spacing, line of sight issues, disease, citizen  
267 concerns, tree trimming, soils, planting, etc. She said the committee who helped to create this  
268 ordinance included the Parks Superintendent, Public Works Director, Tree City Board, City  
269 Council Member Baskin, Community Development Director, and the City's Long Range  
270 Planner. The committee reviewed tree ordinances from other cities and the Urban Forestry  
271 Network to create a template and customized it to the City's needs. Soil conditions were obtained  
272 to create a map, which summarized soil conditions throughout the City and a corresponding  
273 approved tree list. The purpose of the ordinance would be to protect the community forest as  
274 well as public health, safety and welfare, and investments in public infrastructure. This ordinance  
275 established processes for tree planting, removal, maintenance and would implement the goals  
276 and objectives of the general plan and the town center master plan. The ordinance contained the  
277 role of the City's Parks Superintendent on public and private property with administrative  
278 maintenance and removal guidelines, tree conditions and public nuisances, established City  
279 powers as related to trees, detailed responsibilities for private property owners related to trees,  
280 planting requirements, establishing City standards, tree selection, prohibited trees, permits for  
281 planting and removal, damage to public trees, and penalties for violations.

282  
283 Council Member Porter talked about removing less desirable trees along the Jordan River and  
284 that consideration should be given to replace trees in phases to accommodate the bird habitat.

285  
286 Council Member Hood expressed concern with several sections in the proposed ordinance  
287 including the section related to the role of the Parks Superintendent and the wording which states  
288 "and may cut and remove those trees from all private property", and clarification of the term  
289 "street trees" under the definition of "Public Nuisance." Sherrie Llewelyn clarified that this  
290 meant if a tree on private property was overhanging the sidewalk or lifting the sidewalk, it could  
291 be declared a nuisance and proceed through the process of being removed.

292  
293 Ken Leetham commented that these sections could be clarified to avoid the appearance that City  
294 staff would go onto private property to cut down trees. He said a situation where a tree on  
295 private property presented as a nuisance was adequately handled per code enforcement under the  
296 property maintenance section of the City code. The property owner would be notified of any  
297 trees that were a danger to the public.

298  
299 Council Member Hood felt that the ordinance provided too much power to the Parks  
300 Superintendent. Ken Leetham said that section 7-9-4 related to the role of the Parks  
301 Superintendent needed to be clarified. He said that there needed to be more clarity and authority  
302 related to public rights-of-way and addressing trees that caused a public hazard.

303 Sherrie Llewelyn suggested a change to section 7-9-4 to the ordinance to say “The Parks  
304 Superintendent shall have jurisdiction over trees located on private property which are found to  
305 be public nuisances as defined in this section, and may seek abatement through the code  
306 enforcement processes outlined under “Abatement of Public Nuisances” in the ordinance.” The  
307 hearing officer would then provide an order of abatement after public nuisance had been  
308 established.

309

310 Lisa Benson suggested that the section entitled “Abatement of Public Nuisances” could also  
311 include the statement that the property owner be notified in writing with the reason and date of  
312 removal at least seven days prior to removal unless it was determined to be an emergency or  
313 immediate hazard to public safety as found under section 7-9-7 of the ordinance.

314

315 David Church suggested a change to the ordinance under section 7-9-4:2A Private Property to  
316 state “The Parks Superintendent shall have the jurisdiction to determine which trees located on  
317 private property meet the definition of public nuisance as defined in this section and may  
318 determine whether the trees should be cut or removed.” He said sections 7-9-5 Public Nuisances  
319 and 7-9-5A Abatement of Public Nuisances defined what the nuisances were and that public  
320 nuisances required abatement through Title 12, Administrative Code Enforcement Hearing  
321 Program. He also said resident notification was provided for in section 7-9-7:3. Mr. Church said  
322 the Parks Superintendent’s role was to identify nuisances and determine what needed to be done  
323 to solve the nuisance.

324

325 **Council Member Mumford moved to approve Ordinance 2019-11 amending the City Code**  
326 **and adopting the NSL Community Forestry Ordinance as amended. Council Member**  
327 **Porter seconded the motion. The motion was approved by Council Members Horrocks,**  
328 **Porter, Mumford, Hood and Baskin.**

329

330 3. CONSIDERATION OF RESOLUTION 2019-36R: A RESOLUTION ADOPTING AN  
331 APPROVED TREE LIST AND AREA MAP INTO THE CITY DESIGN STANDARDS  
332 AND SPECIFICATIONS

333

334 **Council Member Porter moved to approve Resolution 2019-36R adopting approved tree**  
335 **lists and a tree area map into the City Design Standards and Specifications. Council**  
336 **Member Hood seconded the motion. The motion was approved by Council Members**  
337 **Horrocks, Porter, Mumford, Hood and Baskin.**

338

339 4. CONSIDERATION OF A REQUEST TO AMEND THE WILLIAMSBURG LUXURY  
340 APARTMENTS DEVELOPMENT AGREEMENT, SUBSECTION 4(f), PHASING  
341 PLAN, LOCATED AT APPROXIMATELY 256 SOUTH HIGHWAY 89

342

343 Sherrie Llewelyn reported the City Council had previously approved the final site plan and  
344 development agreement for Williamsburg Luxury Apartments. The approved development

345 agreement specified that Building A would be constructed first for the commercial space. The  
346 developer has requested an amendment to construct Building B first, as Building A cannot be  
347 built until Chile Amor is relocated.

348  
349 Council Member Porter asked about the time frame. Chris Artell, Pendleton Construction, said  
350 that Chile Amor would need to relocate to an alternative location when their lease expired in  
351 November 2020. He said Chile Amor would like to build a restaurant or find a property that they  
352 can convert into a restaurant.

353  
354 Council Member Porter expressed concern that there had been other instances where developers  
355 promised to have commercial and retail space, which never occurred. Chris Artell said the  
356 location would make it easy to find tenants.

357  
358 Council Member Porter asked if something could be put in the agreement in the event the  
359 commercial was not built. Sherrie Llewelyn said that the agreement would state Building B  
360 would be built first and then Building A had to be constructed second. If the developer did not do  
361 this they would be in breach of the contract and would not be granted a building permit.

362  
363 Council Member Mumford said the clubhouse and pool structure had to be completed before the  
364 certificate of occupancy for Building A was granted. Sherrie Llewelyn said that this was the  
365 intent to ensure that the amenities were completed before the second building was constructed.

366  
367 **Council Member Horrocks moved that the City Council approve an amendment to the**  
368 **unexecuted Development Agreement 2019-31A for Williamsburg Luxury Apartments**  
369 **modifying the phasing plan to allow Building B to be constructed before Building A.**  
370 **Council Member Mumford seconded the motion. The motion was approved by Council**  
371 **Members Horrocks, Porter, Mumford, Hood and Baskin.**

372  
373 5. CONSIDERATION AND DISCUSSION OF PROPOSED PLANS AND COST  
374 ESTIMATES FOR PICKLEBALL COURTS

375  
376 Ken Leetham reported that the City Council instructed staff to estimate the costs of pickleball  
377 courts for both Hatch and Mathis Parks. These options were reviewed by the Parks and Arts  
378 Board.

379  
380 David Frandsen reported that repurposing the existing tennis courts at Hatch Park would be  
381 approximately \$4.30 per square foot or approximately \$52,500 for 12,178 square feet. Lighting  
382 costs would be \$25,000. The estimate to redesign Mathis Park would be \$623,364 and included a  
383 parking lot, playground equipment, restroom facilities, four pickleball courts, etc. Additional  
384 costs included additional courts at \$54,000, shade structures, benches, drinking fountains, and  
385 landscaping.

386

387 Mayor Arave asked about the cost to refinish the existing tennis courts at Hatch Park. He said  
388 something needed to be done with those courts. David Frandsen replied that just refinishing the  
389 tennis courts would be approximately the same cost as converting them to pickleball courts.

390  
391 Council Member Mumford said as there was not yet a master plan for Hatch Park and asked if it  
392 was worth investing \$70,000 to resurface the existing tennis courts and installing lighting now  
393 until a plan had been created. He said the other alternative was to redesign the courts now and  
394 design around them in the future. The Parks and Arts Committee determined Mathis and  
395 Palmquist Parks as priorities for maintenance, and this retrofit at Mathis would be \$623,364,  
396 which was over budget. He said Palmquist Park potentially only needed \$100,000 to be updated.  
397 He asked for feedback from the City Council on what direction to go.

398  
399 Council Member Porter said that Club V (Utah Athletic Center) had indoor pickleball courts and  
400 suggested that maybe the City could work out an agreement for residents to play there. Council  
401 Member Mumford said there was the potential for a pickleball league, which would buy time  
402 until there was a plan for Hatch Park or funds available for Mathis Park.

403  
404 Council Member Baskin said that plans to install pickleball courts and redesign Mathis Park or  
405 repurpose the tennis courts at Hatch Park were premature based on the costs and lack of a master  
406 plan. She felt it would be a great idea to potentially partner with Club V (Utah Athletic Center)  
407 to establish a pickleball league, or use their courts.

408  
409 Council Member Horrocks commented that residents had offered to pay for the pickleball courts  
410 in the past, but as the City now had a cost estimate it would be worth judging the interest at this  
411 time. He said residents may not pay to play at Club V if they could play at the Woods Cross  
412 pickleball courts for free.

413  
414 Gary Smith, 430 Aerie Circle, said that as a resident and a pickleball player that Hatch Park  
415 would be preferable based on the cost estimates and the lack of parking at Mathis Park. He said  
416 the courts at Wood Cross were packed from 6:30 a.m. to 10 a.m. until it was too hot to play.

417  
418 Council Member Hood explained that Hatch Park would be redesigned in several years and  
419 asked if it was wise to re-do the courts now at the cost of \$70,000 with the potential to have to  
420 redo the courts again in the future. Gary Smith replied that while this was a valid point the  
421 redesign plan could show the courts as a fixed item.

422  
423 Council Member Porter asked if Mr. Smith would be interested in playing at the indoor courts at  
424 Club V. Gary Smith said Farmington had indoor courts and the charge was around \$1.

425  
426 The Council suggested that the City could promote league play and potentially subsidize the fees  
427 at Club V to allow for a discounted rate for residents. Staff agreed to contact Club V about  
428 pickleball.

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

Ken Leetham also said residents may come forward to participate in the cost of the re-purposing of the tennis courts at Hatch Park.

Council Member Mumford commented that a preliminary plan had been made for Hatch Park and it may be difficult to design around the tennis courts. He said it may be time to start the redesign process. He asked for the Council’s feedback on if the Parks and Arts Board should hold off on redesigning Mathis Park and updating Palmquist Park at this time.

Ken Leetham commented that the City Council adopted \$200,000 to be used toward rehabilitation of areas that the Parks and Arts Board designated. He asked how those funds would be used this year. Council Member Mumford said the Parks and Arts Board would make a recommendation to the City Council.

6. CONSIDERATION OF TANDEM AXLE PLOW TRUCK PURCHASE RELATED TO FUNDS RECEIVED FROM VOLKSWAGEN ENVIRONMENTAL MITIGATION TRUST AS WELL AS AUTHORIZING THE SURPLUS OF A 2003 INTERNATIONAL TANDEM AXLE DUMP/SNOW PLOW

David Frandsen reported that the City had applied for and been awarded funds from the Volkswagen Environmental Mitigation Trust through the Utah Department of Environmental Quality (UDEQ). The estimated funds would be \$102,741. As part of the award the City must disable the truck that is being replaced by the Volkswagen Trust and scrap the engine and chassis. The City would purchase the new completed truck and then receive the funds from UDEQ once the old truck was scrapped per the requirements of the settlement. The City currently has one truck that met the requirements, a 2003 International tandem axle dump/snow plow. The City sent out an RFP and received three bids, and there would be funding available in the fleet fund for the City’s portion of the purchase.

**Council Member Porter moved that the City Council award the winning bid to Mountain West Truck, for the cab and chassis, and Semi Service, for the upfit of the truck for a total amount of \$243,342.76 and authorize the surplus and scrapping of S20, VIN 1HTWYAHT23J074805, as per the Volkswagen Trust and UDEQ requirements. Council Member Horrocks seconded the motion.**

Council Member Baskin said that there should be clarification that the City would receive a \$102,000 credit which was the purpose of the purchase. Ken Leetham replied that the City would spend \$243,000 and would be reimbursed \$102,741 on delivery.

**Council Member Baskin asked to amend the motion and moved that the City Council award the winning bid to Mountain West Truck, for the cab and chassis, and Semi Service, for the upfit of the truck, for a total amount of \$243,342.76 and authorize the surplus and**

471 **scrapping of S20, VIN 1HTWYAHT23J074805, as per the Volkswagen Trust and UDEQ**  
472 **requirements which will amount to a \$102,741 credit. Council Member Horrocks seconded**  
473 **the amended motion. The motion was approved by Council Members Horrocks, Porter,**  
474 **Mumford, Hood and Baskin.**

475  
476 Ken Leetham stated that as this was one-time funding with an approximate 1:1 match, staff felt it  
477 was important to present this to the City Council.

478  
479 7. CONSIDERATION OF POLICE DEPARTMENT VEHICLE PURCHASES FOR ONE  
480 2020 FORD EXPLORER POLICE INTERCEPTOR AND ONE 2019 TOYOTA RAV4,  
481 AND AUTHORIZING THE SURPLUS OF A 2013 FORD EXPLORER POLICE  
482 INTERCEPTOR

483  
484 Chief Black reported that the police department was requesting to replace two vehicles as  
485 approved in the fiscal year 2020 budget. These vehicles included the 2013 Ford Explorer Police  
486 Interceptor used by the K-9 officer and the second would be a replacement vehicle for a  
487 detective. He said the 2013 Ford could be used by the Public Works Department and then sent to  
488 auction in the future. Staff received three bids for a 2020 Ford AWD Police Explorer at \$35,349  
489 from Larry H. Miller Ford and only one bid for the 2019 Toyota Rav4 Hybrid from Young  
490 Automotive Group at the cost of \$27,900.

491  
492 Chief Black commented that the 2020 Ford AWD would be hybrid with a battery system to  
493 operate the necessary equipment for climate control for the K-9 dog. He said they would use as  
494 much of the existing equipment as possible. He also said these hybrid vehicles were more  
495 efficient and would show \$10,000 in fuel savings. Chief Black said that there was the potential to  
496 add the blind spot monitor at \$600 per vehicle if it was not already included.

497  
498 Mayor Arave asked why staff did not bid for a 2019 Ford Explorer. Chief Black replied that they  
499 were unable to find the 2019 police package model. He said when they ordered the 2019 Ford  
500 last year that they just barely received it this year.

501  
502 Council Member Mumford asked why the vehicle that would be replacing the Toyota Rav4 was  
503 not being requested for surplus as well. Chief Black said it would be sent to auction at some  
504 point but would be used as a spare vehicle at this time.

505  
506 Council Member Baskin asked how many vehicles were currently in the police department fleet.  
507 Chief Black replied that there were 31 vehicles and two motorcycles with four spare vehicles. He  
508 explained that there were four vehicles out last week and all the spares were utilized.

509  
510 Council Member Baskin asked how many officers were on the force. She also asked how  
511 imperative these new vehicles would be. Chief Black replied that there were 25 officers with  
512 vehicles plus the code enforcement officer and the emergency manager. He said that the K-9

513 vehicle was worn out and needed to be replaced now. He said the detective vehicle was also  
514 starting to have maintenance issues.

515  
516 Council Member Baskin asked if the officers took the vehicles home at night and if they used  
517 them during off hours. Chief Black replied that they were allowed to use the vehicles for City  
518 related business such as court. He felt that they generally did not use the vehicle for personal use.

519  
520 Council Member Mumford asked about the installation cost for the police equipment. Chief  
521 Black replied that it would be approximately \$12,000 for the Ford Explorer and \$3,000 for the  
522 detective vehicle. He said this would not include the in-car camera or radios but they tried to  
523 recycle the radios and obtain grants for the cameras.

524  
525 Council Member Mumford asked for an update on the fleet fund and vehicle policies. Ken  
526 Leetham replied that this could be included in the finance department report in October.

527  
528 **Council Member Porter moved that the City Council approve the purchase of a 2020 Ford**  
529 **AWD Police Explorer at the cost of \$35,349 from Larry H. Miller Ford and the purchase of**  
530 **a 2019 Toyota Rav4 hybrid from Young Automotive Group at the cost of \$27,931 for use in**  
531 **the police department. He also moved to surplus the 2013 Ford Explorer Police**  
532 **Interceptor. Council Member Horrocks seconded the motion. The motion was approved by**  
533 **Council Members Horrocks, Porter, Mumford, Hood and Baskin.**

534  
535 8. CITY COUNCIL REPORTS CONT.

536  
537 Council Member Mumford said that he was not frustrated with staff but wanted to confirm the  
538 level of service for the fields.

539  
540 Council Member Baskin said that the City may need to work on customer service. She said it  
541 was a he said/he said situation and it was a park and not a soccer field. She felt it was a rare  
542 occasion when the City was rightfully criticized for not handling situations in the parks and  
543 public works departments

544  
545 Council Member Mumford said he was not criticizing but just relaying a message from residents.  
546 He asked what could be done moving forward and that for several weeks of the year the parks  
547 were used as sports fields. He said if the City was making money from the use of the fields it was  
548 worth providing a higher level of service during that time.

549  
550 Council Member Baskin said that the City would accommodate where they could and this was  
551 typical of the City.

552  
553 Council Member Porter commended staff for being present at the Get to the River event and that  
554 he felt it was a great day with a family from China, State Representative, and two County

555 Commissioners also in attendance. He specifically thanked Ali Avery for obtaining funding for  
556 the trail.

557  
558 Council Member Horrocks reported that he received a message for a request to have Mosquito  
559 Abatement spray the fields on Friday night. He said citizens could request this service as well but  
560 that multiple requests could be an issue as it created a separate work order for each request.

561  
562 Council Member Horrocks commented that he enjoyed the ULCT conference and was grateful  
563 for City staff and the City Council.

564  
565 Council Member Baskin reported that there would be a walk and talk along Legacy Trail  
566 Parkway with Senator Weiler and Representatives Ballard, and Ward on September 28<sup>th</sup> at 9 a.m.  
567 and encouraged the Council to attend. She also said that a Constitutional Scholar would be  
568 presenting on September 20<sup>th</sup> at 9 a.m. at the Farmington library.

569  
570 Council Member Baskin also asked if it would be possible for her husband to plant milkweed  
571 pods, which attract monarch butterflies, at the Deer Hollow Detention pond and potentially at the  
572 Foxboro Wetlands.

573  
574 9. MAYOR'S REPORT

575  
576 Mayor Arave reported that the Eaglewood Golf Course Advisory Committee met. He said the  
577 first meeting was a discussion including historical information and an exchange of ideas.

578  
579 Mayor Arave reported that the Sewer District determined that the algae project was not working.  
580 He said this may result in increased rates.

581  
582 Mayor Arave invited the Council and staff to the WFRC implementation workshop on their long-  
583 range plan to be held October 30th in Farmington.

584  
585 10. CIY ATTORNEY'S REPORT

586  
587 David Church had nothing to report.

588  
589 11. CITY MANAGER'S REPORT

590  
591 Ken Leetham spoke on the Urban Forestry Ordinance and was appreciative to staff and the City  
592 Council for ensuring that this ordinance was completed. He commented that customer service  
593 training was provided for employees and that it was difficult to bend the rules or follow the  
594 mantra that "the customer is always right." He said sometimes the City had to educate the public  
595 instead or find a balance.

596

597 Ken Leetham reported on the Legacy Parkway and an email he received from the Woods Cross  
598 city manager related to the efforts on the truck ban. He said the new effort was for each city to  
599 approve a resolution to request a lower speed limit of 65 miles per hour on Legacy.

600

601 12. ADJOURN

602

603 Mayor Arave adjourned the meeting at 8:51 p.m.

604

605

606

607

---

Mayor

---

Recorder

### Action Items (for October 1, 2019)

Item	Staff	Description
<b>New</b>		
1	Linda	Advertise census job opportunities and also general census.
2	Craig, Paul Ken	Staff to potentially suggest a truck route for southbound truck traffic from Flying J per Region 1. <i>Staff will set up a meeting with UDOT about possible routes and signage.</i>
3	Linda Paul	Notice of roundabout closure off Orchard Drive on October 12 <sup>th</sup> (weekend?) for street reconstruction. Also police to monitor Valley View Drive as alternate route. <i>Staff is prepared to notice the closure and observe traffic patterns.</i>
4	David	Staff to look at who is responsible for maintenance of landscaping along Jordan River Trail near the siphon drain at south end of Riverbend Industrial Park. <i>Parks staff will inspect and maintain this area as needed. Staff will also reach out to adjacent property owner and discuss the matter with them.</i>
5	Mayor	Mayor to discuss potential suicide training/community classes with Rec District.
6	Ken Janice David	Look at level of service for soccer/football games at City parks by comparing incoming funds and cost of water plus contractor to mow grass. CM Mumford requested that staff review the contract (football) to see how much they are paying versus cost of services before games this Saturday. <i>Cost analysis will be prepared and shared with the Council.</i>
7	Paul, Craig	Safety committee to review speed limit on Orchard Drive and lowering it to 25 mph along entire street. <i>Paul will study relevant items related to the speed limit and parking and report back to City Council.</i>
8	Sherrie	Staff to reach out to Utah Athletic Center regarding pickleball league and/or discount to residents for use of pickleball courts. <i>No information yet, but staff will reach out to UAC.</i>
9	Janice	Staff to provide update on fleet fund budget (police included) during October finance department update. <i>Scheduled for the October 15 City Council meeting work session during financial report.</i>
<b>Current</b>		
1	Brent	Evaluate golf course trees that were cut/damaged by Mont Clair resident. <i>Growth is returning and no new planting has been recommended by Weston.</i>
2	Sherrie	Staff to look at abandoned boat/vehicle storage at Hugh's RV – <i>Staff working with developer to remove vehicles.</i>
3	Sherrie	Set up council (and PC) tour of White Mountain development in Draper (Kimball Investment)
4	Linda	Digital PDF of new resident information packet on the website with link on social media – <i>Linda is working on new packet.</i>
5	Ken David	Staff to obtain pricing on pickle ball courts and present to Council. Reach out to residents (Jibsons) for donations/funding? <i>David presenting to Parks and Arts at their 8/27 mtg. Cost estimates will be presented to council on 9/17.</i>
6	Sherrie	Staff to look into the removal of the Henry Walker sign at the intersection of Highway 89 and Eagleridge. <i>Staff determining ownership and next steps.</i>
7	Paul Sherrie Ken	Staff to review what stipulations were placed on the road within the Eaglewood project (Eaglewood Village proposal with Brighton Homes) and the potential to vacate that road. <i>Staff currently researching existing regulations and contracts on this matter.</i>
8	David Ken	Staff to work with Woods Cross to improve their dog park and discuss potential for a new dog park in the area. <i>City Staff is reviewing other communities' dog parks and preparing a recommendation for the City Council.</i>
9	Ken	Review security at City Hall and Parks building. <i>Staff to meet with Mollerup Glass to look at options.</i>
10	David	Bikes coming too fast from flow trails into Wild Rose Park – need better signage to stay on trail out to parking lot. <i>Signage will be installed through an Eagle Scout project. Staff working on physical barrier at the base of the hill.</i>

11	Janice	CM Mumford asked for cost of the youth soccer program <i>(Staff to provide summary and information at the end of the fall season – October, 2019).</i>
12	Ken Craig	Staff to work on emergency preparedness reporting and coordination with Davis County rather than NSL – and whether it should be organized and run by South Davis Fire. <i>Staff is working with surrounding communities and Fire District to evaluate staffing needs and possible employee sharing</i>
13	Paul David Ken	Various assignments related to water and water planning including: collection of water usage data by area, analysis and recommendation related to water conservation rate structure, and long-range planning for water needs. <i>Staff met with Weber Basin Water Conservancy District and requested their assistance with a water rights application for re-use water and to evaluate the City's report on water usage, source, storage and distribution.</i>
14	David, Ken	Staff to follow-up on adding trees to park strips on Fox Hollow at roundabout. <i>Ken will report.</i>
15	Linda Ken	CM Porter asked for recognition/formalization of the City's History Committee on a future agenda. <i>Staff reviewing history committees of other cities and will draft resolution.</i>
16	Linda	Staff to arrange a tour of Wasatch Resource Recovery Plant for interested City Council members and staff. <i>Schedule with Matt Myers (Wait until late summer to be fully operational.)</i>
17	Ken	Staff to report back on the progress of mining on Monte Thomas parcel. <i>Ken had a phone call with David Church and Jody Burnett on this matter. More research will be required and staff will continue to work to understand the impacts of HB288, Critical Infrastructure bill (gravel and mining operations).</i>
18	Paul David Sherrie	Staff to prepare options for repair/replacement of Eaglewood Village dock. Also look at placing trees around the pond or adding this area to Arbor Day. <i>Draft concept plan was presented to Parks and Arts Board. Concept plan was cost prohibitive - will look at a simpler design.</i>
19	Ken Sherrie Janice	<u>Items for staff to do related to proposed Kimball property development:</u> a. potential for a moratorium to adopt architectural standards for the area and work with developer on type of architecture b. work with Ball and Kelly families on potential purchasing properties (before July) and/or cleaning up streetscapes c. determine value generated by CDA and potential to increase percentage and length of time? d. work with developer on zoning for the area including talking about potential for provisions to minimize trucking operations (?) e. setup Council tour of White Mountain development in Draper
20	Ken	Staff to contact SDRC director for details about a possible South Davis Rec Center facility in NSL, and will perform a review of possible uses of CDA funds for property acquisition.



# CITY OF NORTH SALT LAKE

---

10 East Center Street  
North Salt Lake, Utah 84054  
(801) 335-8700  
(801) 335-8719 Fax

Len Arave  
Mayor

Ken Leetham  
City Manager

## MEMORANDUM

**TO:** Honorable Mayor and City Council

**FROM:** Ken Leetham, City Manager

**DATE:** October 1, 2019

**SUBJECT:** Proposed Consideration of Resolutions 2019-38R and 2019-39R: Resolutions authorizing the refunding of existing sales tax and water revenue bonds.

---

### **RECOMMENDATION**

I recommend approval of Resolutions 2019-38R and 2019-39R authorizing the refunding of existing sales tax and water revenue bonds.

### **BACKGROUND**

As you know, we have financial advisors that assist us from time to time on bonding matters and other financing questions that we have periodically. Those advisors are Lewis, Young, Robertson and Burningham and the public finance arm of Zions Bank. In this case, Zions Bank approached the City in the last few weeks indicating that now would be a favorable time for the City to consider refunding (and re-issuing) our existing sales tax revenue bond (parks) and water revenue bond. They put together an analysis for us on those potential refunding transactions and we believe that the City could save a significant amount of money over the remaining terms of the bonds while also lowering our annual payment obligations in both cases.

#### **Sales Tax Revenue bond**

The City's existing sales tax revenue bond was issued for \$4,030,000 in 2010 for the purpose of constructing new parks. This debt was related to the recreation and arts tax authorized by North Salt Lake voters then and recently re-authorized in 2017. The bond was a 20 year instrument and will be paid off in June of 2030 if no action is taken prior to that time. The current principal (amount to be refunded) is estimated to be \$2,521,000. The resolution authorizes the refunding and reissuance of this debt in a new bond up to \$2,750,000. The reason for this amount is to make sure that there is coverage for the new debt, but we will only issue enough debt to completely cover the refunding of the principal balance. Interest rates are also at a historic low at the present time and so there is a definite advantage for doing this now.

The estimated savings that the City would see from this refunding is approximately \$172,088 over the

next eleven years of the remaining bond. It is estimated that we could save approximately \$15,644 annually in a reduced payment. Again, this amount is an estimate only and we will have Mark Anderson and Johnathan Ward at the meeting to give you more detail about the potential savings related to this bond transaction. Also related to this savings, you'll recall that our existing RAP sales tax revenues are strong and are covering our bond payments very comfortably. This action will assist us by creating even more "ceiling" room between our annual payment obligation and the revenue collected. It will also have the effect, though small, of further insulating the City in the unlikely event that sales tax revenues decline in the future.

### Water Revenue Bond

Also in 2010, the City issued water revenue bonds to assist in the completion of several water projects. The City borrowed \$4,000,000 for these projects and this obligation will be completely paid off in March, 2031 if no action is taken prior to that time. The estimated refunding amount is \$2,522,000. It is only coincidental that these two bonds were issued for similar amounts. This debt is located in both the Water and Storm Water Enterprise Funds.

The estimated savings on this proposed transaction is slightly less than the sales tax revenue bond, but is still significant at \$128,074. The annual savings in our payment would be an estimated \$10,673.

As with the sales tax revenue bond, the dates for retiring this debt are not being extended. This is a simple refunding and reissuance (re-financing) under very similar terms, but with improved interest rates and, therefore, interest savings over the life of the bond and lower payments for the rest of the term.

### PROPOSED MOTIONS

The Council should make separate motions, one for each resolution. Those proposed motions are:

I move that the City Council approve **Resolution 2019-38R**: A resolution authorizing the issuance of sales tax revenue refunding bonds and related matters.

I move that the City Council approve **Resolution 2019-39R**: A resolution authorizing the issuance of water revenue refunding bonds and related matters.

**RESOLUTION NO. 2019-38R**

A Resolution authorizing the issuance and the sale of not to exceed \$2,750,000 aggregate principal amount of Sales Tax Revenue Refunding Bonds

\*\*\*            \*\*\*            \*\*\*

WHEREAS, the City of North Salt Lake (the “City”) considers it necessary and desirable and for the benefit of the City to issue its sales tax revenue refunding bonds as hereinafter provided for the purpose of (a) refunding a portion of the now outstanding sales tax revenue bonds of the City and (b) paying the costs incurred in connection with the issuance and sale of the Bonds pursuant to authority contained in the Local Government Bonding Act, Chapter 14 of Title 11, and the Utah Refunding Bond Act, Chapter 27 of Title 11 (collectively, the “Act”), Utah Code Annotated 1953, as amended (the “Utah Code”), and other applicable provisions of law;

WHEREAS, for the purposes set forth above, the City has determined (a) to issue its Sales Tax Revenue Refunding Bonds in an aggregate principal amount not to exceed \$2,750,000 (the “Bonds”) pursuant to the Master Trust Indenture, dated as of May 1, 2010, as amended and supplemented to the date hereof (the “Master Indenture”), and a Supplemental Trust Indenture (the “Supplemental Indenture” and, together with the Master Indenture, the “Indenture”), and (b) to cause the proceeds of the sale of the Bonds to be applied in accordance with the Indenture;

WHEREAS, in the opinion of the City Council, it is in the best interests of the City that the Designated Officer (defined below) (a) be authorized to pursue a competitive sale of the Bonds and (b) select a purchaser for the Bonds (the “Purchaser”);

WHEREAS, in the opinion of the City Council, it is in the best interests of the City that (a) the Designated Officer be authorized to approve the final principal amount, maturity amounts, interest rates, dates of maturity and other terms and provisions relating to the Bonds and (b) the Mayor is authorized to execute the Purchase Contract (the “Purchaser Contract”), a form of which is attached hereto as *Exhibit B*, between the City and the Purchaser, containing such terms and provisions; and

WHEREAS, Section 11-27-4 of the Utah Code provides for the publication of a Notice of Refunding Bonds to be Issued (the “Notice of Bonds”) and the running of a 30-day contest period, and the City desires to cause the publication of such Notice of Bonds at this time in compliance with said section with respect to the Bonds;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of North Salt Lake, Utah, as follows:

*Section 1. Issuance of Bonds.* (a) For the purposes set forth above, there is hereby authorized and directed the execution, issuance, sale and delivery of the Bonds in the aggregate principal amount not to exceed \$2,750,000. The Bonds shall be dated as of the date of the initial

delivery thereof. The Bonds shall be in authorized denominations, shall be payable, and shall be executed and delivered all as provided in the Indenture. The Bonds shall be subject to redemption prior to maturity as provided in the Indenture.

(b) The form of the Bonds set forth in the Supplemental Indenture, subject to appropriate insertions and revisions in order to comply with the provisions of the Indenture, is hereby approved.

(c) The Bonds shall be special obligations of the City, payable from and secured by a pledge and assignment of the Revenues (as defined in the Indenture) received by the City and of certain other moneys held under the Indenture on a parity with any other Bonds (as defined in the Indenture) issued from time to time under the Master Indenture. The Bonds shall not be obligations of the State or any other political subdivision thereof, other than the City, and neither the faith and credit nor the ad valorem taxing or appropriation power of the State or any political subdivision thereof, including the City, is pledged to the payment of the Bonds. The Bonds shall not constitute general obligations of the City or any other entity or body, municipal, state or otherwise.

*Section 2. Bond Details; Delegation of Authority.* (a) The Bonds shall mature in the years and in the principal amounts, and shall bear interest (calculated on the basis of a year of 360 days consisting of twelve 30-day months) from the Closing Date, payable semiannually each year, and at the rates per annum and commencing on the dates, all as provided in the Purchase Contract.

(b) There is hereby delegated to the Designated Officer, subject to the limitations contained in this resolution, the power to determine and effectuate the following with respect to the Bonds and the Designated Officer is hereby authorized to make such determinations and effectuations:

(i) the principal amount of each series of the Bonds necessary to accomplish the purpose of the Bonds set forth in the recitals hereto and the aggregate principal amount of each series of the Bonds to be executed and delivered pursuant to the Indenture; *provided* that the aggregate principal amount of the Bonds shall not exceed \$2,750,000;

(ii) the maturity date or dates and principal amount of each maturity of the Bonds to be issued; *provided, however*, that the Bonds mature over a period of not to exceed 15 years from their date or dates;

(iii) the interest rate or rates of the Bonds and the date on which payment of such interest commences, *provided, however*, that the interest rate or rates to be borne by any Bond shall not exceed 4.00% per annum;

(iv) the sale of the Bonds and the purchase price to be paid by the Underwriter of such Bonds; *provided, however*, that the discount from par of each series of the Bonds shall not exceed 2.00% (expressed as a percentage of the principal amount);

(v) the Bonds, if any, to be retired from mandatory sinking fund redemption payments and the dates and the amounts thereof;

(vi) the time and redemption price, if any, at which the Bonds may be called for redemption prior to their maturity at the option of the City;

(vii) the maturity dates and amounts of the City's Sales Tax Revenue Bonds, Series 2010 (the "*Series 2010 Bonds*") to be refunded (the "*Refunded Bonds*") by the Bonds (the Designated Officer may determine that it is not beneficial to the Issuer and the inhabitants of the District to refund any of the Series 2008 Bonds and, in the event the Designated Officer makes such determination, none of the Bonds shall be issued);

(viii) the use and deposit of the proceeds of the Bonds; and

(ix) any other provisions deemed advisable by the Designated Officers not materially in conflict with the provisions of this resolution and the Parameters Resolution.

For purposes of this resolution and the Bonds, "*Designated Officer*" means (i) the City Manager, or (ii) in the event of the absence or incapacity of the City Manager, the Finance Director, or (iii) in the event of the absence or incapacity of both the City Administrator and the Finance Director, the Mayor.

Following the sale of the Bonds, the Designated Officer shall obtain such information as they deem necessary to make such determinations as provided above and shall make such determinations as provided above and the Mayor shall execute the Purchase Contract containing such terms and provisions of such series of the Bonds, which execution shall be conclusive evidence of the action or determination of the Designated Officer as to the matters stated therein.

*Section 3. Approval and Execution of the Supplemental Indenture.* The Supplemental Indenture, in substantially the form attached hereto as *Exhibit A*, is hereby authorized and approved, and the Mayor or the Deputy Mayor is hereby authorized, empowered and directed to execute and deliver the Supplemental Indenture on behalf of the City, and the City Recorder or any Deputy City Recorder is hereby authorized, empowered and directed to affix to the Supplemental Indenture the seal of the City and to attest such seal and countersign such Supplemental Indenture, with such changes to the Supplemental Indenture from the form attached hereto as are approved by the Mayor or the Deputy Mayor, his or her execution thereof to constitute conclusive evidence of such approval. The provisions of the Supplemental Indenture, as executed and delivered, are hereby incorporated in and made a part of this resolution. The Master Indenture and the Supplemental Indenture shall constitute a "system of registration" for all purposes of the Registered Public Obligations Act of Utah.

*Section 4. Purchase Contract; Other Certificates and Documents Required to Evidence Compliance with Federal Tax and Securities Laws.* The Mayor or the Deputy Mayor and the City Recorder or any Deputy City Recorder is hereby authorized and directed to execute the Purchase Contract. The Mayor or the Deputy Mayor of the Issuer is hereby authorized and instructed to make delivery of the Bonds to the Purchaser and to receive payment therefor in accordance with the terms of sale and to set the proceeds of sale of the Bonds, together with any legally available funds of the Issuer (including monies held by the Issuer for payment of debt service on the

Refunded Bonds) in the amount specified in the Purchase Contract and the Supplemental Indenture.

*Section 5. Other Actions With Respect to the Bonds.* The officers and employees of the City shall take all action necessary or reasonably required to carry out, give effect to, and consummate the transactions contemplated hereby and shall take all action necessary in conformity with the Act to carry out the issuance of the Bonds, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the sale and delivery of the Bonds. Without limiting the generality of the foregoing, the officers and employees of the City are authorized and directed to take such action as shall be necessary and appropriate to issue the Bonds.

*Section 6. Prior Acts Ratified, Approved and Confirmed.* All acts of the officers and employees of the City in connection with the issuance of the Bonds are hereby ratified, approved and confirmed.

*Section 7. Notice of Bonds to be Issued; Contest Period.* In accordance with the provisions of Section 11-27-4 of the Utah Code, the publication of the Notice of Bonds, in substantially the form attached hereto as *Exhibit C*, in *The Davis County Clipper*, a newspaper of general circulation in the City, is hereby approved and ratified. For a period of thirty (30) days from and after publication of the Notice of Bonds, any person in interest shall have the right to contest the legality of this Resolution (including the Bond Resolution and the form of the Supplemental Indenture attached hereto) or the Bonds hereby authorized or any provisions made for the security and payment of the Bonds. After such time, no one shall have any cause of action to contest the regularity, formality or legality of this Resolution (including the Bond Resolution and the Supplemental Indenture) or the Bonds or any provisions made for the security and payment of the Bonds for any cause.

*Section 8. Resolution Irrepealable.* Following the execution and delivery of the Supplemental Indenture, this resolution shall be and remain irrepealable until all of the Bonds and the interest thereon shall have been fully paid, cancelled, and discharged.

*Section 9. Severability.* If any section, paragraph, clause, or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this resolution.

*Section 10. Effective Date.* This resolution shall be effective immediately upon its approval and adoption.

*(Signature page follows.)*

ADOPTED AND APPROVED by the City Council of the City of North Salt Lake, Utah, this  
October 1, 2019.

CITY OF NORTH SALT LAKE, UTAH

---

Mayor

ATTEST:

---

City Recorder

**EXHIBIT A**

**[ATTACH FORM OF SUPPLEMENTAL INDENTURE OF TRUST]**

**EXHIBIT B**

**[ATTACH FORM OF PURCHASE CONTRACT]**

## EXHIBIT C

### NOTICE OF REFUNDING BONDS TO BE ISSUED

NOTICE IS HEREBY GIVEN pursuant to the provisions of Section 11-27-4 Utah Code Annotated 1953, as amended, that the City Council (the "*Council*") of the City of North Salt Lake, Utah (the "*City*"), intends to adopt a resolution (the "*Resolution*") to authorize and approve the issuance of its sales tax revenue refunding bonds in one or more series (collectively, the "*Bonds*"), in an aggregate principal amount of not to exceed Two Million Seven Hundred Fifty Thousand Dollars, to bear interest at a rate or rates of not to exceed four percent per annum and to mature not later than fifteen years from their date or dates and to be sold at a discount from par not to exceed two percent.

The Bonds are to be issued and sold by the City pursuant to (a) the Resolution, (b) a Supplemental Indenture of Trust (the "*Supplemental Indenture*") and (c) and a Master Trust Indenture, dated as of May 1, 2010, as heretofore amended and supplemented (the "*Indenture*"); *provided* that the principal amount, interest rate or rates, maturity or maturities and discount will not exceed the maximums set forth above.

The Bonds are to be issued for the purpose of refunding previously issued sales tax revenue bonds and paying all or a portion of the costs incurred in connection with the issuance and sale of the Bonds. The repayment of the Bonds will be secured by a pledge of the legally available revenues from the Local Sales and Use Taxes received by the City pursuant to Title 59, Chapter 12, Part 2, Utah Code.

A copy of the Resolution (including the Indenture and the form of Supplemental Indenture) is on file in the office of the City Recorder, located at City Hall, 20 South Highway 89, City of North Salt Lake, Utah, where the Resolution may be examined during regular business hours of the City Recorder from 8:00 a.m. to 5:00 p.m. The Resolution shall be so available for inspection for a period of at least thirty (30) days from and after the date of the publication of this notice.

NOTICE IS FURTHER GIVEN that pursuant to law for a period of thirty (30) days from and after the date of the publication of this notice, any person in interest shall have the right to contest the legality of the Resolution (including the Indenture and the Supplemental Trust Indenture attached thereto) of the City or the Bonds authorized thereby or any provisions made for the security and payment of the Bonds. After such time, no one shall have any cause of action to contest the regularity, formality or legality of the Resolution, the Bonds or the provisions for their security or payment for any cause

DATED September 23, 2019.

CITY OF NORTH SALT LAKE, UTAH

---

---

**CITY OF NORTH SALT LAKE, DAVIS COUNTY, UTAH**

**EIGHTH SUPPLEMENTAL RESOLUTION**

**RELATING TO  
WATER REVENUE REFUNDING BONDS  
SERIES 2019**

**ADOPTED OCTOBER 1, 2019**

---

---

**TABLE OF CONTENTS**

SECTION	PAGE
ARTICLE I	DEFINITIONS ..... 1
Section 1.1.	Definitions..... 1
Section 1.2.	Authority for Supplemental Resolution ..... 3
ARTICLE II	ISSUANCE OF SERIES 2010 BONDS ..... 3
Section 2.1.	Principal Amount, Designation, and Series ..... 3
Section 2.2.	Bond Details; Delegation of Authority ..... 3
Section 2.3.	Redemption ..... 5
Section 2.4.	Execution of the Series 2019 Bonds ..... 6
Section 2.5.	Delivery of Bonds ..... 6
Section 2.6.	Authorization of Redemption Prior to Maturity of Refunded Bonds ..... 6
ARTICLE III	APPLICATION OF SERIES 2019 BOND PROCEEDS ..... 6
Section 3.1.	Application of Proceeds of the Series 2019 Bonds ..... 6
Section 3.2.	Establishment of Series 2019 Cost of Issuance Account ..... 6
Section 3.3.	No Debt Service Reserve Fund Requirement for Series 2019 Bonds ..... 7
ARTICLE IV	TAX COVENANTS; APPROVAL OF PURCHASE AGREEMENT ..... 7
Section 4.1.	Compliance with Additional Bonds Test ..... 7
Section 4.2.	Tax Covenants ..... 7
Section 4.3.	Sale of Series 2019 Bonds; Authorization of Series 2019 Bond Documents; Further Authority ..... 8
ARTICLE V	REGISTRAR AND PAYING AGENT ..... 9
Section 5.1.	Appointment of Registrar and Paying Agent ..... 9
ARTICLE VI	MISCELLANEOUS ..... 9
Section 6.1.	Notice of Refunding Bonds to be Issued ..... 9
Section 6.2.	Ratification ..... 10
Section 6.3.	Severability ..... 10
Section 6.4.	Conflict ..... 10
Section 6.5.	Captions ..... 10
Section 6.6.	Effective Date ..... 10

SECTION	PAGE
SIGNATURES .....	11

- EXHIBIT A — FORM OF SERIES 2019 BOND
- EXHIBIT B — FORM OF PURCHASE CONTRACT
- EXHIBIT C — FORM OF CERTIFICATE OF DETERMINATION
- EXHIBIT D — NOTICE OF REFUNDING BONDS TO BE ISSUED

## RESOLUTION NO. 2019-39R

A Resolution authorizing the issuance and the sale of not to exceed \$2,750,000 aggregate principal amount of Water Revenue Refunding Bonds

WHEREAS, on October 26, 1993, the City Council (the “*City Council*”) of the City of North Salt Lake, Davis County, Utah (the “*Issuer*”) adopted a Resolution authorizing the issuance and sale of the Issuer’s \$845,000 Water Revenue Bonds, Series 1993, as previously supplemented and amended (the “*Master Resolution*”); and

WHEREAS, the Issuer considers it necessary and desirable and for the benefit of the Issuer and the users of the System to issue water revenue refunding bonds, as Additional Bonds under the Master Resolution, for the purpose of refunding in advance of their maturity dates revenue bonds previously issued by the Issuer and paying costs of issuance of such bonds, pursuant to the Maser Resolution and authority contained in the Utah Refunding Bond Act, Chapter 27 of Title 11, Utah Code Annotated 1953, as amended (the “*Act*”); and

WHEREAS, in the opinion of the City Council, it is in the best interest of the Issuer to negotiate for the sale of the Bonds to a purchaser (the “*Purchaser*”) and to enter into a Purchase Contract (the “*Purchase Contract*”), a form of which is attached hereto as *Exhibit B*; and

WHEREAS, in the opinion of the City Council, it is in the best interest of the Issuer that the Authorized Officer be authorized to (i) negotiate with and accept the offer of the Purchaser pursuant to terms that conforms to the parameters, requirements and procedures set forth herein, (ii) approve the outstanding bonds to be refunded, and (iii) approve the final principal amount, maturity amounts, interest rates, dates of maturity and other terms and provisions relating to the bonds hereunder and to execute the Certificate of Determination and Purchase Contract containing such terms and provisions; and

WHEREAS, Section 11-27-4 of the Utah Code provides for the publication of a Notice of Refunding Bonds to be Issued, and the Issuer desires to cause the publication of such a Notice at this time in compliance with said Section with respect such water revenue refunding bonds;

NOW THEREFORE, Be It Resolved By the City Council of the City of North Salt Lake, Davis County, Utah as follows:

### ARTICLE I

#### DEFINITIONS

**Section 1.1. Definitions.** (a) All defined terms contained in the Master Resolution when used in this Eighth Supplemental Resolution, shall have the same meanings as set forth in the Master Resolution.

(b) As used in this Eighth Supplemental Resolution, unless the context shall otherwise require, the following terms shall have the following meanings:

*“Authorized Officer”* means the Mayor, the Finance Director, the City Manager, the City Recorder, or any other person authorized by resolution of the City Council to perform the act or sign the document in question.

*“Bond Resolution”* means, collectively, the Master Resolution and this Eighth Supplemental Resolution.

*“Certificate of Determination”* means a certificate or certificates, a form of which is attached hereto as *Exhibit C*, of an Authorized Officer of the Issuer delivered pursuant to Section 2.2 of this Eighth Supplemental Resolution, setting forth certain terms and provisions of each series of Series 2019 Bonds to be issued by the Issuer, as such certificate(s) may be amended and supplemented.

*“Closing Date”* means the date of the initial issuance of the Series 2019 Bonds.

*“Eighth Supplemental Resolution”* means this Eighth Supplemental Resolution.

*“Interest Payment Date”* means each date on which interest on the Series 2019 Bonds is payable as provided in the Certificate of Determination.

*“Master Resolution”* has the meanings set forth in the recitals hereto.

*“Original Issue Date”* means the date of original issuance and delivery of the Series 2019 Bonds.

*“Paying Agent”* means any bank or trust company designated as paying agent for the Series 2019 Bonds, and its successor or successors hereinafter appointed in the manner provided in Article X of the Master Resolution.

*“Purchaser”* means the original purchaser of the Series 2019 Bonds.

*“Refunded Bonds”* means the portion of the Issuer’s currently outstanding Series 2010 Bonds designated as “Refunded Bonds” in the Certificate of Determination.

*“Register”* means the record of ownership of the Series 2019 Bonds maintained by the Registrar for the Series 2019 Bonds.

*“Registrar”* means, initially, the Trustee, as registrar for the Series 2019 Bonds.

*“Regular Record Date”* means the fifteenth day (whether or not a Business Day) of the month next preceding each Interest Payment Date.

“*Resolution*” means, collectively, the Master Resolution and this Eighth Supplemental Resolution.

“*Series 2019 Bonds*” means the Issuer’s Water Revenue Bonds, Series 2010 (Federally Taxable–Direct Pay–Build America Bonds), originally issued in the aggregate principal amount of \$4,000,000.

“*Series 2019 Bonds*” means the Issuer’s Water Revenue Refunding Bonds, Series 2019 herein authorized in the aggregate principal amount set forth in the Certificate of Determination.

“*Series 2019 Costs of Issuance Account*” means the account by that name established in Section 3.2.

“*Tax Certificate*” means any agreement or certificate delivered by the Issuer in connection with the issuance of the Series 2019 Bonds in order to assure the exclusion from gross income of interest received on the Series 2019 Bonds.

**Section 1.2. Authority for Supplemental Resolution.** This Eighth Supplemental Resolution is adopted pursuant to the provisions of the Act and the Master Resolution.

## ARTICLE II

### ISSUANCE OF SERIES 2019 BONDS

**Section 2.1. Principal Amount, Designation, and Series.** The Series 2019 Bonds are hereby authorized to be issued for the purpose of refunding all or a portion of the Refunded Bonds and paying costs of issuance of the Series 2019 Bonds. The Series 2019 Bonds are hereby authorized to be issued in the aggregate principal amount of \$2,750,000, which shall be designated “*Water Revenue Refunding Bonds, Series 2019*”. If the Authorized Officer determines pursuant to Sections 2.2(b)(i) and 2.4 hereof that the principal amount of the Bonds to be issued shall be less than \$2,750,000, then the principal of such series of bonds shall be limited to the amount so determined by the Authorized Officer. The Series 2019 Bonds shall be in denominations of \$5,000 or any integral multiple thereof and shall be numbered from one (1) consecutively upward in order of delivery by the Registrar. The Series 2019 Bonds are issued pursuant to Section 8.15 of the Master Resolution on a parity with the Outstanding Bonds and any Additional Bonds that may hereafter be issued pursuant to the Master Resolution.

**Section 2.2. Bond Details; Delegation of Authority.** (a) The Series 2019 Bonds shall mature on the years and in the principal amounts, and shall bear interest (calculated on the basis of a year of 360 days consisting of twelve 30-day months) from the Closing Date, payable semiannually on the dates of each year, and at the rates per annum, all as provided in the Certificate of Determination.

(b) There is hereby delegated to the Authorized Officer, subject to the limitations contained in this Bond Resolution, the power to determine and effectuate the following with

respect to the Series 2019 Bonds and the Authorized Officer is hereby authorized to make such determinations and effectuations:

- (i) the principal amount of the Series 2019 Bonds necessary to accomplish the purpose of the Series 2019 Bonds set forth in Section 2.1 herein and the aggregate principal amount of the Series 2019 Bonds to be executed and delivered pursuant to Section 2.4 herein; *provided* that the aggregate principal amount of the Series 2019 Bonds shall not exceed \$2,750,000;
- (ii) the maturity date or dates and principal amount of each maturity of the Series 2019 Bonds to be issued; *provided, however*, that the final maturity of all Series 2019 Bonds shall not be more than 15 years after the issuance of the Series 2019 Bonds;
- (iii) the interest rate or rates of the Series 2019 Bonds, *provided, however*, that the interest rate or rates to be borne by any Series 2019 Bond shall not exceed 4.00% per annum;
- (iv) the sale of the Series 2019 Bonds and the purchase price to be paid by the Purchaser for the Series 2019 Bonds; *provided, however*, that the discount from par of the Series 2019 Bonds shall not exceed 2.00% (expressed as a percentage of the principal amount);
- (v) the Series 2019 Bonds, if any, to be retired from mandatory sinking fund redemption payments and the dates and the amounts thereof;
- (vi) the optional redemption date, if any, of the Series 2019 Bonds;
- (vii) the maturity dates and amounts of the Series 2010 Bonds to be refunded as Refunded Bonds by the Series 2010 Bonds (the Authorized Officer may determine that it is not beneficial to the Issuer and the inhabitants of the City to refund any of the Series 2019 Bonds and, in the event the Authorized Officer makes such determination, none of the Series 2010 Bonds shall be issued);
- (viii) the use and deposit of the proceeds of the Series 2019 Bonds;
- (ix) the amount, use and deposit of any funds of the Issuer legally available to provide for the refunding of the Refunded Bonds (including monies held by the Issuer for payment of debt service on the Refunded Bonds);
- (x) any other provisions deemed advisable by the Authorized Officer not materially in conflict with the provisions of this Bond Resolution.

The Authorized Officer shall make such determinations as provided above and shall execute the Certificate of Determination containing such terms and provisions of the Series 2019 Bonds, which execution shall be conclusive evidence of the actions or determinations of the Authorized Officer as to the matters stated therein. The provisions of the Certificate of

Determination shall be deemed to be incorporated in Article II hereof and shall be deemed to be a part of this Resolution.

(c) Each Series 2019 Bond shall bear interest from the interest payment date next preceding the date of registration and authentication thereof unless (i) it is registered and authenticated as of an interest payment date, in which event it shall bear interest from the date thereof, or (ii) it is registered and authenticated prior to the first interest payment date, in which event it shall bear interest from its Closing Date, or (iii) as shown by the records of the Bond Registrar, interest on the Series 2019 Bonds shall be in default, in which event it shall bear interest from the date to which interest has been paid in full. The Bond Registrar shall insert the date of registration and authentication of each Series 2019 Bond in the place provided for such purpose in the form of Bond Registrar's certificate of authentication on each Series 2019 Bond. The Series 2019 Bonds shall bear interest on overdue principal at the respective rates provided in the Certificate of Determination.

**Section 2.3. Redemption.** (a) The Series 2019 Bonds may be subject to redemption prior to maturity, at the election of the Issuer, on the date specified in the Certificate of Determination (the "*First Redemption Date*"), and on any date thereafter, in whole or in part, from such maturities or parts thereof as shall be selected by the Issuer, upon notice given as provided below, at a redemption price equal to 100% of the principal amount of the Series 2019 Bonds to be redeemed, plus accrued interest thereon to the date fixed for redemption. The Series 2019 Bonds maturing on or prior to the First Redemption Date are not subject to optional redemption.

(b) The Series 2019 Bonds may be subject to mandatory redemption by operation of sinking fund installments as provided in the Certificate of Determination. If the Series 2019 Bonds are subject to mandatory sinking fund redemption and less than all of the Series 2019 Bonds then outstanding are redeemed in a manner other than pursuant to a mandatory sinking fund redemption, the principal amount so redeemed shall be credited at 100% of the principal amount thereof by the Bond Registrar against the obligation of the Issuer on such mandatory sinking fund redemption dates for the Series 2019 Bonds in such order as directed by the Issuer.

(c) If less than all of the Series 2019 Bonds of any maturity are to be redeemed, the particular Series 2019 Bonds or portion of Series 2019 Bonds of such maturity to be redeemed shall be selected at random by the Trustee in such manner as the Trustee in its discretion may deem fair and appropriate. The portion of any registered Series 2019 Bond of a denomination of more than \$5,000 to be redeemed will be in the principal amount of \$5,000 or a whole multiple thereof, and in selecting portions of such Series 2019 Bonds for redemption, the Trustee will treat each such Series 2019 Bond as representing that number of Series 2019 Bonds of \$5,000 denomination that is obtained by dividing the principal amount of such Series 2019 Bond by \$5,000.

(d) In the event any of the Series 2019 Bonds are called for redemption, notice identifying the Series 2019 Bonds to be redeemed will be given by the Trustee, by mailing a copy of the redemption notice by registered or certified mail not less than 30 nor more than 45 days prior to the date fixed for redemption to the Registered Owner of each Series 2019 Bond to be redeemed at the address shown on the registration books; provided, however, that failure to give such notice by mailing, or any defect therein, shall not affect the validity of any proceeding for the redemption

of any Series 2019 Bond with respect to which no such failure has occurred. Each notice may state that such redemption shall be conditional upon the Paying Agent's receiving for deposit into the Bond Account, on or prior to the date fixed for redemption, moneys authorized by the Issuer to be deposited in the Bond Account that are sufficient to pay the principal of and interest and redemption premium, if any, on the Series 2019 Bonds to be redeemed and that if such moneys shall not have been so received, the notice shall be of no force or effect and the Issuer shall not be required to redeem such Series 2019 Bonds. Any notice mailed as provided in this section shall be conclusively presumed to have been duly given, whether or not the Registered Owner receives the notice. All Series 2019 Bonds so called for redemption will cease to bear interest after the specified redemption date, provided funds for their redemption are on deposit at the place of payment at that time.

**Section 2.4. Execution of the Series 2019 Bonds.** The Mayor is hereby authorized to execute by manual or facsimile signature the Series 2019 Bonds and the City Recorder to countersign by manual or facsimile signature the Series 2019 Bonds and to have imprinted, engraved, lithographed, stamped or otherwise placed on the Series 2019 Bonds the official seal of the Issuer, and the Trustee shall manually authenticate the Series 2019 Bonds in substantially the form attached hereto as *Exhibit A*, with such insertions or variations as to any amortization provisions and such other insertions or omissions, endorsements and variations as may be required; *provided* that the aggregate principal amount of the Bonds shall not exceed \$2,750,000.

**Section 2.5. Delivery of Bonds.** It is hereby determined that the Series 2019 Bonds shall be authenticated and delivered to the Purchaser on such date upon which the Mayor and the Purchaser shall mutually agree, upon payment of the purchase price thereof.

**Section 2.6. Authorization of Redemption Prior to Maturity of Refunded Bonds.** The Refunded Bonds shall be called for redemption on the date specified in the Certificate of Determination, at the redemption price of one hundred percent (100%) of the principal amount of each such Refunded Bonds so called for redemption plus accrued interest thereon to the date fixed for redemption. Notice of such redemption shall be given as provided in the resolution authorizing the Refunded Bonds.

### ARTICLE III

#### APPLICATION OF SERIES 2019 BOND PROCEEDS

**Section 3.1. Application of Proceeds of the Series 2019 Bonds.** The proceeds of the Series 2019 Bonds, together with any other legally available funds of the Issuer (including monies held for the payment of debt service on the Refunded Bonds) shall be paid to the Trustee for deposit in the accounts and the amounts set forth in the Certificate of Determination.

**Section 3.2. Establishment of Series 2019 Cost of Issuance Account.** There is hereby established a Series 2019 Cost of Issuance Account, to be held by the Trustee. Amounts in the Series 2019 Cost of Issuance Account shall be applied to pay the costs of issuance of the Series 2019 Bonds. Any remaining balance in the Series 2019 Cost of Issuance Account following the payment of the costs of issuance of the Series 2019 Bonds shall, to the extent permitted under

applicable law and covenants regarding the use of proceeds of the Series 2019 Bonds, be deposited in the Bond Fund.

**Section 3.3. No Debt Service Reserve Fund Requirement for Series 2019 Bonds.** There shall be no Debt Service Reserve Fund Requirement with respect to the Series 2019 Bonds and no funds on deposit in the Debt Service Reserve Fund shall be used to make up any deficiencies in the Bond Fund with respect to the payment of principal of and interest on the Series 2019 Bonds.

## ARTICLE IV

### TAX COVENANTS; APPROVAL OF PURCHASE AGREEMENT

**Section 4.1. Compliance with Additional Bonds Test.** The Issuer hereby certifies that it has complied with the requirements of Section 8.15 of the Master Resolution with respect to the issuance of Additional Bonds on a parity with the Outstanding Bonds, as evidenced by a certificate to be delivered to the Trustee prior to the delivery of the Series 2019 Bonds.

**Section 4.2. Tax Covenants.** (a) In order to establish and preserve the tax-exempt status of the Series 2019 Bonds, the Mayor, City Manager, Finance Director, City Recorder and other appropriate officials of the Issuer are hereby authorized and directed to execute such Tax Exemption Certificates as shall be necessary to establish that (i) the Series 2019 Bonds are not “arbitrage bonds” within the meaning of Section 148 of the Code and the regulations promulgated or proposed thereunder, (ii) the Series 2019 Bonds are not and will not become “private activity bonds” within the meaning of Section 141 of the Code, (iii) all applicable requirements of Section 149 of the Code are and will be met, (iv) the covenants of the Issuer contained in this Section will be complied with and (v) interest on the Series 2019 Bonds is not and will not become includible in gross income of the owners thereof for federal income tax purposes under the Code and applicable regulations promulgated or proposed thereunder.

(b) The Issuer covenants and certifies to and for the benefit of the owners from time to time of the Series 2019 Bonds that:

(i) the Issuer will at all times comply with the provisions of the Tax Exemption Certificate;

(ii) the Issuer will at all times comply with the rebate requirements contained in Section 148(f) of the Code, including, without limitation, the entering into any necessary rebate calculation agreement to provide for the calculations of amounts required to be rebated to the United States, the keeping of records necessary to enable such calculations to be made and the timely payment to the United States of all amounts, including any applicable penalties and interest, required to be rebated;

(iii) no use will be made of the proceeds of the Series 2019 Bonds or any funds or accounts of the Issuer that may be deemed to be proceeds of the Series 2019 Bonds, pursuant to Section 148 of the Code and applicable regulations, which use, if it had been reasonably expected on the date of issuance of the Series 2019 Bonds, would have caused

the Series 2019 Bonds to be classified as “arbitrage bonds” within the meaning of Section 148 of the Code;

(iv) the Issuer will not permit the Series 2010 Project to be used in such manner that such sale, disposition or use would cause the Series 2019 Bonds to be “private activity bonds” described in Section 141 of the Code;

(v) no bonds or other evidences of indebtedness of the Issuer have been or will be issued, sold or delivered within a period beginning 15 days prior to the sale of the Series 2019 Bonds and ending 15 days following the delivery of the Series 2019 Bonds, other than the Series 2019 Bonds;

(vi) the Issuer will not take any action that would cause interest on the Series 2019 Bonds to be or to become ineligible for the exclusion from gross income of the Owners of the Series 2019 Bonds as provided in Section 103 of the Code, nor will the Issuer omit to take or cause to be taken, in timely manner, any action, which omission would cause interest on the Series 2019 Bonds to be or to become ineligible for the exclusion from gross income of the owners of the Series 2019 Bonds as provided in Section 103 of the Code; and

(vii) it acknowledges that, in the event of an examination by the Internal Revenue Service of the exemption from federal income taxation for interest paid on the Series 2019 Bonds, under present rules, the Issuer is treated as the “taxpayer” in such examination and agrees that it will respond in a commercially reasonable manner to any inquiries from the Internal Revenue Service in connection with such an examination.

Pursuant to these covenants, the Issuer obligates itself to comply throughout the term of the issue of the Series 2019 Bonds with the requirements of Section 103 of the Code and the regulations proposed or promulgated thereunder as they pertain to the Series 2019 Bonds.

**Section 4.3. Sale of Series 2019 Bonds; Authorization of Series 2019 Bond Documents; Further Authority.** (a) Under authority of the Act, the Series 2019 Bonds shall be issued by the Issuer for the purposes set forth in Section 2.1 hereof, in substantially the form attached hereto as *Exhibit A*, with such insertions or variations as to any amortization provisions and such other insertions or omissions, endorsements and variations as may be required.

(b) The Series 2019 Bonds are hereby authorized to be sold to the Purchaser, on the terms and conditions set forth in the Certificate of Determination and the Purchase Contract and upon the basis of the representations therein set forth; *provided* that such terms shall not exceed the limitations set forth in Section 2.2 herein. The Purchase Contract, in substantially the form attached hereto as *Exhibit B* and containing substantially the terms and provisions set forth therein, is hereby authorized and approved. To evidence the acceptance of the Purchase Contract, the Mayor is hereby authorized and directed to execute and deliver, and the City Recorder to attest and countersign the Purchase Contract, in substantially the form attached hereto as *Exhibit B*, with such insertions, deletions, changes, omissions and variations as the Mayor may deem appropriate

(such approval of the Mayor of any such changes shall be conclusively established by the execution of the Purchase Contract).

(c) The Bonds shall be delivered to the Purchaser and the proceeds of sale thereof applied as provided in the Certificate of Determination.

(d) The Mayor, the Finance Director, the City Manager, the City Recorder, and other officers of the Issuer are, and each of them is, hereby authorized to do or perform all such acts and to execute all such certificates, documents and other instruments as may be necessary or advisable to provide for the issuance, sale and delivery of the Series 2019 Bonds.

## ARTICLE V

### REGISTRAR AND PAYING AGENT

**Section 5.1. Appointment of Registrar and Paying Agent.** U.S. Bank National Association, a national banking association having the powers of a trust company, doing business and having its principal corporate trust office in Salt Lake City, Utah, is hereby appointed as Registrar and Paying Agent for the Series 2019 Bonds. U.S. Bank National Association shall signify acceptance of the duties and obligations imposed upon it by the Bond Resolution by executing and delivering to the Issuer a written acceptance thereof prior to the delivery of the Series 2019 Bonds. U.S. Bank National Association has previously been appointed as Trustee under the Bond Resolution.

## ARTICLE VII

### MISCELLANEOUS

**Section 6.1. Notice of Refunding Bonds to be Issued.** In accordance with the provisions of Section 11-27-4 of the Utah Code, the City Recorder has caused a “Notice of Refunding Bonds to be Issued,” in substantially the form attached hereto as *Exhibit E* (the “*Notice of Refunding Bonds to be Issued*”), to be provided (a) by publishing one time in *The Davis County Clipper*, a newspaper of general circulation in the City, and (b) on a website established and maintained by the collective efforts of Utah’s newspapers (currently, [www.utahlegals.com](http://www.utahlegals.com)) and shall cause a copy of this Bond Resolution (together with all exhibits hereto) to be kept on file in her office for public examination during the regular business hours of the Issuer until at least thirty (30) days from and after the date of publication thereof. The publication of the Notice of Bonds to be Issued is hereby approved and ratified.

For a period of thirty (30) days from and after publication of the Notice of Refunding Bonds to be Issued, any person in interest shall have the right to contest the legality of this Bond Resolution or the Series 2019 Bonds hereby authorized or any provision made for the security and payment of the Bonds. After such time, no one shall have any cause of action to contest the regularity, formality or legality of this Bond Resolution or the Series 2019 Bonds or any provision made for the security and payment of the Series 2019 Bonds for any cause.

**Section 6.2. Ratification.** All proceedings, resolutions and actions of the Issuer and its officers taken in connection with the sale and issuance of the Series 2019 Bonds are hereby ratified, confirmed and approved.

**Section 6.3. Severability.** It is hereby declared that all parts of this Sixth Supplemental Resolution are severable, and if any section, paragraph, clause or provision of this Sixth Supplemental Resolution shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining provisions of this Sixth Supplemental Resolution.

**Section 6.4. Conflict.** All resolutions, orders and regulations or parts thereof heretofore adopted or passed which are in conflict with any of the provisions of this Sixth Supplemental Resolution are, to the extent of such conflict, hereby repealed. This repealer shall not be construed so as to revive any resolution, order, regulation or part thereof heretofore repealed.

**Section 6.5. Captions.** The headings herein are for convenience of reference only and in no way define, limit or describe the scope or intent of any provisions or sections of this Eighth Supplemental Resolution.

**Section 6.6. Effective Date.** This Eighth Supplemental Resolution shall take effect immediately upon its approval and adoption by the City Council.

ADOPTED AND APPROVED this October 1, 2019.

CITY OF NORTH SALT LAKE, DAVIS COUNTY,  
UTAH

---

Mayor

ATTEST:

---

City Recorder

**EXHIBIT A**

**EXHIBIT A**

**[FORM OF BOND]**

REGISTERED

REGISTERED

NO. R- \_\_\_\_\_

\$ \_\_\_\_\_

**UNITED STATES OF AMERICA  
STATE OF UTAH**

**CITY OF NORTH SALT LAKE, DAVIS COUNTY, UTAH  
WATER REVENUE REFUNDING BONDS  
SERIES 2019**

INTEREST RATE	MATURITY DATE	ISSUE DATE
_____ %	_____, _____	_____, _____

Registered Owner:

Principal Amount:----- DOLLARS -----

KNOW ALL MEN BY THESE PRESENTS that the City of North Salt Lake, Davis County, Utah (the "City"), a duly organized and existing political subdivision, municipal corporation and body politic of the State of Utah, acknowledges itself indebted and for value received hereby promises to pay, in the manner and from the source hereinafter provided, to the registered owner identified above, or registered assigns, on the maturity date identified above, unless this Bond shall have been called for redemption and payment of the redemption price shall have been duly made or provided for, upon presentation and surrender hereof, the principal amount identified above, and to pay, in the manner and from the source hereinafter provided, the registered owner hereof interest on the balance of said principal amount from time to time remaining unpaid from the interest payment date next preceding the date of registration and authentication of this Bond, unless this Bond is registered and authenticated as of an interest payment date, in which event this Bond shall bear interest from such interest payment date, or unless this Bond is registered and authenticated prior to the first interest payment date, in which event this Bond shall bear interest from the dated date specified above, or unless, as shown by the records of the hereinafter referred to Trustee, interest on the hereinafter referred to Series 2019 Bonds shall be in default, in which event this

Bond shall bear interest from the date to which interest has been paid in full, at the rate per annum specified above (calculated on the basis of a year of 360 days comprised of twelve 30-day months), payable in each year on \_\_\_\_\_ 1 and \_\_\_\_\_ 1, beginning \_\_\_\_\_, \_\_\_\_\_, until payment in full of such principal amount, except as the provisions hereinafter set forth with respect to redemption prior to maturity may become applicable hereto. This Bond, as to principal and redemption price when due, will be payable at the principal corporate trust office of U.S. Bank National Association, in Salt Lake City, Utah, as paying agent of the Issuer, or its successor as such paying agent, in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts; *provided, however*, that payment of the interest hereon shall be made to the registered owner hereof and shall be paid by check or draft mailed to the person who is the registered owner of record as of the close of business on the fifteenth day (whether or not a business day) of the month next preceding each interest payment date (the "*Record Date*") at his address as it appears on the registration books of the Trustee.

THE ISSUER IS OBLIGATED TO PAY PRINCIPAL OF, REDEMPTION PRICE OF, AND INTEREST ON THIS BOND SOLELY FROM THE NET REVENUES AND OTHER FUNDS OF THE ISSUER PLEDGED THEREFOR UNDER THE TERMS OF THE RESOLUTION (DEFINED BELOW). THIS BOND IS NOT A DEBT OF THE ISSUER WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY LIMITATIONS OF INDEBTEDNESS OR PROVISIONS THEREFOR. PURSUANT TO THE RESOLUTION, SUFFICIENT NET REVENUES HAVE BEEN PLEDGED AND WILL BE SET ASIDE INTO SPECIAL FUNDS BY THE ISSUER TO PROVIDE FOR THE PROMPT PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THIS BOND AND ALL BONDS OF THE SERIES OF WHICH IT IS A PART.

This Bond and the issue of Bonds of which it is a part are issued in conformity with and after full compliance with the Constitution of the State of Utah and pursuant to the provisions of the Utah Refunding Bond Act, Chapter 27 of Title 11, Utah Code Annotated 1953, as amended (the "*Act*"), and all other laws applicable thereto.

This Bond is a special obligation of the Issuer and is one of the Water Revenue Refunding Bonds of the Issuer (the "*Bonds*") issued under and by virtue of the Act and under and pursuant to a Resolution Authorizing the Issuance and Sale of \$845,000 Water Revenue Refunding Bonds, Series 1993, adopted October 26, 1993, as supplemented and amended (the "*Master Resolution*"), and an Eighth Supplemental Resolution adopted \_\_\_\_\_, 2014 (the "*Eighth Supplemental Resolution*" and, collectively with the Master Resolution, the "*Resolution*"), authorizing the issuance and sale of this Series of Bonds, for the purpose of paying costs of the refunding the Refunded Bonds and paying costs of issuance of the Series 2019 Bonds.

As provided in the Resolution, Bonds may be issued from time to time in one or more series in various principal amounts, may mature at different times, may bear interest at different rates, and may otherwise vary as provided in the Resolution, and the aggregate principal amount of Bonds which may be issued is not limited. All Bonds issued and to be issued under the Resolution are and will be equally and ratably secured by the pledge and covenants made therein, except as otherwise expressly provided or permitted in or pursuant to the Resolution.

This Bond is one of a Series of Bonds designated as "*Water Revenue Refunding Bonds , Series 2019*" (the "*Series 2019 Bonds*"), limited to the aggregate principal amount of

\$ \_\_\_\_\_, dated as of the dated date identified above, and duly issued under and by virtue of the Act and under and pursuant to the Resolution. Copies of the Resolution are on file at the office of the City Recorder in North Salt Lake, Utah, and at the principal corporate trust office of the Trustee, and reference to the Resolution and the Act is made for a description of the pledge and covenants securing the Series 2019 Bonds, the nature, manner and extent of enforcement of such pledge and covenants, the terms and conditions upon which the Series 2019 Bonds are issued and additional Bonds may be issued thereunder, and a statement of the rights, duties, immunities and obligations of the Issuer and of the Trustee. Such pledge and other obligations of the Issuer under the Resolution may be discharged at or prior to the maturity or redemption of the Series 2019 Bonds upon the making of provision for the payment thereof on the terms and conditions set forth in the Resolution.

To the extent and in the respects permitted by its terms, the Resolution may be modified or amended by action on behalf of the Issuer taken in the manner and subject to the conditions and exceptions prescribed in the Resolution. The holder or owner of this Bond shall have no right to enforce the provisions of the Resolution or to institute action to enforce the pledge or covenants made therein or to take any action with respect to an event of default under the Resolution or to institute, appear in, or defend any suit or other proceeding with respect thereto, except as provided in the Resolution.

This Bond is transferable, as provided in the Resolution, only upon the books of the Issuer kept for that purpose at the principal corporate trust office of the Trustee, by the registered owner hereof in person or by his attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Trustee, duly executed by the registered owner or such duly authorized attorney, and thereupon the Issuer shall issue in the name of the transferee a new registered Bond or Bonds of the same aggregate principal amount and series, designation, maturity and interest rate as the surrendered Bond, all as provided in the Resolution and upon the payment of the charges therein prescribed. The Issuer and the Trustee may treat and consider the person in whose name this Bond is registered as the holder and absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever.

The Series 2019 Bonds are issuable solely in the form of fully registered Bonds, without coupons, in the denomination of \$5,000, or any integral multiple of \$5,000.

[The Series 2019 Bonds maturing on or after \_\_\_\_\_, \_\_\_\_\_, are subject to redemption on or after \_\_\_\_\_, \_\_\_\_\_, in whole or in part on any date, at the election of the Issuer, at the redemption price of 100% of the principal amount of each Series 2019 Bond to be so redeemed, plus accrued interest to the redemption date.

The Series 2019 Bonds maturing on \_\_\_\_\_, \_\_\_\_\_, shall be subject to mandatory redemption by operation of sinking fund installments beginning on \_\_\_\_\_, \_\_\_\_\_, at a redemption price equal to 100% of the principal amount thereof plus accrued interest, if any, to the redemption date. The amounts and due dates of the sinking fund installments for the Series 2019 Bonds maturing on \_\_\_\_\_, \_\_\_\_\_, are set forth on the following table:

MARCH 1  
OF THE YEAR

PRINCIPAL  
AMOUNT

---

\* Final Maturity.

Any Series 2019 Bond subject to redemption shall be redeemed as provided in and subject to the terms of the Resolution.]

Except as otherwise provided herein and unless the context clearly indicates otherwise, words and phrases used herein shall have the same meanings as such words and phrases in the Resolution.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of Utah or by the Act, or the Resolution to exist, to have happened or to have been performed precedent to or in the issuance of this Bond exist, have happened and have been performed and that the issue of Bonds, together with all other indebtedness of the Issuer, is within every debt and other limit prescribed by said Constitution and statutes.

This Bond shall not be valid until the Certificate of Authentication hereon shall have been signed by the Trustee.

IN WITNESS WHEREOF, the Issuer has caused this Bond to be signed by its Mayor and countersigned by its City Recorder with the seal of said Issuer affixed, all as of the Issue Date specified above.

CITY OF NORTH SALT LAKE, DAVIS COUNTY,  
UTAH

By \_\_\_\_\_  
Mayor

COUNTERSIGNED:

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

[SEAL]

**CERTIFICATE OF AUTHENTICATION**

This Bond is one of the Water Revenue Refunding Bonds, Series 2019 of the City of North Salt Lake, Davis County, Utah.

U.S. Bank National Association  
as Trustee

By \_\_\_\_\_  
Authorized Signature

Date of registration and authentication: \_\_\_\_\_, \_\_\_\_\_.

[FORM OF ASSIGNMENT]

The following abbreviations, when used in the inscription on the face of this certificate, shall be construed as though they were written out in full according to applicable laws or regulations.

TEN COM	—	as tenants in common	UNIF TRAN MIN ACT—
TEN ENT	—	as tenants by the entirety	_____ Custodian _____
JT TEN	—	as joint tenants with right of survivorship and not as tenants in common	(Cust) (Minor) under Uniform Transfers to Minors Act of _____ (State)

Additional abbreviations may also be used though not in the above list.

FOR VALUE RECEIVED \_\_\_\_\_ hereby sells, assigns and transfers unto

PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE

\_\_\_\_\_  
(Please Print or Typewrite Name and Address of Assignee)

the within Bond of the CITY OF NORTH SALT LAKE, and does hereby irrevocably constitute and appoint \_\_\_\_\_ Attorney to register the transfer of said Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature: \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_

NOTICE: Signature(s) must be guaranteed by an “eligible guarantor institution” meeting the requirements of the Trustee, which requirements include membership or participation in STAMP or such other “signature guarantee program” as may be determined by the Trustee in addition to, or in substitution for, STAMP, all in accordance with the Securities and Exchange Act of 1934, as amended.

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

**EXHIBIT B**

[ATTACH FORM OF PURCHASE CONTRACT]

**EXHIBIT C**

[ATTACH FORM OF CERTIFICATE OF DETERMINATION]

## EXHIBIT D

### NOTICE OF REFUNDING BONDS TO BE ISSUED

NOTICE IS HEREBY GIVEN pursuant to the provisions of Section 11-27-4 Utah Code Annotated 1953, as amended, that the City Council (the "*Council*") of the City of North Salt Lake, Utah (the "*City*"), intends to adopt a resolution (the "*Resolution*") to authorize and approve the issuance of its water revenue refunding bonds in one or more series (collectively, the "*Bonds*"), in an aggregate principal amount of not to exceed Two Million Seven Hundred Fifty Thousand Dollars, to bear interest at a rate or rates of not to exceed four percent per annum and to mature not later than fifteen years from their date or dates and to be sold at a discount from par not to exceed two percent.

The Bonds are to be issued and sold by the City pursuant to (a) a master resolution adopted October 26, 1993, as supplemented and amended (the "*Master Resolution*"), and (b) the Resolution; *provided* that the principal amount, interest rate or rates, maturity or maturities and discount will not exceed the maximums set forth above.

The Bonds are to be issued for the purpose of refunding previously issued water revenue bonds and paying all or a portion of the costs incurred in connection with the issuance and sale of the Bonds, all as set forth in the Master Resolution and the Resolution. The Bonds are payable from the water revenues pledged therefore pursuant to the Master Resolution.

A copy of the Resolution (including the Master Resolution and the Resolution) is on file in the office of the City Recorder, located at City Hall, 10 East Center Street, North Salt Lake, Utah, where the Resolution may be examined during regular business hours of the City Recorder from 8:00 a.m. to 5:00 p.m. for a period of at least thirty (30) days from and after the date of the publication of this notice.

NOTICE IS FURTHER GIVEN that pursuant to law for a period of thirty (30) days from and after the date of the publication of this notice, any person in interest shall have the right to contest the legality of the Resolution (including the Master Resolution) of the City or the Bonds authorized thereby or any provisions made for the security and payment of the Bonds. After such time, no one shall have any cause of action to contest the regularity, formality or legality of the Resolution, the Bonds or the provisions for their security or payment for any cause.

DATED September 23, 2019.

CITY OF NORTH SALT LAKE, UTAH



# CITY OF NORTH SALT LAKE

---

10 East Center Street  
North Salt Lake, Utah 84054  
(801) 335-8700  
(801) 335-8719 Fax

Len Arave  
Mayor

Ken Leetham  
City Manager

## MEMORANDUM

**TO:** Honorable Mayor and City Council

**FROM:** Ken Leetham, City Manager

**DATE:** October 1, 2019

**SUBJECT:** Presentation by Alisa VanLangeveld, Chair of the City's Parks and Arts Committee related to their proposed 2020 activities.

---

Alisa VanLangeveld has asked to report to the City Council on the Parks and Arts Committee's proposed 2020 activities. This is an excellent opportunity for the Council and Chair VanLangeveld to review the Committee's activities and learn more about next year's plans.



# CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

---

10 East Center Street, North Salt Lake, Utah 84054  
(801) 335-8700  
(801) 335-8719 Fax

## MEMORANDUM

**TO:** Honorable Mayor and City Council  
**FROM:** Sherrie Llewelyn, Community Development Director  
**DATE:** October 1, 2019  
**SUBJECT:** Consideration of Concept Plan for a PUD Subdivision, Arrowhead Twin Homes located at 150 East 350 North

---

### RECOMMENDATION

The Planning Commission recommends approval to the City Council the concept plan for Arrowhead Twin Homes, located at 150 East 350 North with the following findings and conditions:

#### Findings:

1. The proposed development meets the minimum standards for a PUD Subdivision in the R1-7 Zone, including lot size, height, landscaping, parking, and building coverage;
2. The Planning Commission has the authority to authorize standards and requirements for PUD Subdivisions which may include lot area, width, yard, height and coverage;
3. Underground infrastructure will not be allowed to be installed in 350 North Street until the 3 year moratorium on new road construction period has expired.

#### Conditions:

1. The preliminary/final plat show an easement in favor of the City of North Salt Lake for future pedestrian and vehicular access to adjoining properties on both street stubs.

### BACKGROUND

In July 2018, the developer had requested to rezone the property to a P District and construct 27 multi-family residential units in one building. The Planning Commission recommended disapproval to the City Council of the original plans, and ultimately, the request was withdrawn from the City Council agenda.

Based on feedback on their original July 2018 plans, Liberation Development has revised their concept plan for the Arrowhead project. The developer has met with the Planning Commission and City Council members to discuss options for the development and have submitted this application in response to comments they received. Per the advice of the City Attorney, the developer had submitted an application prior to the moratorium, which was under review and not completed, and as he had approached the Planning Commission and City Council members informally for input on a revised concept, they have a vested right to have associated applications reviewed under the existing City Code and are not required to wait until the moratorium expires to undergo development review.

The proposed concept plan consists of 10 units (5 twin homes/duplexes) within the 1.03 acre project area located at approximately 150 East 350 North. The twin homes will be platted for individual sale with common areas for landscaping and driveways. The zoning on the property is R1-7 which allows for duplex/twin home planned unit development subdivisions as a conditional use.

**APPLICABLE ORDINANCES**

**10-7-7: SUBDIVISIONS (LAND DEVELOPMENT):**

**10-7-4: PLANNED UNIT DEVELOPMENTS; SPECIAL REQUIREMENTS:**

*C. Planned Unit Developments To Meet Use Limitations Of Districts Wherein Located: No conditional use permit for a planned unit development shall be granted unless such development will meet the use limitations of the zoning district in which it is to be located, including planned unit developments in planned districts, and meet the density and other limitations of such districts, except as such requirements may be lawfully modified as provided by this chapter or by district regulations. Compliance with the regulations of this title in no sense excuses the development from the applicable requirements of the subdivision regulations, except as modifications thereof are specifically authorized in the approval of the application for the planned unit development.*

**LAND USE CODE SECTIONS**

<b>10-11-3: Use Regulations</b>							
	Zone						
	R1-12	R1-10	MU	R1-7	RM-7	RM-20	
Two-family dwelling.	-	-	-	P	C	P	
Planned unit developments.	C	C	C	C	C	C	
<b>Area Regulations</b>							
The minimum lot area in square feet for a single-family dwelling structure in the districts regulated by this chapter shall be:	12,000	10,000	96,800	7,000	7,000	7,000	
The lot area in square feet for a duplex:	-	-	-	8,500	8,500	8,50	
<b>Building Site Regulations:</b>							
<b>Height Regulations:</b>							
The maximum height for all buildings and structures in feet. See section <a href="#">10-1-25</a> of this title.	35	35	35	35	35	35	
<b>Area &amp; Yard Regulations:</b>							
The maximum coverage in percent for any lot in the districts regulated by this chapter shall be:	30	35	-	35	50	50	
Front Setback	25	25	25	25	25	25	
Side yard	8	8	60	8	8	8	

Total combined side yard	20	20	60	20	20	20
Rear yard	25	25	60	25	20	20
<b>10-6-5: Minimum Off Street Parking Stall Requirements (by use)</b>						
<b>F. Residential:</b>						
2 to 4 units	2 stalls per dwelling unit with minimum of 1 covered per unit					
Guest/visitor parking	Off street parking stalls in multi-family development shall be distributed proportionally to the dwelling unit locations. Generally, such parking shall not be located more than 200 feet from the dwelling units intended to be served					

**REVIEW**

Subdivisions under city code and state statute are administrative actions. State code and case law require that if the proposed subdivision meets the minimum standards required by code, the application must be approved. Subdivisions in general and PUD’s more specifically are conditional uses in the city code. State code and case law state that conditional uses are permitted uses with conditions. Therefore, if the development meets the minimum standards and reasonable conditions can be used to mitigate impacts of the development on the community, it also must be approved. The steps for approving a PUD development are recommendation to the City Council in 3 steps, Concept Plan, Preliminary Plan, and Final Plat.

There are several items the City reviews as part of an administrative action for a conditional use development:

1. **Density:** The PUD Subdivision Ordinance requires that the density of a PUD meet the density limitation of the current zoning, unless a zone change is requested and approved. The developer has not requested a zone change from the current R1-7 zone. The R1-7 zone allows two-family dwellings (duplex/twin home) with the minimum lot area of 8,500 sq. ft. The total development site is 1.03 acres. See the table below.

<b>Total Area</b>		45,954 sq. ft. (1.03 Acres)	
<b>Two-family Dwellings</b>	<b>R1-7</b>	<b>Lot Size</b>	<b>Calculation Total</b>
Per unit	8,500 sq. ft.	45,954 sq. ft.	8,500/45,954 sq. ft.
		Total:	<b>5.4 Duplexes (or 10 units)</b>

2. **Layout:** The proposed layout places 10 units (5 twin homes/duplexes) on the 1.03 acre site. The lots are to be platted as “for sale” twin homes in a PUD with the shared private road and common area. All 10 units will front the private road and have front entry garages.
3. **Setbacks:** Standard setbacks under the R1-7 zone are front 25’, side 8’ (total of 20’) and rear 25’. The proposed layout meets the minimum standard with a 25 foot front setback (350 North) and 10 foot side yards.
4. **Height and Stories:** The maximum height for the R1-7 zone is 35 feet and with no maximum number of stories. The two story height of the proposed twin homes meet the standard

5. **Lot Area:** The minimum lot area of 8,500 sq. ft. per “duplex” for the zone has been met.
6. **Coverage:** The twin homes constitute approximate 11,800 sq. ft. of the 1.03 acre site, which is 25.7% coverage. The maximum coverage by buildings is 35%.
7. **Landscaping:** The proposed landscaping on the project site is approximately 21,793 sq. ft. or approximately 47.42% of the site. The minimum requirement is 10% landscaping.
8. **Parking:** Required parking under the code is 2 parking spaces for each residential unit, of which 1 stall per unit must be covered. Each of the proposed twin homes have 2 car wide garages, providing 20 parking spaces. Additionally, each unit has 1 guest parking space adjacent to the unit or within a private driveway. Parking has been provided at minimum of 3 spaces per unit.
9. **Amenities:** Neither the subdivision ordinance, nor the PUD ordinance, requires the provision of any amenities in a subdivision. No amenities, (pool, tot lot, etc.) have been proposed, though large open space areas are noted on the site plan.
10. **Infrastructure:** The installation of underground infrastructure into 350 North Street is subject to the expiration of the 3 year road cut moratorium. Reconstructed roads are not permitted to be cut for 3 years after construction. The estimated expiration late summer 2020.

An environmental notice was sent out, as is required for all concept plans, asking for public comment. No written comments have been submitted as of 9/19/2019 and no comments were received at the Planning Commission meeting on 9/24/2019. As an administrative action, concept plan approval does not require a public hearing.

### **POSSIBLE MOTION**

I move that the City Council approve the concept plan for Arrowhead Twin Homes, located at 150 East 350 North with the following findings and conditions:

#### Findings:

1. The proposed development meets the minimum standards for a PUD Subdivision in the R1-7 Zone, including lot size, height, landscaping, parking, and building coverage;
2. The Planning Commission has the authority to authorize standards and requirements for PUD Subdivisions which may include lot area, width, yard, height and coverage;
3. Underground infrastructure will not be allowed to be installed in 350 North Street until the 3 year moratorium on new road construction period has expired.

#### Conditions:

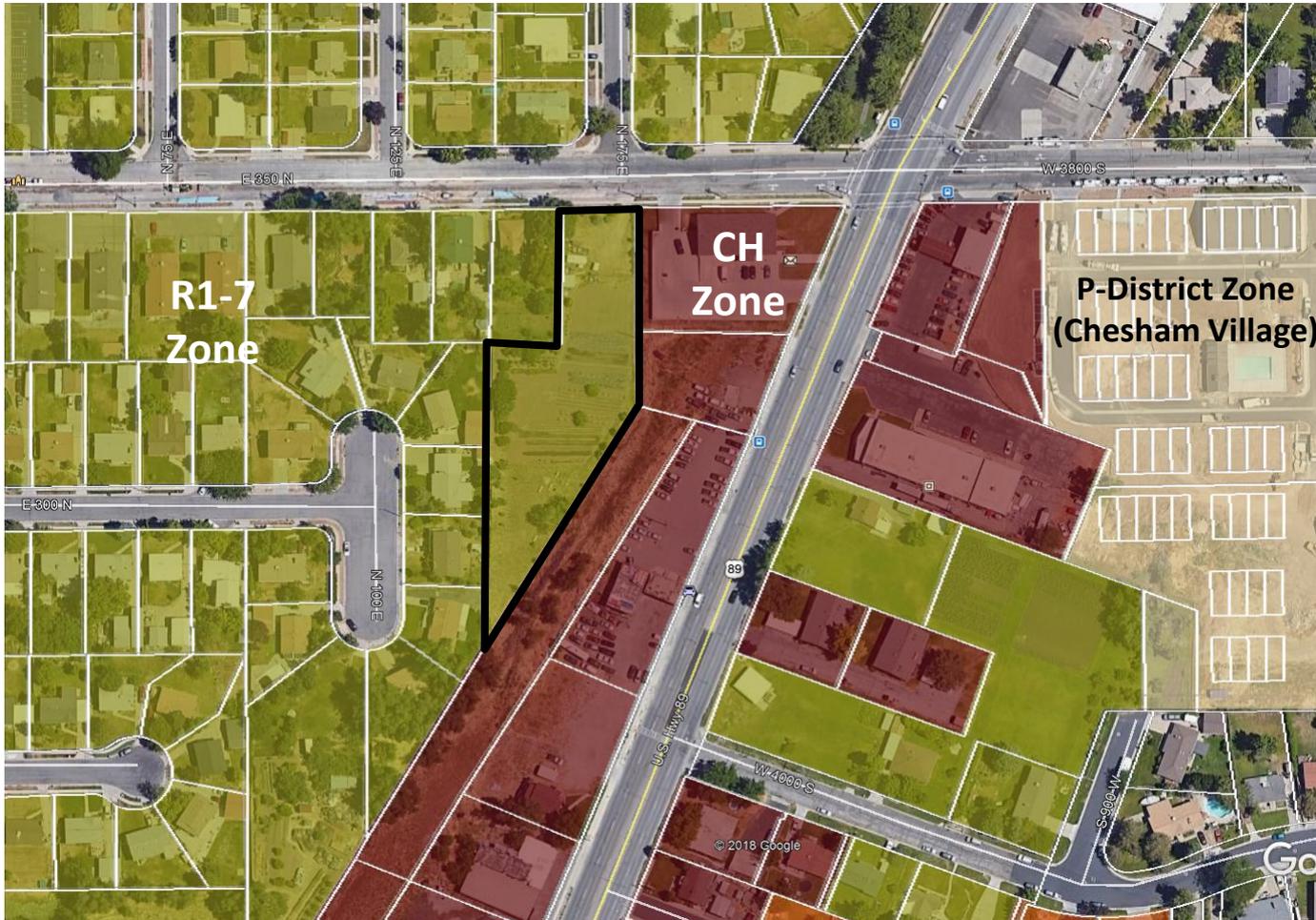
1. The preliminary/final plat show an easement in favor of the City of North Salt Lake for future pedestrian and vehicular access to adjoining properties on both street stubs.

#### Attachments

- 1) Zoning Map
- 2) Concept Plan
- 3) Site Plan
- 4) Elevations



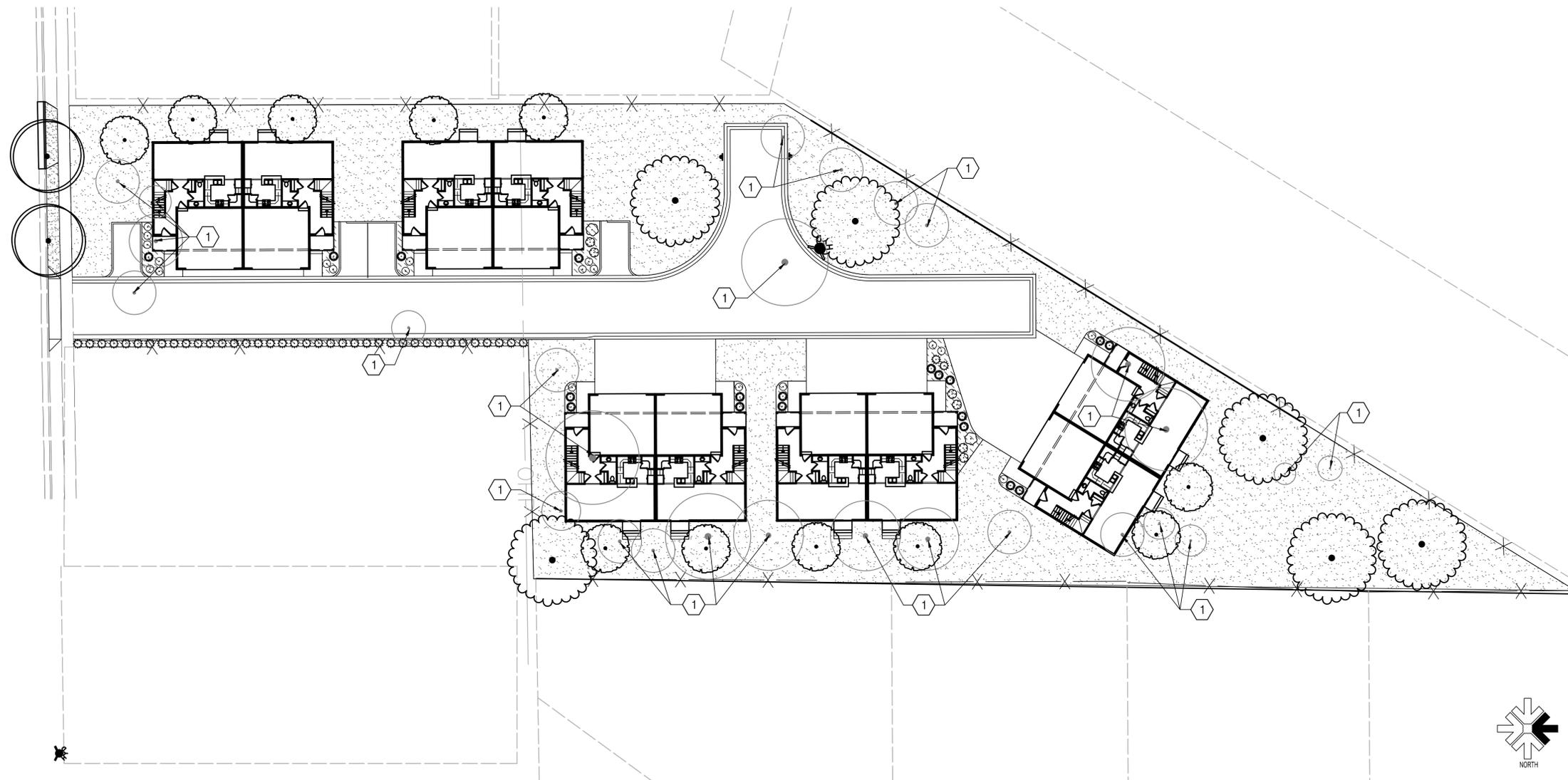
# Arrowhead 150 East 350 North Aerial & Zoning



-  Special Use Restricted (SR)
-  Residential (RM-7)
-  Residential (RM-20)
-  Residential (R1-7)
-  Residential (R1-12)
-  Residential (R1-10)
-  Natural Open Space (NOS)
-  General Industrial (MG)
-  Manufacturing-Distribution (MD)
-  Existing Uses Overlay (EUO)
-  Commercial Shopping (CS)
-  Highway Commercial (CH)
-  General Commercial (CG)
-  Planned District (P)



350 NORTH



### LANDSCAPE REQUIREMENTS

TOTAL PROPERTY	45,954 SF
OPEN SPACE	21,632 SF (47% OF PROPERTY)
REQUIRED SHRUBS	1 SHRUB / 25 SF OF PLANTER BED 45 SHRUBS (1,104 SF) REQUIRED 48 SHRUBS PROVIDED

### GENERAL NOTES

- ALL EXISTING LANDSCAPING TO BE REMOVED AND CLEARED BEFORE CONSTRUCTION.
- PLAYGROUND DESIGN AND INSTALLATION PER OWNER.
- ALL TURF GRASS AREAS TO RECEIVE AUTOMATIC SPRINKLERS (ROTORS, SPRAY HEADS, ETC.)
- ALL PLANTER BED AREAS TO RECEIVE AUTOMATIC DRIP IRRIGATION SPRINKLERS (DRIPLINE, DRIP EMITTERS, MICRO SPRAYS, ETC.)

### REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	QTY
①	EXISTING TREE TO BE REMOVED	
	TURF GRASS	20,528 sf
	PLANTER BED	1,104 sf

### CONCEPT PLANT SCHEDULE

	350 NORTH STREET TREE	2
	DECIDUOUS SHADE TREE	6
	ORNAMENTAL	11
	LARGE SHRUB	2
	SMALL SHRUB	6
	SMALL EVERGREEN SHRUB	40
	ORNAMENTAL GRASS	19
	PERENNIAL	20



**NOT FOR CONSTRUCTION**

MARK	DATE	DESCRIPTION

PROJECT #: 519056  
 DRAWN BY: ALTHOUSE  
 CHECKED BY: HISLOP  
 ISSUED: 09/16/2019

PRELIMINARY  
 LANDSCAPE  
 PLAN

L-101



FRONT ELEVATION



# CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

---

10 East Center Street, North Salt Lake, Utah 84054  
(801) 335-8700  
(801) 335-8719 Fax

## MEMORANDUM

**TO:** Honorable Mayor and City Council  
**FROM:** Sherrie Llewelyn, Community Development Director  
**DATE:** October 1, 2019  
**SUBJECT:** Consideration of Site Plan for Mirella at Foxboro, Lot 7 of Foxboro Marketplace, at 790 North Cutler Dr.

---

### RECOMMENDATION

The Planning Commission recommends approval to the City Council the site plan for Mirella at Foxboro, Lot 7 of Foxboro Marketplace, at 790 North Cutler Dr. with the following conditions:

1. The trail along Redwood Road be no closer than 8 feet from the curb at any point;
2. Two pedestrian accesses be added from the apartments to the trail along Redwood Road, one from the north and one from the south;
3. Verification of parking lot light poles in conformance to development agreement of themed lighting;
4. Submittal of irrigation plan for landscaping, including the sizes and locations of all secondary water connections;
5. Correction of minor engineering redlines. **(completed)**

### BACKGROUND

The proposed site plan is the residential component of the Foxboro Marketplace General Development Plan located at approximately 790 North Cutler Dr. The residential lot is a total of 5.124 acres. Per the amended development agreement the site is approved for six multi-family structures with a total of 120 apartments. The three-story apartment buildings have been reconfigured surrounding the clubhouse and pool area, with the main entrance on the north from Cutler Drive. A secondary entrance is provided from within the Foxboro Marketplace shopping center.

### REVIEW

The proposed architecture is a traditional walk-up apartment style with high quality materials like brick, hardie board, and stucco. The architecture is consistent with the existing apartments in the vicinity and the approved development plan. The buildings have tuck under garages. Carport structures will cover spaces on the east property line adjacent to Redwood Road, along the north property line and a portion of the spaces abutting the commercial center to the south. The height of the 3-story

buildings are 45 feet. The club house and garages match the architectural design of the main apartment buildings.

The amended development agreement required 270 parking stalls, which is equivalent to 2.25 parking stalls per unit. There is a minimum 1 cover stall per unit provided with 71 garage spaces and 60 carport stalls. The required 7 ADA spaces have been provided.

Landscaping in on the site, including the park strips meets the required 30% of the site at 67, 081 sq. ft. The landscaping along Redwood Road will be improved to a minimum distance of 24' behind the curb with an 8' asphalt trail, landscaping, berm, and street trees. A park strip and street trees will be added to Cutler Drive. There is a landscape buffer on the north and south property lines with additional trees.

The site will be fenced along Redwood Road with a six foot ornamental metal fence. Fencing along the property line between the shopping center and along Cutler Drive will be split rail vinyl fencing. An additional pedestrian access has been added along Cutler Drive. The site currently does not show a pedestrian access to the Redwood Road trail as required. A lighting plan has been submitted, however additional information is required related to the parking lot lights to insure the fixture style meets the standard within the development agreement.

The proposed site plan has been evaluated based upon compliance with the amended development agreement and the site & landscape plans approved within the General Development Plan. The site plan complies with requirements for parking, circulation, & traffic, as well as health, safety & noise. Landscaping and lighting submitted reflect the approved general development landscape plan.

Due to the size of the project the site plan will need final approval from the City Council.

### **POSSIBLE MOTION**

I move that the City Council approve the site plan for Mirella at Foxboro, Lot 7 of Foxboro Marketplace, at 790 North Cutler Dr. with the following conditions:

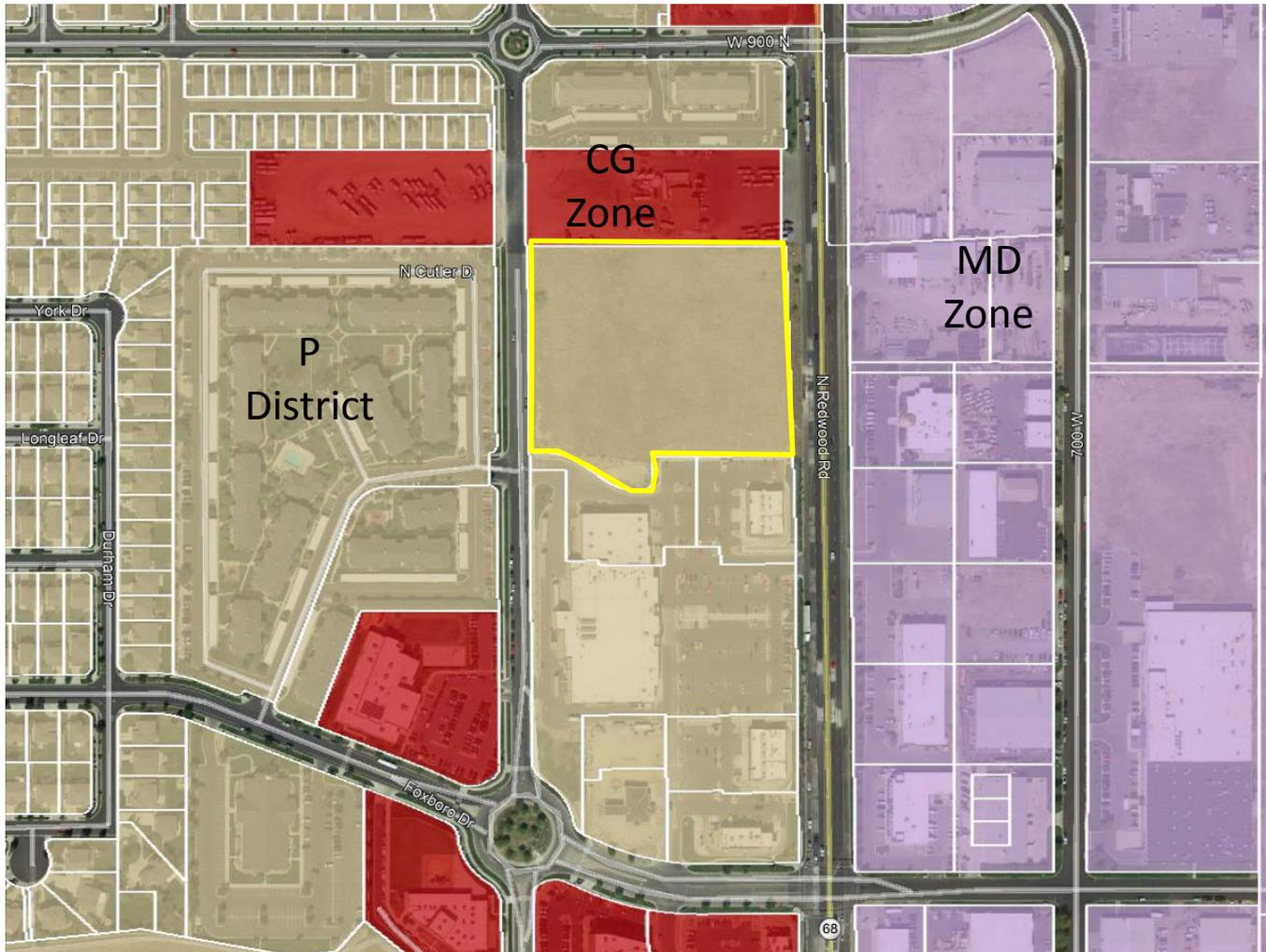
1. The trail along Redwood Road be no closer than 8 feet from the curb at any point;
2. Two pedestrian accesses be added from the apartments to the trail along Redwood Road, one from the north and one from the south;
3. Verification of parking lot light poles in conformance to development agreement of themed lighting; and
4. Submittal of irrigation plan for landscaping, including the sizes and locations of all secondary water connections.

### Attachments

- 1) Aerial/Zoning Map
- 2) Site Plan
- 3) Landscape Plan
- 4) Architecture



# General Development Plan-Amendment Foxboro Marketplace Aerial & Zoning



- Special Use Restricted (SR)
- Residential (RM-7)
- Residential (RM-20)
- Residential (R1-7)
- Residential (R1-12)
- Residential (R1-10)
- Natural Open Space (NOS)
- General Industrial (MG)
- Manufacturing-Distribution (MD)
- Existing Uses Overlay (EUO)
- Commercial Shopping (CS)
- Highway Commercial (CH)
- General Commercial (CG)
- Planned District (P)



**BENCHMARK**  
BRASS CAP MONUMENT FOR THE NORTHEAST CORNER OF SECTION 3, T1N, R1W, SLB8M  
ELEV = 4229.78'

**GENERAL NOTES**

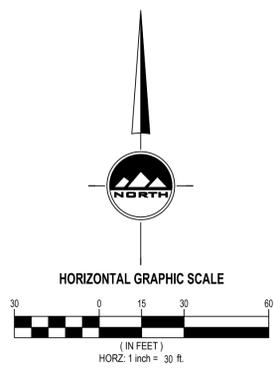
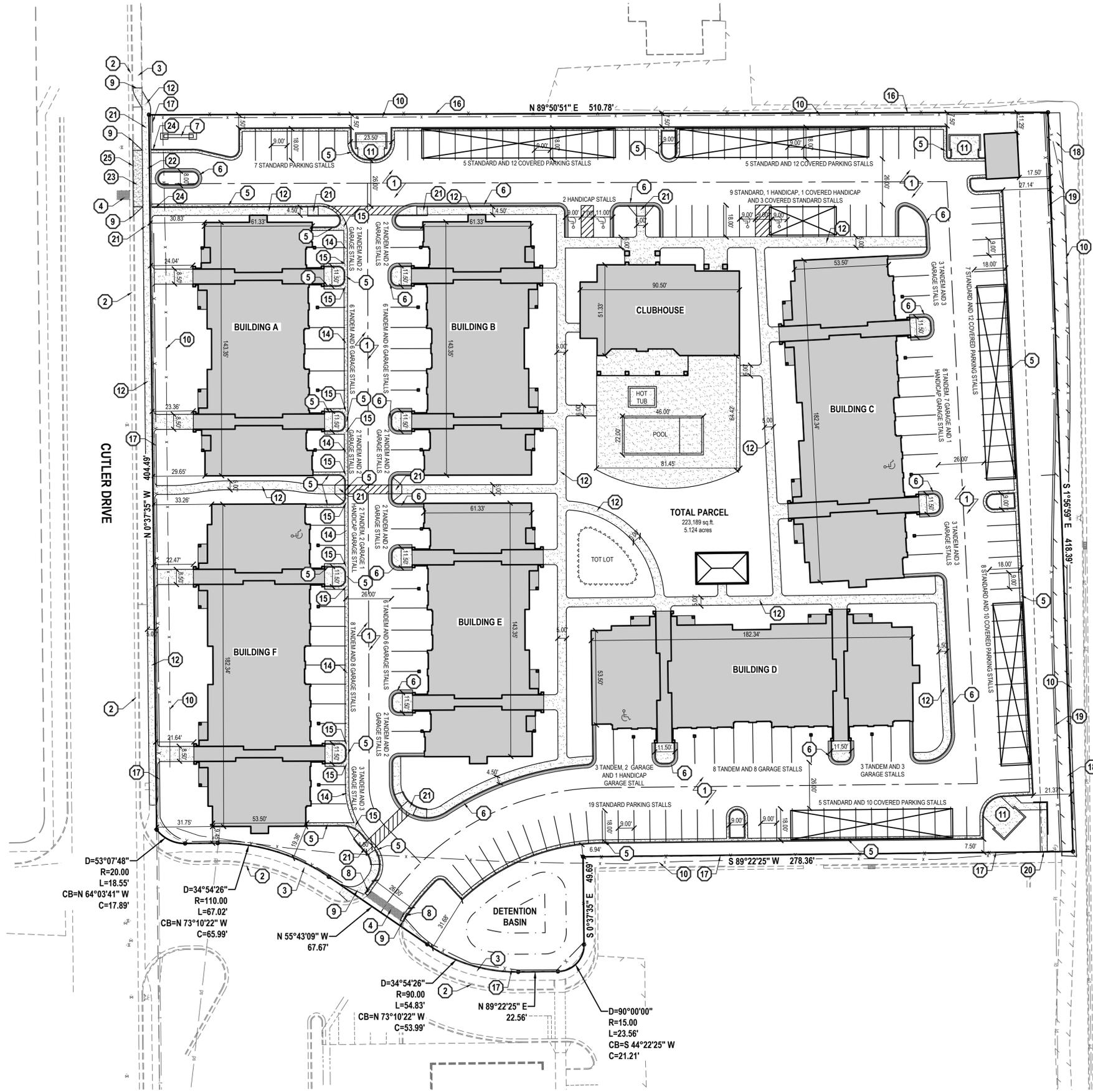
- ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
- ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
- SEE LANDSCAPE/ARCHITECTURAL PLANS FOR CONCRETE MATERIAL, COLOR, FINISH, AND SCORE PATTERNS THROUGHOUT SITE.
- ALL PAVEMENT MARKINGS SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. (MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES).
- ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SO2, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
- NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.
- THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.

**SCOPE OF WORK:**  
PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:

- INSTALL ASPHALT
- EXISTING CURB AND GUTTER
- EXISTING SIDEWALK
- SAWCUT, REMOVE AND REPLACE ASPHALT
- INSTALL 2.0' CURB AND GUTTER
- INSTALL 2.0' REVERSE PAN CURB AND GUTTER
- INSTALL MONUMENT
- REMOVE CURB AND GUTTER
- MATCH EXISTING IMPROVEMENTS
- REMOVE EXISTING FENCE
- INSTALL DUMPSTER PAD
- INSTALL SIDEWALK
- TRANSITION FROM REVERSE PAN CURB AND GUTTER TO CATCH CURB AND GUTTER
- 2.0' CONCRETE WATERWAY
- TRANSITION FROM 2.0' CURB AND GUTTER TO 2.0' CONCRETE WATERWAY
- INSTALL 6' PRIVACY FENCE
- INSTALL DECORATIVE COMPOSITE SPLIT RAIL FENCE
- INSTALL 8' ASPHALT MEANDERING TRAIL
- INSTALL 6' DECORATIVE METAL FENCE
- INSTALL 6' WIDE ACCESS GATE TO MATCH FENCE TO BE INSTALLED IN THIS LOCATION
- INSTALL HANDICAP RAMP
- INSTALL DRIVE APPROACH
- INSTALL 6" THICK SIDEWALK THROUGH DRIVE APPROACH
- TAPER CURB TO ZERO REVEAL AT SIDEWALK
- SAW CUT BACK OF CURB FOR DRIVE APPROACH INSTALLATION

DESCRIPTION	AREA (SF)	PERCENTAGE
PAVEMENT	99,790	45%
ROOF	64,152	29%
LANDSCAPING	59,067	26%
TOTAL SITE	223,189	100%
	5.124 ACRES	

STANDARD STALLS	65
ADA - ACCESSIBLE STALLS	3
ADA - COVERED STALLS	1
COVERED STALLS	59
TANDEM STALLS	71
STANDARD GARAGE STALLS	68
ADA - GARAGE STALLS	3
TOTAL STALLS	270



LAYTON  
1485 W. Hill Field Rd., Ste. 204  
Layton, UT 84041  
Phone: 801.547.1100

SALT LAKE CITY  
Phone: 801.255.0529

TOOELE  
Phone: 435.843.3590

CEDAR CITY  
Phone: 435.865.1453

RICHFIELD  
Phone: 435.896.2983

[WWW.ENSIGNENG.COM](http://WWW.ENSIGNENG.COM)

FOR:  
CASTLE CREEK HOMES  
1798 WEST 5150 SOUTH SUITE 103  
ROY, UTAH 84067

CONTACT:  
BRYCE THURGOOD  
PHONE: 801-648-0229

**MIRELLA AT FOXBORO APARTMENTS**  
790 NORTH CUTLER DRIVE  
NORTH SALT LAKE CITY, UTAH



NO.	DATE	REVISION	BY
1	9/24/19	FOR APPROVAL	OMP
2			
3			
4			
5			
6			
7			
8			

**SITE PLAN**

PROJECT NUMBER: 9191  
PRINT DATE: 9/24/19  
DRAWN BY: J.MOSS  
CHECKED BY: C.PRESTON  
PROJECT MANAGER: C.PRESTON

**C-100**



ISSUE DESCR.	DATE
	09.11.2019

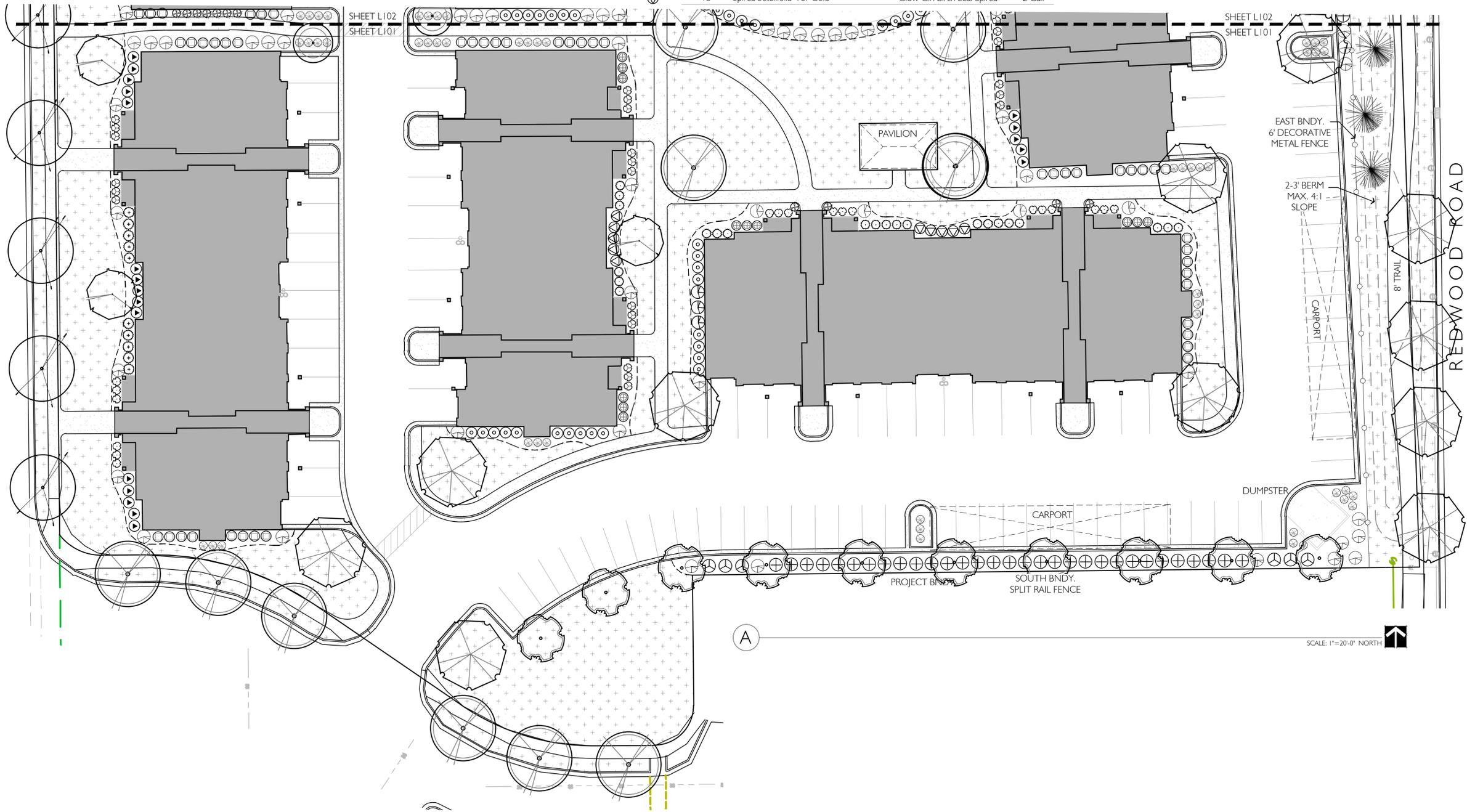
#	REV. DESCRIPTION	DATE

This drawing, as an instrument of professional service, and shall not be used, in whole or part, for any other project without the written permission of SCOTT THOMAS BLAKE DESIGN L.L.C. Copyright © 2019

LANDSCAPE SCHEDULE

QNTY	SCIENTIFIC NAME	COMMON NAME	SIZE
DECIDUOUS TREES			
12	<i>Acer truncatum</i> x <i>Acer Plat.</i> 'Keithsform'	Norwegian Sunset Maple	2" Cal.
25	<i>Malus</i> 'Spring Snow'	Spring Snow Crabapple	2" Cal.
18	<i>Gleditsia triacanthos inermis</i> 'Imperial'	Imperial Honeylocust	2" Cal.
6	<i>Pinus nigra</i>	Austrian Pine	6-7'
6	<i>Prunus virginiana</i> 'Canada Red'	Canada Red Chokecherry	2" Cal.
5	<i>Zelkova serrata</i> 'Mushashino'	Mushashino Zelkova	2" Cal.
8	<i>Zelkova serrata</i> 'Green Vase'	Green Vase Zelkova	2" Cal.
EVERGREEN SHRUBS			
26	<i>Euonymus fortunei</i> 'Moonshadow'	Moonshadow Wintercreeper	2 Gal.
25	<i>Prunus laurocerasus</i> 'Otto Luykens'	Otto Luykens Laurel	2 Gal.
28	<i>Taxus baccata repandens</i>	Dwarf Japanese Yew	2 Gal.
DECIDUOUS SHRUBS			
17	<i>Buddleia davidii</i> Lo & Behold 'Blue Chip'	Blue Chip Butterfly Bush	2 Gal.
77	<i>Cornus alba</i> 'Baton Rouge'	Baton Rouge	2 Gal.
48	<i>Euonymus alatus compacta</i>	Dwf. Burning Bush	2 Gal.
11	<i>Ligustrum vicaryi</i> 'Golden'	Golden Privet	2 Gal.
34	<i>Potentilla fruticosa</i> 'Bella Bellissima'	Bella Bellissima Potentilla	2 Gal.
42	<i>Potentilla fruticosa</i> 'Bella Sol'	Bella Sol Potentilla	2 Gal.
20	<i>Prunus x cistena</i>	Cistena Plum	2 Gal.
115	<i>Rhus aromatica</i> 'Grow Low'	Grow Low Sumac	2 Gal.
13	<i>Rosa</i> 'Knockout'	Knockout Rose	5 Gal.
35	<i>Rosa Meidiland</i> 'White'	White Meidiland Rose	5 Gal.
15	<i>Spirea betulifolia</i> 'Tor Gold'	Glow Girl Birch Leaf Spirea	2 Gal.

ORNAMENTAL GRASSES			
65	<i>Calamagrostis x acutifolia</i> 'Karl Foerster'	Karl Foerster Feather Grass	1 Gal.
89	<i>Miscanthus sinensis</i> 'Gracillimus'	Slender Maiden Grass	1 Gal.
50	<i>Pennisetum alopecuroides</i>	Fountain Grass	1 Gal.
PERENNIALS AND GROUNDCOVERS			
26	<i>Hemerocallis</i> 'Chicago Apache'	Chicago Apache Daylily	1 Gal.
TURF			
52,756 S.F.	Chanshare Imperial Bluegrass		Sod
MULCH			
	Decorative Gravel Mulch, 1 1/2" - All Planters Unless Noted Otherwise		3' depth
EDGING			
	Concrete Mowstrip 4" x 6"		



MIRELLA AT FOXBORO  
NORTH SALT LAKE, UTAH

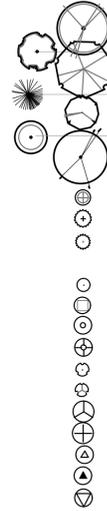
LANDSCAPE  
PLAN

L101

LANDSCAPE GENERAL NOTES

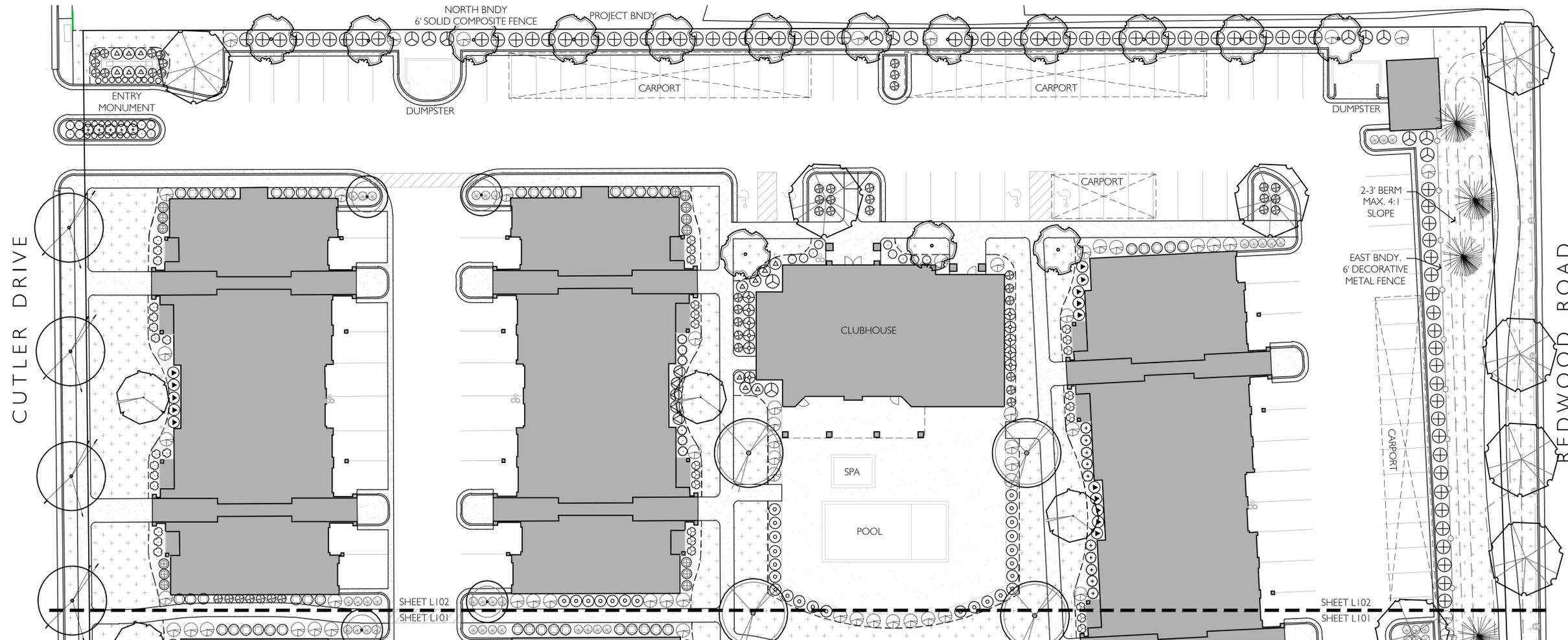
- ALL ALTERATIONS TO THESE PLANS DURING CONSTRUCTION SHALL BE APPROVED BY THE PROJECT REPRESENTATIVE.
- ALL PLANT MATERIALS SHALL CONFORM TO THE MINIMUM GUIDELINES ESTABLISHED BY THE AMERICAN STANDARD FOR NURSERY STOCK, PUBLISHED BY THE AMERICAN NURSERY ASSOCIATION, INC.
- ALL PLANTS TO BE BALLED AND BURLAPPED OR CONTAINER GROWN, UNLESS OTHERWISE NOTED ON THE PLANT LIST.
- CONTRACTOR SHALL SUPPLY ALL PLANT MATERIAL IN QUANTITIES SUFFICIENT TO COMPLETE THE PLANTING SHOWN ON THE PLANS.
- THE CONTRACTOR SHALL LOCATE AND VERIFY ALL EXISTING UTILITY LINES PRIOR TO PLANTING AND SHALL REPORT AND CONFLICTS TO THE PROJECT REPRESENTATIVE.
- STAKE LOCATION OF ALL PROPOSED PLANTING FOR APPROVAL BY THE PROJECT REPRESENTATIVE PRIOR TO COMMENCEMENT OF PLANTING.
- ALL TURF AREAS TO RECEIVE MINIMUM FOUR INCHES (4") OF TOPSOIL PRIOR TO LAYING OF SOD.
- ALL SHRUB, GROUNDCOVER AND PERENNIAL BEDS TO RECEIVE MINIMUM FOUR INCHES (4") OF TOPSOIL PRIOR TO PLANTING.
- ALL GROUNDCOVER AND PERENNIALS TO BE PLANTED IN TRIANGULAR FORMATION.
- TOPSOIL TO BE FROM ON-SITE MATERIAL OR IMPORTED. CONTRACTOR TO SUBMIT TOPSOIL REPORT PREPARED BY A QUALIFIED TESTING LABORATORY PRIOR TO SOIL PLACEMENT.
- TOPSOIL SHALL MEET THE FOLLOWING ANALYSIS:  
 SAND (0.05 - 2.0 mm Dia.) 20 - 70%  
 CLAY (0.002 - 0.05 mm Dia.) 20 - 70%  
 THE MAX. RETAINED ON A #10 SIEVE WILL BE 15%.  
 pH RANGE OF 5.5 TO 8.2  
 MINIMUM OF 4% AND MAX. OF 8% ORGANIC MATTER CONTENT  
 FREE OF STONE 3/4" OR LARGER  
 SOLUBLE SALTS <2 dS/m or mmho/cm  
 SODIUM ABSORPTION RATION (sar) <6.
- METAL EDGING TO OCCUR BETWEEN ALL PLANTING BEDS ADJACENT TO SOD AREAS AND TO BE SET LEVEL WITH TOP OF SOD.
- LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIALS FOR ONE YEAR FROM DATE OF FINAL INSPECTION.

LANDSCAPE SCHEDULE



QNTY	SCIENTIFIC NAME	COMMON NAME	SIZE
<b>DECIDUOUS TREES</b>			
12	Acer truncatum x Acer Plat. 'Keithsform'	Norwegian Sunset Maple	2" Cal.
25	Malus 'Spring Snow'	Spring Snow Crabapple	2" Cal.
18	Gleditsia triacanthos inermis 'Imperial'	Imperial Honeylocust	2" Cal.
6	Pinus nigra	Austrian Pine	6-7'
6	Prunus virginiana 'Canada Red'	Canada Red Chokecherry	2" Cal.
5	Zelkova serrata 'Mushashino'	Mushashino Zelkova	2" Cal.
8	Zelkova serrata 'Green Vase'	Green Vase Zelkova	2" Cal.
<b>EVERGREEN SHRUBS</b>			
26	Euonymus fortunei 'Moonshadow'	Moonshadow Wintercreeper	2 Gal.
25	Prunus laurocerasus 'Otto Luykens'	Otto Luykens Laurel	2 Gal.
28	Taxus baccata repandens	Dwarf Japanese Yew	2 Gal.
<b>DECIDUOUS SHRUBS</b>			
17	Buddleia davidii Lo & Behold 'Blue Chip'	Blue Chip Butterfly Bush	2 Gal.
77	Cornus alba 'Baton Rouge'	Baton Rouge	2 Gal.
48	Euonymus alatus compacta	Dwf. Burning Bush	2 Gal.
11	Ligustrum vicaryi 'Golden'	Golden Privet	2 Gal.
34	Potentilla fruticosa 'Bella Bellissima'	Bella Bellissima Potentilla	2 Gal.
42	Potentilla fruticosa 'Bella Sol'	Bella Sol Potentilla	2 Gal.
20	Prunus x cistena	Cistena Plum	2 Gal.
115	Rhus aromatica 'Grow Low'	Grow Low Sumac	2 Gal.
13	Rosa 'Knockout'	Knockout Rose	5 Gal.
35	Rosa 'Meidiland 'White'	White Meidiland Rose	5 Gal.
15	Spirea betulifolia 'Tor Gold'	Glow Girl Birch Leaf Spirea	2 Gal.

<b>ORNAMENTAL GRASSES</b>			
65	Calamagrostis x acutifolia 'Karl Foerster'	Karl Foerster Feather Grass	1 Gal.
89	Miscanthus sinensis 'Gracillimus'	Slender Maiden Grass	1 Gal.
50	Pennisetum alopecuroides	Fountain Grass	1 Gal.
<b>PERENNIALS AND GROUNDCOVERS</b>			
26	Hemerocallis 'Chicago Apache'	Chicago Apache Daylily	1 Gal.
<b>TURF</b>			
52,756 S.F.	Chanshare Imperial Bluegrass		Sod
<b>MULCH</b>			
	Decorative Gravel Mulch, 1 1/2" - All Planters Unless Noted Otherwise		3" depth
<b>EDGING</b>			
	Concrete Mowstrip 4" x 6"		



A

SCALE: 1"=20'-0" NORTH



LANDSCAPE ARCHITECTURE & LAND PLANNING

1375 PERRYS HOLLOW ROAD  
 SALT LAKE CITY, UTAH 84103  
 PH/TXT/MO 801.554.6146  
 SCOTT@STBDESIGNLLC.COM



ISSUE DESCRIP.	DATE
	09.11.2019

#	REV. DESCRIPTION	DATE

This drawing, as an instrument of professional service, and shall not be used, in whole or part, for any other project without the written permission of SCOTT THOMAS BLAKE DESIGN L.L.C. Copyright © 2019

MIRELLA AT FOXBORO  
 NORTH SALT LAKE, UTAH

LANDSCAPE PLAN

L102





## CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

---

10 East Center Street, North Salt Lake, Utah 84054  
(801) 335-8700  
(801) 335-8719 Fax

### MEMORANDUM

**TO:** Honorable Mayor and City Council  
**FROM:** Sherrie Llewelyn, Community Development Director  
**DATE:** October 1, 2019  
**SUBJECT:** Consideration of Preliminary Plan and Final Plat approval for a PUD Subdivision, Townes at Vantage Point (formerly Orchard Drive Townhomes), located at 142 South Orchard Drive

---

### RECOMMENDATION

The Planning Commission recommends approval to the City Council of the preliminary plan and final plat for Townes at Vantage Point PUD, located at 142 South Orchard Drive with the following findings and conditions:

Findings:

1. The proposed development meets the minimum standards for a PUD Subdivision in the RM-20 Zone, including lot size, height, landscaping, parking, and building coverage;
2. The Planning Commission has the authority to authorize standards and requirements for PUD Subdivisions which may include lot area, width, yard, height and coverage

Conditions:

1. Completion of minor engineering redlines, namely correction to the address table; and
2. The addition to the final plat an easement in favor of the City of North Salt Lake for future pedestrian access to the adjoining property to the west.

### BACKGROUND

This property is under contract for sale to an alternative developer/builder, Davis Builders. Davis has requested that the name of the project be changed from Orchard Townhomes to the Townes at Vantage Point. The previous project name was too similar to the Orchard Grove Townhomes and to avoid any confusion during construction and sales, city staff has no objection to the name change.

The proposed preliminary plan and final plat consists of 26 townhome lots that will be platted for individual sale with common areas for landscaping and driveways. The zoning on the property is RM-20 which allows multi-family dwellings as a conditional use. The previously approved concept plan approved a reduced front setback of 15 feet and a reduced side yard setback of 6 feet. The density of 26 units is based upon the RM-20 zone which allows multi-family dwellings with a minimum acreage of 7,000 sq. ft. for the first unit and 1,900 sq. ft. for each additional unit.

## **REVIEW**

Subdivisions under city code and state statute are administrative actions. State code and case law require that if the proposed subdivision meets the minimum standards required by code, the application must be approved. Subdivisions in general and PUD's more specifically are conditional uses in the city code. State code and case law state that conditional uses are permitted uses with conditions. Therefore if the development meets the minimum standards and reasonable conditions can be used to mitigate impacts of the development on the community, it also must be approved. The steps for approving a PUD development are recommendation to the City Council in 3 steps, Concept Plan, Preliminary Plan, and Final Plat.

Preliminary Plan and Final Plat are being reviewed concurrently, as the plans are complete. The Final Plat and construction drawings have been reviewed for compliance with the city code and are in compliance. There are a few engineering redlines that need to be completed on the civil drawings and are a recommended condition of approval.

No changes to layout, design, density, landscaping, parking, or any other feature of the plan from the Concept Plan approval.

## **POSSIBLE MOTION**

I move that the City Council approve the preliminary plan and final plat for Townes at Vantage Point PUD, located at 142 South Orchard Drive with the following findings and conditions:

Findings:

1. The proposed development meets the minimum standards for a PUD Subdivision in the RM-20 Zone, including lot size, height, landscaping, parking, and building coverage;
2. The Planning Commission has the authority to authorize standards and requirements for PUD Subdivisions which may include lot area, width, yard, height and coverage

Conditions:

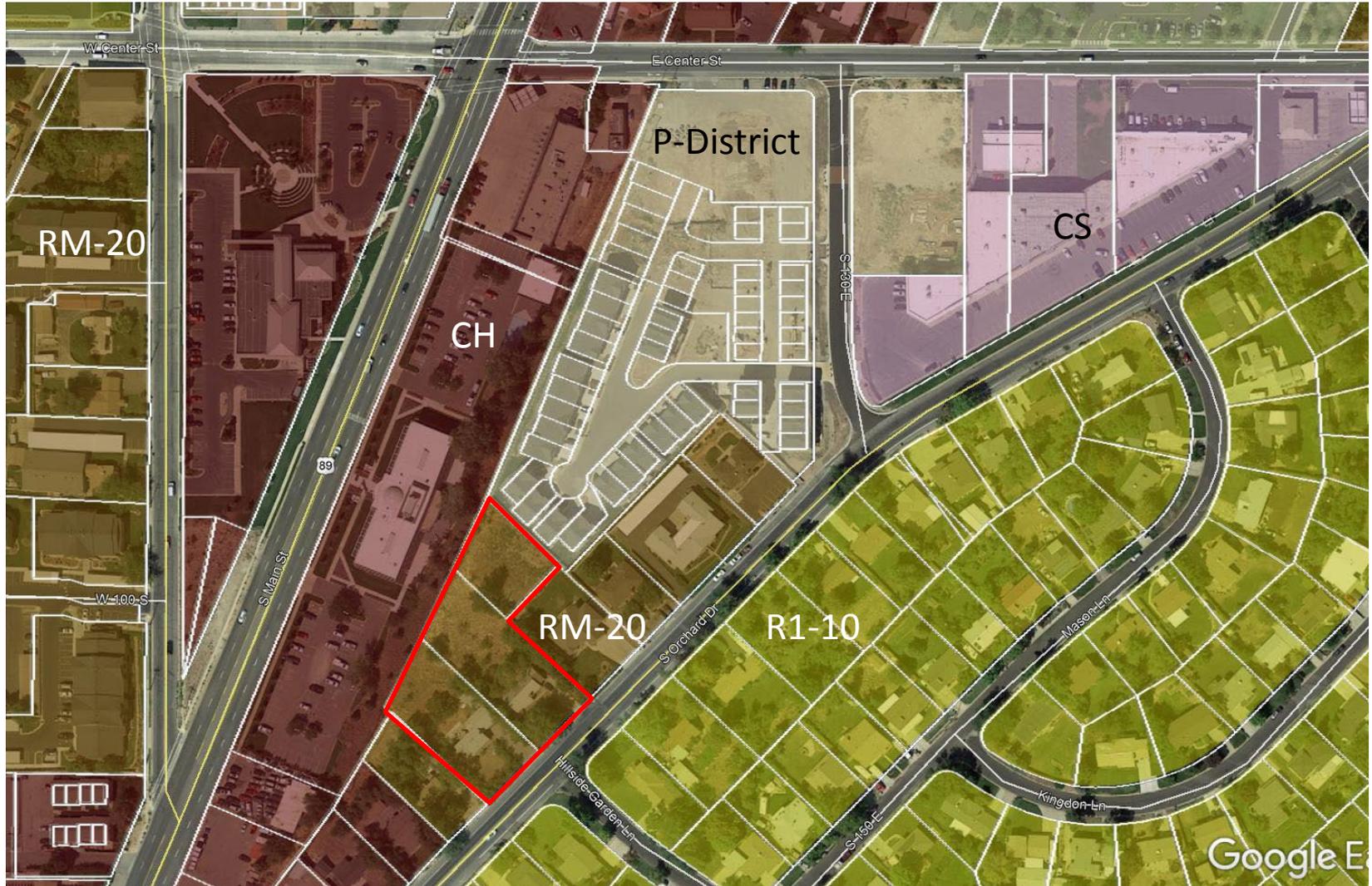
1. Completion of the engineer redlines on the civil drawings; and
2. The addition to the final plat an easement in favor of the City of North Salt Lake for future pedestrian access to the adjoining property to the west.

Attachments

- 1) Aerial Map
- 2) Final Plat
- 3) Site Plan



# Preliminary Plan & Final Plat Townes at Vantage Point PUD Aerial & Zoning



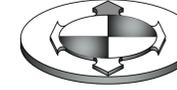
POINT #	NORTHING	EASTING
10000	101647.74	107986.18
10001	101784.52	107844.09
10002	101875.65	107893.61
10003	101967.99	107941.88
10004	102065.15	107985.14
10005	101972.66	108081.23
10006	101899.68	108012.85
10007	101791.84	108124.88
10008	102670.91	107925.53
10009	102675.22	110574.41

# TOWNES AT VANTAGE POINT A PLANNED UNIT DEVELOPMENT

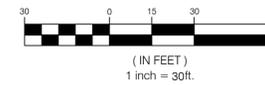
LOCATED IN THE NORTHWEST QUARTER OF SECTION 12,  
TOWNSHIP 1 NORTH, RANGE 1 WEST,  
SALT LAKE BASE AND MERIDIAN  
NORTH SALT LAKE CITY, DAVIS COUNTY, UTAH

DEVELOPER/OWNER: TAGS SLLC, LLC

NORTH



GRAPHIC SCALE



LINE #	BEARING	DISTANCE
L1	N 43°54'24" E	6.00'
L2	N 43°54'24" E	6.00'
L3	N 43°54'24" E	20.91'
L4	N 43°54'24" E	6.00'
L5	N 43°54'24" E	6.00'
L6	N 43°54'24" E	6.00'
L7	N 43°54'24" E	6.00'
L8	S 46°05'36" E	49.00'
L9	S 46°05'36" E	49.00'
L10	N 61°28'49" W	24.21'
L11	N 52°35'05" W	4.18'
L12	N 46°05'36" W	20.00'
L13	N 61°28'49" W	10.00'
L14	N 43°54'24" E	90.99'
L15	N 46°05'36" W	17.00'
L16	N 43°54'24" E	71.02'
L17	S 43°54'24" W	71.02'
L18	S 46°05'36" E	20.00'
L19	N 46°05'36" W	17.00'
L20	S 43°54'24" W	90.99'
L22	S 46°05'36" E	20.00'

CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	46.52'	77.00'	34°36'51"	N 28°47'10" W	45.81'
C2	63.71'	73.00'	50°00'05"	N 36°28'47" W	61.70'
C3	10.74'	40.00'	15°23'13"	S 36°12'48" W	10.71'
C4	37.46'	62.00'	34°36'51"	N 28°47'10" W	36.89'
C5	64.64'	88.00'	42°05'17"	N 32°31'23" W	63.20'
C6	38.11'	24.00'	90°58'56"	S 08°04'33" E	34.23'
C7	13.43'	50.00'	15°23'13"	S 36°12'48" W	13.39'
C8	15.71'	10.00'	90°00'00"	N 16°28'49" W	14.14'
C9	55.68'	28.00'	113°55'51"	S 85°29'07" W	46.95'
C10	28.21'	62.00'	26°04'14"	N 24°30'51" W	27.97'
C11	53.16'	88.00'	34°36'51"	N 28°47'10" W	52.36'

**SURVEYOR'S CERTIFICATE**  
I, BRIAN A. LINAM DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 7240531 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS HEREAFTER TO BE KNOWN AS:

## TOWNES AT VANTAGE POINT A PLANNED UNIT DEVELOPMENT

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

### BOUNDARY DESCRIPTION

BEGINNING AT POINT SOUTH 00°22'24" WEST 877.75 FEET AND SOUTH 89°37'36" EAST 205.08 FEET FROM THE NORTHWEST CORNER OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN (BASIS OF BEARINGS BEING NORTH 89°54'24" EAST 2648.88 FEET FROM SAID NORTHWEST CORNER OF SECTION 12 TO THE NORTH QUARTER CORNER OF SAID SECTION 12), AND RUNNING THENCE SOUTH 43°54'24" WEST 200.00 FEET; THENCE NORTH 46°05'36" WEST 197.23 FEET TO THE SOUTHEAST SIDE OF THE LOWER BONNEVILLE CANAL RIGHT OF WAY; THENCE ALONG SAID SOUTHEAST SIDE THE FOLLOWING THREE (3) COURSES: 1) NORTH 28°31'11" EAST 103.72 FEET; 2) NORTH 27°36'11" EAST 104.19 FEET; 3) NORTH 23°59'49" EAST 106.36 FEET; THENCE SOUTH 46°05'36" EAST 133.37 FEET TO A POINT ON AN EXISTING VINYL FENCE LINE; THENCE SOUTH 43°08'13" WEST 100.01 FEET ALONG SAID FENCE LINE; THENCE SOUTH 46°05'36" EAST 155.50 FEET TO THE POINT OF BEGINNING.

CONTAINS 56,631 SQ FT OR 1.300 ACRES, MORE OR LESS  
26 UNITS



### OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNERS OF THE DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SUBDIVISION INTO LOTS AND STREETS TO HEREAFTER BE KNOWN AS TOWNES AT VANTAGE POINT, A PLANNED UNIT DEVELOPMENT, DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE, AND DO WARRANT, DEFEND, AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCES ON THE DEDICATED STREETS WHICH WILL INTERFERE WITH THE CITY'S USE, OPERATION, AND MAINTENANCE OF THE STREETS AND DO FURTHER DEDICATE THE EASEMENTS AS SHOWN FOR THE USE BY ALL SUPPLIERS OF UTILITY OR OTHER NECESSARY SERVICES.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

MRK3, LLC

BY: (SIGNATURE) \_\_\_\_\_ (PRINT NAME) \_\_\_\_\_

TITLE: \_\_\_\_\_

### ACKNOWLEDGMENT

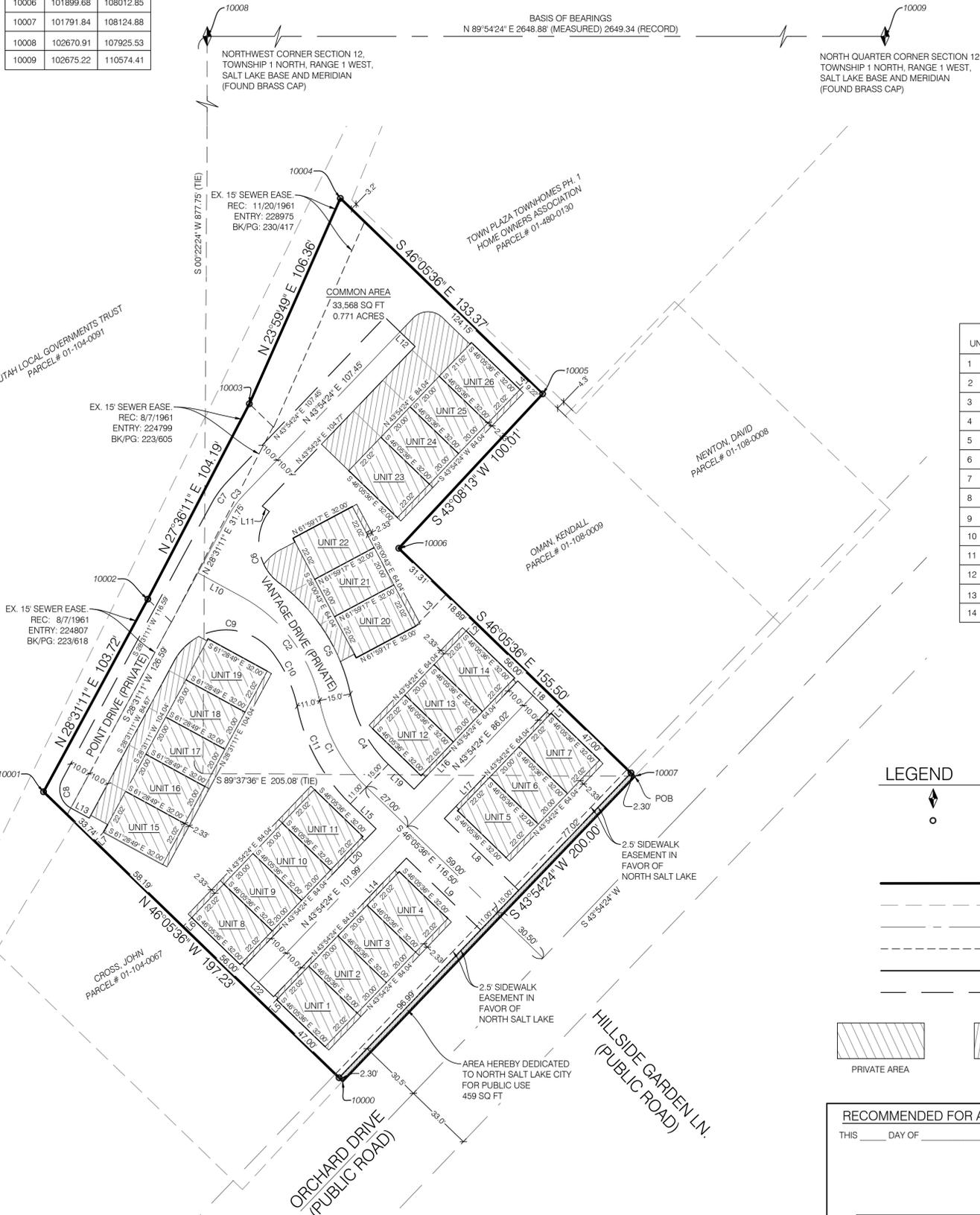
STATE OF UTAH } S.S.  
County of \_\_\_\_\_  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, IN THE YEAR 20\_\_\_\_, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF \_\_\_\_\_, IN THE STATE OF UTAH, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF MRK3, LLC, A UTAH LIMITED LIABILITY COMPANY, FOR THE PURPOSES THEREIN MENTIONED AND THAT SAID LIMITED LIABILITY COMPANY EXECUTED THE SAME.

MY COMMISSION EXPIRES: \_\_\_\_\_ (DATE) COMMISSION NUMBER: \_\_\_\_\_

PRINT NAME \_\_\_\_\_ (SIGNED) A NOTARY PUBLIC  
COMMISSIONED IN UTAH

## TOWNES AT VANTAGE POINT A PLANNED UNIT DEVELOPMENT

LOCATED IN THE NORTHWEST QUARTER OF SECTION 12,  
TOWNSHIP 1 NORTH, RANGE 1 WEST,  
SALT LAKE BASE AND MERIDIAN  
NORTH SALT LAKE CITY, DAVIS COUNTY, UTAH



UNIT	AREA (SQ FT)	ADDRESS
1	705	146 S. ORCHARD DR.
2	640	144 S. ORCHARD DR.
3	640	142 S. ORCHARD DR.
4	705	140 S. ORCHARD DR.
5	705	136 S. ORCHARD DR.
6	640	134 S. ORCHARD DR.
7	705	132 S. ORCHARD DR.
8	705	45 E. VANTAGE DR.
9	640	47 E. VANTAGE DR.
10	640	49 E. VANTAGE DR.
11	705	51 E. VANTAGE DR.
12	705	55 E. VANTAGE DR.
13	640	57 E. VANTAGE DR.
14	705	59 E. VANTAGE DR.

UNIT	AREA (SQ FT)	ADDRESS
15	705	147 S. POINT DR.
16	640	145 S. POINT DR.
17	640	143 S. POINT DR.
18	640	141 S. POINT DR.
19	705	139 S. POINT DR.
20	705	41 E. VANTAGE DR.
21	604	39 E. VANTAGE DR.
22	705	37 E. VANTAGE DR.
23	705	123 S. POINT DR.
24	640	121 S. POINT DR.
25	640	119 S. POINT DR.
26	705	117 S. POINT DR.
COMMON	33,568	

### NOTES:

- ALL COMMON AREAS, INCLUDING THE PRIVATE STREETS, ARE TO BE CONSIDERED WATER, SEWER, AND PUBLIC UTILITY EASEMENTS.
- ALL COORDINATES SHOWN ARE BASED ON DAVIS COUNTY SURVEYOR'S OFFICE DATUM.
- APPROVAL OF THIS DEVELOPMENT PLAT BY NORTH SALT LAKE CITY DOES NOT CONSTITUTE ANY REPRESENTATION AS TO THE ADEQUACY OF SUB-SURFACE SOIL CONDITIONS NOR THE LOCATION OR DEPTH OF GROUNDWATER TABLES.
- THE 2.33 FOOT LIMITED COMMON AREA AT THE FRONT OF THE UNITS INCLUDES THE BUILDING OVERHANGS OF THE SECOND AND UPPER FLOORS.

### LAND USE AREA TABLE

1. PRIVATE AREA	17,550 SQ FT
2. LIMITED COMMON	5,054 SQ FT
3. DEDICATION	459 SQ FT
4. COMMON AREA	33,568 SQ FT
TOTAL	56,631 SQ FT

### SURVEYOR'S NOTES:

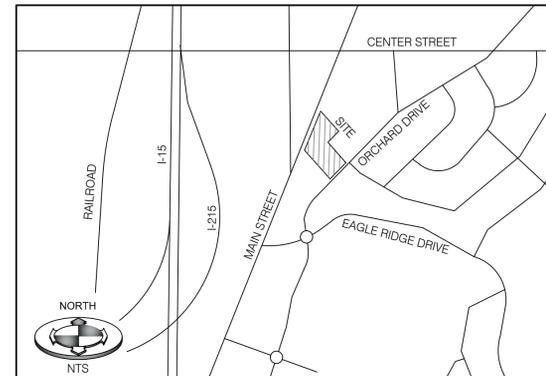
THE BOUNDARY OF THIS SURVEY WAS DETERMINED DURING THE PERFORMANCE OF THE ALTA/NSPS SURVEY ON RECORD WITH THE DAVIS COUNTY SURVEYOR'S OFFICE AS FILE NO. 7112.

### LEGEND

- SECTION CORNER (BRASS CAP MONUMENT)
- BOUNDARY CORNER (SET % REBAR AND CAP OR AS NOTED ON PLAT) \*STAMPED BENCHMARK ENG."
- BOUNDARY LINE
- ADJACENT PROPERTY
- STREET MONUMENT LINE EXISTING
- EASEMENT
- LOT LINE
- PRIVATE STREET LINE



### VICINITY MAP



**BENCHMARK  
ENGINEERING &  
LAND SURVEYING**  
9138 SOUTH STATE STREET SUITE # 100  
SANDY, UTAH 84070 (801) 542-7192  
www.benchmarkcivil.com

RECOMMENDED FOR APPROVAL  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_  
NORTH SALT LAKE CITY ENGINEER

RECOMMENDED FOR APPROVAL  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_  
NORTH SALT LAKE CITY PLANNING COMMISSION

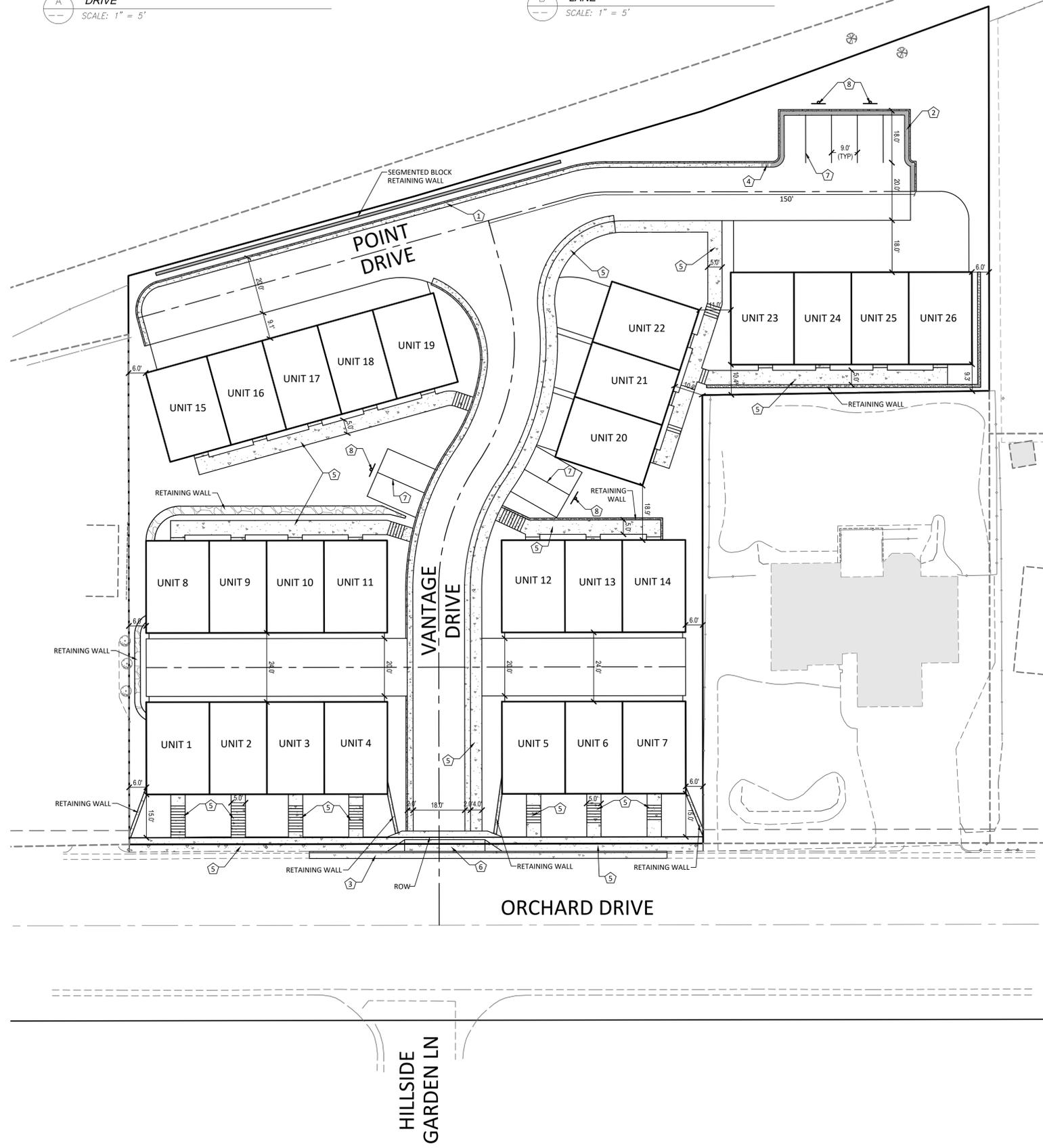
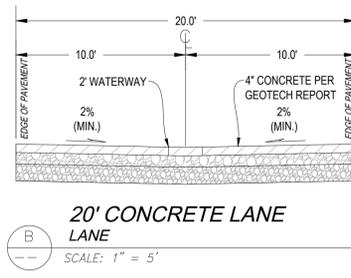
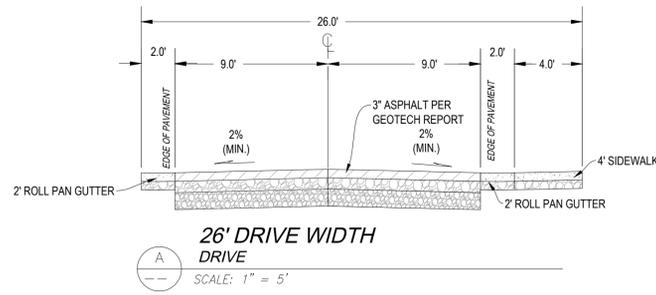
RECOMMENDED FOR APPROVAL  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_  
NORTH SALT LAKE CITY ATTORNEY

NORTH SALT LAKE CITY COUNCIL  
PRESENTED TO THE CITY COUNCIL OF NORTH SALT LAKE CITY, UTAH  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ AT WHICH TIME THIS  
SUBDIVISION WAS APPROVED AND ACCEPTED.  
\_\_\_\_\_  
CITY RECORDER ATTEST MAYOR

DAVIS COUNTY RECORDER  
ENTRY NO. \_\_\_\_\_ FEE PAID \_\_\_\_\_  
FILED FOR RECORD AND RECORDED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_,  
YEAR \_\_\_\_\_ AT \_\_\_\_\_, IN BOOK \_\_\_\_\_ AT PAGE \_\_\_\_\_  
COUNTY RECORDER \_\_\_\_\_  
BY: \_\_\_\_\_ (DEPUTY)

**BENCHMARK**  
 THE FOUND BRASS CAP MARKING THE  
 NORTHWEST CORNER OF SECTION 12,  
 TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT  
 LAKE BASE AND MERIDIAN.  
 ELEVATION = 4334.60

**Blue Stains of UTAH**  
 CALL BLUESTAINES @ 811 AT LEAST 48  
 HOURS PRIOR TO THE COMMENCEMENT  
 OF ANY CONSTRUCTION



- GENERAL NOTES**
- ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
  - ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
  - SEE LANDSCAPE/ARCHITECTURAL PLANS FOR CONCRETE MATERIAL, COLOR, FINISH, AND SCORE PATTERNS THROUGHOUT SITE.
  - ALL PAVEMENT MARKINGS SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. (MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES).
  - ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOD, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
  - NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.
  - THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.
  - ALL DUMPSTERS, TRASH HANDLING AREAS OR OUTDOOR STORAGE AREAS SHALL BE COMPLETELY FENCED OR ENCLOSED AND SCREENED FROM PUBLIC VIEW, AT LEAST ONE FOOT (1') HIGHER THAN THE DUMPSTER. THE SIGHT OBSCURING SCREEN SHALL BE AT LEAST SIX FEET (6'), BUT NOT GREATER THAN TEN FEET (10'), IN HEIGHT. ANY SUCH STORAGE AREA SHALL BE CONSTRUCTED OF MATERIALS AND COLORS COMPATIBLE WITH THOSE OF THE PRIMARY STRUCTURE ON SITE. CHAINLINK OR CYCLONE FENCING (WITH OR WITHOUT SLATS) IS NOT ALLOWED. REINFORCED CONCRETE APRONS IN FRONT OF TRASH STORAGE AREAS ARE REQUIRED TO ACCOMMODATE TRASH REMOVAL VEHICLES. FIVE FOOT (5') LANDSCAPING STRIPS AROUND ALL TRASH ENCLOSURES ARE REQUIRED.

- KEYNOTES**
- 24" COLLECTION CURB AND GUTTER PER APWA STD. PLAN NO. 205 TYPE "G"
  - 24" REVERSE PAN CURB AND GUTTER PER DETAIL #/C-500
  - 30" STANDARD CURB AND GUTTER PER NSL CITY STD. DWG. #1
  - TRANSITION BETWEEN COLLECTION CURB AND GUTTER AND REVERSE PAN CURB AND GUTTER
  - 4" CONCRETE SIDEWALK PER NSL CITY STD. DWG. #1. CONCRETE SIDEWALK TO BE 6" THICK IN DRIVE APPROACH AREA. STAIRS AND HANDRAIL TO BE DESIGNED BY ARCHITECT
  - FLARED DRIVE APPROACH PER NSL CITY STD. DWG. #2
  - 4" WIDE SOLID WHITE PAVEMENT MARKINGS PER MUTCD STDS.
  - INSTALL SIGN, "GUEST ONLY/NO TENANT PARKING"

SITE SUMMARY TABLE		
DESCRIPTION	AREA (SF)	PERCENTAGE
PAVED HARDSCAPE	23,181	41.3%
BUILDING	17,545	31.2%
LANDSCAPING	15,446	27.5%
TOTAL SITE	56,172	1.29 ACRES

PARKING DATA TABLE	
REQUIRED GUEST STALLS	6.5
PROVIDED GUEST STALLS	9

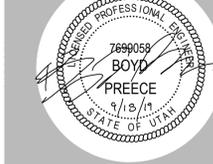


CLIENT: TAG SLC  
 Jordan Atkin  
 801-478-0662  
 2751 East Fort Union Blvd  
 Cottonwood Heights, UT 84121

REVISIONS:

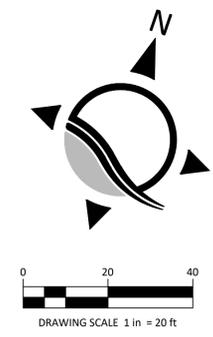
**TOWNES AT VANTAGE POINT**  
 130 SOUTH ORCHARD DRIVE, NORTH SALT LAKE, UT

PROJECT FILE:  
 1059  
 DATE PLOTTED:  
 9/18/19  
 PROJECT MANAGER:  
 B Preece



Submittal 9/18/19  
 SITE PLAN

C200





# CITY OF NORTH SALT LAKE COMMUNITY & ECONOMIC DEVELOPMENT

---

10 East Center Street, North Salt Lake, Utah 84054  
(801) 335-8700  
(801) 335-8719 Fax

## MEMORANDUM

**TO:** Honorable Mayor and City Council  
**FROM:** Sherrie Llewelyn, Community Development Director  
**DATE:** October 1, 2019  
**SUBJECT:** Consideration of **RES2019-37R** approving **AGR2019-47A** accepting the partial assignment of development rights for The Ridge PUD on certain lots

---

### RECOMMENDATION

The DRC recommends approval to the City Council of Resolution 2019-37R and Agreement 2019-47A, with no conditions.

### REVIEW

The developer of The Ridge PUD is selling certain lots to Toll Brothers Construction. As part of the sale the parties are forming an LLC for the transfer and to allow the entity to also assume responsibility for the implementation of the development agreement and rights associated with the agreement. The development agreement requires the consent of the City for the assignment of the agreement, which the city may not unreasonably withhold.

### POSSIBLE MOTION

I move that the City Council approve **RES2019-37R** approving **AGR2019-47A**, accepting the partial assignment of development rights for The Ridge PUD on certain lots as detailed in the agreement.

### Attachments

- 1) RES2019-37R
- 2) AGR2019-47A

**RESOLUTION NO. 2019-37R**

**A RESOLUTION OF THE CITY OF NORTH SALT LAKE  
CITY COUNCIL APPROVING THE PARTIAL ASSIGNMENT OF RIGHTS OF  
DEVELOPMENT AGREEMENT FROM CW THE RIDGE, LLC TO DRP UT 1, LLC  
FOR THE RIDGE PUD DEVELOPMENT AGREEMENT**

**BE IT HEREBY RESOLVED** that the City Council of the City of North Salt Lake authorizes the Mayor to execute, in behalf of the City of North Salt Lake, Agreement 2019-47A, the partial assignment of the Development Agreement for The Ridge PUD (2019-19A) in relation to the certain lots within the development as exhibited.

APPROVED by the City Council of the City of North Salt Lake, Utah, this 1st day of October, 2019.

BY THE CITY COUNCIL:

---

Len Arave, Mayor

City Council Vote as Recorded:

<u>Name</u>	<u>vote</u>
Lisa Baskin	_____
James Hood	_____
Brian Horrocks	_____
Ryan Mumford	_____
Stan Porter	_____

ATTEST:

---

Linda Horrocks, City Recorder

When Recorded Return To:

City of North Salt Lake  
10 East Center Street  
North Salt Lake, UT 84054

Parcel Nos.: **See Exhibit A**

**AGR2019-47A**

**PARTIAL ASSIGNMENT OF  
RIGHTS UNDER THE DEVELOPMENT AGREEMENT**

This *Partial Assignment of Rights Under the Development Agreement* (“**Assignment**”) is made this \_\_\_\_ day of \_\_\_\_\_, 2019, by CW The Ridge, LLC, a Utah limited liability company (“**Assignor**”) and consented to by The City of North Salt Lake, a Utah municipal corporation (“**City**”). The Assignor and the City are sometimes collectively referred to herein as the “Parties”.

**RECITALS**

A. Assignor is the “Developer” under that certain *Development Agreement: The Ridge at North Salt Lake* dated September 3, 2019 and executed by and between Assignor and the City (“**Development Agreement**”). A memorandum of the Development Agreement was recorded in Davis County, Utah, on September 5, 2019, as Entry No. 3184814.

B. DRP UT 1, LLC, a Delaware limited liability company (“**Assignee**”), has acquired fee simple title to a portion of the project described in and encumbered by the Development Agreement, which portion of the project is more particularly described on **Exhibit A** attached hereto (“**Property**”).

C. Assignor wishes to assign to Assignee the rights arising under the Development Agreement, but only to the extent such rights appertain to the Property.

D. Pursuant to Section 6 of the Development Agreement, Assignor may assign rights under the Development Agreement with the City’s written consent, which consent may not be unreasonably withheld.

**ASSIGNMENT**

NOW THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Partial Assignment. Assignor does hereby assign its interest in the Development Agreement to Assignee, but only to the extent the rights, benefits, and obligations appertain to the Property.

2. Further Assignments Permitted. Notwithstanding anything in Section 6 of the Development Agreement to the contrary, Assignee is hereby authorized to hereafter assign any portion of the Development Agreement, as it appertains to the Property, to Toll Southwest LLC, a Utah limited liability company, or one of its affiliates, for the purpose of constructing residential units thereon, without the need for any further consent from the City.

WHEREFORE, the Parties have executed this Assignment effective as of the date set forth above.

**“CITY”**  
**The City of North Salt Lake**

Attest:

By: \_\_\_\_\_ By: \_\_\_\_\_  
City Recorder Len Arave, Mayor

State of Utah        )  
                              : ss  
County of Davis     )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2019, by Len Arave as Mayor of the City of North Salt Lake and Sherrie Llewelyn as Deputy Recorder.

\_\_\_\_\_  
Notary Public

**“ASSIGNOR”**

**CW The Ridge, LLC**

By: \_\_\_\_\_  
Colin Wright, Manager

State of Utah        )  
                              : ss  
County of Davis     )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2019, by Colin Wright as Manager of the CW The Ridge, LLC.

\_\_\_\_\_  
Notary Public

**“Assignee”**

**DRP UT 1, LLC**

By: its manager, DW General Partner, LLC  
a Delaware limited liability company

By: \_\_\_\_\_  
Colin Wright, Manager

State of Utah        )  
                              : ss  
County of Davis     )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2019, by \_\_\_\_\_ as \_\_\_\_\_ of DW General Partner, LLC, the manager of the DRP UT 1, LLC.

\_\_\_\_\_  
Notary Public

**EXHIBIT A**

**(Legal Description of the Property)**

Parcels:

01-506-0101 to 01-506-0144;

01-506-0149 to 01-506-0157;

01-506-0204;

01-506-0208;

01-506-0210 to 01-506-0226; and

01-506-0231 to 01-506-0243

The Property being more particularly described as follows:

Lot Nos. 101 through 144, inclusive, 149 through 157, inclusive, 204, 208, 210 through 226, inclusive, and 231 through 243, inclusive, THE RIDGE SUBDIVISION P.U.D., according to the official plat thereof as recorded in the office of the Davis County Recorder on September 10, 2019 as Entry No. 3185812 in Book 7343 at Page 740.



# CITY OF NORTH SALT LAKE

---

10 East Center Street  
North Salt Lake, Utah 84054  
(801) 335-8700  
(801) 335-8719 Fax

Len Arave  
Mayor

Ken Leetham  
City Manager

## MEMORANDUM

**TO:** Honorable Mayor and City Council

**FROM:** Ken Leetham, City Manager

**DATE:** October 1, 2019

**SUBJECT:** Proposed Resolution 2019-40R: A resolution requesting the Utah Department of Transportation to set the Legacy Parkway Speed Limit at 65 miles per hour.

---

### RECOMMENDATION

I recommend approval of Resolution 2019-40R: A resolution requesting the Utah Department of Transportation to set the Legacy Parkway Speed Limit at 65 miles per hour.

### BACKGROUND

The City of Woods Cross has requested that we, together with other affected cities along the Legacy Parkway consider passing the attached resolution which supports the idea that the speed limit in the future on the Legacy Parkway should be 65 miles per hour. On October 1<sup>st</sup>, Woods Cross and West Bountiful will consider this resolution also.

You may recall that in January, 2020 the existing truck ban and 55 mph speed limit will expire on the Legacy Parkway. That means that trucks will be allowed on the Parkway and the speed limit will be increased to 70 mph. Proponents of keeping the speed limit at 55 have reached out to UDOT and legislators and have been informed with clarity that there will be an increase in the speed limit when the truck ban is removed. Those proponents also believe that now is the time to act to get a commitment on the future speed limit.

It is believed that a request to increase the speed limit to 65 rather than keep it at 55 will be easier to approve and harder to disapprove. Though greater than 55 mph, the proposed speed still has some very positive effects compared to a 70 mph speed limit. 65 mph will be slightly quieter and safer than speeds of 70 mph or more. The Legacy Parkway corridor has a pedestrian trail in it and many are alarmed that a high rate of speed will decrease the enjoyment of that trail and feel less safe for trail users too.

### PROPOSED MOTION

I move that the City Council approve **Resolution 2019-40R**: A resolution requesting the Utah Department of Transportation to set the Legacy Parkway Speed Limit at 65 miles per hour.

**RESOLUTION NO. 2019-40R**

**A RESOLUTION REQUESTING THE UTAH DEPARTMENT OF TRANSPORTATION TO SET THE LEGACY PARKWAY SPEED LIMIT AT 65 MPH.**

**WHEREAS**, Currently trucks with five or more axels or 80,000 lbs. or greater gross vehicular weight are not allowed on Legacy Parkway in accordance with State statute and the speed limit is set at 55 MPH per UDOT regulations, both restrictions are part of a settlement agreement entered into in 2005 between the State of Utah and the Legacy Parkway lawsuit plaintiffs; and

**WHEREAS**, The Statutory truck ban on Legacy Parkway will terminate on January 1, 2020 as prescribed in Section 63I-2-272 of the Utah State Code and the speed limit will be increased concurrently with the expiration of the Settlement Agreement; and

**WHEREAS**, Legacy Parkway was designed as a parkway to create a special driving experience for the motorist. Increasing the speed and allowing large trucks on the Parkway will negate the special attributes UDOT had in mind when designing the Parkway; and

**WHEREAS**, Residents living in close proximity to the Parkway will experience diminished quality of life due to the increased noise and air pollution created by the inclusion of large trucks and increased speed limit on the Parkway; and

**WHEREAS**, Users on the Legacy Trail will have a diminished recreational experience due to the increased noise and air pollution due to the inclusion of large trucks and increased speed limit; and

**WHEREAS**, The location of Legacy Parkway adjacent to the Legacy Nature Preserve subjects wildlife in the preserve to increased noise and pollution with the inclusion of trucks and increasing the speed limit on the Parkway.

**WHEREAS**, To lessen the impact of increased noise and pollution on wildlife in the Legacy Nature Preserve and those living and recreating adjacent to the Parkway it would be prudent to implement a speed limit balancing the travel needs in the corridor with the desire to provide a livable community.

**BE IT HEREBY RESOLVED** that the City Council of the City of North Salt Lake requests the Utah Department of Transportation to set the speed limit on the Legacy Parkway at 65 miles per hour.

APPROVED by the City Council of the City of North Salt Lake, Utah, this 1<sup>st</sup> day of October, 2019.

BY THE CITY COUNCIL:

---

Len Arave, Mayor

Attest:

---

City Recorder

City Council Vote as Recorded:

Name

vote

Lisa Baskin

\_\_\_\_\_

James Hood

\_\_\_\_\_

Brian Horrocks

\_\_\_\_\_

Ryan Mumford

\_\_\_\_\_

Stan Porter

\_\_\_\_\_

DRAFT