



CITY OF NORTH SALT LAKE

CITY COUNCIL MEETING NOTICE & AGENDA AUGUST 2, 2022

Posted August 1, 2022

Notice is given that the City Council of the City of North Salt Lake will hold a regular meeting on **August 2, 2022** at City Hall, 10 East Center Street, North Salt Lake, Utah. A work session will be held at 6:00 pm followed by the regular session at 7:00 pm in the Council Chambers. Some members may participate electronically via Zoom. The public may attend in person or via Zoom; however the electronic meeting option does not allow for participation during public hearings or comment periods. Please see instructions attached to this agenda to attend and view the meeting via Zoom.

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. Presentation of Possible Reorganization of City Departments – Ken Leetham
2. Approval of City Council Minutes of July 19, 2022
3. Action Items
4. Council Reports
5. City Attorney Report
6. Mayor's Report
7. City Manager Report
8. Adjourn

REGULAR SESSION – 7:00 p.m.

1. Introduction by Mayor Brian Horrocks
2. Thought or Prayer and Pledge of Allegiance ~ Councilmember Knowlton
3. Citizen Comment
4. Consideration of Resolution 2022-25R: A Resolution Approving an Access Agreement Between the City of North Salt Lake and Rulon Crosby
5. Consideration of Resolution 2022-26R: A Resolution Approving a Pilot Operating Agreement with Bird Rides Inc. for the Operation of a Stand-up Electric Scooter Sharing System Within the City for Bird Scooters
6. Consideration of Resolution 2022-28R: A Resolution Authorizing Phase 4 of the Foxboro Open Space Wetlands Restoration and Habitat Enhancements Project for Bio-West, Inc., up to \$129,199.48
7. Consideration of Stipends for the City's Commissions, Boards, Committees, and Youth City Council Advisors

8. Consideration of Resolution 2022-27R: A Resolution Declaring Certain Camera Equipment in the Police Department as Surplus Property
9. Consideration of the City Manager’s Proposed Hiring Recommendations for City Engineer
10. Adjourn

CLOSED SESSION

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

*This meeting has an option to attend electronically via Zoom, with joining information below:
Topic: August 2, 2022 City Council Meeting
Time: August 2, 2022, 06:00 PM Mountain Time (US and Canada)*

*Join Zoom Meeting
<https://us02web.zoom.us/j/85914689992>*

Meeting ID: 859 1468 9992

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 Deputy 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 1st day of August, 2022.

Dated this 28th day of July, 2022.







CITY OF NORTH SALT LAKE

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

Brian J. Horrocks
Mayor

Ken Leetham
City Manager

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Ken Leetham, City Manager

DATE: August 2, 2022

SUBJECT: City Manager items in the work session related to organizational changes and appointment of the City Engineer

You'll notice that the subject of the work meeting is organizational changes that I would like for the Council to consider as we look to hire a new City Engineer. Prior to the meeting, I will send the Council some additional information about this including an update on the City Engineer Selection.

Related to the appointment of the City Engineer, we have completed a first round of interviews and found all four finalists worth having back for a second interview. The second round of interviews will be held on Monday, August 1 and should produce an applicant that we can feel good about appointing as the City Engineer.

The group interviewing is made up of Mayor Horrocks, Councilmembers Baskin and Knowlton, David Frandsen, Jon Rueckert, Sherrie Pace, Brad Gilson (Gilson Engineering) and me.

1 CITY OF NORTH SALT LAKE
2 CITY COUNCIL MEETING-WORK SESSION
3 CITY HALL – COUNCIL CONFERENCE ROOM
4 10 EAST CENTER STREET, NORTH SALT LAKE
5 JULY 19, 2022

6
7 **DRAFT**
8

9 Mayor Horrocks welcomed those present at 6:02 p.m.

10
11 PRESENT: Mayor Brian Horrocks
12 Councilmember Natalie Gordon
13 Councilmember Ted Knowlton
14 Councilmember Stan Porter
15 Councilmember Alisa Van Langeveld via Zoom
16

17 EXCUSED: Councilmember Lisa Watts Baskin
18

19 STAFF PRESENT: Ken Leetham, City Manager; Karyn Baxter, Assistant City Engineer; David
20 Frandsen, Public Works Director; Heidi Voordeckers, Finance Director; Todd Godfrey, City
21 Attorney; Tyler Abegglen, Golf Course General Manager; Sherrie Pace, Community
22 Development Director; Wendy Page, City Recorder.
23

24 OTHERS PRESENT: Riley Carter, Jordan Flynn, Jake Christensen, City staff; Craig Peterson,
25 Ryan Peterson, lobbyists; Dee Lalliss, residents; Cory Pope, Kathy Wickham, Horrocks
26 Engineering; Dalon Hinckley, Clint Gertsch, Heather Limon, Zach Hardman, Cross E Ranch.
27

28 1. STAFF INTRODUCTIONS TO MAYOR AND CITY COUNCIL – PUBLIC WORKS
29

30 David Frandsen introduced several new Public Works employees including Riley Carter who
31 was a Water Operator I that started last year. Riley grew up in the area and enjoyed camping,
32 hunting, and fishing. The second employee, Jordan Flynn was also a Water Operator I who grew
33 up in Weber County and had a daughter. Jordan started as a seasonal employee with the City,
34 worked for Ogden city, and then came back to the City in April.
35

36 Councilmember Gordon commented that Jordan Flynn was very helpful at the Liberty Fest
37 celebration.
38

39 David Frandsen then introduced Jake Christensen, Mechanic I, who started in April. Jake
40 recently got married, grew up in Idaho, and came to the City through the Davis Technical
41 mechanic program.
42

43 2. UPDATE FROM HORROCKS ENGINEERING ON THE GRADE SEPARATION
44 FOR 1100 NORTH BRIDGE PROJECT

45
46 Cory Pope, Horrocks Engineering, reported that Horrocks was working on the 1100 North
47 Bridge project.

48
49 Ken Leetham introduced Craig Peterson and Ryan Peterson as the lobbyists who had also helped
50 the City with the project including obtaining funding.

51
52 Cory Pope provided some background on the 1100 North/2600 South grade separation project
53 with a feasibility study completed in 2018 and setting project goals to address safety concerns,
54 reduce congestion, and reduce emergency response times. Then there was concept level
55 screening of the alternatives with the preferred alternative selected. The preferred alternative was
56 a bridge over the Union Pacific Railroad (UPRR) and Utah Transit Authority (UTA) tracks, a
57 realigned Main Street connected with Woods Cross Industrial Lead (WCIL) Railroad crossing
58 gates, a realigned WCIL Industry spur line option, and active transportation elements. He
59 showed an image of the proposed alternative and spoke on the feasibility study for this option.
60 The tasks for the current phase included a complete State Environmental Status (SES) with field
61 studies and data collection, preliminary engineering with refinements of the preferred alternative,
62 coordination with UPRR/UTA and preparation of a concept plan submittal to UPRR, and
63 coordination with Utah's Department of Transportation (UDOT) Region 1 and the I-15 team.

64
65 Cory Pope reported on the challenges with UPRR including preserving cross sections and offsets
66 for future track as well as right of way requirements.

67
68 Craig Peterson asked if the proposed cross section would accommodate the double track for
69 UTA. He said this was not considered during the feasibility study. Cory Pope replied this may
70 not be an area UTA would want the double track along the entire line as it was not a priority
71 area. He spoke on UPRR plan for expansion and said there was a pipeline easement to the east.
72 Mr. Pope explained there were three major gas lines in the project area that would be very
73 difficult to relocate. He said UTA would have some room but would need to work with the utility
74 companies.

75
76 Mayor Horrocks asked about pipeline restrictions including placement of railroad track. Cory
77 Pope responded he was unsure how close tracks could be placed near the pipeline due to
78 vibrations and was unsure of the exact requirements.

79
80 Karyn Baxter commented these particular pipelines had a no structure easement and said it had
81 taken months to get permission to place a five foot concrete pedestal for a cantilever within their
82 easement.

83

84 Cory Pope showed an overhead view and then an elevation view of the 1100 North/2600 South
85 grade separation project. He shared what the proposed typical cross section of the completed
86 project would look like with curb, sidewalk, shoulder, travel lanes, median, bridge, and trail. He
87 spoke on the cross section in coordination with I-15 for an eight foot sidewalk to accommodate
88 pedestrians and bikes. He mentioned narrowing the bridge and optimizing the use while
89 maintaining a left turn lane.

90

91 Karyn Baxter clarified the current lanes were 11 feet or 21 feet of asphalt.

92

93 Cory Pope said the national standards allowed for an 11 foot lane while typically 12 feet was
94 recommended for safety. He stated the smaller lane would allow for a trail system or bike lane.
95 He reviewed some of the project challenges which included coordination and impacts to the
96 railroad crossing such as UPRR requirements and desire for grade separation at WCIL,
97 increasing construction costs, anticipated settlement, high risk utilities and impacts to these, and
98 right of way impacts. Mr. Pope spoke on the anticipated settlement and said there would be
99 settlements whenever a bridge or crossing was proposed including abatements with utilities. He
100 said there was a balance to right of way impacts and making the road more functional.

101

102 Cory Pope spoke on the project schedule and next steps including environmental studies that
103 were underway, concept plan submittal to UPRR, stakeholder engagement and public
104 involvement, and refining the alternative. The plans for UPRR included technical submittals to
105 be reviewed through their company. This included conceptual, 30% level submittal, and 100%
106 level submittal plans. The goal was to submit the conceptual level plan in August followed by a
107 six month review period by UPRR. There were also plans for stakeholder engagement and public
108 involvement.

109

110 Craig Peterson said they would be looking subtly for ways this project could be funded. He said
111 during initial talks the project was estimated at \$13 million for the entire project, which was not
112 even remotely close to the actual cost. They would work with the State, UDOT, UTA, and
113 Horrocks Engineering, and City staff to identify every option.

114

115 Mayor Horrocks spoke on the issues with the railroad and commented that the City was
116 presenting solutions to a problem and that at the very least UPRR should greenlight the project or
117 even help financially.

118

119 Craig Peterson said State tax dollars provided for a fulltime staff member on UPRR payroll that
120 was supposed to help expedite projects. He spoke on projects with UPRR and how long it could
121 take.

122

123 Ken Leetham commented that UDOT had assigned a project manager to this project, which had a
124 lot of support from Region 1 and UDOT staff. He said this was a complex project and funding
125 could be complicated; however, he said this project was worth doing.

126
127 Councilmember Knowlton asked about the major obstacles of UPRR approval as well as funding
128 and the level of optimism to resolving these issues. He said it seemed like a matter of when the
129 project could be completed and not if. Cory Pope replied it was understood initially there would
130 be a challenge particularly with the industrial rail lines.

131
132 Ken Leetham said UPRR was very concerned that the bridge and intersection would be very
133 close to the WCIL rail line.

134
135 Cory Pope said this was a great project that would cost a lot of money. He noted there was
136 pushback from UPRR but he was optimistic the bridge would be built.

137
138 Craig Peterson spoke on how this project would function as an overall system and how the
139 project had evolved including having UDOT help with funding for the road. He said the goal was
140 to look at what was reasonable and how it would function on a city, local, and state level.

141
142 Mayor Horrocks spoke on the presumption overall that this project would happen.

143
144 3. DISCUSSION WITH CROSS E RANCH REGARDING POSSIBLE ANNEXATION
145 OF THEIR PROPERTY ONLY, FOR INDUSTRIAL USES

146
147 Mayor Horrocks said he worked for Hamilton Partners who was in discussions to purchase Misty
148 River for the purpose of creating an industrial park. He indicated to them that the City may be
149 favorable to an annexation at that point. Misty River then discussed annexation with Salt Lake
150 City and Hamilton Partners withdrew the offer over financial reasons.

151
152 Heather Limon, Cross E Ranch, said that she was the owner of Cross E Ranch and Hinckley
153 Brothers, their siblings, owned the land. She spoke on how they assumed that one day they
154 would be able to purchase the property from Hinckley Brothers but had determined they would
155 need to sell the property at this time. She said they knew the Misty River annexation would not
156 go through and the possibility of annexing into the City or Salt Lake City.

157
158 Dalon Hinckley, Cross E Ranch, commented how running an entertainment venue and farm
159 during the pandemic and the last several years with cost increases, shortages, and drought had
160 been difficult. He said the farm was not the best use for the property and with the siblings
161 requesting their share that it was in their best interest to sell the entire property.

162
163 Zack Hardman, Cross E Ranch, spoke on how when he was hired the plan was to retain the
164 property as agricultural/residential and annex into the City. They felt this would be the best
165 option with utilities and maintaining the feel of the area. He said the area may become industrial
166 and asked about economic tools to offset traffic, water rights, and other items that may impact

167 the City. Mr. Hardman asked for feedback from the City if they would be interested or if Cross E
168 Ranch should approach Salt Lake City for annexation.

169
170 Ken Leetham replied that the question was if this annexation was important to the City. He said
171 the Council and staff would consider this as there were advantages and disadvantages to
172 annexing the property. Staff would prepare this information for the City Council to make a
173 decision and provide an answer to Cross E Ranch. Mr. Leetham expressed that he was sorry that
174 Cross E Ranch had to close down as they had been a positive part of the community.

175
176 Councilmember Porter was also sorry to hear that the Ranch would be closing but was not
177 surprised.

178
179 Heather Limon asked about the next step. Ken Leetham replied that staff would work with Cross
180 E Ranch over the next few weeks on the proposal. He said the City would need to look at traffic,
181 utility services, and how the property was in a separate county.

182
183 Todd Godfrey spoke on cross county annexations and said that many of the issues were
184 mitigated as there was not residential development on the Cross E Ranch property.

185
186 The Council was interested in further discussing this proposal with a focus on water rights and
187 future development including industrial uses.

188
189 4. ADJOURN

190
191 Mayor Horrocks adjourned the meeting at 7:13 p.m. to begin the regular session.

192

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-WORK SESSION
CITY HALL – COUNCIL CHAMBERS
10 EAST CENTER STREET, NORTH SALT LAKE
JULY 19, 2022

DRAFT

Mayor Horrocks called the meeting to order at 7:20 p.m. Natalie Gordon offered the invocation and led those present in the Pledge of Allegiance.

PRESENT: Mayor Brian Horrocks
Councilmember Natalie Gordon
Councilmember Ted Knowlton
Councilmember Stan Porter
Councilmember Alisa Van Langeveld via Zoom

EXCUSED: Councilmember Lisa Watts Baskin

STAFF PRESENT: Ken Leetham, City Manager; Karyn Baxter, Assistant City Engineer; David Frandsen, Public Works Director; Heidi Voordeckers, Finance Director; Todd Godfrey, City Attorney; Sherrie Pace, Community Development Director; Wendy Page, City Recorder.

OTHERS PRESENT: Dee Lalliss, resident; Taylor Spendlove, Brighton Homes Utah LLC; Dale VanWagoner, Wright Development Group; Carson Cronk, Legend Partners; Jared McCarty; Ryan Flint, Mountain West; Beth Holbrook, UTA; Nate Abbott, Galloway & Company.

1. CITIZEN COMMENT

There were no citizen comments.

2. CONSIDERATION OF MASTER SERVICES AGREEMENT WITH ETS
COMMUNICATIONS, LLC FOR SERVICES RELATED TO IT, PHONE, INTERNET,
SOFTWARE, ELECTRONIC DOOR MAINTENANCE AND CAMERA SYSTEMS

Ken Leetham, City Manager, reported the Master Services Agreement was reflective of the work ETS Communications was doing for the City. He spoke to the improvements included in the contract which included ETS repairing and maintaining the City's camera system, as well as maintaining and inspecting all electronic doors. Mr. Leetham indicated this would be the first time the City would codify all services at the rates provided by ETS outlined in the exhibit to the agreement that had been included in the agenda packet. He mentioned the City was currently spending less than \$100,000 on all of these services combined including licensing, hardware,

235 data storage, and software needs. He stated ETS had been responsive to the needs of the City and
236 had worked well to keep everything up and running. Mr. Leetham noted the contract term would
237 be for three years. He recommended the Council approve the Master Service Agreement with
238 ETS.

239
240 Councilmember Porter recused himself as he worked with ETS.

241
242 Mayor Horrocks spoke on ransomware and if there was a policy for indemnification for the City.
243 Ken Leetham replied that there was insurance specified in the contract but he had not asked ETS
244 this specification question.

245
246 Todd Godfrey asked if the City had cyber insurance coverage through the Utah Local
247 Governments Trust. Ken Leetham replied the Trust had indicated that the City was covered;
248 however, he was unsure if there was a written policy available or what it was costing for the
249 coverage. He stated staff would confirm with the Trust that the City was covered.

250
251 Councilmember Gordon questioned if the coverage on the policy would pay off a ransom or
252 recreate the City's system should there be a cyber attack. Mr. Leetham responded the policy
253 would be to restore the City or put things back into operation after an attack.

254
255 **Councilmember Gordon moved the City Council approve the Master Services Agreement**
256 **with ETS Communications, LLC for services related to IT, phone, internet, software,**
257 **electronic door maintenance and camera systems. Councilmember Knowlton seconded the**
258 **motion. The motion was approved by Councilmembers Gordon, Knowlton, Porter, and**
259 **Van Langeveld.** Councilmember Porter abstained from voting. Councilmember Baskin was not
260 present for the vote.

261
262 3. CONSIDERATION OF RESOLUTION 2022-24R: A RESOLUTION AMENDING
263 THE CITY'S COMPREHENSIVE FEE SCHEDULE RELATED TO SANITATION
264 RATES

265
266 Heidi Voordeckers, Finance Director, reported staff reviewed the CPI and cost of running the
267 solid waste fund each year with a 1.5% yearly increase. She said the contract included an 8.3%
268 increase on the third year as there was a rate hold during the first two years. She noted the
269 proposed rate increase would be the monthly rate increase to \$15.87 per month per garbage can
270 from \$14.45 and a recycling can increase to \$6.26 per can per month from \$5.70. She
271 acknowledged this would be a total increase of 9.8% with the 8.3% increase per the service
272 provider contract and a 1.5% increase for general operations with an approximate \$11,000 in
273 additional monthly income.

274

275 Councilmember Gordon asked about the level of service of the last two years and if this was
276 better than the previous provider. Ken Leetham replied the service had been better over the last
277 two years. There was a discussion on the level of service by the current provider.

278
279 Councilmember Knowlton asked if this would be the final year of the contract. Ken Leetham
280 replied he thought the contract was renewable in five year increments. He noted it was
281 problematic to add a CPI adjustment for COLA especially since the City did not receive the letter
282 until after July 1st. He acknowledged his contact at ACE had passed away before submitting CPI
283 information to a few cities which was why the City did not receive this information. He stated
284 the City was currently negotiating with ACE to potentially split the CPI increase for the month of
285 July.

286
287 **Councilmember Knowlton moved the City Council adopt Resolution 2022-24R, adjusting**
288 **Section 6.7, Sanitation Rates, of the City’s Comprehensive Fee Schedule. Councilmember**
289 **Porter seconded the motion. The motion was approved by Councilmembers Gordon,**
290 **Knowlton, Porter, and Van Langeveld.** Councilmember Baskin was not present for the vote.

291
292 4. CONSIDERATION OF BID AWARD FOR THE MAIN STREET WATER LINE AND
293 STREET RECONSTRUCTION PROJECT FROM HIGHWAY 89 TO CENTER
294 STREET IN THE AMOUNT OF \$400,733.33

295
296 Karyn Baxter, Assistant City Engineer, reported this project came before the City Council last
297 September. She said the City had an agreement in place with Weber Basin Water Conservancy
298 District. She explained Weber Basin would be installing two new waterlines from Center Street
299 to the Big West Oil and Chevron refineries. She noted staff had been working with Weber Basin
300 for the best alignment on this project and the route that had been selected was south along Main
301 Street to Highway 89, continuing south along US-89, and then going west and crossing I-15
302 south of the Williamsburg subdivision. She indicated as Weber Basin would be cutting into Main
303 Street, staff determined it would be best for the City to install a new waterline from US-89 to
304 Center Street at the same time. Ms. Baxter acknowledged this would save money since all three
305 water lines could be installed in the same trench and Weber Basin would pay their portion of the
306 street reconstruction project for the trench work and asphalt replacement. She stated the traffic
307 access would be maintained during this process. She said Weber Basin managed the bidding
308 process with four bidders and Whitaker Construction was the pre-qualified low bidder. She
309 explained per the agreement the City would bid three line items, A6 water line materials, part of
310 A7 installation of three water lines, and A8 reconstruction outside the water trench. She
311 mentioned the total bid cost would be \$400,733.33 with \$295,000 from the Water Fund and
312 \$144,800 from the Street Fund.

313
314 Councilmember Knowlton asked about the timeframe for the Main Street closure. He asked
315 about assessing the impacts of the road closure. Karyn Baxter replied it could be a total of two

316 months with sections to be closed at a time. She said the road closure, particularly the connection
317 at Main Street and Highway 89, would allow staff to review permanent closure of that section.

318
319 **Councilmember Porter moved that the City Council approve awarding the Main Street**
320 **Water Line project from Highway 89 to Center Street as per the agreement with Weber**
321 **Basin Water Conservancy District to Whitaker Construction in a total amount of**
322 **\$400,733,33. Councilmember Knowlton seconded the motion. The motion was approved by**
323 **Councilmembers Gordon, Knowlton, Porter, and Van Langeveld.** Councilmember Baskin
324 was not present for the vote.

325
326 5. CONSIDERATION OF A CONCEPT PLAN FOR PHOENICIA PLACE
327 SUBDIVISION, A TWO LOT COMMERCIAL SUBDIVISION AT 480 NORTH
328 CUTLER DRIVE, BRAD NELSON, SPECTRUM ACADEMY, APPLICANT

329
330 Sherrie Pace, Community Development Director, reported this property, formerly known as the
331 Hadad parcel, was four acres in size and located at 480 North Cutler Drive. She noted Spectrum
332 Academy approached the property owner in regard to purchasing the rear portion of this property
333 with a proposal to divide the property into two parcels that were approximately two acres each.
334 She mentioned Spectrum Academy would use Lot 1 for ball fields with their current ball fields to
335 be converted to an additional facility. She added Lot 2 would be marketed commercially. She
336 acknowledged the Planning Commission reviewed the concept plan with the conditions that all
337 redline corrections be completed and right of way dedications on Cutler Drive and Redwood
338 Road be added to the plat and made a favorable recommendation to the Council.

339
340 Councilmember Gordon asked if this would be an additional high school. Sherrie Pace clarified
341 the current students using another facility off of this campus would relocate to the new building
342 so it was a consolidation not an additional high school.

343
344 **Councilmember Gordon moved that the City Council approve the concept plan for**
345 **Phoenicia Place Subdivision at 480 North Cutler Drive with the following condition:**

346
347 1) **Redline corrections be completed for submission of preliminary/final application.**

348
349 **Councilmember Porter seconded the motion.**

350
351 Councilmember Knowlton commented that there were not many pedestrian crossings in this
352 vicinity. He spoke on the need for an east/west connection when the plans come forward for
353 these parcels. Sherrie Pace replied there was an existing east/west connection from Redwood
354 Road and Cutler Drive.

355
356 **The motion was approved by Councilmembers Gordon, Knowlton, Porter, and Van**
357 **Langeveld.** Councilmember Baskin was not present for the vote.

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6. CONSIDERATION OF A PRELIMINARY PLAN AND FINAL PLAT FOR 1100 NORTH KRAUSE CROSSING SUBDIVISION, A TWO LOT COMMERCIAL SUBDIVISION AT 1096 NORTH REDWOOD ROAD, NATE ABBOTT, GALLOWAY & COMPANY, APPLICANT

Sherrie Pace, Community Development Director, showed an aerial of the property, located at 1100 North Redwood Road, including outdoor propane storage and an industrial building. She reported this property was purchased for a Kum & Go gas station with the proposal for a two lot subdivision with the gas station on one parcel and residential on the second parcel. She noted the new subdivision would be called 1100 North Krause Crossing. She mentioned the Planning Commission made a favorable recommendation for the preliminary plan and final plat. She reviewed the conditions for approval which included the applicant providing a letter from UDOT Region 1 approving the location of the driveway on Redwood Road, supplying a Traffic Impact Statement, and correction of any redlines on the plat and construction drawings. She explained this project would return to the City Council for site plan review on Lots 1 and 2.

Councilmember Van Langeveld asked about the letter from UDOT and said the driveways on this proposal were very close to a busy thoroughfare. She asked if it would be restricted with no left turns. She also asked if the approval from the City Council would be used by the developer to bolster their approval from UDOT to approve these driveways. Councilmember Van Langeveld said she did not want to approve the project with the proposed driveways until UDOT had approved the plan. Sherrie Pace replied that she did not think the scenario would be that UDOT would approve the plan just because the City had approved it. She explained the City had an agreement with UDOT about access along Redwood Road and there was already access established for this parcel. Ms. Pace said she did not know if the left hand turn would be restricted or where if so. She expressed her opinion UDOT was likely to approve the access.

Councilmember Van Langeveld expressed concern with left turns out of the property on Redwood and 1100 North as it was dangerous and would cause traffic delays. She suggested the City not allow left hand turns out of the property due to proximity to the intersection.

Councilmember Porter moved the City Council approve the preliminary design plan and final plat for a two lot subdivision called 1100 North Krause Crossing located at 1096 North Redwood Road with the following conditions:

- 1) Provide a letter from UDOT Region 1 approving the location of the driveway on Redwood Road.**
- 2) Provide a Traffic Impact Statement at site plan review.**

398 **Councilmember Gordon seconded the motion. The motion was approved by**
399 **Councilmembers Gordon, Knowlton, Porter, and Van Langeveld.** Councilmember Baskin
400 was not present for the vote.

401
402 7. CONSIDERATION OF ORDINANCE 2022-04, REZONING LOT 2 OF THE KRAUSE
403 CROSSING SUBDIVISION AT APPROXIMATELY 723 WEST 1100 NORTH, FROM
404 GENERAL COMMERCIAL (CG) TO MANUFACTURING DISTRIBUTION (MD),
405 DALE VANWAGONER, WRIGHT DEVELOPMENT GROUP, APPLICANT
406

407 Sherrie Pace, Community Development Director, presented a map that illustrated the zoning in
408 the area of the proposed property at 723 West 1100 North. She said the property was currently
409 zoned General Commercial (CG) and explained how Lot 2 was directly south of the Skypark
410 Airport runway and as such would be governed by City code and regulated by the Federal
411 Aviation Administration (FAA) regarding land use, building placement, and height. She
412 mentioned the purpose of this rezone request was to rezone to Manufacturing Distribution (MD)
413 as the approved land uses were more consistent with those permitted by the FAA. She noted Lot
414 1 would remain zoned General Commercial (CG) for the convenience store and gas station, Kum
415 & Go.

416
417 Ms. Pace acknowledged the Planning Commission reviewed and held a public hearing on this
418 item last week. She stated the Commission made a favorable recommendation of the rezone with
419 the condition that the applicant provide a letter of approval from the FAA prior to the issuance of
420 any building or related permits.

421
422 Councilmember Van Langeveld asked via chat about the specific allowed and prohibited uses
423 per the FAA. Sherrie Pace replied that she would provide these in an email to the City Council.
424

425 Councilmember Van Langeveld commented she was more concerned about what could be
426 prohibited including safety issues such as propane storage. She asked if it was possible to
427 prohibit certain uses that were flammable. Todd Godfrey replied the uses could only be
428 prohibited if they were part of the existing code.

429
430 Sherrie Pace commented this could be accomplished via a code amendment. She said outdoor
431 storage was currently allowed in the MD zone as an accessory use with certain standards. There
432 was a discussion about the various options to prohibit certain uses.

433
434 Todd Godfrey said there may be State legislation in the next year that would deal with this issue.

435
436 Councilmember Van Langeveld asked for the Council's opinion on a restriction for additional
437 risk related to flammable items on the property.

438

439 Councilmember Gordon mentioned there would be a gas station on the corner and another to the
440 east of the runway as well as the refineries which were allowed by the FAA. She said she was
441 not concerned about restrictions beyond those of the FAA and did not want to postpone the vote.

442
443 Sherrie Pace said the height constraints would probably be limited to about 25 feet on the
444 property based on the approach surface calculations in the plan. She said the FAA was very
445 restrictive and the approved uses were very few.

446
447 **Councilmember Porter moved that the City Council approve Ordinance 2022-04 to rezone**
448 **the property located at 723 West 1100 North from General Commercial (CG) to**
449 **Manufacturing Distribution (MD) with the following condition:**

450
451 **1) A letter of approval from the FAA must be provided to the City prior to the**
452 **issuance of any building or related permits.**

453
454 **Councilmember Knowlton seconded the motion. The motion was approved by**
455 **Councilmembers Gordon, Knowlton, Porter, and Van Langeveld.** Councilmember Baskin
456 was not present for the vote.

457
458 **8. PRESENTATION FROM UTAH TRANSIT AUTHORITY (UTA) REGARDING**
459 **MICRO TRANSIT PLANS INCLUDING “UTA ON DEMAND” SERVICE IN SOUTH**
460 **DAVIS COUNTY**

461
462 Beth Holbrook, UTA, reported on a new service, UTA on Demand, that would be provided in
463 August. She said the cost was \$2.50 per ride or included in the cost of a pass. She mentioned this
464 program was app based in a geo-fenced area including all of South Davis County. She noted the
465 geo-fencing would occur in August with the goal to provide access to transit for more people.
466 She said the more people used it the more it would allow UTA to see the transit needs and
467 improve their infrastructure. Ms. Holbrook showed what the app would look like on a mobile
468 phone and said the first ten rides were free. She explained the pickup and drop off process and
469 said if the pickup location or destination was not a transit stop then the rider would be picked
470 up/dropped off at a corner location. She explained the exception to this would be mobility issues
471 that required use of the ADA compliant vehicles.

472
473 Beth Holbrook shared a map of southern Salt Lake County who had already implemented the
474 micro transit program as a pilot program in November of 2019. She explained how it was very
475 successful until COVID when there was a significant decrease in ridership. She acknowledged
476 the use had since increased and there were 600 rides completed in May 2022 with 316 unique
477 riders. She indicated there were 12 WAV rides, wheelchair accommodations, with 9 unique riders.
478 Ms. Holbrook reported the average trip was 4.9 miles, the average pickup ETA was 18.6
479 minutes, with an average trip rating of 4.9. She stated the goal was an average pickup ETA of 15

480 minutes from the time a customer booked the trip on the app to when they were picked up. She
481 said this program would be launched in August 2022 in South Davis County.

482
483 Ms. Holbrook reported on the planned South Davis County On Demand service which would be
484 28 square miles, serve 92,000 people with a population density of 3,000 people per square mile,
485 and 29,000 jobs in this location.

486
487 Councilmember Knowlton commented this was very exciting. He asked about the potential to
488 operate on Saturday and Sunday and the shorter trips in the City where residents may better
489 utilize the short transit trips. Beth Holbrook replied the decision was to figure out the strategy of
490 maximum usage. She said things could change after more data was obtained on usage.

491
492 Mayor Horrocks said the City had been underserved by UTA in the past and this was a great
493 program and option for residents. He asked if the service would take residents into Salt Lake
494 City or just to a bus stop. Beth Holbrook responded the service would not take them into Salt
495 Lake as it was not part of the geo-fence area. She said the app would help them determine the
496 best connection to their destination such as the bus stop or FrontRunner station.

497
498 Councilmember Porter expressed excitement for this service as it would allow his grandchildren
499 to use the service. Beth Holbrook said as long as children were not under eight they could use the
500 service. She spoke on encouraging young people to use the service.

501
502 Councilmember Knowlton commented this was like a big beta test and spoke on the cost for
503 short trips which would be \$5 to and from even for a one mile or less trip. He asked about
504 considering fare structures for different trip lengths. Beth Holbrook replied UTA was looking at
505 the fee structure and steps to minimize cost for low income households. She said there was
506 definitely room for more study and how to address inflationary costs.

507
508 9. CONSIDERATION OF A GENERAL DEVELOPMENT PLAN REQUEST FOR
509 CLIFTON TOWNS LOCATED AT APPROXIMATELY 2596 SOUTH AND 1095
510 NORTH REDWOOD ROAD, CONTAINING FOR-SALE TOWNHOMES AND TWO
511 COMMERCIAL LOTS, TAYLOR SPENDLOVE, BRIGHTON HOMES UTAH LLC,
512 APPLICANT

513
514 Sherrie Pace, Community Development Director, reported the proposed properties were both
515 zoned General Commercial (CG) and currently under contract with Brighton Homes. She stated
516 Brighton Homes had requested a Planned (P) District rezone with townhomes and commercial
517 buildings. She noted a P District rezone and general development plan were required to be filed
518 together. She mentioned the Planning Commission held a public hearing with approval of the
519 general development (or concept) plan. Ms. Pace acknowledged once this plan received approval
520 from both the Planning Commission and City Council the terms of the general development plan
521 would then be negotiated via development agreement and would return with either a preliminary

522 plat (subdivision) or site plan approval. She said this particular application would return to the
523 City Council for preliminary plat approval with a development agreement and final action on the
524 zone change. She stated the property on the north was 6.12 acres and the southern property was
525 7.185 with a proposal to have two commercial lots and for sale three story townhomes. She
526 showed an example of the proposed architectural style and the layout of the general development
527 plan. She indicated there would be 89 units on the northern property and 111 on the south for a
528 total of 200 residential units. She continued the commercial space would be on the corners of the
529 intersection and each would be just over one (1) acre in size. She added the developer had
530 proposed approximately 22,000 square feet of commercial building space on those lots. She
531 mentioned staff would work with the applicant on permitted uses.

532
533 Ms. Pace shared the parking table including tandem spaces that were only counted as one space.
534 She reported it was determined there were 2.6 parking spaces per unit on the north side and 2.5
535 parking spaces per unit on the south side exceeding the required 2.2 stalls per unit. She
536 commented on some of the lessons learned from prior P Districts including the use of the tandem
537 garage as storage as well as separation of the front doors, spacing between the buildings, and
538 providing a courtyard space. She continued guest surface parking was located within 200 feet of
539 the front doors of each unit, attention to units fronting 1100 North with driveways for guest
540 parking to avoid parking on the street. She mentioned the Planning Commission had some
541 concerns including losing the commercial aspect of the zoning and approved this with the
542 suggestion to extend the commercial north/south line on the north property to the north boundary
543 line and extend the existing commercial north/south line from the south property to the south
544 boundary line along Redwood Road. Ms. Pace noted the developer had prepared two different
545 options based on those recommendations and would like the Council to review the previous plan
546 and the revised plan.

547
548 Taylor Spendlove, Brighton Homes Utah LLC, reported on the discussion to have commercial
549 along Redwood Road. He said after discussing the types of viable commercial with property
550 brokers and the proposed dimensions the amount of commercial was based on those discussions.
551 Mr. Spendlove introduced Ryan Flint as a well-known broker in the area and asked if he could
552 address the Council.

553
554 Ryan Flint, Mountain West, said he was the broker that worked on the project across the street.
555 He noted the proposal was to bring in higher end retail at the proposed Brighton development.
556 He explained they looked at targeting national groups via pads and flex units and determined that
557 national retail would be most beneficial. He said there were a handful of groups they would
558 target such as a restaurant like Chick-fil-A due to the price of the land.

559
560 Taylor Spendlove spoke on the for sale townhome units and the potential to put a cap on how
561 many buyers could rent their units out. He said they would be providing pickleball courts, a pool,
562 and a tot lot.

563

564 Councilmember Porter asked if there would be two separate HOAs for each building. Taylor
565 Spendlove replied it would be one HOA with a reinvestment fee at each units closing to ensure
566 there were funds for the project to continue to be sustainable.

567
568 Councilmember Van Langeveld said the plan approved by the Planning Commission included
569 more commercial space. She asked why this proposal had less commercial space. Sherrie Pace
570 responded the first revised option showed commercial along the frontage of the north parcel and
571 the second option showed commercial across the entire frontage of both parcels. The applicant
572 had provided two concepts and asked for consideration of both.

573
574 Mayor Horrocks asked about the number of units proposed in each plan and the cost per unit.
575 Taylor Spendlove said there were 200 units in the original plan and 184 units in the revised plan.
576 He said the townhomes were subsidizing the land value for commercial. He noted the value for
577 the commercial pads was not there and the price per foot would be increased. He mentioned the
578 price point per unit started at \$450,000.

579
580 Councilmember Gordon commented that she did not see the need for commercial on the south
581 parcel due to the proximity to the apartments. She spoke on the need for good commercial and
582 potentially limiting commercial via the first option. She suggested commercial buildings should
583 be located near the street and providing the ability for residents to be able to park there at night
584 and not on Cutler Drive.

585
586 Councilmember Knowlton said this was the entrance to Foxboro and asked about walkable
587 commercial. Taylor Spendlove replied they would be in favor of this in the development
588 agreement.

589
590 Councilmember Van Langeveld explained that she valued the recommendation made by the
591 Planning Commission and was not willing to vote to supersede this. She understood the need for
592 more residential to balance the commercial but said the Commission did a great job of discussing
593 this item and agreed that she did not want to give up commercial in the area. She suggested if a
594 different plan was desired to send it back to the Commission for review.

595
596 Mayor Horrocks said this area used to be industrial and was now mainly homes. He said these
597 two areas were zoned for something other than housing and now there was a request to change it
598 again. He said if it developed as proposed it would remain housing for a long time and if in the
599 future there was an opportunity for something else the land would be gone.

600
601 Councilmember Gordon expressed her support of option one. She voiced concern if more
602 commercial was required it would not be the best use for the property and could limit the quality
603 of commercial tenants.

604

605 Councilmember Knowlton commented pre-pandemic there was more land zoned for retail than
606 could be supported. He said retail was down and would probably not come back. He suggested
607 supporting less retail and placing it in strategic places. He expressed his opinion option one was
608 more favorable. He commented residential had more value than it did previously because sales
609 tax revenue to the City followed the location of the click for online purchases.

610
611 Councilmember Gordon was in favor of having the commercial at the road and parking in the
612 rear. She felt residential was the best use for the property. She said that the only way to convince
613 UTA this was a transit corridor was for them to see the number of residents there.

614
615 Councilmember Van Langeveld said this was not the last parcel of land for retail but the City
616 should not wait until it reached that point. She mentioned south of the Kum and Go was not
617 zoned commercial but manufacturing. She did not feel that less commercial space would result in
618 more desirable commercial users.

619
620 Councilmember Porter said this was not an easy decision and was in favor of option one to have
621 commercial next to commercial.

622
623 Mayor Horrocks spoke on his concerns about parking and mentioned shared parking and short
624 driveways.

625
626 Sherrie Pace said this project was appropriately parked but said Cutler Drive was wide enough to
627 handle on street parking if that did occur. She said there were other ways to address on street
628 parking through signage or painting curbs.

629
630 Ken Leetham commented that 12 years ago that City Council embarked on a plan to change the
631 character of the Redwood Road corridor through the General Plan. He said he would concentrate
632 more on place-making and the appearance of the buildings than the amount of commercial. Mr.
633 Leetham also said staff studied the parking requirements extensively. Sherrie Pace commented
634 she was in agreement on place-making and the overall look of these buildings.

635
636 Taylor Spendlove commented two commercial pads would be ideal but he agreed with the
637 comments made regarding the north parcel. He said they were in favor of the architectural and
638 place-making comments and would make it as nice as the City suggested.

639
640 **Councilmember Gordon moved that the City Council approve the General Development**
641 **Plan Option 1 for Clifton Towns located at 2596 South and 1095 North Redwood Road**
642 **with the following conditions to be determined at the time of development agreement**
643 **approval:**

- 644
645 **1) Final architectural design;**
646 **2) Final layout;**

- 647 **3) Final engineering;**
648 **4) Submittal and approval of a required development agreement.**

649
650 **Councilmember Porter seconded the motion. The motion was approved by**
651 **Councilmembers Gordon, Knowlton, and Porter. Councilmember Van Langeveld voted in**
652 **opposition to the motion.** Councilmember Baskin was not present for the vote.
653

654 The Council commented that they valued the work done by the Planning Commission and hoped
655 this decision did not make them feel undervalued because their work did lead to a change from
656 the original proposal.

657
658 10. APPROVAL OF CITY COUNCIL MINUTES

659
660 The City Council minutes of June 21, 2022 and June 28, 2022 were reviewed and approved.

661
662 **Councilmember Gordon moved to approve the minutes from June 21 and June 28, as**
663 **written. Councilmember Porter seconded the motion. The motion was approved by**
664 **Councilmembers Gordon, Knowlton, Porter, and Van Langeveld.** Councilmember Baskin
665 was not present for the vote.

666
667 11. ACTION ITEMS

668
669 The action items list was reviewed. Completed items were removed from the list.

670
671 Mayor Horrocks provided an update on Google Fiber and said that he had two opportunities to
672 speak with Google representatives. He said they would continue to install fiber in the City in
673 August.

674
675 12. COUNCIL REPORTS

676
677 Councilmember Knowlton spoke on the high cost of auto ownership and how the New York
678 Times reported that it was at a historical high. He said that in a time that affordability was very
679 acute that housing was a real issue and the City did and could do more to enable people to live
680 without a car. Councilmember Knowlton also mentioned an analysis by Salt Lake City regarding
681 displacement and how there was no affordable place for people of limited means to go when rent
682 prices increased. He said this was alarming as the consultant for this analysis indicated he had
683 not seen this condition before anywhere in the nation.

684
685 Councilmember Porter spoke on a vacant field that was now a four story office building in Salt
686 Lake that only had street parking. This prompted a discussion on transit and parking.

687

688 Councilmember Gordon reported the day and location of the Youth City Council (YCC) food
689 drive had been changed to the fourth Tuesday and the Foxboro Terrace Apartments. She reported
690 the new YCC advisors were doing a great job and hoped the City would take necessary steps to
691 be able to provide them with a monthly stipend.

692

693 The Council reported the Liberty Fest celebration this year was a great event and thanked City
694 staff for their efforts.

695

696 13. CITY ATTORNEY'S REPORT

697

698 Todd Godfrey had nothing to report.

699

700 14. MAYOR'S REPORT

701

702 Mayor Horrocks reported that he met with County Commissioner Randy Elliot regarding the
703 unincorporated area. He requested staff further review incorporation of this area into the City.

704

705 Mayor Horrocks commented there were 2,000 students in Davis County that were essentially
706 homeless. Councilmember Gordon said her friend was a teacher at Woods Cross who saw
707 students that married during their senior year to have a place to live. She was grateful for
708 anything that provided resources for these students.

709

710 Mayor Horrocks said there were 59 fires in the South Davis area and 32 in July per the Fire
711 District. He spoke on the Centerville fires and the possibility of arson.

712

713 Councilmember Gordon mentioned the incident at the Kaysville City parade and asked if there
714 was something the City could do. Ken Leetham said the Council could pass a resolution or send
715 some correspondence. He said the frontline workers in Davis County worked well together on a
716 daily basis and especially in an emergency.

717

718 15. CITY MANAGER'S REPORT

719

720 Ken Leetham reported the Lacey Way waterline and road reconstruction project would begin on
721 July 25th. The webinar and PowerPoint were available on the City's website.

722

723 16. ADJOURN INTO CLOSED SESSION

724

725 **At 9:43 p.m. Councilmember Gordon moved to convene in closed session to discuss**
726 **pending or reasonably imminent litigation. Councilmember Knowlton seconded the**
727 **motion. The motion was approved by Councilmembers Gordon, Knowlton, Porter, and**
728 **Van Langeveld. Councilmember Baskin was not present for the vote.**

729

730 17. RECONVENE INTO REGULAR SESSION

731

732 **At 10:07 p.m. Councilmember Porter moved to adjourn the closed session and reconvene in**
733 **regular session. Councilmember Gordon seconded the motion. The motion was approved**
734 **by Councilmembers Gordon, Knowlton, Porter, and Van Langeveld.** Councilmember Baskin
735 was not present for the vote.

736

737 18. ADJOURN

738

739 Mayor Horrocks adjourned the meeting at 10:07 p.m.

740

741 *The foregoing was approved by the City Council of the City of North Salt Lake on Tuesday*
742 *August 2, 2022 by unanimous vote of all members present.*

743

744

745

746 _____
Brian J. Horrocks, Mayor

_____ *Wendy Page, City Recorder*

Action Items for August 2, 2022

Item	Staff	Description
New		
1	Ken	(7/19/22) Staff to ask the Local Governments Trust about the City's cybersecurity insurance policy and the coverage amount. <i>Representatives of the Trust indicate that we do have their cybersecurity coverage. (7/28/22)</i>
2	Sherrie	(7/19/22) Staff to provide FAA uses related to the Krause Crossing Subdivision and the MD zone at 1096 North Redwood. <i>Email response from Sherrie provided to the City Council on 7/28/22. (7/28/22)</i>
3	Linda	(7/19/22) UTA will send a link for more information related to the UTA On Demand service starting in August for South Davis County for the City's newsletter.
4	Sherrie	(7/19/22) Staff to review the unincorporated county areas and what it would take to make them part of the City. <i>CD Department preparing a report and project assignments to complete this annexation. (7/28/22)</i>
5	Ken	(7/19/22) Staff to prepare a letter for the Council to sign related to the incident in Kaysville during their July parade. <i>Letter will be available for Council signature at the August 2 CC meeting. (7/28/22)</i>
Current		
1	Ken	(6/21/22) Agenda item for Juneteenth to potentially determined as a holiday for City staff. <i>Staff performing research on what other communities are doing with this holiday and will present findings to the City Council in a future meeting. (7/18/22)</i>
2	Ken	(6/21/22) Staff to find the installation schedule for Google Fiber particularly in the east side of the City. <i>Google Fiber representatives will not commit to a final date, but they are making significant progress throughout the entire City. They are still telling City staff that project completion will be the end of calendar year 2022. (7/28/22)</i>
3	Ken/David	(5-17-22) Staff will look into alternatives for the fishing pond such as a stationary dock or a trail. <i>Staff will reach out to designer to see if anchored dock could be a cheaper option. (5/18/22)</i>
4	Sherrie/Sandra	(5-17-22) Staff will see what if any violations are occurring or public safety issues there are at properties on Orchard Drive across from O'dell Lane. <i>Need to know if there is a complainant that is willing to allow code enforcement to view from their property and willing to testify. Cannot see violations from street. (5/31/2022)</i>
5	Ken	(5-17-22) Work with Council Member Knowlton to update items requested in the past to the action items list: water wise landscaping plan; active transportation implementation assessment and report back; General Plan implementation assessment report back to City Council; coordinate meeting with neighboring city councils.
6	Ken	(5-17-22) Staff to review alternatives for uses of City-owned properties at City Hall parcels and Hatch Park; develop process for making decisions.
7	Ken, Todd	(4-19-22) Staff to work with Rulon Crosby (510 Lacey Way) on prescriptive easement issue (5-17-22) or other possible easement solutions. <i>Staff met with Mr. Crosby and is working to finalize a draft agreement to allow access.</i>
8	Craig	(4-19-22) Staff to review truck restricted route on Center Street including whether tickets should be issued. <i>Staff will prepare a recommendation for the City Council on use of Center Street as a truck route. (5/12/22)</i>
9	David, Sherrie	(4-19-22) Staff to revisit the City's conservation landscaping plan in the fall. Also potentially amend the General Plan to address alternative landscaping (drought tolerant) in the City. <i>Alternative landscaping Ordinance drafted 5/31/22)</i>

10	Ken	(4-19-22) Staff to follow-up with Woods Cross on the dog park and then report back to the Council. <i>Staff has made the request to the City and is waiting for a response from Woods Cross. (4/27/22)</i>
11	Sherrie/Linda	(4-5-22) Staff to work with UTA on notifying the public of the changes that would occur in August (including discontinuation of Foxboro routes/removal of signage) <i>UTA is attending public events and coordinating social media outreach with Linda. (5/31/22)</i>
12	Sherrie	(4-5-22) Research resolutions to the parking issues on Buckingham Drive including speaking with Coventry HOA on garage parking requirements <i>Sherrie is contacting HOA (04/11/2022)</i>
13	Ken/Linda	(3/15/22) Health and Wellness Committee items: review of unsheltered population particularly along the Jordan River, newsletter or additional to address fraud particularly of the elderly. <i>Staff will work on articles for newsletter (4/12/22)</i>
14	Ken	(3/15/22) Employee training related to phishing, fraud, malware/ransomware, etc. <i>Ken to arrange this training with ETS. Some phishing training has been done with City Hall staff (4/12/22)</i>
15	Sherrie/Ken	(3/15/22) Review cemetery possibilities including land in (or outside of) the City. <i>Sherrie to schedule meeting with Planner to discuss options (4/12/22)</i>
16	Sherrie	(3-1-22) Staff to review disproportionate and other fees related to businesses like gas stations (cost of local consent licenses and State liquor sales license). <i>Staff to prepare memo (5/10/22)</i>
17	Ken	(1-18-22) Prepare and present plans for the remainder of the TIF collection periods for Redwood Road and Highway 89 CDA project areas. <i>Staff will prepare a report for this item together with detailed financial estimates for the two project areas. (Updated 1/20/22)</i>
18	Ken	(1-4-22) Options for emergency preparedness training for staff including windstorms, landslides, etc. <i>Staff is exploring solutions with Davis County (4/12/22)</i>
19	Tyler, Ken	(9-7-21) Council Member Porter asked about golf course damage that occurs at Gary Way near the golf course and adopting official policy related to this. <i>Was reviewed by the City Council on the 11/6/21 CC meeting. Staff is continuing to work on a solution.</i>
20	City Engineer	(5-18-21) Staff to research solutions for maintaining commuter trail along the frontage road to SLC. <i>Staff feels the best solution is to require Lakeview Rock Products to meet all SWPPP regulations so no dirt is deposited along the Frontage Road. (5/10/22)</i>
21	Sherrie	(2-16-21) Assignment to amend the Park and Recreation Element of the City's General Plan so that it includes Hatch Park, Tunnel Springs Expansion and Capital Projects and repairs. <i>An RFP is being prepared to complete the amendment.</i>
22	Ken	(2-16-21) Staff to prepare policy (or review current policy) related to tree removal particularly when related to sidewalk damage. <i>Staff is working on a follow-up report to the City Council.</i>
23	David, Ken	(3-1-22) Review the park reservation cleaning deposit next year to see if it was effective in relation to damage/cleaning-Staff to provide a study by the end of 2022. <i>Staff to report back to Council in November following the 2022 season. (4/12/22)</i>



CITY OF NORTH SALT LAKE

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

Brian J. Horrocks
Mayor

Ken Leetham
City Manager

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Ken Leetham, City Manager

DATE: August 2, 2022

SUBJECT: Consideration of Resolution No. 2022-25R: A Resolution Approving an Access Agreement Between the City of North Salt Lake and Rulon Crosby

RECOMMENDATION

I recommend approval of Resolution No. 2022-25R: A Resolution Approving an Access Agreement Between the City of North Salt Lake and Rulon Crosby.

BACKGROUND

You may recall during the City Council meeting on April 19, 2022 Mr. Rulon Crosby spoke in citizen comment about an access issue for his personal residence (see attached excerpts from the minutes of that meeting). He stated that historically he had access to his property through City-owned parcels that exist downhill and west of his home located at 510 Lacey Way. The attached map shows the approximate locations of his home, the City property and the roadway used previously to access his property. Mr. Crosby also submitted the attached written request to address the situation.

The City Attorney has been working with City staff to come up with an acceptable solution. That solution is to grant the requested access with some reasonable terms and conditions. The attached resolution approves an access agreement between us and contains provisions that require Mr. Crosby to give the City 24 hour notice before he enters the property. The City property will remain gated and Mr. Crosby will be given a key to open the gate. He is further agreeing that his use of the property will be occasional and for his personal use only. The duration of the agreement is twenty-five (25) years.

PROPOSED MOTIONS

I move that the City Council approve Resolution No. 2022-25R: A Resolution Approving an Access Agreement Between the City of North Salt Lake and Rulon Crosby.

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-REGULAR SESSION
APRIL 19, 2022

DRAFT

Mayor Horrocks called the meeting to order at 7:06 p.m. Winston Ji offered the invocation and Spencer Marx led those present in the Pledge of Allegiance.

PRESENT: Mayor Brian Horrocks
Council Member Lisa Watts Baskin
Council Member Natalie Gordon
Council Member Ted Knowlton
Council Member Stan Porter
Council Member Alisa Van Langeveld

STAFF PRESENT: Ken Leetham, City Manager; Paul Ottoson, City Engineer; Jon Rueckert, Assistant Public Works Director; Heidi Voordecker, Finance Director; Craig Black, Police Chief; Todd Godfrey, City Attorney; Tyler Abegglen, Golf Course General Manager; Sherrie Pace, Community Development Director; Wendy Page, City Recorder.

OTHERS PRESENT: Rulon Crosby, Matthew Damsky, Spencer Marx, Winston Ji, Landon Ballard, Peyton Otis, Brynne Burgese, Sterling Page, Maddyson Toro, Makenzie Brinton, Vanessa Ramos-Sky, Tony Smith, Chad Campbell, Michelle Campbell, Dee Lalliss, Brian Myers, residents; Taylor Spendlove, Brighton Development; Graham Hunter, Zach DeLange, Hayden Poulton, Charlie Spencer, Cole Anderson, Jon Howe, Mason Bendinger, Will Campbell, Hunter Jackson, Josh Margetts, Woods Cross Boys Varsity team and coaches; Lorene Kamalu, Davis County Commissioner.

1. CITIZEN COMMENT

Rulon Crosby, 510 Lacey Way, said he had lived on Lacey Way since 1978. He explained he bought property adjacent to his home in 1979 and the only access to the property was from a dirt road up behind the water tank. This road was used to bring materials to the top portion of his lot during and after construction of his home. Mr. Crosby commented he used the road freely for over 20 years until the City placed rocks across the trail near the water tank and also put a lock on the gate. He now had no access to the top portion of his property. Rulon Crosby asked for a key to the gate and felt he was entitled to a prescriptive easement as he had used that access for years. He said the row of rocks blocked access to the City's property as well and would make it difficult in the event of a fire or maintenance of the storm drain. Mr. Crosby asked if he needed to request this be a future City Council agenda item.

Ken Leetham commented on the letter received by Mr. Crosby and said the best route would be to ask the City attorney if there was a prescriptive easement over the property.

Todd Godfrey said he would review the information and communicate with Mr. Crosby.

Mayor Horrocks asked if the City had an interest in retaining the rocks and if they were designed to prevent access. Ken Leetham responded the City did not want the public on the property. He said if Mr. Crosby had a right and legal access to the property the City would not deny him that.

Paul Ottoson said years ago there was not a fence and a property owner cut down several trees on the City's property for a better view of the valley. The City then placed a fence and a gate around the property to prevent further damage.

Rulon Crosby commented in the 1970s the roadway provided access and jeep trails, but this was no longer the case. He said two years ago he asked the City Council for the ability to purchase a 20' strip of property on a lot he had for sale. This request was not granted at that time and access was still prohibited to the public.

Council Member Baskin spoke on Mr. Crosby's inquiry about whether an agenda item to address his access was necessary. She said the City attorney would review the legal question of prescriptive easement. She also said if Mr. Crosby wanted formal action taken, he may want to be placed on the agenda to request the easement and she offered her assistance.

Matthew Damsky, 175 East Ridgeline Way, commented he was a truck driver and worked at the FedEx ground facility in the City. He spoke on Hatch Park and the road restricted route signage on Center Street. Mr. Damsky explained he tried to help a lost truck driver and was told by police that while it was a road restricted route they could not issue tickets. He spoke on other large truck issues related to this road including destruction of infrastructure.

Ken Leetham commented that Center Street was a truck restricted route but whether that meant the City issued or should be issuing tickets was a question for staff to review.



Rulon Crosby,

510 Lacey Way, NSL 84054

4/6/22

North Salt Lake City Council,

Council Members:

In 1978 I bought a home on Lacey Way with a long narrow frontage extending along the street, toward the South Davis water District storage pond. In 1980 I bought an acre of ground, behind the frontage strip, which I combined and subdivided into three lots, which now have houses built on them.

The original access to the back acre was via a dirt road, which branched off of Lacey Way and wound up the hill, past the city's water tank, to a network of jeep trails, further up the mountain.

During the building of my house, at 510 Lacey Way, I used this road extensively to move material and equipment to the back side of my building lot. During the intervening 42 years I have continued to use this road for access the higher side of my property.

My kitchen and laundry room are on the third floor of my home. My water heater and home heating equipment are located in an attic room above the third level of the home. The only practical way to bring replacement refrigerators, clothes washers, water heaters, and other heavy items, to the upper levels of my home, was to use the access road past the water tank.

The conditions of my use of the roadway across city property, by the water tank, entitles me, in accordance with Utah law, to a prescriptive easement.

I continued unimpeded use of this access road for many years, until city maintenance people placed some large rocks across the trail, above the water tank. A few years later the city installed a locked steel gate across the roadway a few feet from where it branches off of Lacey way.

Based on prescriptive easement law, the city does not have the legal right to block this access to my property.

From a practical point of view, blocking this road is detrimental to the legitimate interests of the city and myself. This rock blocked road is the only access the city has to the upper approximately two acres of its property, for fire fighting purposes and to do maintenance on the eight-inch water main, which serves the upper subdivisions. The rock barriers also block access to a main city storm drain.

It is the only practical access, I have to move heavy appliances to the upper side of my home.

Two years ago, I tried to buy a narrow strip of the city property to facilitate the building of a home on an adjoining lot. The council voted not to sell the land, because it wanted to preserve this property for use by picknickers and hikers. However, putting a locked gate and rock barriers across the only access prevents any recreational use of the land.

In the best interest of all parties, and basic fairness, I request that the city provide me a key to the gate and remove the rocks from the road.

Thank you for your consideration,

Rulon Crosby

A handwritten signature in blue ink that reads "Rulon Crosby". The signature is written in a cursive style and is positioned below the printed name.

RESOLUTION NO. 2022-25R

**A RESOLUTION APPROVING AN ACCESS AGREEMENT
BETWEEN THE CITY OF NORTH SALT LAKE AND
RULON CROSBY**

WHEREAS, the City of North Salt Lake (“City) owns property located at approximately 370 East Center Street adjacent to property owned by Rulon Crosby (“Crosby”) located at 510 Lacey Way; and,

WHEREAS, Crosby has requested periodic access to cross the City property which is not open to the general public and is gated to prevent vehicular access; and,

WHEREAS, both the City and Crosby desire to allow periodic access to Crosby for his personal use of having vehicular access to the west side of his home and have prepared an agreement setting forth the terms of that access.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of North Salt Lake as follows:

Section 1. The attached agreement entitled, “Access Agreement” is hereby approved.

Section 2. This resolution, once adopted, shall become effective immediately upon passage.

APPROVED and ADOPTED by the City Council of the City of North Salt Lake this 2nd day of August, 2022.

CITY OF NORTH SALT LAKE
By:

BRIAN J. HORROCKS
Mayor

ATTEST:

WENDY PAGE
City Recorder

City Council Vote as Recorded:

Council Member Watts Baskin _____
Council Member Gordon _____
Council Member Knowlton _____
Council Member Porter _____
Council Member Van Langeveld _____

ACCESS AGREEMENT

This Access Agreement (the “Agreement”) is made and entered into this _____ day of July, 2022, by and between NORTH SALT LAKE CITY, a municipal corporation of the State of Utah (the “City”), and RULON CROSBY, an individual (“Crosby”).

RECITALS:

- A. The City owns property on which it operates and maintains public facilities and which it desires to keep secure in the public interest.
- B. Crosby owns property at 510 Lacey Way which is adjacent to the City Property and historically, and on occasion, has utilized the City property for access to his property.
- C. The City has recently blocked Crosby’s access across the City property and Crosby has requested that the City allow him to use the City property for occasional access.
- D. The City is willing to permit Crosby to utilize the City property for occasional access to his property, subject to the terms and conditions of this Agreement.

NOW THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

- 1. **Incorporation of Recitals.** The above Recitals are hereby incorporated into this Agreement.
- 2. **Grant of Access.** Subject to the terms and conditions set forth herein the City hereby grants to Crosby a non-exclusive right for occasional access at the approximate location described in Exhibit A to this Agreement, which is attached hereto and by this reference made a part hereof (the “Access Way”). The City grants this access to Crosby with the express understanding that the access is personal to Crosby and does not run with Crosby’s land. This agreement shall be for a term of 25 years or as long as Crosby resides at his home located at 510 Lacey Way, whichever is shorter. The term of this Agreement may be extended if agreed upon by both parties through a written amendment to this Agreement.
- 3. **Notification of Intent to Utilize the Access.** Crosby hereby agrees to provide the City, at least 24 hours prior to the use of access, with notice that he intends to use the Access Way. The City intends to maintain, perpetually, a locked gate preventing access to others. The City agrees to provide Crosby a key to the locked gate. Crosby hereby agrees that his use of the Access Way will be occasional and not in any way compounded or magnified over his historical use of the access route. In addition, Crosby hereby agrees that his use of the key to open up the Access Way shall be for his personal use only.

4. **Release of Indemnification.** Crosby hereby indemnifies and agrees to hold the City, its officers, employees, officials, representatives, successors and assigns (“Indemnified Parties”) harmless for, from and against any and all claims, liabilities, losses, suits, judgments, causes of action, fines, penalties, costs and expenses, including but not limited to court costs and attorneys’ fees and cost of investigation, of any nature, kind or description which may be incurred by the Indemnified Parties, or any of them, at any time as a result of any damage to any property or persons in connection with or arising out of Crosby’s use of the Access Way unless such claims arise from and/or are materially attributed to the gross negligence of any of the Indemnified Parties.

(a) Crosby hereby releases and forever discharges the City, and its officers, employees, officials, representatives, successors and assigns of and from any and all manner of claims, causes of action, suits of law and/or inequity, demands, liabilities and damages of whatsoever kind or nature which Crosby may have a claim based upon or growing out of or in connection with the historical, current or future use of the Access Way and the condition of the Access Way.

(b) Crosby has examined the Access Way and accepts it in its present condition, “as is” and with all faults. Crosby hereby acknowledges and understands that the condition on the City’s property is subject to change and agrees to use reasonable caution not to cause deterioration or harm to the Access Way or the surrounding property. The City makes no representation or warranties as to the present or future condition of the Access Way. The City shall not be required to perform, pay for or be responsible for any work to ready the Access Way or to remedy any existing condition thereon except to reasonably maintain the property and provide to Crosby sufficient information which may not be readily observable or understood. Notwithstanding the foregoing, the City will remove current material obstructions that prevent use of the Access Way and will restore the property to a condition where it is reasonably passable.

5. **Crosby’s Use.** Crosby agrees not to construct or install any facilities or improvements which will permanently alter the City’s property and/or the Access Way. Crosby additionally shall not use the Access Way or any portion of the City’s property in a way which in the sole opinion of the City interferes with the operation, maintenance and repair of the City’s public facilities.

6. **Default.** The parties herein each agree that should they default in any of the conditions, covenants or agreements contained herein, the defaulting party shall pay all costs and expenses, including a reasonable attorneys fee which may arise or accrue from enforcing this agreement, or in pursuing any remedy provided hereunder or by the statutes or other laws of the State of Utah, whether such remedy is pursued by filing suit or otherwise, and whether such costs and expenses are incurred with or without suit or before or after judgment.

7. **Duration.** This Agreement shall terminate and have no further force or effect twenty-five (25) years following its execution by the Parties herein unless extended by a writing signed by the Parties hereto.

8. **Entire Agreement.** This Agreement contains the entire agreement and understanding of the parties with respect to the subject matter hereof and no prior representations, warranties or promises pertaining to the subject matter hereof which are not contained herein shall not be of any force or effect.

9. **Severability.** If any portion of this Agreement shall be or become illegal, invalid or unenforceable in whole or in part for any reason, such provision shall be ineffective only to the extent of such illegality, invalidity or unenforceability, without invalidating the remainder of such provision or the remaining provisions of this Agreement.

10. **Binding Effect.** This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective officers, employees, successors and assigns.

11. **Governing Law and Venue.** This Agreement shall be enforced and governed under the laws of the State of Utah, and jurisdiction for any action based on this Agreement shall be with the Second District Court of Davis County County, State of Utah.

12. **Amendment.** This Agreement may be amended only in writing signed by the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their respective duly authorized representatives as of the day and year first hereinabove written.

“CITY”

CITY OF NORTH SALT LAKE

ATTEST:

City Recorder

By: _____
Brian Horrocks, Mayor

“CROSBY”

RULON CROSBY

By: _____
Rulon Crosby, an individual

CITY ACKNOWLEDGMENT

STATE OF UTAH)

: ss.

COUNTY OF DAVIS)

On the ____ day of _____, 2022, personally appeared before me Brian Horrocks, who being by me duly sworn, did say that he is the Mayor of the **CITY OF NORTH SALT LAKE**, a municipal corporation, and that said instrument was signed in behalf of the City by authority of its governing body and said Mayor acknowledged to me that the City executed the same.

NOTARY PUBLIC

My Commission Expires:

Residing at:

CROSBY ACKNOWLEDGMENT

STATE OF UTAH)

: ss.

COUNTY OF DAVIS)

On this _____ day of _____, 2022, personally appeared before me **RULON CROSBY**, who being by me duly sworn, did say that he is signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

NOTARY PUBLIC

My Commission Expires:

Residing at:



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 Pace, Community Development Director
DATE: August 2, 2022
SUBJECT: Consideration of Resolution 2022-26R: Pilot Operating Agreement with Bird Rides, Inc. operating a Stand-up Electric Scooter sharing system

RECOMMENDATION

The Development Review Committee recommends to the City Council the approval of the Pilot Operating Agreement for Bird Rides, Inc.

BACKGROUND

The City has been approached by Bird Rides, Inc., the operators of Bird Scooters, with a proposal to operate Stand-up Electric Scooter sharing system pilot program. The proposed land use is a commonly referred to as Micro-mobility and appears to most closely align with the use "All other transit and ground passenger transportation" and is a conditional use in all commercial zones.

Micro-mobility generally refers to small, lightweight human-powered or electric bicycles and electric kick-style scooters operating at speeds below 20 mph that are ideal for short trips. Shared micro-mobility is when a service is provided for users to rent a vehicle for short periods of time for a point-to-point trip. The applicant is proposing a shared micro-mobility operation with approximately 50 scooters within the city. Depending on demand, the deployment could decrease or increase.

The use of scooters can be a convenient tool for the public for short trips around the city or to and from transit stops. The scooters are easy to use and produce no air pollution. The biggest challenge will be ensuring that the scooters are not blocking pedestrian paths or street travel lanes.

Electric scooters are regulated the same as bicycles within Utah State Code. Utah Code 41-6A-1115.1 4(A) Scooter-share programs – Local ordinances regulating motor assisted scooters states: "A regulation adopted by a local authority pursuant to this section regarding the operation of a motor assisted scooter shall be consistent with the regulation of bicycles and this title." The City has adequate enforcement capability under the existing bicycle motor laws to be able to regulate electric scooter use.

The Planning Commission approved a conditional use permit for Bird Rides, Inc. on July 12, 2022 with the following conditions:

1. Subject to the City Council approval of the Pilot Operating Agreement with Bird Rides, Inc.;
2. The applicant will operate in conformity with the Agreement and Operations Plan, including coordination with city staff on appropriate deployment locations, as necessary;

3. A suitable and properly zoned commercial or industrial location is found for the overnight storage and charging of the scooters; and
4. Upon City Attorney review with inclusion of termination clause.

REVIEW

The applicant has submitted an operational plan with the following specifics:

1. Hire a local Fleet Manager and find a location for nightly storage and charging of the scooters;
2. Maintenance issues are monitored remotely via programming that notifies the fleet manager of any operational issues on each scooter;
3. Field inspections are conducted on the scooters for a variety of additional issues that cannot necessarily be monitored remotely;
4. The Fleet Manager/team members monitor and relocate scooters during the day (8 a.m. to 6 p.m.) to make sure they are neatly parked, in locations where needed based on demand, etc.
5. The company provides numerous methods to reach customer service should an issue arise with one of its scooters that are staffed 24/7;
6. Deployment locations will be coordinated with city staff to ensure the operations are safe and the locations are suitable.

The proposed pilot program will give the City time to evaluate the use and determine what regulations should be enacted to regulate e-scooters. Issues for consideration for this conditional use permit and future regulations are:

1. acceptable/designated parking locations for electric scooters;
2. limited speeds on and off sidewalks, including speed;
3. use on sidewalks;
4. limited areas where the scooters would be operational (business districts and transit accessible areas).

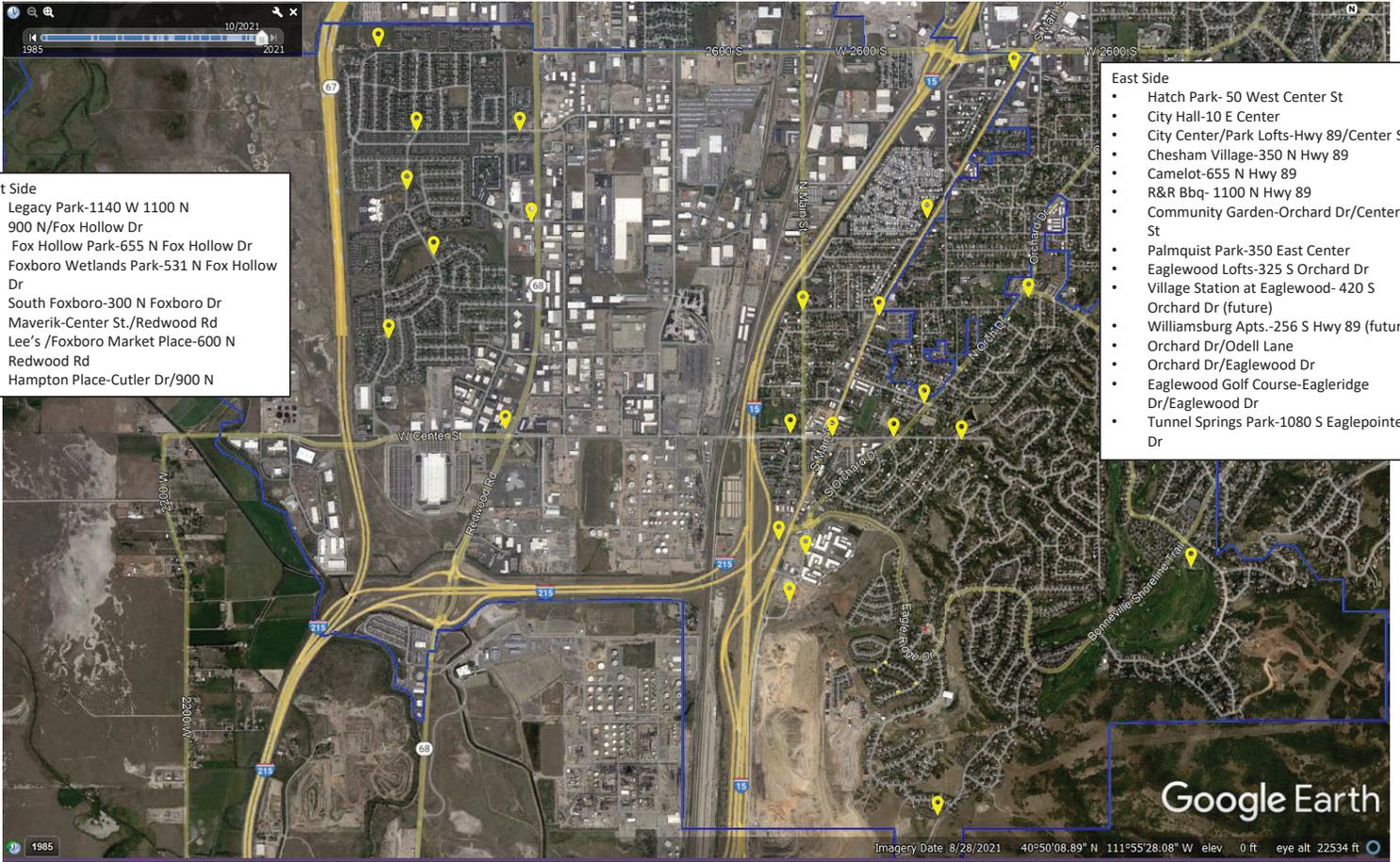
City Staff has identified some potential locations for deployment (see attached map) in addition to the locations identified by the applicant. Staff is confident that Bird will work with the City on any issues that may arise from the use and deployment of the scooter pilot program. Added to the Pilot Operating Agreement in section 10 is an exclusion clause, where either the City or Bird may terminate the agreement at any time without cause upon thirty days prior written notice. This provision provides the City with an exit clause should the pilot electric scooter share program become problematic. At the conclusion of the pilot period City staff will re-evaluate the land use and determine what regulations should be adopted and make recommendations to the City Council regarding the continuation of the program.

POSSIBLE MOTION

I move that the City Council approve Resolution 2022-26R, authorizing the Pilot Operating Agreement with Bird Rides, Inc. for the operation of a Stand-up Electric Scooter sharing system.

Attachments

- 1) Aerial Map-proposed deployment locations
- 2) Operations Plan
- 3) Resolution 2022-26R
- 4) Draft Pilot Operating Agreement



- West Side**
- Legacy Park-1140 W 1100 N
 - 900 N/Fox Hollow Dr
 - Fox Hollow Park-655 N Fox Hollow Dr
 - Foxboro Wetlands Park-531 N Fox Hollow Dr
 - South Foxboro-300 N Foxboro Dr
 - Maverik-Center St./Redwood Rd
 - Lee's /Foxboro Market Place-600 N Redwood Rd
 - Hampton Place-Cutler Dr/900 N

- East Side**
- Hatch Park- 50 West Center St
 - City Hall-10 E Center
 - City Center/Park Lofts-Hwy 89/Center St
 - Chesham Village-350 N Hwy 89
 - Camelot-655 N Hwy 89
 - R&R Bbq- 1100 N Hwy 89
 - Community Garden-Orchard Dr/Center St
 - Palmquist Park-350 East Center
 - Eaglewood Lofts-325 S Orchard Dr
 - Village Station at Eaglewood- 420 S Orchard Dr (future)
 - Williamsburg Apts.-256 S Hwy 89 (future)
 - Orchard Dr/Odell Lane
 - Orchard Dr/Eaglewood Dr
 - Eaglewood Golf Course-Eagleridge Dr/Eaglewood Dr
 - Tunnel Springs Park-1080 S Eaglepointe Dr

Google Earth

OPERATIONAL PLAN

Operations:

Our Fleet Manager program provides local economic opportunity and bespoke block-by-block operational expertise, care and consideration.

We identify and recruit our Fleet Managers directly from the community, focusing on providing opportunities to small, locally owned businesses and entrepreneurs as well as Certified Women- or Minority-Owned Businesses. Before partnering with a prospective Fleet Manager, we ensure they meet and exceed our standards for operational excellence using a rigorous vetting process and the following criteria.

Candidates must:

- Be a trusted member of the local community with strong references.
- Prioritize long-term staffing arrangements with advancement opportunities and a real living wage as opposed to short-term, temporary work.
- Have existing local infrastructure (e.g., warehouse with ample space for charging and storage) certified for safe use by local workplace safety standards.
- Have experience managing logistics or operations, with a strong preference for shared micromobility.

As well as demonstrate commitment to:

- Providing the safest and most reliable service.
- Hiring locally.
- Developing or expanding any existing diversity and inclusivity policies in recruitment and retention.
- Using renewable energy to charge vehicles.
- Using zero-emission vehicles for deployment, rebalancing and collection.

When we execute a contract with a Fleet Manager, we commit to providing long-term support and resources as well as initial guidance on operational setup and mandatory training.

Maintenance:

Our latest vehicles are equipped with industry-leading self-diagnostics programmed for 400 different fault codes. When triggered, the systems can take a vehicle off the road immediately if a safety issue is detected or create information for later consumption by a technician. We keep a record of maintenance performed on each vehicle and station, which is available upon request.

Field Vehicle Inspection: Our local operations team conducts frequent field inspections of our vehicles to assess:

- Drivetrain
- Tires
- Steering
- Brakes
- Contact points and sanitization
- Front and rear lights
- Stickers and labels
- Electronic equipment, including QR code, GPS, locking mechanisms, alarms, and display screen
- Battery and motor

If a Bird needs a quick repair (e.g., tightening a part), our team performs maintenance on the spot or flags the Bird for pickup

Maintenance and Service Level Agreements (SLAs)

We establish SLAs in coordination with local authorities. The chart below provides an overview of our high standards for removing and repairing damaged, deficient, unclean or unusable vehicles in all our markets.

Concern	Standard	Resolution Time
Deficient/ Damaged	Identified and removed (if necessary) through the methods described below.	Made unavailable for rental immediately and removed within 12 hours.
Minor Field Repair	Minor repairs that can be addressed in the field include: replacing a kickstand, tightening the handlebars, and fixing minor cosmetic damage. Minor repairs requiring removal include: changing a brake, changing an accelerator, and replacing a brain.	Repaired in the field within: five minutes for kickstand; 20 minutes for all others.
Major Service Center Repair	Major repairs include: changing tires, replacing the stem/neck, replacing the lights, and fixing major cosmetic damage. If a vehicle cannot be repaired, it is recycled. All operations staff complete recycling training during onboarding.	At least one repair completed per hour. Recycled within 72 hours.
Collecting/Repositioning	Fleet managers touch every device multiple times per day to ensure they're parked in locations most	Local team members will service North Salt Lake from 8:00 a.m. to 6:00 p.m. daily (defined as business

	likely to receive rides. They also decide whether the device should be rebalanced to another location to ensure greater utilization or move the device should it need to be more neatly parked.	hours) and will be available to move vehicles within 4 hours during the 8a-6p window and within 10 hours outside of business hours.
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Customer Service:

Bird is committed to making it as easy as possible for the community to provide feedback regarding improperly parked devices, equipment issues, or other concerns. We have several customer service channels (see below) and use Zendesk, a leading customer service software suite, to receive, log and resolve customer complaints. Our customer service representatives process all complaints submitted via our various channels, prioritizing those related to improperly parked devices to ensure we repark them within two hours of notification. We alert our local team via the “Operator” mode of the Bird app, allowing them to view the location of the vehicle and address it quickly and efficiently.

Bird’s Customer Service Channels:

- **Phone Number:** 1-866-205-2442. Our staffed, toll-free customer service line provides support 24 hours per day, 365 days a year. It also accommodates TTY relay services.
- **Website:** <http://www.bird.co>
- **Email:** hello@bird.co
- **Twitter:** @BirdRide
- **Instagram:** @Bird
- **Online Form:** <http://www.bird.co/contact-us/>
- **Live Text-to-Chat:** Available in the Bird app
- **Community Mode:** This in-app feature allows both riders and non-riders to report unsafe behavior, including irresponsible riding or improper parking, in real time.

Staging & Deployment:

Bird recommends a phased deployment plan, giving us the necessary time to take a careful and coordinated approach in educating riders, evaluating their behavior and adjusting our operations as required. We carry this out in cooperation with city officials and community stakeholders.

In the case of North Salt Lake, our Account Manager will collaborate with city staff from the commencement of the program, which will assist us with implementing necessary and informed adjustments over the course of the program.

April 2022:

We propose deploying 50 scooters in the city, which would be available throughout the operational boundaries of the city. This fleet size would be appropriate for the launch as residents become used to

the program and learn to ride and operate scooters safely. This aims to cover the city limits and nearby neighborhoods, while allowing scooters to travel as users desire. By introducing the program gradually, we enable the local community to become accustomed to e-scooters and to allow Bird and North Salt Lake to address any concerns before the fleet increases.

Staging:

Bird stages scooters each morning in nests (identifiable scooter parking locations). Nests are virtual and dynamic, meaning our team can work with the city to change and reposition them at any time to best meet the city's needs. We can also provide data to the city to assist in the planning process for moving or establishing new parking areas.

Bird AI, our proprietary operations software, analyzes more than 50 rider demand signals and regulatory requirements by geohash, enabling us to accurately determine where Birds should be deployed or rebalanced throughout the day.

Our platform will automatically determine which locations to populate based on vehicle concentration, time of day and city-specific requirements to ensure broad and equitable vehicle coverage across the service area.

Bird's Fleet Managers actively monitor and redistribute our e-scooters across the service area (outlined below) during operational hours. Our deployment and pickup times are designed to ensure the best availability of our vehicles, guaranteeing, in every zone of the service area, our riders can find nearby scooters available during the peak hours of demand and that the scooters are charged and ready-to-go.

Deployment Zones:

RESOLUTION NO. 2022-26R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORTH SALT LAKE APPROVING AGREEMENT NO. 2022-19A, AN AGREEMENT WITH BIRD RIDES, INC FOR A STAND-UP ELECTRIC SCOOTER SHARING PROGRAM

WHEREAS, the City of North has been approached by Bird Rides, Inc with a proposal to operate a Stand-up Electric Scooter Sharing Program; and

WHEREAS, the City desires to enter into a pilot program to determine if electric scooter programs can assist in providing additional transportation options for the citizens of North Salt Lake; and,

WHEREAS, the use of scooters can be a convenient tool for the public for short trips around the city or to and from transit stops; and,

WHEREAS, the Planning Commission has authorized a Conditional Use Permit for Bird subject to the City Council approving a pilot operating system.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF NORTH SALT LAKE AS FOLLOWS:

Section 1. The attached document shall be known as **Agreement 2022-19A** and is hereby approved.

Section 2. Immediately after its adoption, this resolution shall be signed by the appropriate officers of the City of North Salt Lake, shall be recorded in the official records of the City of North Salt Lake and shall take immediate effect.

APPROVED AND ADOPTED by the City Council of North Salt Lake this 2nd day of August, 2022.

CITY OF NORTH SALT LAKE
By:

BRIAN J. HORROCKS
Mayor

ATTEST:

WENDY PAGE
City Recorder

City Council Vote as Recorded:

Council Member Watts Baskin _____
Council Member Gordon _____
Council Member Knowlton _____
Council Member Porter _____
Council Member Van Langeveld _____

PILOT OPERATING AGREEMENT

This Pilot Operating Agreement (the “Agreement”) is entered into by and between Bird Rides, Inc., located at 406 Broadway #369 Santa Monica, CA 90401 (“Company”), and North Salt Lake located at 10 East Center Street, North Salt Lake, UT 84054 (the “City”) as of August 2, 2022.

1. Statement and Purpose

The purpose of this Agreement is to establish interim rules and regulations governing the pilot operation of a Stand-up Electric Scooter sharing system within the City while this Agreement is in effect (the “Pilot”), and to ensure that the Pilot is consistent with the safety and well-being of bicyclists, pedestrians, and other users of the public rights-of-way.

2. Scope

This Agreement and its terms apply to the proposed deployment of a Stand-up Electric Scooter sharing systems by the Company and within the City’s jurisdictional boundaries. This Agreement and the Pilot shall remain in effect for a period of twelve months and shall automatically renew for successive twelve month periods unless either party provides written notice to the other of its intention not to renew at least ninety (90) days prior to the end of the then-current term.

3. Procedures

Upon effectiveness of this Agreement, Company shall provide an affidavit of compliance with the terms of this Agreement and provide appropriate indemnification.

4. Operating Regulations

- a. Company, and/or its service providers, agents or assigns, shall be responsible for operating a Stand-up Electric Scooter program in the City with the below requirements.
- b. “Stand-up Electric Scooter” shall mean a device weighing less than 150 pounds, that (i) has handlebars and an electric motor, (ii) is solely powered by the electric motor and/or human power, and (iii) has a maximum speed of no more than 20 mph on a paved level surface when powered solely by the electric motor.
- c. While this Agreement and Pilot are in effect, Company shall pay the City a revenue-share of \$0.05 per ride. Company shall pay the revenue-share to the City on a quarterly basis, in arrears within 30 days from the end of the preceding month.
- d. Except as otherwise provided herein, City shall regulate the operation of Stand-up Electric Scooters in a manner no more restrictive than City’s regulation of bicycles.
- e. Stand-up Electric Scooters are to be ridden on streets, and where available, in bike lanes and bike paths. Stand-up Electric Scooters are to stay to the right of street lanes and to offer the right of way to bicycles in bike lanes and on bike paths. Users of Stand-up Electric Scooters shall be 18

or older. Users of Stand-up Electric Scooters who violate these provisions may be fined by City consistent with fines for cyclists.

- f. Company shall provide easily visible contact information, including toll-free phone number and/or e-mail address on each Stand-up Electric Scooter for members of the public to make relocation requests or to report other issues with devices.
- g. Hours of operation when Company's Stand-up Electric Scooters will be made available to rent in City are 4 a.m. to midnight (local time).

5. Parking

- a. For purposes of this agreement the term "Furnishings Zone" means a hardscape area that extends from the sidewalk to the back of curb, in which street trees and grates, street furniture, lighting, bike racks, utility poles and decorative/wayfinding signage may be located. Users of Stand-up Electric Scooters shall park devices upright in the furnishings zone of the sidewalk, beside a bicycle rack or in another area specifically designated for bicycle parking, or on the street next to an unmarked curb.
- b. Users shall not park Stand-up Electric Scooters in such a manner as to block the pedestrian clear zone area of the sidewalk; any fire hydrant, call box, or other emergency facility; bus bench; or utility pole or box.
- c. Users shall not park Stand-up Electric Scooters in such a manner as to impede or interfere with the reasonable use of any commercial window display or access to or from any building.
- d. Users shall not park Stand-up Electric Scooters in such a manner as to impede or interfere with the reasonable use of any bicycle rack or news rack.
- e. Users may park Stand-up Electric Scooters in on-street parking spaces in the following circumstances:
 - i. When marked parking spaces are officially designated stations for such devices in business districts;
 - ii. Where the furnishings zone is less than three feet wide;
 - iii. Where there is no furnishings zone;
 - iv. In neighborhoods with rolled curbs, or with inadequate sidewalk space;
 - v. In marked parking spaces designated for motorcycles.
- f. Users may park Stand-up Electric Scooters on blocks without sidewalks only if the travel lane(s) and 6-foot pedestrian clear zone are not impeded.
- g. Users shall not park Stand-up Electric Scooters in the landscape/furnishings zone directly adjacent to or within the following areas, such that access is impeded:
 - i. Transit zones, including bus stops, shelters, passenger waiting areas and bus layover and staging zones, except at existing bicycle racks;
 - ii. Loading zones;
 - iii. Disabled parking zone;
 - iv. Street furniture that requires pedestrian access (e.g., benches, parking pay stations, bus shelters, transit information signs, etc.);
 - v. Curb ramps;

- vi. Entryways; and
- vii. Driveways.
- h. Users of Stand-up Electric Scooters who violate these provisions may be fined by City consistent with fines for cyclists.
- i. Company may stage its Stand-up Electric Scooters in permitted parking areas as described in this section. To the extent Company desires to stage Stand-up Electric Scooters in areas other than the public right-of-way, Company must first obtain the right to do so from the appropriate City department, property owner, or public agency.

6. Operations

- a. Company shall maintain 24-hour customer service for customers to report safety concerns, complaints, or to ask questions. Company shall maintain a multilingual website, call center, and/or mobile app customer interface that is available twenty-four hours a day, seven days a week. The aforementioned shall be compliant with the Americans with Disabilities Act.
- b. In the event a safety or maintenance issue is reported for a specific device, that Stand-up Electric Scooter shall be made unavailable to users and shall be removed within the timeframes provided herein. Any inoperable or unsafe device shall be repaired before it is put back into service.
- c. Company shall respond to reports of incorrectly parked Stand-up Electric Scooters, Stand-up Electric Scooters continuously parked in one location for more than 72 hours, or unsafe/inoperable Stand-up Electric Scooters, by relocating, re-parking, or removing the Stand-up Electric Scooters, as appropriate, within 24 hours of receiving notice that must include the location of the Stand-up Electric Scooter.
- d. Company shall provide notice to all users that:
 - i. Stand-up Electric Scooters are to be ridden on streets, and where available, in bike lanes and bike paths;
 - ii. Stand-up Electric Scooters are to stay to the right of street lanes and to offer the right of way to bicycles on bike lanes and bike paths;
 - iii. Helmets are encouraged for all users;
 - iv. Parking must be done in the designated areas; and
 - v. Riding responsibly is encouraged.
- e. Stand-up Electric Scooter riders are required to take a photo whenever they park their scooter at the end of a ride.
- f. Company shall provide education to Stand-up Electric Scooter riders on the City's existing rules and regulations, safe and courteous riding, and proper parking.

7. Data Sharing

City may require Company to provide anonymized fleet and ride activity data for all trips starting or ending within the jurisdiction of City on any vehicle of Company or of any person or company controlled by, controlling, or under common control with Company, provided that, to ensure individual privacy:

- a. such data is provided via an application programming interface, subject to Company's license agreement for such interface, in compliance with a national data format specification such as the Mobility Data Specification;
- b. any such data provided shall be treated as trade secret and proprietary business information, shall not be shared to third parties without Company's consent, and shall not be treated as owned by the local authority; and
- c. such data shall be considered personally identifiable information, and shall under no circumstances be disclosed pursuant to public records requests received by the local authority without prior aggregation or obfuscation to protect individual privacy.

8. Indemnification

Company agrees to indemnify, defend and hold harmless City (and City's employees, agents and affiliates) from and against all actions, damages or claims brought against City arising out of Company's negligence or willful misconduct, except that Company's indemnification obligation shall not extend to claims of City's (or City's employees', agents' or affiliates') negligence or willful misconduct. City expressly acknowledges that in no event shall Company be liable for any special, indirect, consequential or punitive damages. Company's indemnification obligations shall survive for a period of one (1) year after expiration of this Agreement. Company shall be released from its indemnification obligations under this section if the loss or damage was caused by the City's negligent construction or maintenance of public infrastructure. City's right to indemnification shall be contingent on City notifying Company promptly following receipt or notice of any claim; Company shall have sole control of any defense; City shall not consent to the entry of a judgment or enter into any settlement without the prior written consent of Company.

9. Insurance

Company shall provide City with proof of insurance coverage exclusively for the operation of Stand-up Electric Scooters including: (a) Commercial General Liability insurance coverage with a limit of no less than \$1,000,000.00 each occurrence and \$2,000,000.00 aggregate; (b) Automobile Insurance coverage with a limit of no less than \$1,000,000.00 each occurrence and \$1,000,000.00 aggregate; (c) Umbrella or Excess Liability coverage with a limit of no less than \$5,000,000.00 each occurrence/aggregate; and (d) where Company employs persons within the City, Workers' Compensation coverage of no less than the statutory requirement.

10. Miscellaneous

- a. All notices and communications to the City from Company shall be made in writing (includes electronic communications) and sent to the address below.

b. In carrying out their responsibilities, the parties shall remain independent contractors, and nothing herein shall be interpreted or intended to create a partnership, joint venture, employment, agency, franchise or other form of agreement or relationship.

c. Either party may terminate this agreement upon (30) thirty days prior written notice if deemed reasonably necessary for public health and safety reasons or if the services or operations hereunder become operationally impracticable.

d. This agreement shall be governed by and construed in accordance with the laws of the State of Utah.

North Salt Lake, UT

Bird Rides, Inc.

Signed By:

Signature: _____

Print Name: _____

Title: _____

Signature: _____

Print Name: _____

Title: _____

Address:



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: Ali Avery, Long Range Planner

DATE: August 2, 2022

SUBJECT: Resolution No. 2022-28R: A resolution authorizing the City Manager, or designee, to enter into a contract with Bio-West, Inc. for construction administration and continued work on the Foxboro Wetlands project.

RECOMMENDATION

Staff recommends approval of Resolution 2022-28R approving a contract with Bio-West, Inc. for construction administration and continued work on the Foxboro Wetlands project.

BACKGROUND

Last summer, the City secured funding for the Foxboro Wetlands project through the 2021 sales tax revenue bond. Since that time, the City's consultant (Bio-West) has been coordinating with the U.S. Army Corps of Engineers (USACE) on a permit for construction. The permit has been issued, and Bio-West has satisfied the terms of their original contract with the City involving the design and permitting for the project. The next phase of the project is to complete a mitigation and monitoring plan for USACE, and then move on to construction. Bio-West's involvement in the construction will be to facilitate contractor bidding and perform construction administration services. The total cost for the contract is \$129,199.48, and that cost was included in the bond amount.

City staff finds that continuing a contract with Bio-West would be the best route to take for the success of the project because they can move forward seamlessly on the project, and because consulting with them for construction administration will take that burden off of the City's engineering department.

POSSIBLE MOTION

I move that the City Council approve Resolution 2022-28R authorizing the City Manager, or designee, to enter into a contract with Bio-West, Inc. for construction administration and continued work on the Foxboro Wetlands project.

Attachments:

- 1) Scope of Work & Fee Schedule
- 2) Resolution No. 2022-28R



BIO-WEST, Inc.

1063 West 1400 North

Logan, Utah

84321-2291

Ph: 435.752.4202

Fx: 435.752.0507

www.bio-west.com

MEMORANDUM

TO: Alison Avery, Planner, City of North Salt Lake
FROM: Christopher Sands, ASLA, AICP
DATE: 12 July 2022
SUBJECT: Scope of Work and Fee Schedule for Phase 4 of the Foxboro Open Space Wetlands Restoration and Habitat Enhancements Project

Attached, please find the proposed fee schedule for BIO-WEST to provide Phase 4 consultation services associated with the Foxboro Open Space Wetlands Restoration and Habitat Enhancements project within the City of North Salt Lake (NSL), Utah. Based on our understanding of the project and discussions with you, I have divided the proposed scope of work for Phase 4 of the overall project into the following tasks:

- **Continue Project Coordination:** BIO-WEST staff will coordinate with NSL staff throughout implementation of Phase 4 tasks including discussing project progress and logistics, addressing project issues and opportunities, and facilitating project schedules. Project updates will be given on a regular basis as needed to ensure good communication on scheduling work activities. The BIO-WEST Project Team proposes to facilitate monthly or as-scheduled virtual meetings with NSL staff. Project management activities, such as coordination with Project Team members, budget tracking, and monthly invoicing, are also included in this task. Phase 4 project coordination is proposed to extend from April 1, 2022 through March 31, 2023.
- **Prepare and Submit Wetland Mitigation Monitoring Plan:** BIO-WEST, Inc. will prepare a Mitigation and Monitoring Plan for the proposed wetland mitigation effort. The Mitigation and Monitoring Plan will be completed in accordance with the *Final 2015 Regional Compensatory Mitigation and Monitoring Guidelines for South Pacific Division* and 33 CFR 332. The Plan will address the elements required by the USACE guidance including, but not limited to, the mitigation location and design drawings, vegetation plans including species to be planted, and final success criteria. The Plan will outline the mitigation and monitoring techniques, as well as the specific areas of data collection. The Plan will be used as the base for the required annual Mitigation Monitoring Reports that will be submitted each year



following completion of construction, for a minimum of five years, or until the final success criteria have been met (not included in this scope of work or fee schedule).

- **Facilitate Contractor Bidding:** The final 100% bid package will be organized so that construction bidding may be awarded as an entire package to one contractor. The package will be itemized into specific areas of construction development (e.g., clearing and grubbing, planting, surfacing) that will allow line-item adjustments for NSL staff to exercise phasing or deleting of certain elements, as necessary. The BIO-WEST Project Team will provide NSL an electronic copy (in AutoCAD and Adobe Acrobat formats) of all final design drawings, construction documents, and technical specifications (in Microsoft Word format). The BIO-WEST Project Team will respond to contractor questions, issue any necessary addendums, and attend the pre-bid conference. The designated BIO-WEST Project Team representatives will attend all meetings and other project activities throughout the contract bid phase.
- **Perform Construction Administration Services:** The performance of weekly site inspections and participation in construction progress meetings are included in this task. The purpose of the site inspections will be to routinely observe, monitor, and evaluate works in progress and identify and solve potential problems. The BIO-WEST Project Team representative will maintain thorough documentation of each site visit and will submit regular site reports to NSL staff on a weekly basis or as directed. The BIO-WEST Project Team representative will respond within 24 hours to an unscheduled request for a site visit. Based on site observations, the BIO-WEST Project Team representative will receive, review, evaluate, recommend, and certify the Contractor's Applications for Payment. Any change orders will be prepared by the BIO-WEST Project Team representatives and provided to NSL staff, as necessary. At the completion of project construction, the BIO-WEST Project Team will provide NSL staff with a comprehensive set of as-built drawings in electronic format as specified. The BIO-WEST Project Team representative will attend no more than 24 weekly or as scheduled construction site visits.

The following future tasks are not included in this scope of work and fee schedule:

- Annual mitigation monitoring and reporting as required by the Corps of Engineers.
- Annual noxious weed treatments.

For approximately \$129,000 (see attached fee schedule) BIO-WEST staff will perform the tasks detailed above in this memorandum. Please let me know if you have any questions or suggestions on the scope of work and/or fee schedule. Thanks for allowing us the opportunity to continue our work with the City of North Salt Lake on the Foxboro Wetland Restoration Project!

BIO-WEST, Inc.
COMPOSITE FEE SCHEDULE

12-Jul-22

North Salt Lake City Foxboro Wetlands Restoration Project: Phase 4
Wetland Mitigation Monitoring Plan, Contractor Bidding, and Construction Administration Services

LABOR:

Position	Employee	Rate	Tasks				Total Hours	Cost
			1	2	3	4		
Principal / Project Manager	C. Sands	\$ 168.44	96	16	24	192	328	\$ 55,248.32
Senior Hydrologist	D. Olsen	\$ 168.44		2	2	4	8	\$ 1,347.52
Landscape Architect	S. Davenport	\$ 111.78	48	10	40	192	290	\$ 32,416.20
Wildlife / Wetland Scientist	B. Thomas	\$ 131.69		40			40	\$ 5,267.60
Hydrologist	M. Majerova	\$ 101.06		10			10	\$ 1,010.60
CADD / GIS Specialist	A. Crookston	\$ 82.69		8		92	100	\$ 8,269.00
Administrative Assistant	J. Golden	\$ 68.14	4	4	4	4	16	\$ 1,090.24
Total Hours			148	90	70	484	792	
Total Labor			\$21,808.24	\$11,362.00	\$9,123.20	\$62,356.04		\$104,649.48

OTHER DIRECT COSTS:

Forsgren & Associates					\$10,000.00	\$10,000.00		\$ 20,000.00
Equipment Rental						\$500.00		\$ 500.00
Printing / Copying / Postage / Shipping			\$50.00	\$50.00	\$25.00	\$175.00		\$ 300.00
Mileage @ \$0.625/mi			\$750.00			\$3,000.00		\$ 3,750.00
Total Other Direct Costs:			\$800.00	\$50.00	\$10,025.00	\$13,675.00		\$ 24,550.00

TOTAL COST: **\$22,608.24** **\$11,412.00** **\$19,148.20** **\$76,031.04** **\$129,199.48**

- Task 1 - Continue Project Coordination and Administration
- Task 2 - Prepare and Submit Wetland Mitigation Monitoring Plan
- Task 3 - Facilitate Contractor Bidding
- Task 4 - Perform Construction Administration Services

RESOLUTION NO. 2022-28R

A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO ENTER INTO A CONTRACT WITH BIO-WEST, INC. FOR CONSTRUCTION ADMINISTRATION AND CONTINUED WORK ON THE FOXBORO WETLANDS PROJECT.

WHEREAS, Bio-West Inc. has completed the design of the Foxboro Wetlands and the project is ready to move forward to the construction phase; and,

WHEREAS, the City has secured funding through the 2021 sales tax revenue bond for the full cost of the project, including the costs for construction administration.

NOW THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF NORTH SALT LAKE:

1. The City Manager, or designee, is hereby instructed and authorized to sign a contract with Bio-West, Inc. in the amount of \$129,199.48 for construction administration and continued work on the Foxboro Wetlands project.

APPROVED AND ADOPTED by the City of North Salt Lake, Utah, on this 2nd day of August, 2022.

CITY OF NORTH SALT LAKE

By:

BRIAN J. HORROCKS
Mayor

ATTEST:

WENDY PAGE
City Recorder

City Council Vote as Recorded:

Council Member Watts Baskin _____
Council Member Gordon _____
Council Member Knowlton _____
Council Member Porter _____
Council Member Van Langeveld _____



CITY OF NORTH SALT LAKE

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

Brian J. Horrocks
Mayor

Ken Leetham
City Manager

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Ken Leetham, City Manager

DATE: August 2, 2022

SUBJECT: Consideration of Stipends for the City's Commissions, Committees and Youth City Council Advisors.

RECOMMENDATION

I recommend that the City Council formalize by official Council action their intended stipends and benefits to various Commissions, Citizen Committees and its Youth City Council Advisors.

BACKGROUND

Not long ago, City Council members expressed a desire to provide stipends to all City volunteers who serve in various capacities. The information below is a summary of what our current practices are related to stipends:

Planning Commission Members:	\$50 per meeting (attendance is recorded)
Planning Commission Chair:	\$67.50 per meeting
Parks, Trails, Arts & Recreation Advisory Board:	\$100 per month
Health & Wellness Committee:	No stipend
Golf Course Oversight Committee:	Participation in the golf punch pass program
Youth City Council Advisors:	No stipend

As City staff researched the background for this item, we could not find formal motions or resolutions which established our current practices. Having said that, we also know that these issues are sometimes established informally or in committee recommendations and there is nothing wrong or illegal about that practice. However, for clarity of the City Council's intentions, I am recommending that you take official action in a motion to formalize your intentions related to stipends and benefits for volunteers. An approved motion by the Governing Body will provide transparency to the public and assistance to future staffs and governing bodies by establishing official actions related to this matter.

There are at least two approaches that could be considered as you contemplate how to distribute stipends: A “per meeting” stipend or a “per month” stipend. In either case, it is useful to know that each of the groups meets with different frequency. The information below about how often volunteers meet or are required to meet may be helpful in sorting through the fairest way to implement stipends:

Planning Commission Members:	2x per month
Parks, Trails, Arts & Recreation Advisory Board:	monthly
Health & Wellness Committee:	quarterly required – meet monthly
Golf Course Oversight Committee:	quarterly required – meet monthly (less off-season)
Youth City Council Advisors:	weekly

Because the meeting obligations of each group is so different, it may be that the “per meeting” stipend approach is the fairest. If we use the Planning Commission as a model, then Boards and Committees would receive \$50 per meeting and nothing if they did not have a meeting or did not attend a meeting.

The “per month” stipend is more difficult to determine since each of these groups perform different levels of work. For example, the Planning Commission and Youth City Council Advisors each perform a significant amount of preparation prior to meetings. Also, the Parks, Trails, Arts & Recreation Advisory Board has activities they are expected to plan and attend outside of their regular meeting schedule. Finally, some committees are less active during the winter than in other seasons. So, while it might be easier to simply give each group the same stipend each month, it may not be equitable given the various levels of work performed. A “per month” stipend could work if there were a reliable method to determine how much each group would receive based upon the frequency of meetings and level of difficulty in their respective committees.

The City Council has also suggested that the punch card golf benefit be extended to all of the Commissions, Committees, and Youth City Council Advisors. City staff does not have a recommendation or an opinion about this possible benefit other than a brief explanation of why the Golf Course Oversight Committee receives this benefit. At the time of the formation of the present Golf Course Oversight Committee, it was felt that Committee members should regularly be out on the course so that they could be more familiar with Course conditions, amenities and features. It was further believed that requiring these Committee members to pay to be on the golf course where they have direct oversight responsibilities did not seem a fair way to treat these volunteers.

PROPOSED MOTION(S)

There is no formal motion here because the City Council should determine the method and amounts it wants to pay its volunteers. For whatever the Council decides to do, you should include board and committee chairs and make a decision about the golf course punch card program.



CITY OF NORTH SALT LAKE

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

Brian J. Horrocks
Mayor

Ken Leetham
City Manager

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Craig Black, Chief of Police

DATE: August 2, 2022

SUBJECT: Surplus Declaration and Authorization To Dispose Of In-Car And Body Camera Hardware

RECOMMENDATION

Approve Resolution 2022-27R declaring old equipment as surplus from in-car and body worn camera operations that are no longer usable or compatible with the Police Department camera program.

BACKGROUND

April of 2022, the North Salt Lake Police Department, with the approval of City Council contract approval and budgetary processes, entered into a “subscription” type of agreement with Motorola/Watchguard camera systems to provide hardware, software, and storage services for the departments in-car and body worn camera needs. This agreement provides on-going support, repair, and replacement of these cameras and the associated video storage and software needs.

When this agreement was made, all the current equipment used by the department was out-of-date for the support systems now in place. Watchguard had no market for trade-in value and thus the equipment is no longer in use. As with all technology, it becomes more obsolete daily. Most of this equipment was acquired by the City through Department of Public Safety Alcohol Enforcement grants.

There are several agencies still testing camera systems, or still using older systems that could use this equipment, some even in Davis County. Since the equipment is not needed, even for parts, for our use, and there is very little monetary value in the old equipment, it is recommended that the department seek out other public agencies that could use the equipment and transfer it to those entities for their use. Any equipment beyond that be sent for public auction. There will be no private, protected, or sensitive data left on any of the equipment’s storage software. Anything that does not have public auction value be destroyed/ disposed.

PROPOSED MOTION

I move that the City Council approve Resolution 2022-27R declaring the camera equipment detailed in Exhibit "A" as surplus and authorize the disposal of this property as described.

RESOLUTION NO. 2022-27R

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
NORTH SALT LAKE DECLARING CERTAIN CAMERA
EQUIPMENT IN THE POLICE DEPARTMENT
AS SURPLUS PROPERTY**

WHEREAS, the City of North Salt Lake no longer has a need or use for certain camera equipment due to age, cost of maintenance, and/or being obsolete; and

WHEREAS, in accordance with State regulations, the City Council has determined to declare the items listed on Exhibit A as surplus and desires to dispose of them in the method as prescribed by current law.

NOW THEREFORE, BE IT RESOLVED, the Governing Body of the City of North Salt Lake does hereby approve the property identified in Exhibit A as surplus and that said property shall be disposed of according to State statutes, including disposal, sale or trade-in on new equipment.

BE IT FURTHER RESOLVED, by the City Council of the City of North Salt Lake that the Chief of Police is authorized to undertake any and all actions to effect such sale, disposal, donation, or trade-in of items on Exhibit A.

This Resolution shall take effect upon passage.

APPROVED AND ADOPTED by the City of North Salt Lake, Utah, on this 2nd day of August, 2022.

CITY OF NORTH SALT LAKE
By:

BRIAN J. HORROCKS
Mayor

ATTEST:

WENDY PAGE
City Recorder

City Council Vote as Recorded:

Council Member Watts Baskin _____
Council Member Gordon _____
Council Member Knowlton _____
Council Member Porter _____
Council Member Van Langeveld _____

Exhibit A

12 (Twelve) Watchguard DVR In-Car Units – Serial Numbers:

DVR2-064750	DVR2-047921
DVR2-009274	DVR2-008596
DVR2-047583	DVR2- 030271
DVR2-045004	DVR2-042894
DVR2-015787	DVR2-027812
DVR2-047919	DVR2- 078470

11 (Eleven) Watchguard In-Car Displays – Serial Numbers:

DIS4-023037	DIS5-013329
DIS4-017634	DIS1-004517
DIS5-009716	DIS3-003014
DIS5-013247	DIS6-016192
DIS5-012819	DIS6-031003
DIS4-020057	

9 (Nine) Watchguard In-Car Camera Units – Serial Numbers:

CAM4-04113	CAM4-04751
CAM2-006192	CAM5-018497
CAM5-018268	CAM5-019005
CAM7-123866	CAM1-001283
CAM7-0136567	

6 (Six) Watchguard Microtikis – Serial Numbers:

6F0207CDDF14	98F7094548F4
6F027EAB14E	809A0864C566
D0210DBFE806	D0210D24E527

6 (Six) Watchguard Bodycam Units – Serial Numbers:

LRT1-0019181	LRT1-052404
LRT1-053090	WFC1-063487
WFC1-026531	VHD2-002245

16 (Sixteen) Watchguard Bodycam Charging/Data Download Bases – Serial Numbers:

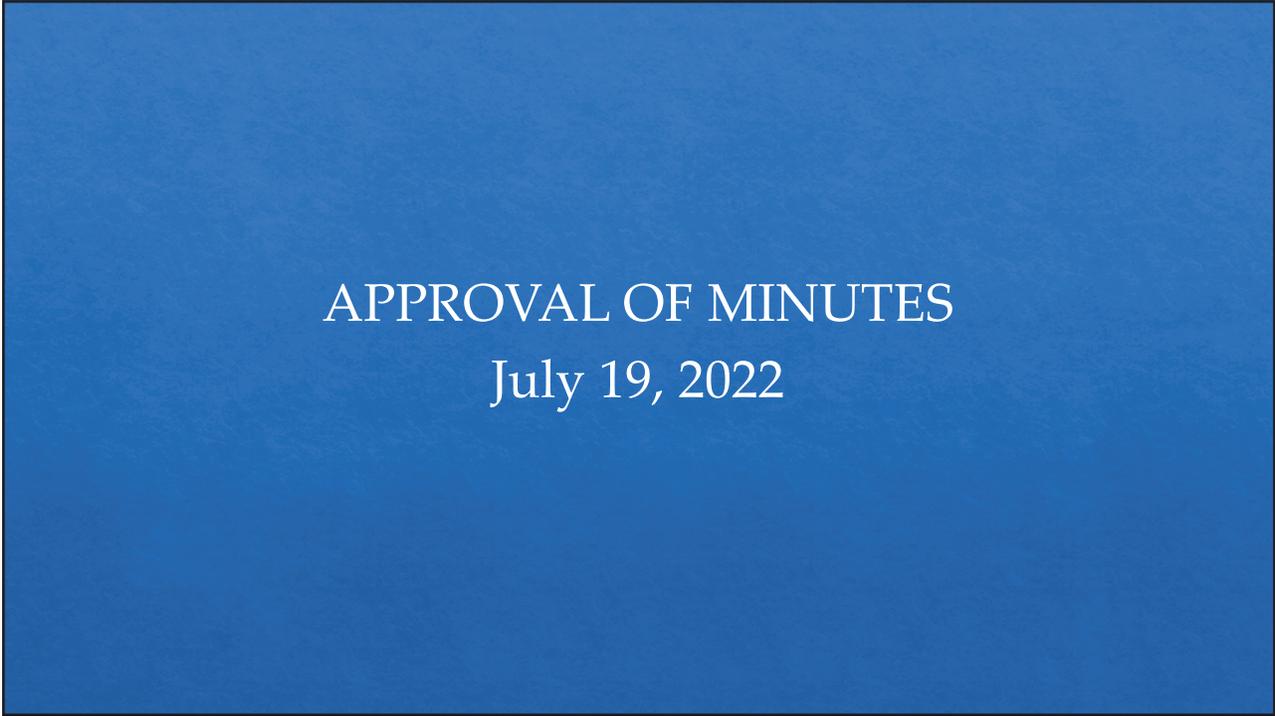
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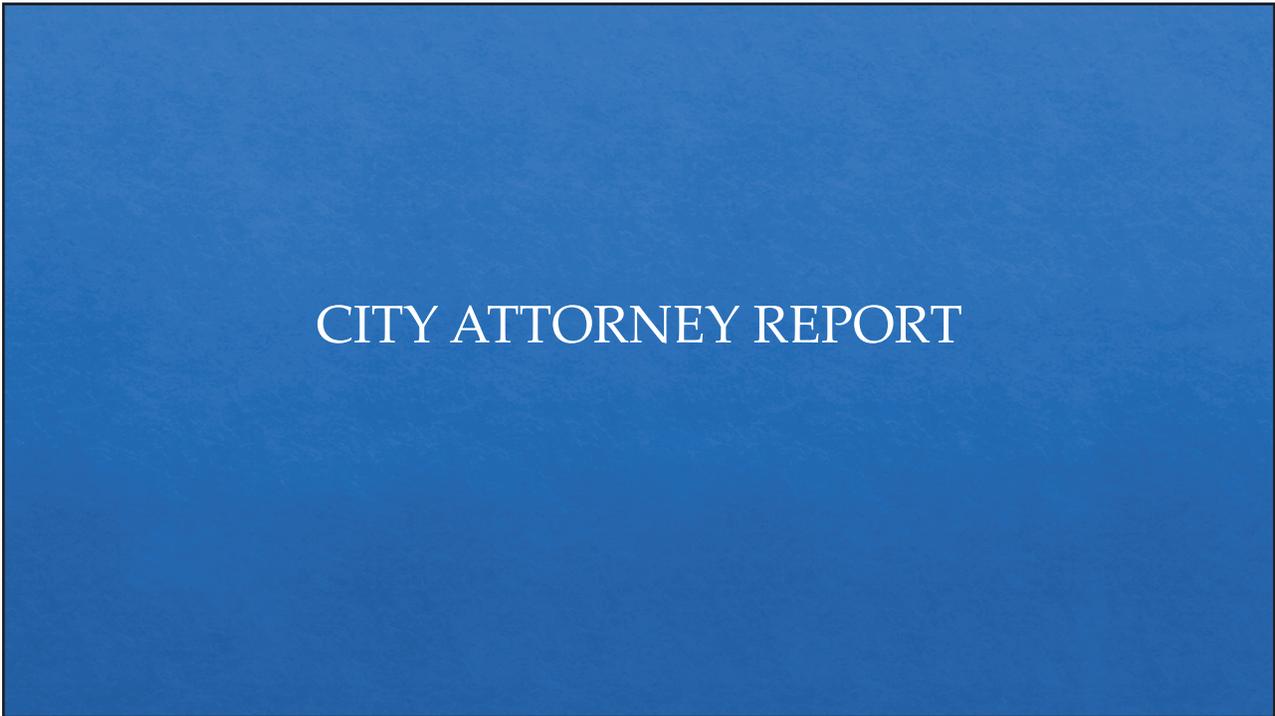
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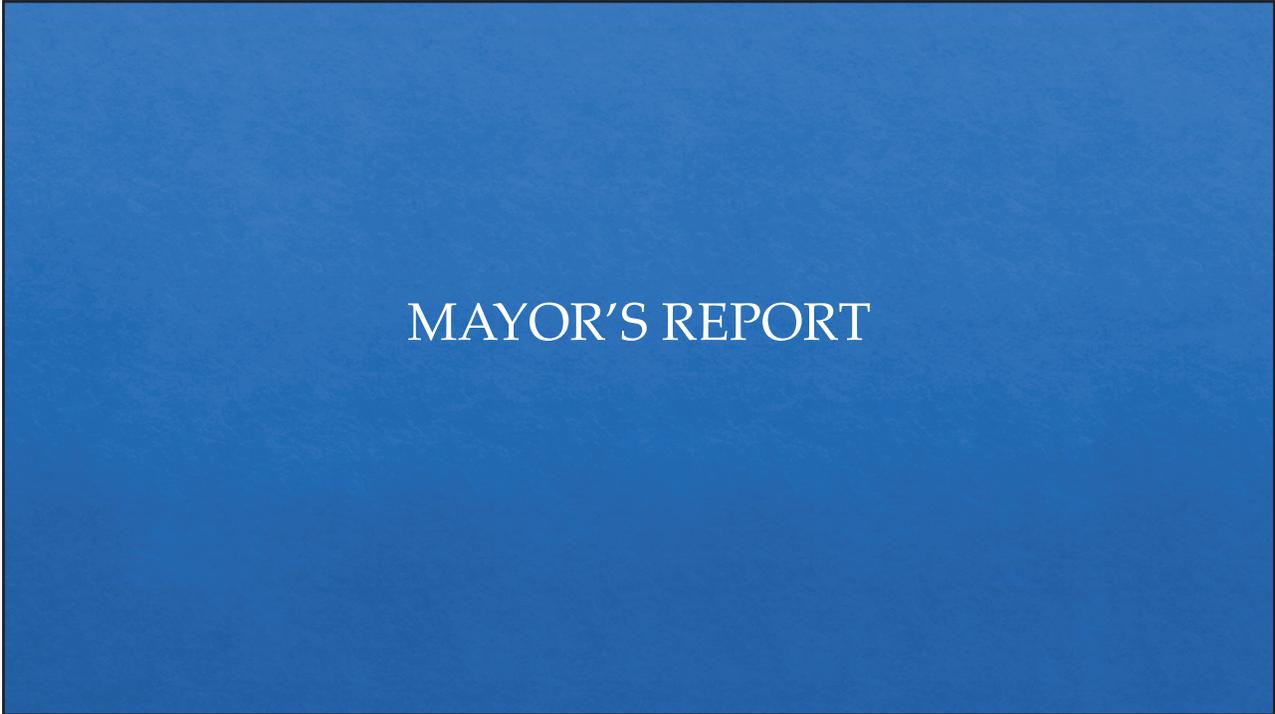
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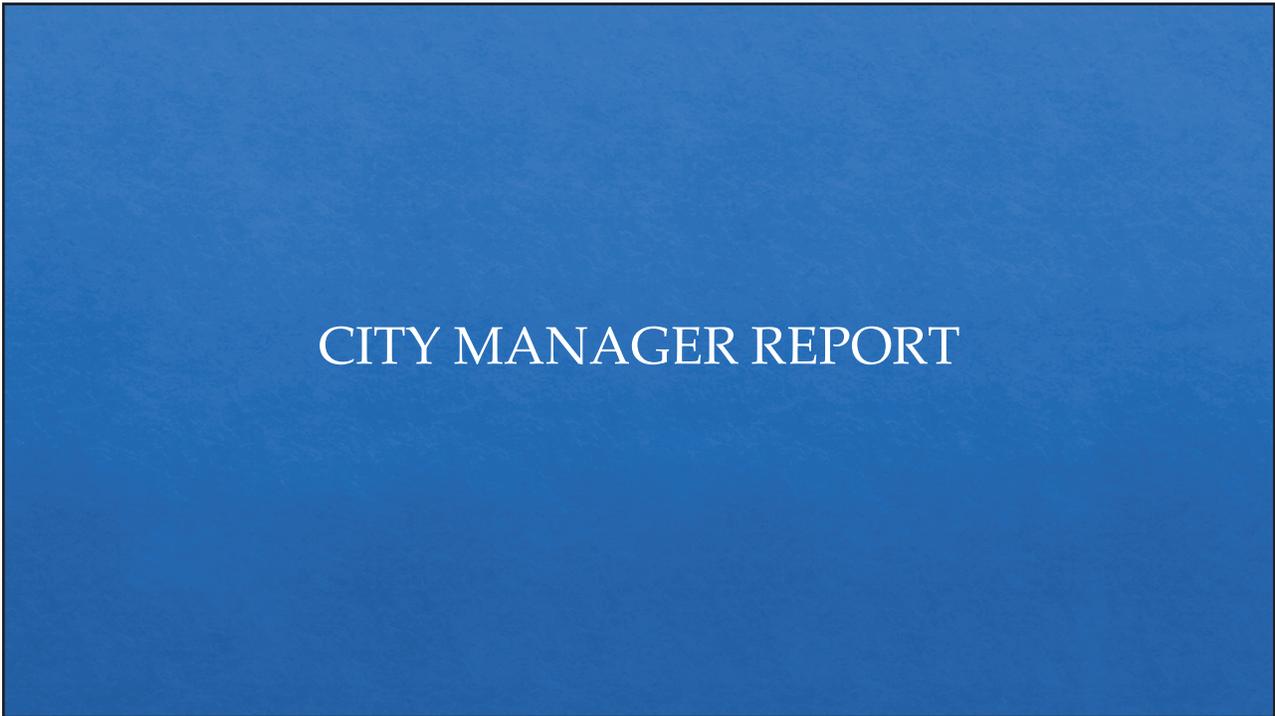
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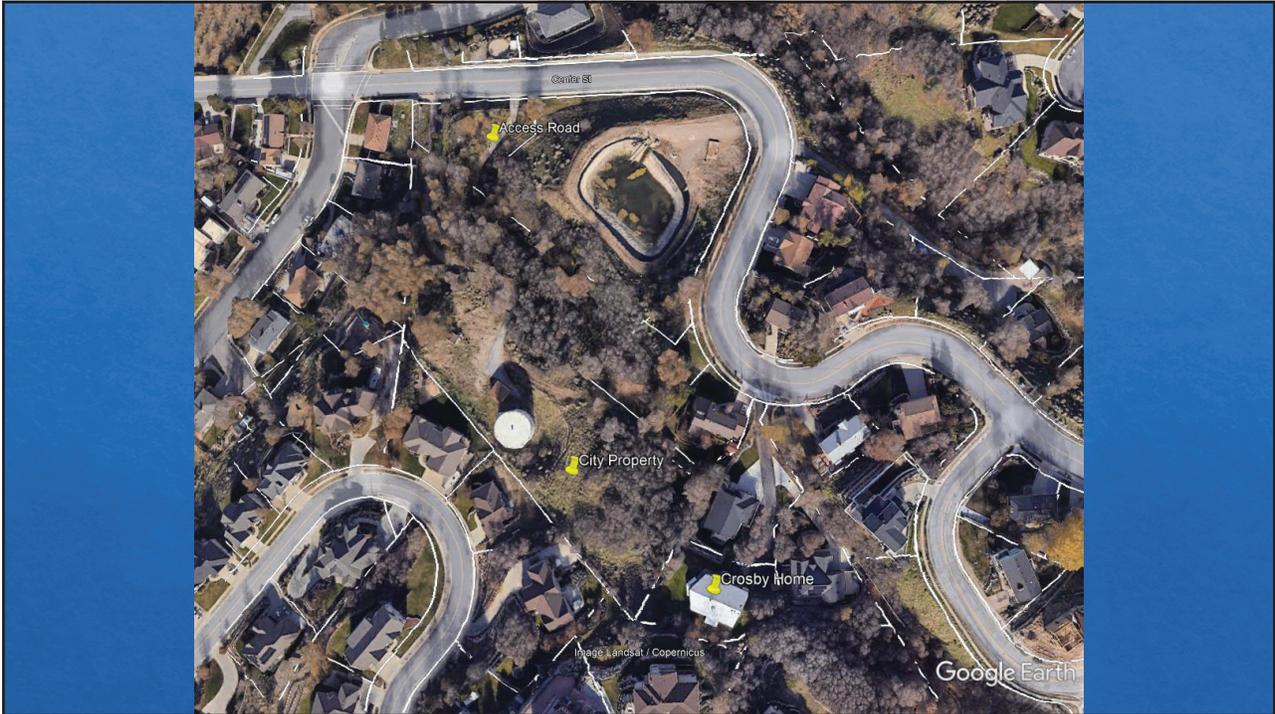
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RESOLUTION 2022-25R Access Agreement Rulon Crosby

11



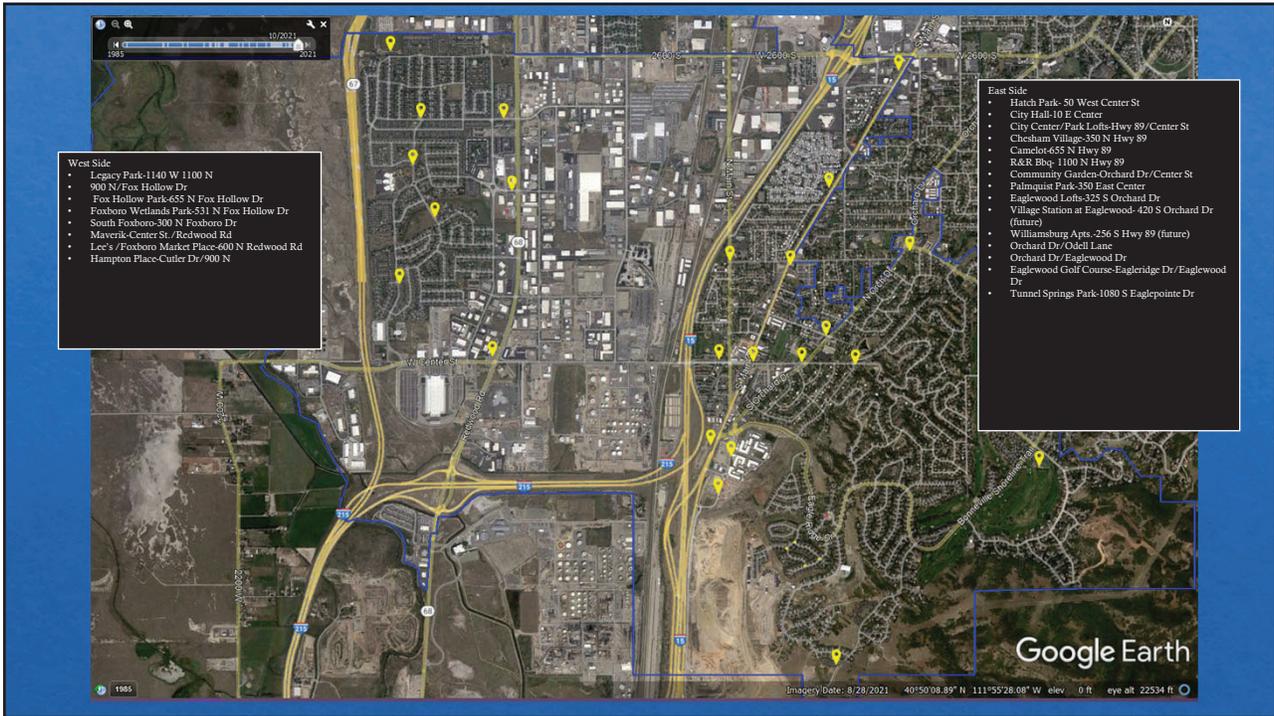
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RESOLUTION 2022-26R

Agreement

Bird Rides, LLC

13



14

Redline Corrections:

- Stipulation that education for scooter users is the responsibility of the Company
- Legal language regarding applicable provisions of law
- Termination for Convenience-60 days
- Recognition of Governmental Immunity Act of Utah
- Insurance limit \$4,000,000 aggregate
- Communication notice

15

RESOLUTION 2022-28R Foxboro Wetlands Restoration Bio-West

16



17

CONSIDERATION
City Boards & Committees
Stipends

18

RESOLUTION 2022-27R
Surplus Property
Police Dept.

19

APPOINTMENT
City Engineer

20



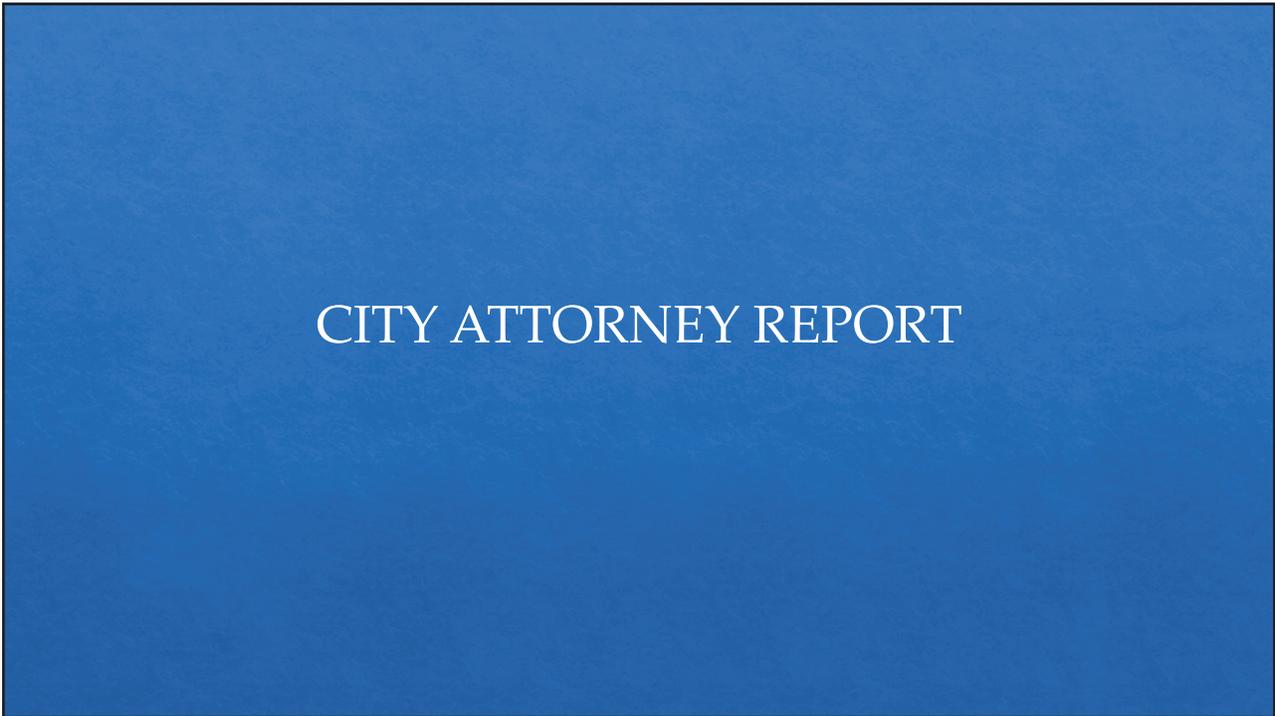
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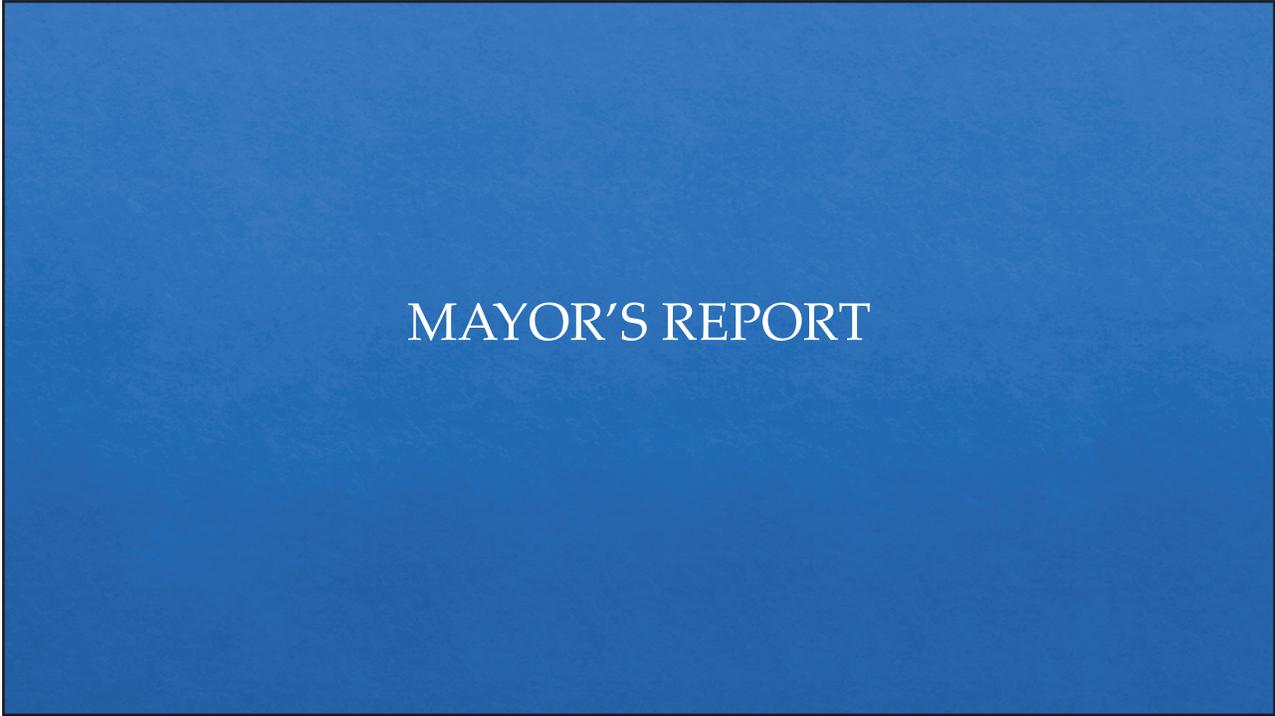
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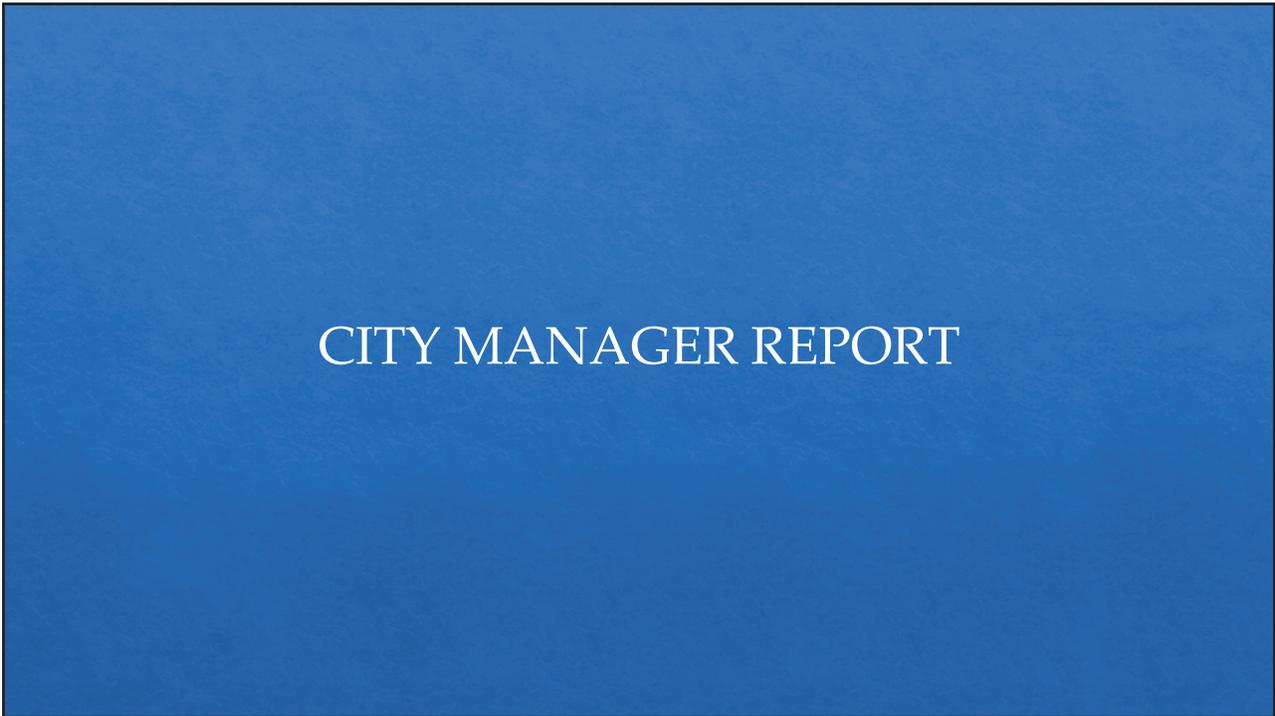
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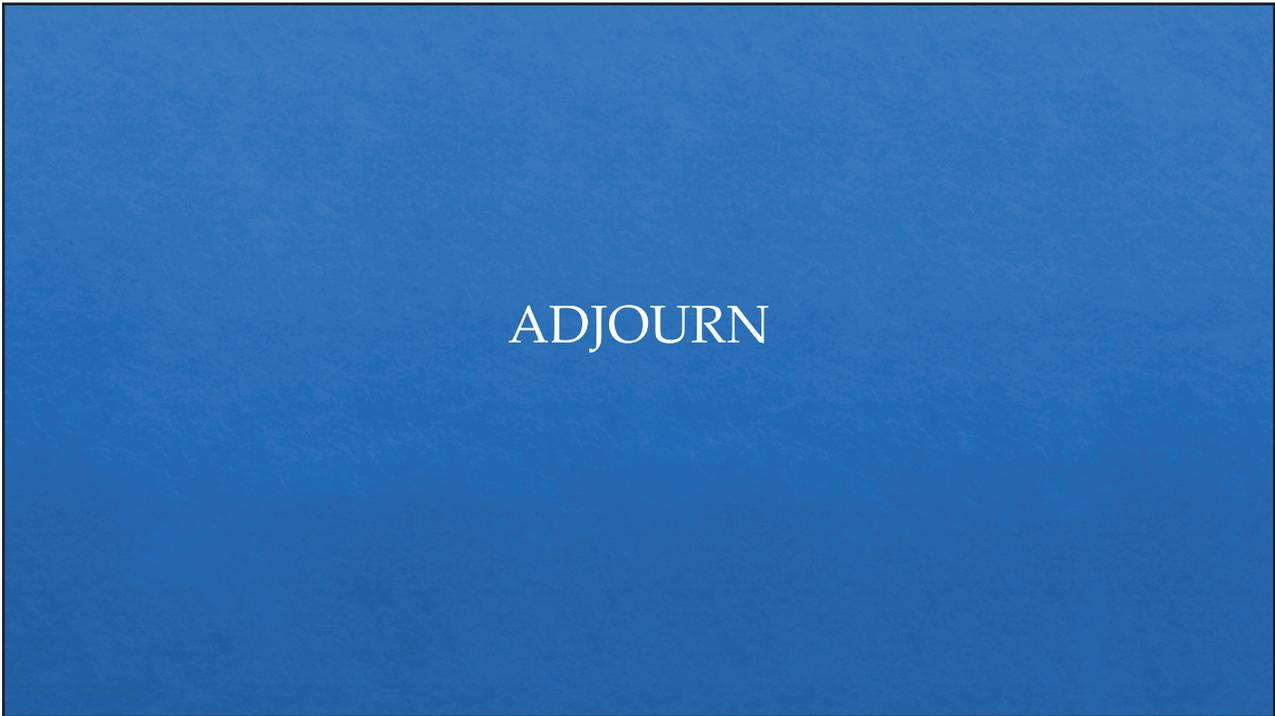
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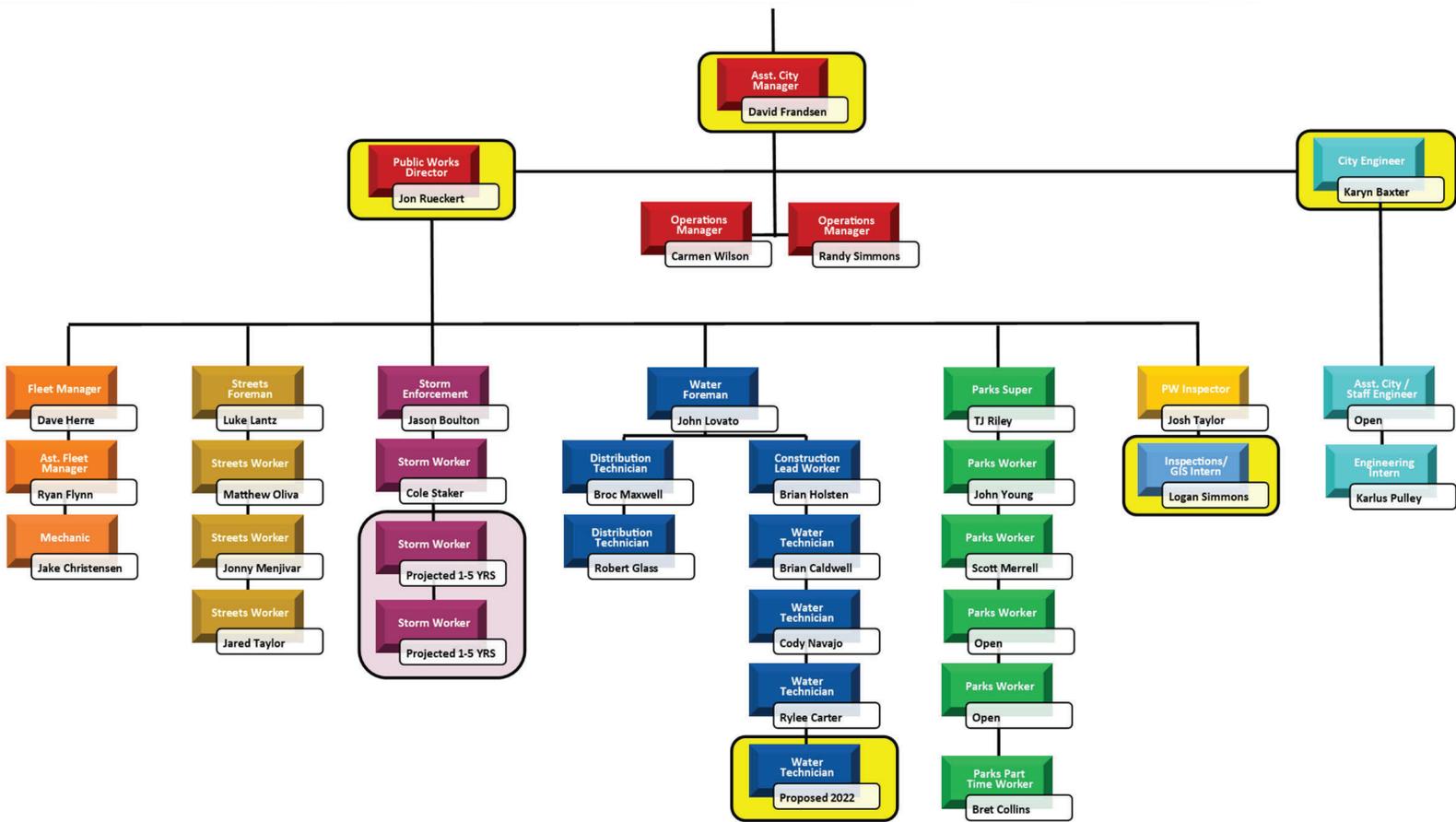
Proposed Solutions for the Future

City Council Work Session
August 2, 2022

Theme of this Reorganization

Keep up with the expanding needs of the City

- Aging infrastructure (water, stormwater, roads, parks)
- Improve team building, communication, effectiveness
- Firmly entrench long-range view into our organization
- Increase in growth and leadership of employees
- Long-term preparedness – retiring staff
- Water Sustainability
- Expand Culture of High Performance



Aging Infrastructure - some facts

- \$1.8 million annually in water line replacement
- \$1 million annually in stormwater improvements
- \$1.2 million annually in road preservation/repair
- \$400k+ annually in park re-investment

- Hatch Park, Tunnel Springs, Foxboro Wetlands Park, Eaglepointe Landslide, Comprehensive Tree Planting

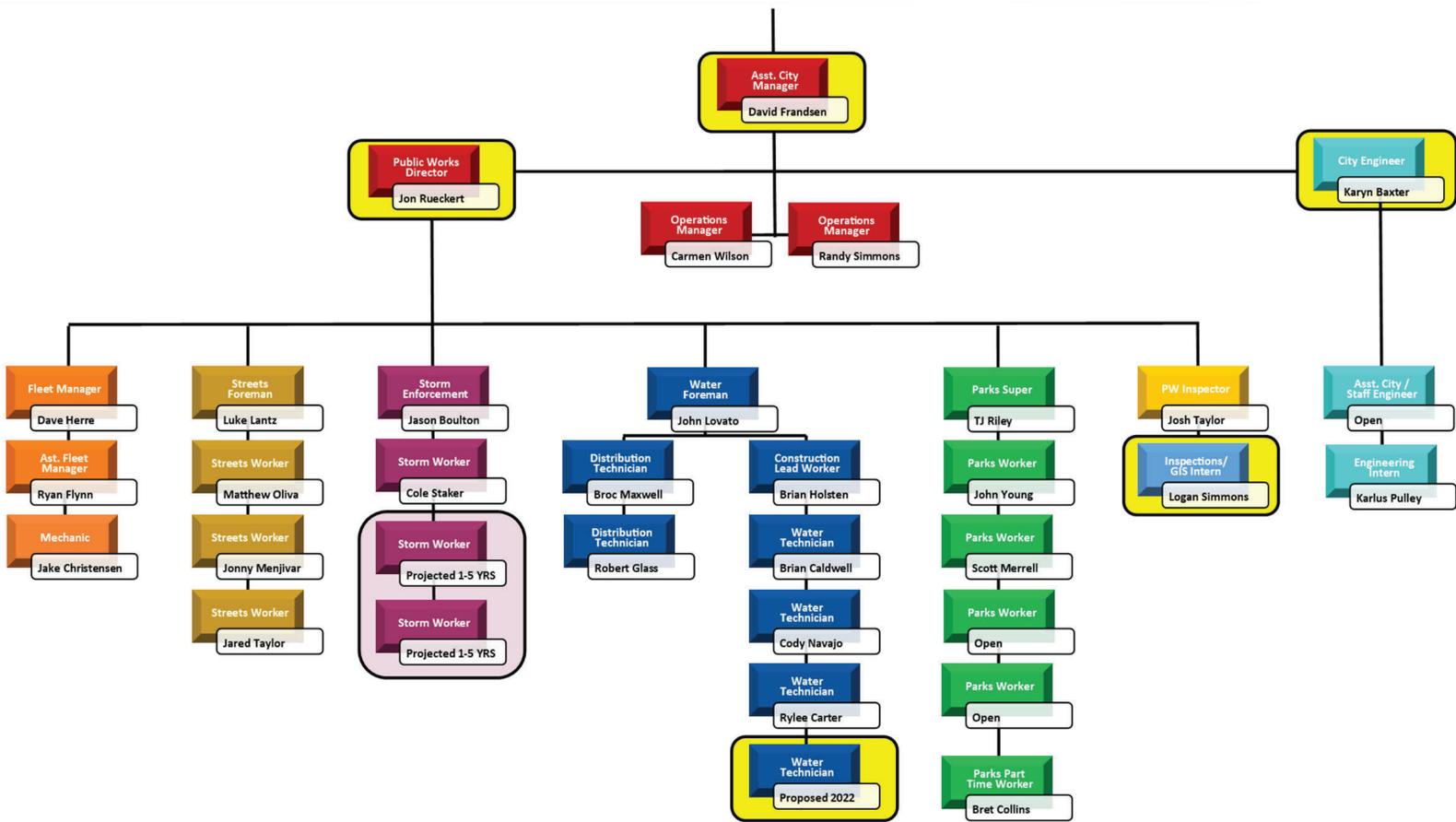
Council willing to fund these projects, but it takes staff effectiveness to finish them - team building.

Other Needed Benefits

- Improve team building, communication, effectiveness
 - Teams that bring PW and Engineering together
 - Collaboration with Finance and City Management
- Firmly entrench long-range view into our organization
 - Building processes that keep us thinking long-term
 - Constant evaluation by tracking, projecting, budgeting
 - CFPs, Annual Reporting to the Council and the public
- Increase in growth and leadership of employees

Other Needed Benefits

- Long-term preparedness – retiring staff
 - Efforts must be made to keep the City surging ahead
- Water Sustainability
 - Water conservation – doing okay, but need to excel
 - Condition of sources, wells, contracts, etc.
 - Correct practices
- Culture of High Performance



August 16, 2022

- City Council to make appointments
 - Assistant City Manager
 - Public Works Director
- City Council approval of positions:
 - Water Technician
 - Engineering Inspector

A Word About Cost

Preliminary cost estimates show a \$30-50k increase

