

# BOUNTIFUL CITY COUNCIL MEETING

TUESDAY, October 11, 2022

**6:00 p.m. – Work Session**

**7:00 p.m. - Regular Session**

NOTICE IS HEREBY GIVEN that the City Council of Bountiful, Utah will hold its regular Council meeting at **City Hall, 795 South Main Street, Bountiful, Utah**, at the time and on the date given above. The public is invited to all meetings. Deliberations will occur in the meetings. Persons who are disabled as defined by the Americans With Disabilities Act may request an accommodation by contacting the Bountiful City Manager at 801.298.6140. Notification at least 24 hours prior to the meeting would be appreciated.

If you are not on the agenda, the Council will not be able to discuss your item of business until another meeting. For most items it is desirable for the Council to be informed of background information prior to consideration at a Council meeting. If you wish to have an item placed on the agenda, contact the Bountiful City Manager at 801.298.6140.

*Bountiful City Council meetings, including this meeting, are open to the public. The meeting is also available to view online, and the link will be available on the Bountiful City website homepage ([www.bountifulutah.gov](http://www.bountifulutah.gov)) approximately one hour prior to the start of the meeting.*


## AGENDA

### **6:00 p.m. – Work Session**

1. Summary of Planning Commission Landscape recommendations – Mr. Francisco Astorga p. 3

### **7:00 p.m. – Regular Session**

1. Welcome, Pledge of Allegiance and Thought/Prayer
2. Resolution 2022-18 allowing electronic participation by Richard Higginson – Mr. Clint Drake p. 17
3. Public Comment - If you wish to make a comment to the Council, please use the podium and clearly state your name and address, keeping your comments to a maximum of two minutes. Public comment is limited to no more than ten minutes per meeting. Please do not repeat positions already stated. Public comment is a time for the Council to receive new information and perspectives.
4. Consider approval of minutes of previous meetings held September 27, 2022 p. 19
5. BCYC Report
6. Council Reports
7. Consider approval of:
  - a. Expenditures greater than \$1,000 paid September 19 & 26, 2022 p. 25
  - b. August 2022 Financial Report p. 29
8. Consider approval of in-house recycling proposal – Mr. Charles Benson p. 43
9. Consider approval of Ordinance 2022-09 amending the development plan for Renaissance lot 11 – Mr. Francisco Astorga p. 47
  - a. Public Hearing
  - b. Action
10. Presentation of Moderate Income Housing report – Mr. Francisco Astorga p. 63
11. Consider approval of a lot line adjustment at 1848 East Maple Hills Drive – Mr. Lloyd Cheney p. 67
12. Consider approval of the reimbursement agreement with the Rainey family for the construction of Eagle Ridge Drive – Mr. Lloyd Cheney p. 71
13. Adjourn

  
City Recorder



# City Council Staff Report

**Subject:** Current Landscaping Standards  
**Author:** Francisco Astorga, AICP, Planning Director  
**Date:** October 11, 2022



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## Background

On June 21, 2022, the City Council held a Landscaping Ordinance Work Session Discussion as a follow up to the 2022 Water Outlook discussion. During the June 2022 work session, Staff requested direction from the Council in whether the City should amend the Landscaping Ordinance restricting / limiting turf grass (lawn). Weber Basin Water Conservancy District (Weber Basin) currently offers a rebate (\$1.25 per square foot) to residents in qualifying cities within the district's service areas to remove turf in the park-strip areas provided each municipality's ordinances contain certain restrictions.

The Council requested an independent Planning Commission review of the Land Use Code landscaping regulations with a broader view prioritizing 1. aesthetics and 2. water conservation (including the Weber Basin's rebate). On July 19, 2022, the Commission held a work session discussion and provided a collective independent opinion regarding Weber Basin's proposed regulations, the City's current park-strip ordinance, and the City's current landscaping ordinance. The Commission requested additional sample regulations regarding shrubs/trees within single-family or two-family (duplex) dwelling lots. On August 16, 2022, the Planning Commission held a follow-up work session where artificial grass and shrubs/trees were discussed as previously directed.

On August 23, 2022, the Planning Director reported the Commission's independent collective option to the City Council. The Council provided general direction and expressed concerns regarding materials that could have negative impacts on the City's storm drain system as explained within this staff report. A brief work session was held with the Planning Commission on September 20, 2022 regarding the Council's added priority regarding effects of the proposed changes to the storm drain system. The balance of the Ordinance is 1. aesthetics, 2. water conservation, and 3. storm drain system effects.

On October 4, 2022, the Planning Commission reviewed a proposed ordinance drafted by the Planning Staff with the input from the Engineering/Public Works Department. After thorough discussion and deliberation, the Planning Commission forwarded a positive recommendation to the City Council (6-0 vote). A public hearing has been publicly noticed for the upcoming October 25, 2022 City Council meeting, for the Council to review the ordinance, receive public comments, and to consider adoption.

## Analysis

None provided. This item is a work session discussion in order to update the Council and for Staff to receive input from Council.

## Department Review

This report was written by the Planning Director and reviewed by the City Manager.

**Significant Impacts**

None at this time.

**Recommendation**

No formal action is required at this time. Staff will update the City Council regarding the Planning Commission's recommendation of the proposed Landscaping Ordinance. Staff recommends to receive input from the City Council.

**Attachments**

Proposed Landscaping Amendments



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**CHAPTER 16**

**LANDSCAPING AND FENCING**

- 14-16-101 PURPOSE**
- 14-16-102 APPLICATION**
- 14-16-103 DEFINITIONS**
- 14-16-104 PLAN SUBMITTAL**
- 14-16-105 PLAN IMPLEMENTATION**
- 14-16-106 INSTALLATION BOND**
- 14-16-107 GENERAL PROVISIONS**
- 14-16-108 CLEAR-VIEW AREAS**
- 14-16-109 TYPES AND LOCATION OF LANDSCAPING**
- 14-16-110 FENCE, WALL AND LIGHTING STANDARDS FOR A SINGLE-FAMILY OR TWO-FAMILY DWELLING**
- 14-16-111 FENCE, WALL AND LIGHTING STANDARDS IN ALL OTHER DEVELOPMENTS**
- 14-16-112 GRADE DIFFERENTIAL**
- 14-16-113 VACANT LOTS**
- 14-16-114 NONCOMPLYING WALLS AND FENCES**
- 14-16-115 XERISCAPE STANDARDS**
- 14-16-116 BARBED WIRE AND ELECTRICAL FENCE RESTRICTIONS**
- 14-16-117 TREE SELECTION LIST**

**14-16-101 PURPOSE**

This Chapter establishes general standards for the manner in which landscaping, fences, walls, and other types of screening and buffering devices shall be installed and maintained. Other sections of this Title may contain specific criteria that supersede the provisions of this Chapter.

**14-16-102 APPLICATION**

The provisions of this Chapter shall apply to all parcels of land located within Bountiful City, unless specifically stated otherwise in this Title.

**14-16-103 DEFINITIONS**

See Chapter 3 of this Title for the following definitions:

- “WALL” or “FENCE”
- “SCREENING DEVICE”
- “BUFFERING DEVICE”
- “HEIGHT OF WALLS AND FENCES”
- “OPEN-STYLE FENCE”
- “XERISCAPE”

**14-16-104 PLAN SUBMITTAL**

Any site plan submittal required by this Title shall include a landscaping plan that includes:

- A. The location and type of landscaped areas,

- 54 B. An area calculation table showing the size and percentage of landscaping and  
55 impervious surface areas,
- 56
- 57 C. A list of existing and proposed landscape materials/plants,
- 58
- 59 D. The location of walls, fences and other screening and buffering devices,
- 60
- 61 E. The location and design of a pressurized irrigation system.
- 62
- 63 F. Landscape and/or sprinkler plans shall be prepared by a Landscape Architect licensed  
64 to practice in the State of Utah. The City may waive this requirement for projects less  
65 than one (1) acre in size.
- 66

67 **14-16-105 PLAN IMPLEMENTATION**

68  
69 In administering the implementation of an approved landscaping plan, the Planning Director  
70 may allow substitutions for approved plants, landscape features and other amenities consistent  
71 with the intent of this Chapter, but only if the existing conditions of the site or the availability of  
72 the building materials make it not possible to implement the plan as approved.

73  
74 **14-16-106 INSTALLATION BOND**

75  
76 Landscaping, sprinkling system, walls, fences, screening structures, walks, parking areas and  
77 other on-site improvements shall be installed and bonded for in accordance with the provisions  
78 of this Title and the City Code.

79  
80 **14-16-107 GENERAL PROVISIONS**

81  
82 The following shall apply to all property within the City of Bountiful:

- 83
- 84 A. Each property owner and/or occupant shall provide and continuously maintain on-site  
85 landscaping, fencing, walls and other required improvements equal to the minimum  
86 requirements of this Title and as shown on an approved site plan.
- 87
- 88 B. Any dead vegetation or growth shall be removed immediately and shall not be allowed to  
89 accumulate on the property.
- 90
- 91 C. Each property owner and/or occupant shall provide and continuously maintain  
92 landscaping within park strip areas (between the curb and sidewalk), ~~except for~~  
93 ~~approved driveways, walkways and utility service areas.~~ Asphalt ~~or concrete paving~~ in  
94 place of landscaping between the sidewalk and curb is prohibited.
- 95
- 96 D. Any developed property shall have a pressurized irrigation system that shall be installed  
97 and continuously maintained in all landscape areas. Drip irrigation or bubblers shall be  
98 used in non-lawn areas. Lawn areas, planting beds, etc., shall be irrigated on separate  
99 valves. Drip emitters, pop up spray heads, and rotors shall be placed on separate  
100 irrigation valves. WaterSense labeled smart irrigation controllers shall be used for  
101 landscaped areas.
- 102
- 103
- 104 E. It is unlawful to strip, excavate or otherwise remove top soil from a site unless a permit  
105 allowing the activity has been issued by the Engineering Department.
- 106

107 F. Any required improvement, including landscaping, shall be installed within six (6) months  
108 of the date of the occupancy permit or of the equivalent final inspection.  
109

110 **14-16-108 CLEAR-VIEW AREAS**  
111

112 A. For the purpose of providing adequate vision of vehicular and pedestrian traffic, a clear-  
113 view area shall be maintained at the intersection of every street, whether public or  
114 private, and at the intersection of every driveway with a public or private street. The  
115 clear-view provisions are considered life-safety standards and shall supersede any  
116 conflicting provisions of this Title.  
117

118 B. No provision of this section shall be construed to allow the continuance of any  
119 nonconforming tree, shrub, plant or plant growth, fence, wall, other screening material,  
120 or other obstruction which interferes with the safety of pedestrians or vehicle traffic.  
121

122 C. The clear-view area for a street intersection is the area of land determined by measuring  
123 forty (40) feet from the point of juncture of street curb lines, and then connecting the  
124 termini of those lines forming a triangle that encompasses a portion of the street right-of-  
125 way and the adjoining lot. Within that clear-view area, the following shall apply:  
126

127 1. Solid fences, walls, signs, sight obscuring vegetation, and/or other sight  
128 obscuring devices shall not exceed two (2) feet in height above the level of the  
129 curb.  
130

131 2. Open style fences shall not exceed four (4) feet in height above the level of the  
132 curb.  
133

134 3. Tree trunks shall not be located within the clear-view area; however, tree  
135 canopies may extend into the clear view area if they are trimmed at least seven  
136 (7) feet above the elevation of the sidewalk and eleven (11) feet above the  
137 elevation of the street. It is unlawful to allow any vegetation or other growth to  
138 block any traffic sign, traffic signal, street light, or other public safety device,  
139 regardless of whether it is located in a clear-view area or not.  
140

141 4. No sign shall be allowed in the clear-view area unless it is specifically permitted  
142 by this Title and it is determined by the City Engineer that it is not a safety  
143 hazard.  
144

145 5. No obstruction of any sort which interferes with the safety of pedestrians or traffic  
146 shall be allowed within the clear-view area unless it is specifically permitted by  
147 this Title and it is determined by the City Engineer that it is not a safety hazard.  
148

149 D. The clear-view area for the intersection of a driveway and a street shall be determined  
150 by first establishing the point of intersection of the driveway edge and the street property  
151 line, then measuring ten (10) feet along the property line away from the driveway, and  
152 ten (10) feet along the edge of the driveway in toward the property. A line is then drawn  
153 from the termini of the two lines, forming a triangle. This is accomplished on both sides  
154 of the driveway. Within the triangles and the area between them, the following shall  
155 apply:  
156

157 1. An open style fence shall be a maximum of four (4) feet in height.

158 2. Any wall or other type of solid fence or sight obscuring growth shall be a  
159 maximum of three (3) feet in height.

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3. Tree trunks shall not be located within this clear view triangle; however, tree canopies may extend into the clear view area if they are trimmed at least seven (7) feet above the sidewalk and eleven (11) feet above the street.
  4. Tree canopies or other growth shall not block signs or signals.
  5. Sight obscuring growth shall be a maximum of three (3) feet in height in the parkstrip.
  6. The driveway clear-view fencing provisions may not be required on corner and double frontage lots for a secondary drive access that is gated, locked and that accesses the rear yard, if it is determined by the Planning Director that the drive access is not a primary access.

175 **14-16-109 TYPES AND LOCATION OF LANDSCAPING**

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- A. With the exception of a single-family or a two-family dwelling on an individual lot, the landscaping on a lot or parcel shall meet the following criteria:
- 1.A. Each tree shall be planted and staked in accordance with the Standard Tree Planting Detail of this Title.
  - 2.B. The first ten (10) feet of yard setback adjacent to any street shall be landscaped, except for approved driveways, walkways, and utility service areas.
  - 3.C. ~~Street-Front yard~~ trees shall be required along each street and any reverse frontage conditions. ~~Front yard~~~~Street~~ trees shall be located within the front, ~~corner-side~~ or street yard setback. Each tree shall be a minimum two (2) inch caliper and shall be planted at a minimum spacing of one (1) tree for every thirty-five (35) lineal feet of street frontage or fraction thereof over twenty (20) feet.
  - 4.D. In addition to required ~~front yard~~~~street~~ trees, each lot or parcel shall include the following:
    - a.1. At least one (1) ornamental tree of at least one (1) inch caliper, and/or one (1) screening tree of at least two (2) inch caliper, for each
      1. Five hundred (500) square feet of required landscaping in ~~commercial~~ developments that are two (2.0) acres or larger, or
      2. Seven hundred fifty (750) square feet of required landscaping in all ~~multifamily developments and all commercial~~ developments that are less than 2.0 acres in size; and
    2. b. At least one (1) shrub, minimum five (5) gallon, for each two hundred (200) square feet of required landscaping.
    3. c. Up to half of the required shrubs may be substituted for trees on a ten to one (10 to 1) basis.
    4. d. Screening trees as indicated in the Tree Selection List of this Chapter shall be planted at thirty (30) foot intervals inside property lines of each multi-

family, commercial, institutional, or industrial use located within twenty (20) feet of a single-family residential development or zone.

5. Public parks are exempt from tree and shrub requirements as found in this section.

6. Lawn areas in all developments shall not exceed twenty percent (20%) of the total landscape areas.

B. The landscaping on a lot or parcel with a single-family or a two-family dwelling shall meet the following criteria:

1. Each tree shall be planted and staked in accordance with the Standard Tree Planting Detail of this Title.

2. Each lot or parcel shall have a minimum of two (2) front yard trees.

3. Front Yard trees shall be required along each street and any reverse frontage conditions. Front yard trees shall be located within the front or street yard setback. Each tree shall be a minimum two (2) inch caliper and shall be planted at a minimum spacing of one (1) tree for every seventy (70) lineal feet of street frontage.

4. Within new single-family or two-family dwellings, lawn areas shall not exceed thirty-five percent (35%) of the total landscape areas in the front and side yards.

5. Lots/parcels without any lawn in the front yard shall have one (1) shrub or bush for every two hundred (200) square feet of non-impervious area located within the front yard. Trees can fulfill this requirement if they are not counted towards the front yard tree requirement.

6. Additions to existing single-family and two-family dwellings consisting of 750 square feet or more, shall comply with this requirement.

C. Lawn shall not be installed in paths or on slopes greater than 25%, or in areas less than eight feet (8') feet wide as measured at its narrowest point.

D. Live vegetation shall be selected from the Weber Basin Water Conservancy District recommended plant list. These plant materials are suitable for the local climate with respect to temperature ranges and moderate to high drought tolerance. The land use authority may allow substitutions if it is found similar in size, growth pattern, durability, desirability and impact.

G.E. Deciduous trees shall have a minimum two-inch (2") caliper trunk measured at a height of 48" and coniferous trees shall be balled and burlapped and a minimum of 48" in height. All heights to be measured from the finished landscape surface.

**14-16-110 FENCE, WALL AND LIGHTING STANDARDS FOR A SINGLE-FAMILY OR TWO-FAMILY DWELLING**

The following shall apply to any single-family or two-family dwelling on an individual lot:

- 265 A. On an interior lot, a fence located within a minimum rear and/or side yard setback shall  
 266 be:  
 267  
 268 1. A maximum of six (6) feet in height if the fence is solid and/or otherwise site  
 269 obscuring.  
 270  
 271 2. A maximum of eight (8) feet in height if the fence is “open style” (at least 75%  
 272 open and as further defined by this Title).  
 273  
 274 3. A maximum of eight (8) feet in height if the lower section of the fence is solid for  
 275 a maximum of six (6) feet in height and then “open style” (at least 75% open and  
 276 as further defined by this Title) for the remaining vertical distance.  
 277  
 278 B. In the minimum front yard setback area, an “open style” fence shall be a maximum of  
 279 four (4) feet in height, and any wall or other type of fence shall be a maximum of three  
 280 (3) feet in height, except as further restricted in a clear-view area.  
 281  
 282 C. On a corner lot and on any lot that does not qualify as an interior lot, a street side yard  
 283 and/or street rear yard may be enclosed by a fence to the same extent as a minimum  
 284 rear yard or minimum side yard setback on interior lot, except for any clear-view area.  
 285  
 286 D. A fence enclosing a recreational facility (whether private or public), such as a tennis  
 287 court, swimming pool, ball diamond, etc., may be allowed up to ten (10) feet in height, as  
 288 long as it is “open style” and not site obscuring, is located at least five (5) feet away from  
 289 the property line, and is not within the minimum front yard setback area. A fence greater  
 290 than ten (10) feet in height and/or closer than five (5) feet to a property line may be  
 291 permitted with a conditional use permit or through the site plan review process if the  
 292 fence is part of a new project. A fence abutting the Interstate freeway system may be  
 293 erected to a height not exceeding eight (8) feet on the property line adjacent to the  
 294 freeway right-of-way.  
 295  
 296 E. Outdoor lighting shall be directed downward by means of prismatic lens, deflector, or  
 297 other shading device to avoid projecting onto adjacent properties or streets. No flashing  
 298 lights shall be allowed except for seasonal decoration allowed by this Title.  
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300 **14-16-111 FENCE, WALL AND LIGHTING STANDARDS IN ALL OTHER**  
 301 **DEVELOPMENTS**  
 302

303 With the exception of a single-family or two-family dwelling on an individual lot, the following  
 304 shall apply to any lot or parcel within Bountiful City:  
 305

- 306 A. A wall or fence shall be a maximum of six (6) feet in height, with the exception that any  
 307 wall or solid fence located within twenty (20) feet of a public street shall be a maximum  
 308 of three (3) feet in height, and any “open style” fence located within twenty feet of a  
 309 public street shall be a maximum of four (4) feet in height.  
 310  
 311 B. Any outdoor storage area shall be screened from view by a minimum six (6) foot high  
 312 wall constructed of, or finished with, materials to match or compliment the main building  
 313 material of the site.  
 314  
 315 C. Any roof mounted mechanical equipment shall be screened from public view by a  
 316 parapet wall or similar device that is no lower in height than six (6) inches below the

317 height of the mechanical equipment on the exposed side or sides. No chain link fencing,  
318 with or without slats, shall be allowed as a screening device for such equipment.

319  
320 D. Any loading or delivery facility shall be screened from street view by a six (6) foot high  
321 wall constructed of wood, brick, vinyl, masonry, or similar material as approved by the  
322 land use authority.

323  
324 E. A solid screening device or wall of masonry, wood, vinyl or similar material shall be  
325 constructed along property lines which are located within twenty (20) feet of a residential  
326 dwelling or zone. Such wall shall be a minimum of six (6) feet in height, except for areas  
327 within twenty (20) feet of a public street property line, where it shall be the maximum  
328 height allowed in a single-family residential zone.

329  
330 F. A wall of six (6) feet in height shall be required along the rear lot line of a reverse  
331 frontage lot. In conjunction with a subdivision plat or Planned Unit Development a fence  
332 along the rear lot line of a reverse frontage lot may have a maximum height of eight (8)  
333 feet with specific approval of the Planning Commission. Such walls shall be constructed  
334 of masonry, wood, vinyl, or similar material as determined by the land use authority. Any  
335 [street front yard](#) tree or landscaping element required by this Title shall be installed  
336 between the wall and the public street improvement.

337  
338 G. The exterior boundary of a mobile home park shall be provided with a masonry, wood or  
339 vinyl wall having a minimum height of five (5) feet and a maximum height of six (6) feet  
340 and shall be designed in an irregular or undulating pattern to create an attractive  
341 appearance, as determined by the land use authority. The mobile home park owner and  
342 a lessee shall landscape the land between the wall and public street improvements with  
343 [street front yard](#) trees and other landscape materials and shall maintain the landscaping  
344 continuously as required by this Title.

345  
346 H. Outdoor lighting shall be directed downward by means of prismatic lens, deflector or  
347 other shading device to avoid projecting onto adjacent properties or streets. No flashing  
348 lights shall be allowed except for seasonal decoration allowed by this Title.

349  
350 **14-16-112 GRADE DIFFERENTIAL**

351  
352 In instances where there is a grade differential along a property line separating two (2) lots as a  
353 result of a retaining wall or topographic feature, a fence, hedge, wall, or other permitted  
354 screening device may be erected to the maximum height permitted on either side of the property  
355 line. Also, in instances where a fence runs along a sloped property line, a pre-manufactured  
356 rectangular fence panel of up to ten (10) feet in length or less may be installed horizontally to  
357 vertical posts such that one end of the panel is at grade level, and the other end is no more than  
358 two-tenths (0.2) of a foot above grade level for each linear foot of fence panel. The area  
359 beneath the bottom of the fence and the ground may be filled or remain open, and the panel  
360 height may be the maximum permitted on either side of the property line.

361  
362 **14-16-113 VACANT LOTS**

363  
364 Minimum yard setback areas apply to each lot or parcel, regardless of whether it is vacant or  
365 developed. Therefore, fencing standards shall be applied to a vacant or undeveloped lot in the  
366 same manner as to developed land.

367  
368 **14-16-114 NONCOMPLYING WALLS AND FENCES**

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370 A noncomplying wall, fence, landscaping element, or related site feature shall be considered a  
371 noncomplying site element and shall not be reconstructed except as permitted under the  
372 procedures for noncomplying sites as set forth in the Administration and Procedures Chapter of  
373 this Title.

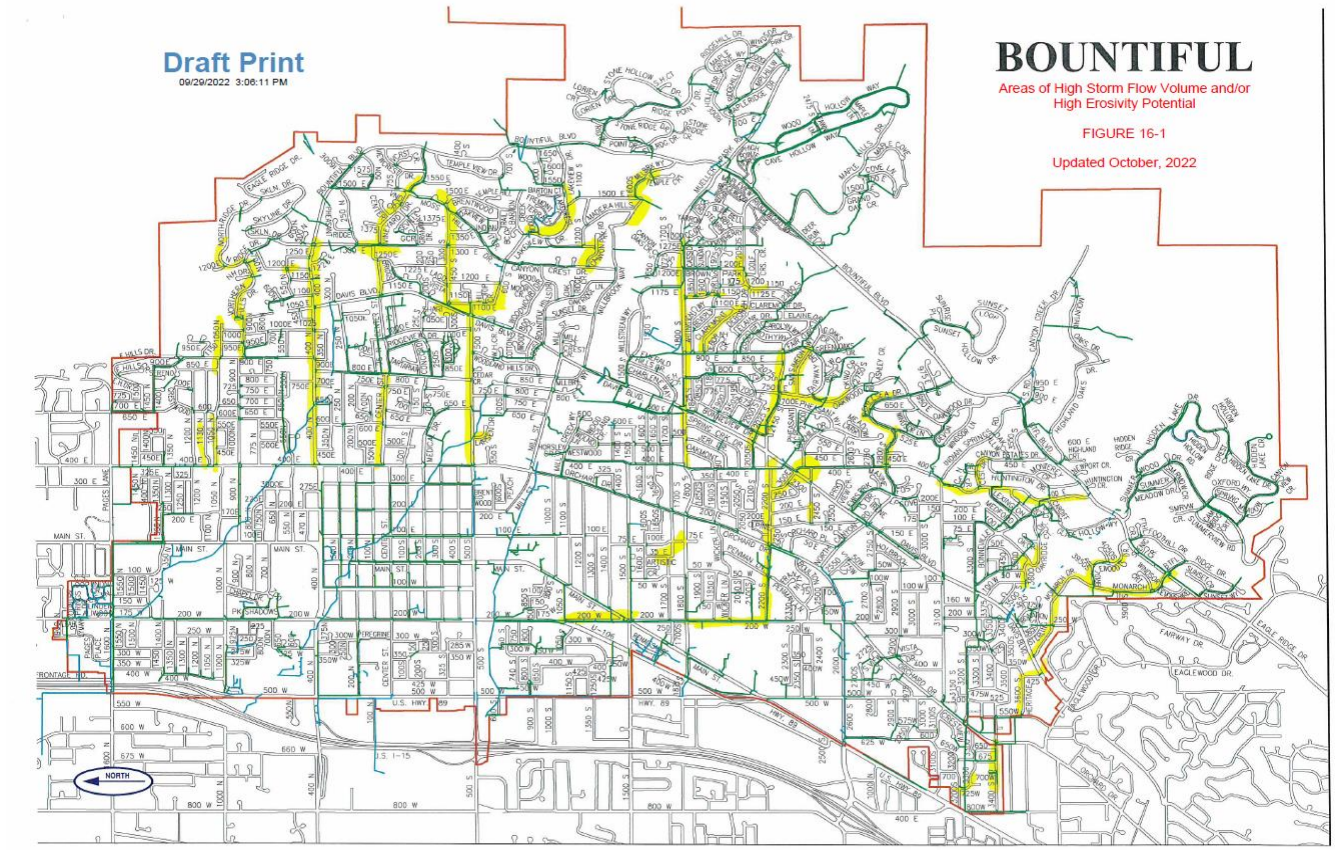
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375 **14-16-115**     XERISCAPE PARKSTRIP STANDARDS  
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377 The following are the minimum standards for xeriscaping any parkstrip or other landscape area  
378 located within a public right-of-way:

- 379
- 380 A. There shall be at least one (1) street tree for every forty (40) linear feet of frontage, or  
381 fraction thereof.
  - 382
  - 383 B. At least fifty percent (50%) of the required landscape area shall be in live vegetation  
384 including tree canopies.
  - 385
  - 386 ~~C. Live vegetation shall be distributed throughout the landscape area, and shall not be~~  
387 ~~clustered or segregated.~~
  - 388
  - 389 ~~D.C.~~ Bark, lawn clippings, chipped wood, rubber mulch, and similar loose materials are not  
390 permitted.
  - 391
  - 392 ~~E.D.~~ Decorative rock, white quartz rock, and gravel material shall be a minimum of two (2)  
393 inch one (1) inch aggregate, and shall not exceed the height of the sidewalk nor the top  
394 back of curb. Pavers, flagstone, cobble up to six inches (6") in diameter, or similar  
395 materials are permitted. Such decorative rock, gravel, or similar material shall be at  
396 least three (3) inches deep and shall be placed completely on top of a weed fabric  
397 barrier that allows the permeation of water. No more than 50% of the park strip may be  
398 poured concrete or similar solid paving surface including driveway, walkway approaches,  
399 decorative accents, and vehicle drop off areas. Asphalt is not allowed in the park strip.
  - 400
  - 401 ~~F.E.~~ White quartz rock, lava rock, and gravel or any other material that approximates the  
402 color of concrete, are not permitted. Bricks intended for use on buildings, lava rock, large  
403 cobble exceeding six inches (6"), and boulders are prohibited.
  - 404
  - 405 ~~F.~~ Any area of xeriscape shall be improved with a drip irrigation system or similar  
406 permanent irrigation system that covers the entire area.
  - 407
  - 408 ~~G.~~ Lawn shall not be installed in park strips, paths, or on slopes greater than 25%, or in  
409 areas less than eight feet (8') feet wide as measured at its narrowest point.
  - 410
  - 411 1. Existing lots/parcels with a single-family dwelling or two-family dwelling are  
412 exempt from this requirement.
  - 413
  - 414 2. Additions to existing single-family and two-family dwellings consisting of 750  
415 square feet or more, shall comply with this requirement.
  - 416
  - 417 ~~H.~~ Materials which are proposed to be installed in areas throughout the City that are  
418 susceptible to high flows and erosion of materials from parkstrips as identified in Figure  
419 16-1 shall be subject to review prior to installation by the Public Works Director, or his  
420 designees.

421 Figure 16-1  
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**G.I.** Any individual, corporation, or other entity that xeriscapes an area within a public right-of-way shall be responsible for any damage caused by rocks or other materials that migrate onto a sidewalk, street, storm drain or other public facility, regardless of how such migration occurs.

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**14-16-116 BARBED WIRE AND ELECTRICAL FENCE RESTRICTIONS**

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A. Barbed Wire. It shall be unlawful for any person to erect or cause to be erected or to maintain any barbed wire fence or any similar device on any residential property. Where allowed, any barbed wire fence or similar device shall be deemed unlawful unless it is attached at the top of a fence or similar structure at a height not less than six (6) feet above the ground. In such cases, no more than three (3) strands of barbed wire, maximum of six (6) inches apart each, strung tightly and not coiled, shall be allowed and not be included in the overall height requirement of the fence.

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B. Electrical Fences. It shall be unlawful for any person to erect or cause to be erected or to maintain any device on a fence with an electrical charge.

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**14-16-117 TREE SELECTION LIST**

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The following trees in Table 14-16-117a shall be approved for use in areas of landscaping regulated by this Title. As new tree varieties are continuously being developed, the City recognizes that it is not possible for this list to contain every derivation or subspecies of tree available. Therefore, the land use authority may allow a substitution if it is found that the

450 proposed tree is similar in size, growth pattern, durability, desirability and impact as a tree  
 451 contained in the approved list.

452  
 453

**Table 14-16-117a**

BOTANICAL NAME	COMMON NAME	TREE TYPE		
		1 = Ornamental Tree	2 = Screening Tree	3 = <a href="#">Front Yard Street Tree</a>
Acer Ginnala	Amur Maple	1	2	-
Acer Platanoides	Norway Maple	1	-	3
Acer Platanoides Columnare	Pyramidal Norway Maple	1	2	3
Acer Platanoides Crimson King	Crimson King Norway Maple	1	2	3
Acer Platanoides Emerald Queen	Emerald Queen Norway Maple	1	-	3
Acer Platanoides Royal Red	Royal Red Norway Maple	1	2	3
Acer Rubrum	Red Leaf Maple	1	-	-
Acer Rubrum Red Sunset	Red Sunset Maple	1	-	3
Albizia Julibrissin Rubra	Mimosa Silk Tree	1	-	-
Betula Papyrifera	Canoe Birch	1	2	3
Betulaplathyphilia Japonica	Japanese White Birch	1	2	-
Catalpa Bungii	Umbrella Catalpa	1	2	3
Celtis Occidentals	Common Hackberry	1	2	3
Cercis Canadensis	Eastern Redbud	1	2	-
Crataegus Lavellei	Carrier Hawthorn	1	2	3
Crataegus Phaenopyrum	Washington Hawthorne	1	2	3
Ginkgo Bilboa Autumn Gold	Autumn Gold Ginkgo	1	-	3
Gleditsia Triacanthos Imperial	Imperial Honeylocust	1	-	3
Gleditsia Triacanthos Shademaster	Shademaster Honeylocust	1	-	3

Gleditsia Triacanthos Skyline	Pyrimidal Honeylocust	1	-	3
Koelreuteria Paniculata	Golden Raintree	1	2	3
Malus Almey	Almey Crabapple	1	2	-
Malus Variety American Beauty	American Beauty Crabapple	1	2	-
Malus Dolgo	Dolgo Crabapple	1	2	-
Malus Hopa	Hopa Crabapple	1	2	-
Malus Ioensis Klehms Improved	Klehms Bechtel Crabapple	1	2	-
Malus Oekonomierat Echtermeyer	Echtermeyer Weeping Crabapple	1	2	-
Malus Radiant	Radiant Crabapple	1	2	-
Malus Royalty	Royalty Crabapple	1	2	-
Malus Snowcloud	Snowcloud Crabapple	1	2	-
Malus Strathmore	Strathmore Crabapple	1	2	-
Plantanus Acerifolia	European Sycamore	1	-	-
Prunus Virginiana Melancarpa Shubert"	Canada Red Cherry	1	2	-
Prunus Cerasifera "Mt. St. Helen's"	Mt. St. Helens Plum	1	2	3
Prunus Cerasifera Variety Newport	Newport Flowering Plum	1	2	3
Prunus Cerasifera Thundercloud	Thundercloud Flowering Plum	1	2	3
Prunus Padus Commutata	May Day Tree	1	2	3
Prunus Serrulata Kwanzan	Kwanzan Flowering Cherry	1	2	3
Prunus Subhirtella Pendula	Weeping Cherry	1	-	-
Pyrus Calleryana Aristocrat	Aristocrat Ornamental Pear	1	2	3
Pyrus Calleryana Bradford	Bradford Ornamental Pear	1	2	3
Pyrus Cleryana Rancho	Rancho Ornamental Pear	1	2	3
Pyrus Calleryana Trinity	Trinity Ornamental Pear	1	2	3

Quercus Borealis	Northern Red Oak	1	-	-
Quercus Macrocarpa	Bur Oak	1	-	3
Quercus Palustris	Pin Oak	1	-	3
Sophora Japonica	Japanese Pagoda Tree	1	-	3
Sorbus Aucuparia	European Mountain Ash	1	2	3
Tilia Americana Redmond	Redmond Linden	1	-	-
Tilia Cordata	Little Leaf Linden	1	2	-
Tilia Cordata Greenspire	Greenspire Little Leaf Linden	1	2	3
Tilia Cordata Olympic	Olympic Pyramidal Linden	1	2	3
Picea Pungens	Colorado Spruce	1	2	-
Picea Pungens Glauca	Colorado Blue Spruce	1	2	-
Pinus Nigra	Austrian Pine	1	2	-



# BOUNTIFUL

## BOUNTIFUL CITY, UTAH RESOLUTION NO. 2022-18

**MAYOR**  
Kendalyn Harris  
**CITY COUNCIL**  
Millie Segura Bahr  
Jesse Bell  
Kate Bradshaw  
Richard Higginson  
Cecilee Price-Huish  
**CITY MANAGER**  
Gary R. Hill

### A RESOLUTION ALLOWING COUNCILMEMBER RICHARD HIGGINSON TO ATTEND THE TUESDAY, OCTOBER 11, 2022 REGULAR SESSION CITY COUNCIL MEETING ELECTRONICALLY

WHEREAS, Utah Code Annotated §52-4-207 prohibits a public body from holding an electronic meeting unless the public body has adopted a resolution, rule of ordinance governing the use of electronic meetings; and

WHEREAS, Councilmember Richard Higginson will not be able to physically attend the August 9, 2022, Bountiful City Council Meeting due to prior commitments requiring her to travel; and

WHEREAS, a request has been made by a member of the Bountiful City Council to authorize Councilmember Higginson to attend the October 11, 2022, Regular Session Meeting via telephone or other electronic means, and

WHEREAS, Councilmember Higginson desires to attend the October 11, 2022, Bountiful City Council Regular Session Meeting and can do so via telephone or other electronic means; and

WHEREAS, the Bountiful City Council finds that it is in the best interests of Bountiful City to authorize Councilmember Higginson to electronically attend the October 11, 2022, Bountiful City Council Meeting via telephone or other electronic means.

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

**Section 1. Authorization.** Bountiful City Councilmember Higginson is hereby authorized to attend the October 11, 2022, Bountiful City Council Regular Session Meeting via telephone or other electronic means.

**Section 2. Effective date.** This Resolution shall take effect immediately upon passage.

**APPROVED, PASSED AND ADOPTED BY THE BOUNTIFUL CITY COUNCIL THIS 11<sup>TH</sup> DAY  
OCTOBER, 2022.**

\_\_\_\_\_  
Kendalyn Harris, Mayor

ATTEST:

\_\_\_\_\_  
Shawna Andrus, City Recorder



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**Minutes of the  
BOUNTIFUL CITY COUNCIL**  
September 27, 2022 – 6:00 p.m.

Official notice of the City Council Meeting was given by posting an agenda at City Hall and on the Bountiful City Website and the Utah Public Notice Website and by providing copies to the following newspapers of general circulation: Davis County Journal and Standard Examiner.

**Work Session – 6:00 p.m.**  
**City Council Chambers**

Present:	Mayor	Kendalyn Harris
	Councilmembers	Millie Segura Bahr, Jesse Bell, Kate Bradshaw, Richard Higginson, Cecilee Price-Huish
	City Manager	Gary Hill
	Asst. City Manager	Galen Rasmussen
	City Engineer	Lloyd Cheney
	City Attorney	Clinton Drake
	Planning Director	Francisco Astorga
	Streets Director	Charles Benson
	Water Director	Kraig Christensen
	Power Director	Allen Johnson
	IT Director	Alan West
	Parks Director	Brock Hill
	Finance Director	Tyson Beck
	Police Chief	Ed Biehler
	Recording Secretary	Maranda Hilton

Mayor Harris called the meeting to order at 6:00 p.m. and welcomed those in attendance.

**QUARTERLY PRIORITIES AND PROJECTS UPDATE – MR. GARY HILL**

Mayor Harris asked the Council to look at the current projects list that was included in their packet and look at the items department by department.

Mayor Harris began with the Engineering Department and asked Mr. Lloyd Cheney for an update on the Eagle Ridge Drive project. Mr. Cheney said that his staff just emailed a final copy of the draft agreement to Rainey Homes, which has to do with the reimbursement portion for the construction, and they are working toward bringing it to the Council to approve. He also said that he has been in communication with M.C. Green to schedule a pre-construction meeting and go over materials procurement. The project will begin this fall and has an anticipated completion date of June 30, 2023, keeping it in the current fiscal year's budget. Councilmember Price-Huish asked if there is anything standing in the way of starting construction. Mr. Cheney said the agreement needs to be signed and the right of way needs to be dedicated to the City, but none of that should be difficult to do. Mr. Gary Hill added that construction can actually begin on the other side before the agreement is signed.

Councilmember Bradshaw asked how the skatepark design changes are coming along. Mr. Cheney said that he had received a set of drawings that is 90% complete which included previously requested revisions in it, and he sent it back to the designer with additional comments. He expects to

1 have the final drawings very soon.

2 Councilmember Bell asked if the project is expected to be in budget and if they will have bid  
3 alternates. Mr. Cheney said that he hopes to get a construction estimate along with the final drawings,  
4 and he will go from there. He did ask that the contractors use bid alternates on certain components,  
5 specifically the colored concrete, which can be very expensive. He added that the weather will  
6 determine if construction can begin this fall, because it will take a month to bid it out once the  
7 drawings are received, but the project will be completed by next June.

8 Councilmember Higginson asked Mr. Francisco Astorga how the landscaping ordinance is  
9 progressing with the Planning Commission. Mr. Astorga answered that the Planning Commission  
10 will hold a public hearing next Tuesday and they hope to bring the changes before the Council on  
11 October 25<sup>th</sup>.

12 Councilmember Bradshaw asked what the timeline is for the Hospital Zone changes. Mr.  
13 Astorga said that the ultimate deadline will be the end of the fiscal year in June 2023, and that they  
14 will begin to seriously work on it starting in January. Councilmember Bradshaw asked if the  
15 downtown parking ordinance would be on the same timeline. Mr. Astorga answered that it would.

16 Councilmember Bell asked what the hospital zone process would look like. Mr. Astorga  
17 answered that he hopes to involve the stakeholders and the public if possible, so they will ideally  
18 have a work session, a meeting with the stakeholders, and an open house with residents.  
19 Councilmembers Price-Huish expressed her desire to have the neighbors adjacent to the hospital zone  
20 involved and to have some visioning as part of the process. Councilmember Bell expressed his desire  
21 to have at least one or two workshops with all property owners invited, as well as a workshop to get  
22 resident feedback.

23 Councilmember Price-Huish asked when the next General Plan update meetings will be held.  
24 Mr. Astorga answered that the next steering committee meeting will be at the end of October and a  
25 joint meeting with the Council and the Planning Commission will also be held sometime in October.  
26 He added that his biweekly call with the consultants will be tomorrow and they will discuss the dates.

27 Councilmember Price-Huish asked if anything new had been submitted for Renaissance  
28 Towne Center. Mr. Astorga said that nothing new had been submitted. His department is currently  
29 reviewing the 287-apartment building and have completed their review of the parking garage.

30 Councilmember Bahr asked what is happening with the consolidation of the dispatch centers.  
31 Mr. Gary Hill answered that the virtual software consolidation is still moving forward to begin at the  
32 start of the year. Concerning the physical consolidation, Mr. Hill explained that he just had a meeting  
33 with all the south-end city managers to make sure everyone was on the same page, and next he will  
34 meet with all the city managers and police and fire chiefs involved to make sure everyone is  
35 comfortable with the Bountiful dispatch center's level of service. Once everyone is united, they will  
36 go before the County Commissioners and elected officials and present their solution.

37 Councilmember Price-Huish asked Chief Ed Biehler how staffing issues are going. Chief  
38 Biehler answered that sworn officer staffing is currently good, they will be fully staffed once one  
39 officer completes his field training, but they will have a couple of changes in the next few months  
40 that will require additional hiring. He said that the dispatch center still has two positions that they  
41 have had difficulty filling. Chief Biehler added that all full-time positions for crossing guards are  
42 filled, but they need more substitute guards.

43 Councilmember Bahr asked about what is currently happening with the library. Mr. Gary Hill  
44 answered that the library has a survey out now and will use that information to determine what  
45 services residents are wanting from the library and what the needs are for a south-end branch. The  
46 county library system has a policy that every resident should live within a five-mile radius of a



1 library, but currently the west area of North Salt Lake is a bit underserved.

2 Councilmember Price-Huish asked how the locations for the public art program will be  
3 determined and expressed her hope that the City would consider places not on Main Street. Mr. Gary  
4 Hill answered that the Council directed staff to focus on a three-block stretch of Main Street for this  
5 first round of art. He added that the Art Advisory Board is meeting tonight to determine some  
6 locations and will make recommendations to the Council soon.

7 Councilmember Price-Huish asked about what is happening with the Special Assessment  
8 Area (SAA) for the RDA for Mr. Bruce Broadhead at Renaissance. Mr. Gary Hill said that the latest  
9 news is that Mr. Broadhead does not want the City's help and is looking for other ways to finance  
10 that would not require the creation of an SAA. The City has no control over the timing, it is up to Mr.  
11 Broadhead.

12 Mr. Alan West was invited to give an update on the fiber project. He explained that the fiber  
13 review team is getting really close to issuing the RFP with the help of their consultants. He believes it  
14 will be issued in about three weeks. Mr. Gary Hill added that staff will bring bond recommendations  
15 to the Council after the RFP has been issued and a partner has been selected.

16 Councilmember Bell asked if there was an update on the recycling program. Mr. Charles  
17 Benson said that he is planning on bringing a recommendation before the Council on October 25<sup>th</sup>.  
18 Mr. Gary Hill added that the City will be able to purchase recycling cans for half the price they  
19 initially thought.

20 Councilmember Higginson asked about the Main Street enhancement project. Mr. Gary Hill  
21 answered that discussions about that project will begin in January, but that it is very large in scope, so  
22 it will involve a lot of departments and will be a long process.

23 Councilmember Bradshaw asked Mr. Brock Hill about the pickleball project at Cheese Park.  
24 He answered that he is holding the contractor to their agreed-upon date at the end of October, but he  
25 knows they have some other obligations ahead this one, so he is watching it closely. The Streets  
26 Department will be doing the demolition for the project, but they only need about two days lead time  
27 for that portion.

28 Mr. Brock Hill was invited to give a report on the progress happening at Washington Park. He  
29 said that grass is now growing on the sports fields and a lot of trees have been planted. The work on  
30 the parking lot and on the bathrooms is also commencing.

31 Councilmember Price-Huish asked about the process for automating the City's irrigation  
32 system. Mr. Brock Hill explained that he and Mr. Cheney have met with several providers and will be  
33 putting out an RFP by the end of October. This budget year will fund the development of the system  
34 and next budget year will include the cost of the actual installation.

35 Councilmember Price-Huish asked Mr. Allen Johnson about the power situation going into  
36 the winter months. Mr. Johnson answered that although the CSR is not in good shape for providing  
37 power, the City does have many other sources and has already purchased sufficient power to see  
38 BCL&P customers through January. He said that he will wait to see how market prices fluctuate  
39 before purchasing more. He added that they can always run the power plant if needed as well.

40 Councilmember Bahr asked how negotiations for the parking lot at the "B" are going. Mr.  
41 Gary Hill explained that negotiations have not begun yet, but that he now has the contact information  
42 for a new party involved.

43  
44 The meeting ended at 6:55 p.m.  
45  
46

**Regular Meeting – 7:00 p.m.**  
**City Council Chambers**

5	Present:	Mayor	Kendalyn Harris
6		Councilmembers	Millie Segura Bahr, Jesse Bell, Kate Bradshaw, Richard Higginson, Cecilee Price-Huish
9		City Manager	Gary Hill
10		City Engineer	Lloyd Cheney
11		City Attorney	Clinton Drake
12		Planning Director	Francisco Astorga
13		Streets Director	Charles Benson
14		Water Director	Kraig Christensen
15		IT Director	Alan West
16		Parks Director	Brock Hill
17		Finance Director	Tyson Beck
18		Police Chief	Ed Biehler
19		Assistant Police Chief	Dave Edwards
20		Recording Secretary	Maranda Hilton

**WELCOME, PLEDGE OF ALLEGIANCE AND THOUGHT/PRAYER**

Mayor Harris called the meeting to order at 7:02 p.m. and welcomed those in attendance. Mr. James Terry led the Pledge of Allegiance and Ms. Leslie Brinkerhoff, Bountiful North Stake Relief Society President, offered a prayer.

**PUBLIC COMMENT**

The public comment section was opened at 7:04 p.m.

No comments were made.

The public comment section was closed at 7:04 p.m.

**CONSIDER APPROVAL OF MINUTES OF PREVIOUS MEETINGS HELD AUGUST 23 AND SEPTEMBER 13, 2022**

Councilmember Bahr made a motion to approve the minutes from August 23 and September 13, 2022 and Councilmember Price-Huish seconded the motion. The motion was approved with Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”

**COUNCIL REPORTS**

Councilmember Bradshaw did not have a report.

Councilmember Higginson reported on the Power Commission meeting this morning. He said that the Enchant carbon capture project in Farmington, NM has ceased talks at that location and thus has been removed from the City’s portfolio for now. He shared the good news that the Red Mesa solar project may be online as soon as January, but no later than March 2023. The City also had great power generation from both Echo and Pineview hydros this year.

1 Councilmember Bahr did not have a report.

2 Councilmember Price-Huish reported that the BDAC opened a new exhibition featuring many  
3 artists and encouraged everyone to check it out. The final Musicfest concert of the year is coming up  
4 at the BDAC as well, you can get tickets online.

5 Mayor Harris encouraged everyone to go online and take the surveys about the Davis County  
6 Library and about Bountiful's General Plan update. She reported that the South Davis Sewer District  
7 is considering selling the Wasatch Recovery facility. She reported that the Fire District still needs  
8 new recruits.

9 Councilmember Bell reported on the BCYC event that took place on September 16<sup>th</sup>. He said  
10 that 50-60 people showed up to hear from Chief Biehler about mental health and to play capture the  
11 flag. He also reported on the Davis County Emergency Preparedness Fair that took place on  
12 September 17<sup>th</sup>. He recognized Mr. Cacey Bowen and the Bountiful Community Service Council  
13 who spent countless hours helping organize the event this year, and reported that in total there were  
14 nine sponsors, 35 vendors, 10 informational booths and 30 seminars. The Utah National Guard had a  
15 Blackhawk medivac helicopter on display, public safety officers from all jurisdictions came, and  
16 local utility and power employees. Over 1,800 people attended the fair.

17  
18 **CONSIDER APPROVAL OF EXPENDITURES GREATER THAN \$1,000 PAID**  
19 **SEPTEMBER 5 & 12, 2022**

20 Councilmember Bradshaw made a motion to approve the expenditures paid September 5 &  
21 12, 2022 and Councilmember Bell seconded the motion. The motion was approved with  
22 Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting "aye."  
23

24 **RECOGNITION OF MR. ROB HUNTER FOR HIS SERVICE ON THE EMERGENCY**  
25 **PREPAREDNESS COMMITTEE – MAYOR KENDALYN HARRIS**

26 Mayor Harris recognized Mr. Rob Hunter and his wife Dr. June Steely for their service in the  
27 community. She said that Dr. Steely is an amazing doctor of internal medicine who has cared for  
28 thousands of patients in Bountiful for many years. Dr. Steely also helped in the organization of the  
29 Care Fair and TedxBountiful events and worked tirelessly on the COVID-19 response efforts.

30 Assistant Chief of Police Dave Edwards recognized Mr. Rob Hunter, noting Mr. Hunter's  
31 impact on the Bountiful Emergency Preparedness Council and his driving force behind the change to  
32 neighborhood emergency management. He explained that Mr. Hunter has spent thousands of hours  
33 training hundreds of people how to better help their neighbors and their community. He commended  
34 Mr. Hunter for helping to build a resilient community and added that Mr. Hunter truly cares about  
35 people and goes out of his way to help anyone in need. He expressed his thanks to Mr. Hunter.

36 Mayor Harris added that she completed the Community Emergency Response Team (CERT)  
37 training, an eight-week course with three hours of instruction each week and was impressed with the  
38 quality of the course. She commended Mr. Hunter for the preparation that goes into creating and  
39 teaching such wonderful content. She thanked Mr. Hunter and Dr. Steely for their personal sacrifices  
40 which have helped Bountiful become a better community.

41 Mr. Hunter thanked the Mayor, Council and Assistant Chief Edwards for their recognition. He  
42 said it has been an honor to serve with everyone in the CERT program and that the reason it is great  
43 is because of the many people willing to be involved. He explained that many cities have a difficult  
44 time finding one or two CERT instructors, but Bountiful has fifty amazing instructors. He attributed  
45 the success of the program to the residents of Bountiful, so many of whom are willing to donate time  
46 and resources to learn how to help their neighbors. He thanked his wife for her support which enabled

1 him to devote time to the CERT program. He also thanked the City for its support of the CERT  
2 program, which was essential. He ended by saying how incredible Bountiful is and that he and his  
3 wife would miss living here.

4 Mayor Harris presented Mr. Hunter with a certificate of appreciation.

5  
6 **CONSIDER APPROVAL OF THE PURCHASE OF A HARPER HAWK HK4200 SELF-**  
7 **PROPELLED SWEEPER WITH ACCESSORIES FROM TURF EQUIPMENT AND**  
8 **IRRIGATION IN THE AMOUNT OF \$64,065 – MR. BROCK HILL**

9 Mr. Brock Hill explained that the Parks Department currently uses a 2003 sweeper which is  
10 becoming very costly to repair and difficult to find parts for, so it is time for a new sweeper. He said  
11 that Turf Equipment and Irrigation was the only one who responded to the bid, and that they are the  
12 state contract holder. Staff feels confident that this new brand will be reliable and easier to find parts  
13 for in the future, and the attachments will allow it to be used for parks, streets and sidewalks. There is  
14 money in the Parks budget for this purchase.

15 Councilmember Bell made a motion to approve the purchase of the sweeper from Turf  
16 Equipment and Councilmember Higginson seconded the motion. The motion was approved with  
17 Councilmembers Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”

18  
19 **CONSIDER APPROVAL OF A CLASS “A” RETAIL BEER LICENSE FOR DICK’S**  
20 **MARKET LOCATED AT 2280 SOUTH ORCHARD DRIVE – MR. FRANCISCO ASTORGA**

21 Mr. Francisco Astorga explained that this is a new application for a beer license for Dick’s  
22 Market on Orchard Drive. He explained that due to a recent change in management, the name of the  
23 president on the application has changed to Mr. David Rice. All necessary police reports were run on  
24 Mr. Rice and there were no issues.

25 Councilmember Higginson made a motion to approve the license for Dick’s Market and  
26 Councilmember Price-Huish seconded the motion. The motion was approved with Councilmembers  
27 Bahr, Bell, Bradshaw, Higginson and Price-Huish voting “aye.”

28  
29 **ADJOURN**

30 Councilmember Bahr made a motion to adjourn the regular session of City Council and  
31 Councilmember Higginson seconded the motion. The motion passed with Councilmembers Bahr,  
32 Bell, Bradshaw, Higginson and Price-Huish voting “aye.”

33  
34 The regular session was adjourned at 7:31 p.m.  
35

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Mayor Kendalyn Harris

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City Recorder

# City Council Staff Report

**Subject:** Expenditures for Invoices > \$1,000 paid  
September 19 & 26, 2022

**Author:** Tyson Beck, Finance Director

**Department:** Finance

**Date:** October 11, 2022

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## **Background**

This report is prepared following the weekly accounts payable run. It includes payments for invoices hitting expense accounts equaling or exceeding \$1,000.

Payments for invoices affecting only revenue or balance sheet accounts are not included. Such payments include: those to acquire additions to inventories, salaries and wages, the remittance of payroll withholdings and taxes, employee benefits, utility deposits, construction retention, customer credit balance refunds, and performance bond refunds. Credit memos or return amounts are also not included.

## **Analysis**

Unless otherwise noted and approved in advance, all expenditures are included in the current budget. Answers to questions or further research can be provided upon request.

## **Department Review**

This report was prepared and reviewed by the Finance Department.

## **Significant Impacts**

None

## **Recommendation**

Council should review the attached expenditures.

## **Attachments**

Weekly report of expenses/expenditures for invoices equaling or exceeding \$1,000, paid September 19 & 26, 2022

**Expenditure Report for Invoices (limited to those outlined in staff report) >\$1,000.00  
Paid September 19, 2022**

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>ACCOUNT DESC</u>	<u>AMOUNT</u>	<u>CHECK NO</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
1447	BP ENERGY COMPANY	Light & Power	53 213100	Accounts Payable	204,781.46	229980	21229451	Natural Gas - Contract # 23191
1615	CENTURYLINK	PSAP - E911	104219 428000	Telephone Expense	1,070.19	229986	2022251	Account # 5107XLB153
13441	CONVERGINT TECHNOLOG	Streets	104410 426000	Bldg & Grnd Suppl & Maint	2,219.49	229992	370SM03631	Camera Maintenance Streets - Cust # 1037149
13441	CONVERGINT TECHNOLOG	Landfill	575700 426000	Bldg & Grnd Suppl & Maint	3,642.28	229992	370SM03621	Camera Maintenance Streets - Cust # 1037149
10341	CORE & MAIN LP	Water	515100 448400	Dist Systm Repair & Maint	3,248.90	229993	R479103	Saddles Inventory - Acct # 035350
9982	DIAMOND TREE EXPERTS	Light & Power	535300 448632	Distribution	9,452.80	229998	75823	Tree Trimming
9982	DIAMOND TREE EXPERTS	Light & Power	535300 448632	Distribution	11,440.00	229998	75802	Tree Trimming
6066	FIRE ENGINEERING COM	Light & Power	535300 424002	Office & Warehouse	1,143.00	230006	1621-22	Annual Fire Sprinkler Inspection at Bountiful Pwer
11008	GOODFELLOW CORP	Streets	104410 425000	Equip Supplies & Maint	3,797.82	230010	INV126486	Cutting Teeth & Sockets for Road Mill
14055	GRAYMAR ENVIRONMENT	Light & Power	535300 448638	PCB Disposal	2,720.99	230012	083122SLC-BPL	PCB Oil Disposal
11418	HUMDINGER EQUIPMENT	Landfill	575700 425000	Equip Supplies & Maint	2,120.58	230021	29474	Turbo Actuator
11418	HUMDINGER EQUIPMENT	Landfill	575700 425000	Equip Supplies & Maint	14,667.82	230021	29262	Set of New tips for Tana Compactor Drums
13978	KELLER AND HECKMAN	Legislative	104110 461000	Miscellaneous Expense	3,862.50	230027	10136324	Fiber Project-Legal Services- C118831.00001
8137	LAKEVIEW ASPHALT PRO	Streets	104410 441200	Road Matl Patch/ Class C	1,284.78	230032	8895	Patching - Customer # BOUN02610
8137	LAKEVIEW ASPHALT PRO	Streets	104410 441200	Road Matl Patch/ Class C	1,288.92	230032	8903	Patching - Customer # BOUN02610
8137	LAKEVIEW ASPHALT PRO	Streets	104410 441200	Road Matl Patch/ Class C	1,313.76	230032	8939	Patching - Customer # BOUN02610
8137	LAKEVIEW ASPHALT PRO	Streets	104410 441200	Road Matl Patch/ Class C	1,839.08	230032	8948	Patching - Customer # BOUN02610
8137	LAKEVIEW ASPHALT PRO	Streets	104410 441200	Road Matl Patch/ Class C	4,512.14	230032	8875	Patching - Customer # BOUN02610
8137	LAKEVIEW ASPHALT PRO	Streets	104410 441200	Road Matl Patch/ Class C	12,236.46	230032	8884	Patching - Customer # BOUN02610
2886	LAKEVIEW ROCK PRODUC	Water	515100 461300	Street Opening Expense	2,179.20	230033	407101	Road Base - Customer # BCTY07399
2886	LAKEVIEW ROCK PRODUC	Water	515100 461300	Street Opening Expense	2,736.61	230033	407261	Road Base - Customer # BCTY07399
3195	MOUNTAINLAND SUPPLY	Water	515100 448400	Dist Systm Repair & Maint	1,479.23	230041	S104941375.001	Misc. Parts and Supplies - Cust # 18498
3458	PETERBILT OF UTAH, I	Streets	104410 425000	Equip Supplies & Maint	1,439.30	230054	953278	Injectors, Gasket Valve, & Core - Account # 457
3549	PREMIER VEHICLE INST	Water	515100 474600	Vehicles	3,652.66	230057	39443	Vehicle Lights
5553	PURCELL TIRE AND SER	Sanitation	585800 425000	Equip Supplies & Maint	4,818.02	230058	280022553	Tires for Sanitation Trucks - Acct # 2801867
3649	RASMUSSEN EQUIPMENT	Water	515100 448400	Dist Systm Repair & Maint	2,689.00	230062	10151190	Cables - Account # 09503
13120	RECYCLE IT	Landfill	575700 448000	Operating Supplies	3,165.00	230063	10040	211 Mattress Recycling
13267	SLATE ROCK FR LLC	Light & Power	535300 445202	Uniforms	4,073.70	230074	55584	Uniform FR Work Shirt & Pants
3972	SOLAR TURBINES, INC.	Light & Power	535300 448614	Power Plant Equipment Repairs	1,712.00	230077	AFS10052096	Turbine Repair - Job ID J1061365239
4229	TOM RANDALL DIST. CO	Streets	104410 425000	Equip Supplies & Maint	2,440.25	230086	0349753	Bulk Oil - Acct # 000275
4229	TOM RANDALL DIST. CO	Streets	104410 425000	Equip Supplies & Maint	37,087.50	230086	0349369	Fuel - Acct # 000275
4229	TOM RANDALL DIST. CO	Landfill	575700 425000	Equip Supplies & Maint	2,623.50	230086	0349561	Bulk Oil - Acct # 000138
4281	TWIN D INC.	Storm Water	494900 462400	Contract Equipment	20,376.10	230088	23051	Municipal Flushing & Vacuuming of Various Lines
5000	U.S. BANK CORPORATE	Legislative	104110 423000	Travel & Training	3,245.00	230089	09122022SA	Reg ULCT Convention- Acct #4246-0445-5571-8851
5000	U.S. BANK CORPORATE	Treasury	104143 429300	Computer Hardware	1,441.41	230089	09122022TE	Travel & Training - Acct #4246-0445-5571-8851
5000	U.S. BANK CORPORATE	Police	104210 423000	Travel & Training	3,174.35	230089	09122022DE	SWAT Training,Gun Range- Acct #4246-0445-5571-8851
5000	U.S. BANK CORPORATE	Streets	104410 425000	Equip Supplies & Maint	1,054.19	230089	09122022JE	Misc. Supplies - Acct #4246-0445-5571-8851
5000	U.S. BANK CORPORATE	Water	515100 474500	Machinery & Equipment	1,364.06	230089	09122022AW	Misc. Supplies - Acct #4246-0445-5571-8851
5000	U.S. BANK CORPORATE	Water	515100 474500	Machinery & Equipment	2,901.00	230089	09122022JW	Permit, Fence - Acct # Acct #4246-0445-5571-8851
5000	U.S. BANK CORPORATE	Light & Power	535300 423000	Travel & Training	1,032.61	230089	09122022AJ	UAMPS, Supplies - Acct #4246-0445-5571-8851
5000	U.S. BANK CORPORATE	Light & Power	535300 423002	Travel Board Members	1,036.25	230089	09122022AJ	UAMPS, Supplies - Acct #4246-0445-5571-8851
5000	U.S. BANK CORPORATE	Light & Power	535300 461000	Miscellaneous Expense	1,736.62	230089	09122022AJ	UAMPS, Supplies - Acct #4246-0445-5571-8851
5000	U.S. BANK CORPORATE	Landfill	575700 474500	Machinery & Equipment	1,200.00	230089	09122022JE	Misc. Supplies - Acct #4246-0445-5571-8851
5322	UCS WIRELESS	Streets	104410 425000	Equip Supplies & Maint	2,440.00	230090	80088	Radio Control Station
4450	VERIZON WIRELESS	Light & Power	535300 448641	Communication Equipment	2,215.19	230093	9914721469	Account # 371517689-00001
5334	WEST COAST CODE CONS	Engineering	104450 431000	Profess & Tech Services	8,908.49	230097	UT22-545-009	Inspection Services for Aug. 2022
4574	WHEELER MACHINERY CO	Landfill	575700 425000	Equip Supplies & Maint	4,902.67	230098	PS001386401	Misc. Parts and Supplies - Customer # 009503
TOTAL:					<u>413,766.88</u>			

**Expenditure Report for Invoices (limited to those outlined in staff report) >\$1,000.00  
Paid September 26, 2022**

<u>VENDOR</u>	<u>VENDOR NAME</u>	<u>DEPARTMENT</u>	<u>ACCOUNT</u>	<u>ACCOUNT DESC</u>	<u>AMOUNT</u>	<u>CHECK NO</u>	<u>INVOICE</u>	<u>DESCRIPTION</u>
1164	ANIXTER, INC.	Light & Power	535300 448632	Distribution	1,018.75	230104	5405641-02	Mini Wedges - Cust # 6000052
13077	AVID TRAILS	Trails	454550 473101	Improv. Other Than Bldg-Bond \$	23,055.00	230105	Bountiful-03	Avid Trail Design Planning for Holbrook
11384	CBS	Light & Power	535300 448639	Substation	2,650.00	230115	IWE65669	Bypass Switch Case - Customer # 1639357
9982	DIAMOND TREE EXPERTS	Light & Power	535300 448632	Distribution	11,164.40	230119	75825	Tree Trimming
2164	FERGUSON ENTERPRISES	Water	515100 448400	Dist System Repair & Maint	1,446.33	230122	1197564	Misc. Parts and Supplies - Customer # 48108
14061	GILSON ENGINEERING	Legislative	454110 473100	Improv Other Than Bldgs	4,800.00	230126	5233	Lump Sum Project
5458	HANSEN, ALLEN & LUCE	Water	515100 472130	Wells	2,139.25	230128	47671	Professional Service for Aug.2022-Calder Well
12230	HUNTINGTON NATIONAL	Golf Course	555500 453100	Interest Expense	6,904.48	230134	7865995	Toro Turf Equipment - Customer # 790912
2562	HYDRO SPECIALTIES CO	Water	515100 448400	Dist System Repair & Maint	3,248.12	230135	26087	Auto Valve at Viewmont Well
14065	INSPIRE HIGHER	Legislative	104110 461000	Miscellaneous Expense	2,500.00	230139	INV-12145	Noelle Pikus Keynote Speaker for Oct. 10th
2649	IPSA-INTERMOUNTAIN P	Light & Power	535300 423001	Education Benefit	1,000.00	230141	2999	Apprentice Testing for Caden, Josh & Codi
2727	JOHNSON, ALLEN R	Light & Power	535300 423002	Travel Board Members	1,074.40	230145	09272022	Training CFPP Tour
8137	LAKEVIEW ASPHALT PRO	Streets	104410 473200	Road Materials - Overlay	11,356.94	230147	8957	Paving/Overlay - Customer # BOUN02610
8137	LAKEVIEW ASPHALT PRO	Streets	104410 473200	Road Materials - Overlay	18,975.46	230147	8975	Paving/Overlay - Customer # BOUN02610
8137	LAKEVIEW ASPHALT PRO	Streets	104410 473200	Road Materials - Overlay	23,965.08	230147	8964	Paving/Overlay - Customer # BOUN02610
2886	LAKEVIEW ROCK PRODUC	Water	515100 461300	Street Opening Expense	1,624.83	230148	407450	Road Base - Customer # BCTY07399
4764	MCNEILUS TRUCK & MAN	Sanitation	585800 425000	Equip Supplies & Maint	3,311.62	230155	5627413	Heil Refuse Truck Parts - Customer # 378866
3138	MIZUNO USA, INC.	Golf Course	555500 448240	Items Purchased - Resale	1,160.30	230156	7664800 RI	Golf Clubs - Account # 98653
3195	MOUNTAINLAND SUPPLY	Water	515100 448400	Dist System Repair & Maint	1,595.28	230157	S104642977.002	Misc. Parts and Supplies - Customer # 18498
3195	MOUNTAINLAND SUPPLY	Water	515100 448400	Dist System Repair & Maint	10,590.11	230157	S104892216.001	Misc. Parts and Supplies - Customer # 18498
3279	NEWMAN CONSTRUCTION,	Water	515100 473110	Water Mains	403,871.96	230160	22030D 4	2022 Water Line Projects - Application # 4
12519	PARAGON CONSTRUCTION	Storm Water	494900 473106	Storm Drain Construction	5,262.47	230165	1073	Asphalt Work
10820	PEAK ASPHALT, LLC	Streets	104410 473200	Road Materials - Overlay	1,696.90	230166	8-517673	Tack Oil - Customer # BC17
10370	PROTELESIS	Police	104210 428000	Telephone Expense	2,098.19	230169	XTLQ46904	Mitel Phone System- Annual Maintenance
10370	PROTELESIS	Light & Power	535300 448641	Communication Equipment	2,189.42	230169	XTLQ46904	Mitel Phone System- Annual Maintenance
3972	SOLAR TURBINES, INC.	Light & Power	535300 448614	Power Plant Equipment Repairs	42,612.54	230178	AR570063242	Repair Parts Titans
4171	THATCHER COMPANY	Water	515100 448000	Operating Supplies	2,780.10	230182	2022100122867	Fluoride - Customer # C1303
4229	TOM RANDALL DIST. CO	Streets	104410 425000	Equip Supplies & Maint	33,256.80	230184	0350038	Fuel - Account # 000275
4229	TOM RANDALL DIST. CO	Golf Course	555500 425100	Special Equip Maintenance	3,715.43	230184	0349388	Fuel - Account # 000276
5322	UCS WIRELESS	Water	515100 431000	Profess & Tech Services	9,375.00	230187	80145	Solar Upgrade - SCADA
4331	USA BLUE BOOK (DBA)	Water	515100 448400	Dist System Repair & Maint	4,643.21	230190	104752	Meter at Viewmont - Customer # 228844
4341	UTAH ASSOCIATED MUNI	Light & Power	53 213130	UAMPS Annualized Accrual	1,398,244.73	230191	09232022	Aug. 2022 payment for Power Resources
4450	VERIZON WIRELESS	Water	515100 428000	Telephone Expense	2,218.89	230193	9915441945	Account # 242434136-00001
TOTAL:					<u>2,045,545.99</u>			





# City Council Staff Report

**Subject:** August 2022 Financial Reports  
**Author:** Tyson Beck, Finance Director  
**Department:** Finance  
**Date:** October 11, 2022



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## **Background**

These reports include summary revenue, expense, and budget information for all City funds. Both revenues and expenses, including capital outlay, have been included. These financials are presented to the City Council for review.

## **Analysis**

Data within the reports and graphs presented provide detail of revenue, expense, and budget results for the associated period. Additional revenue and expense graphs are provided that give comparative data for FY2023 through August as compared to the past three fiscal year periods through that same timeframe.

The FY2023 budget portion of these reports is the originally adopted FY2023 budget approved by the City Council in June of 2022.

## **Department Review**

These reports were prepared and reviewed by the Finance Department.

## **Significant Impacts**

Financial information to aid in legislative and operational decision making.

## **Recommendation**

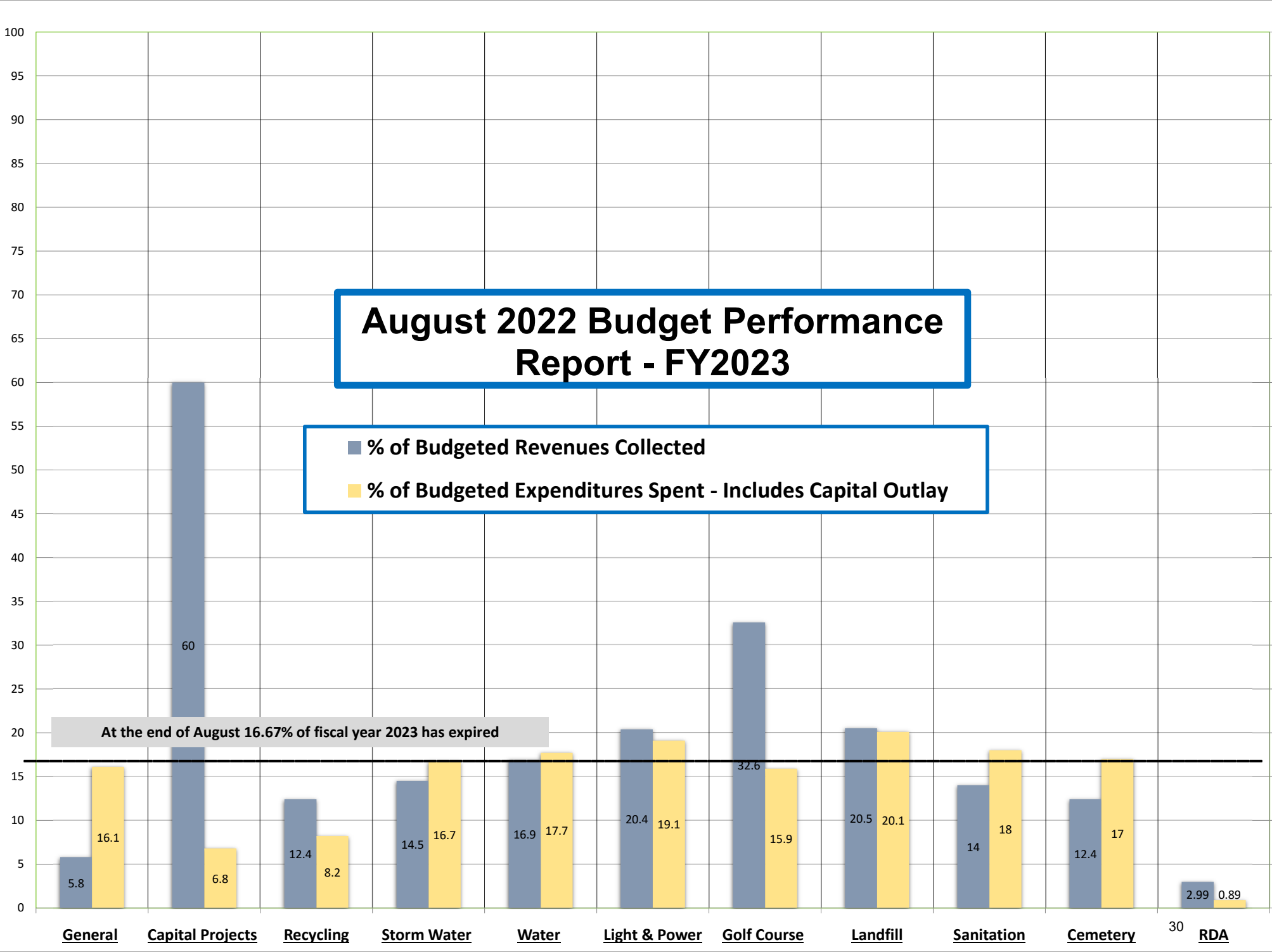
Council should review the attached revenue, expense, and budget reports.

## **Attachments**

- August 2022 Revenue & Expense Reports – Fiscal 2023 YTD

# August 2022 Budget Performance Report - FY2023

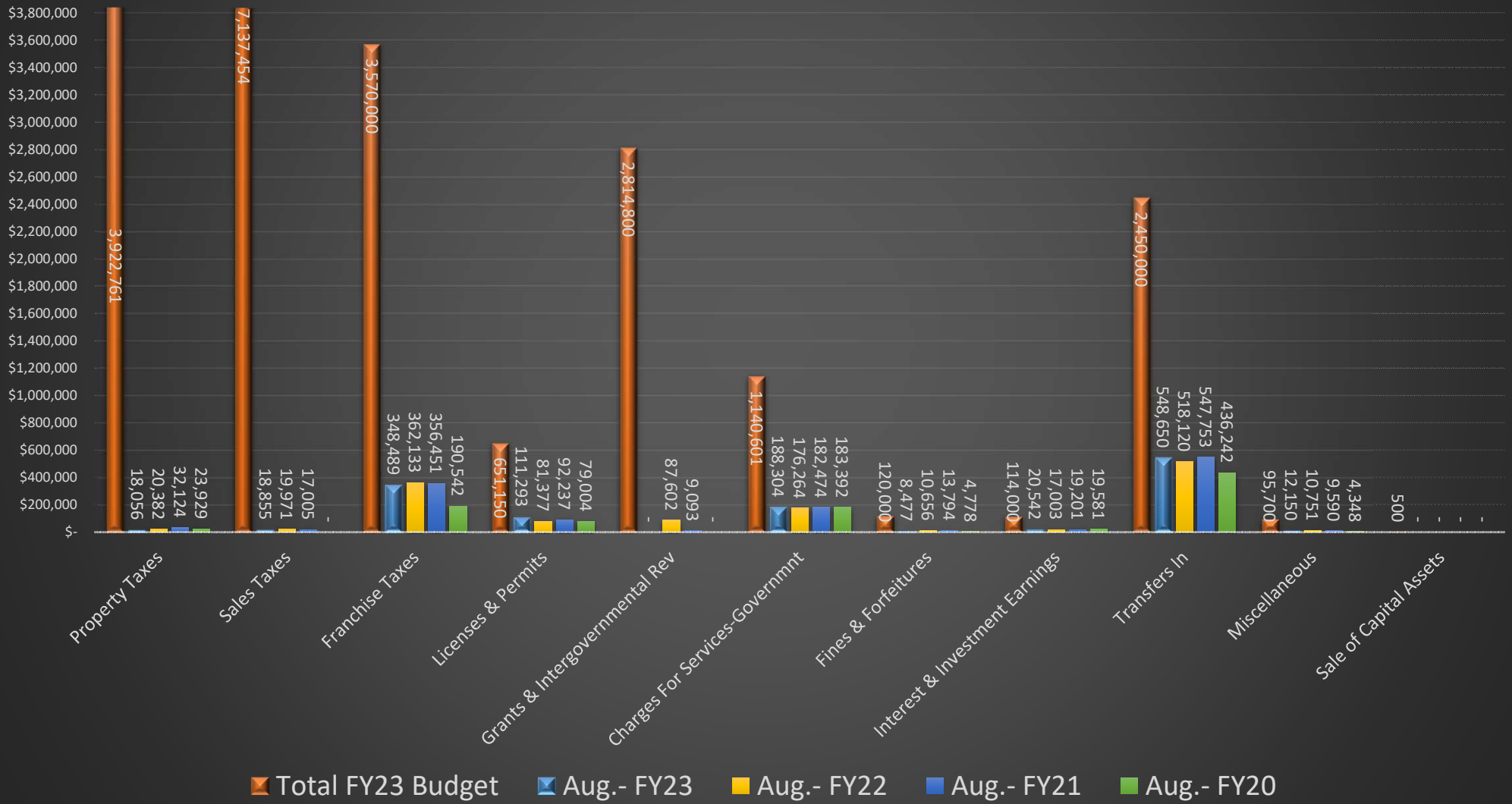
■ % of Budgeted Revenues Collected  
■ % of Budgeted Expenditures Spent - Includes Capital Outlay



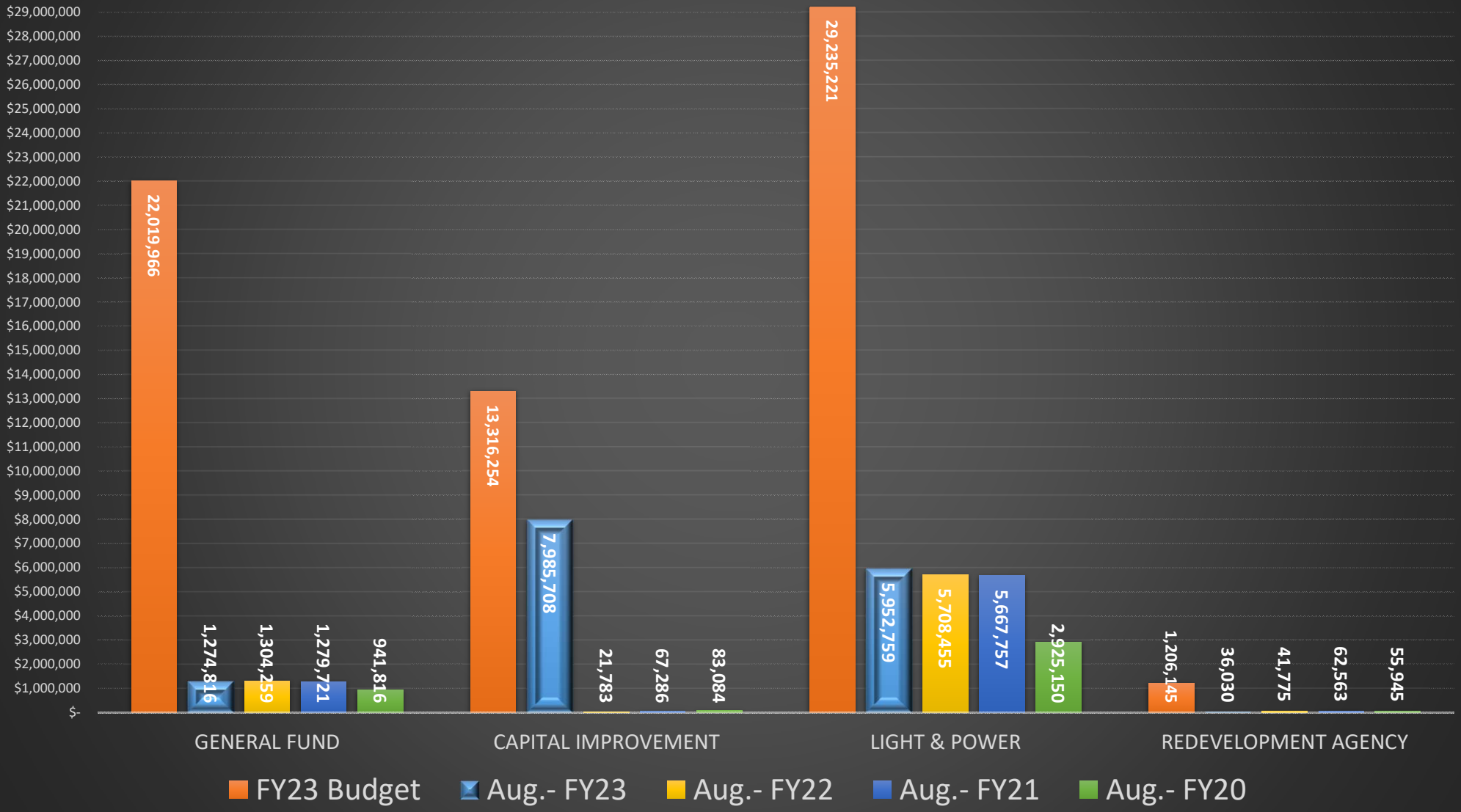
At the end of August 16.67% of fiscal year 2023 has expired

## General Fund Detailed Revenues - August 2022

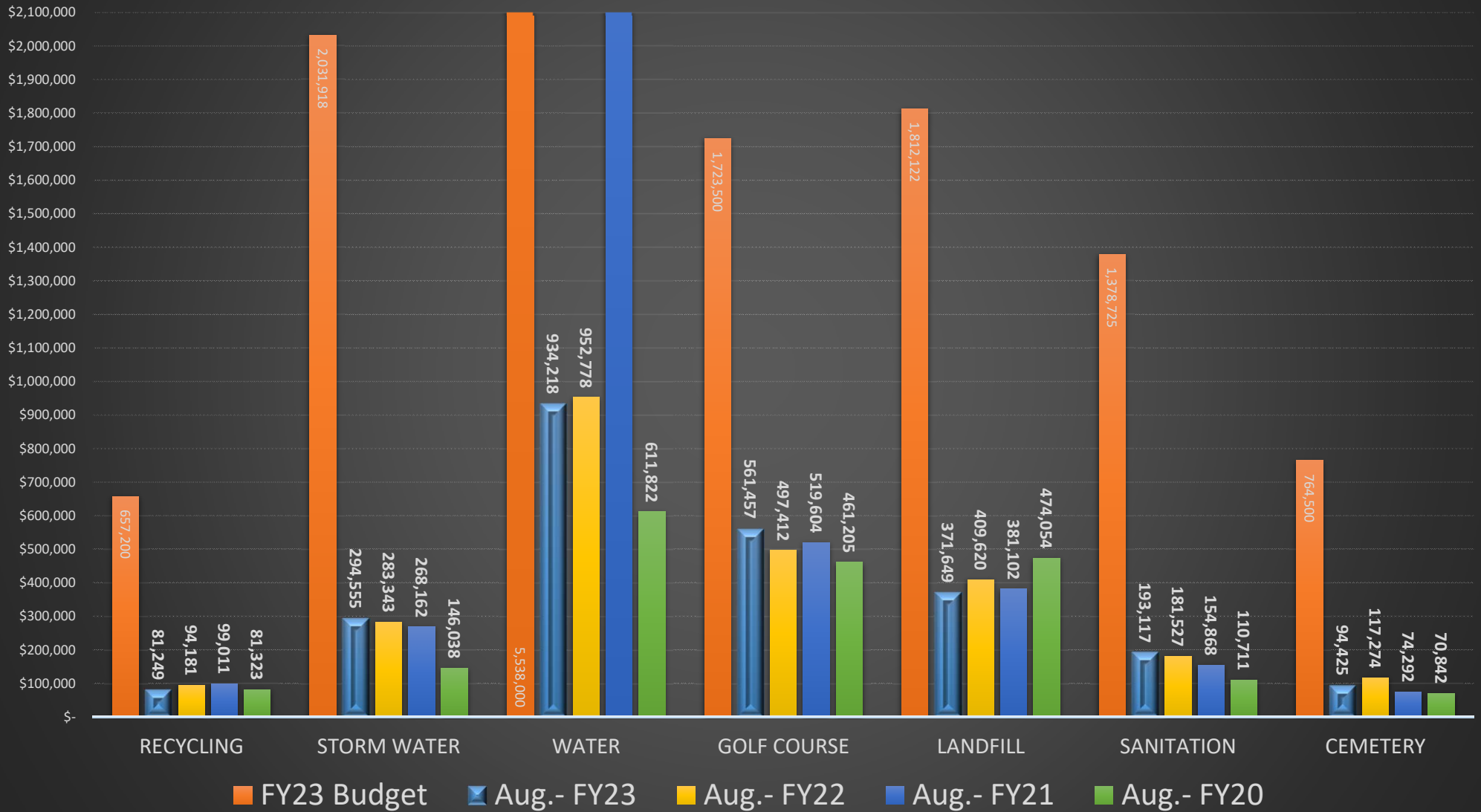
### YTD Revenues (Fiscal Year 2023) Compared to Budget and also the Revenues of the Same Timeframe of the Past Three Fiscal Years



## August 2022 YTD Revenues (Fiscal 2023) Compared to Budget and also the Revenues of Same Timeframe of the Past Three Fiscal Years



## August 2022 (Fiscal 2023) YTD Revenues Compared to Budget and also the Revenues of Same Timeframe of the Past Three Fiscal Years



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Bountiful City Corporation  
AUGUST 2022 - FY2023 YTD REVENUE

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FOR 2023 02

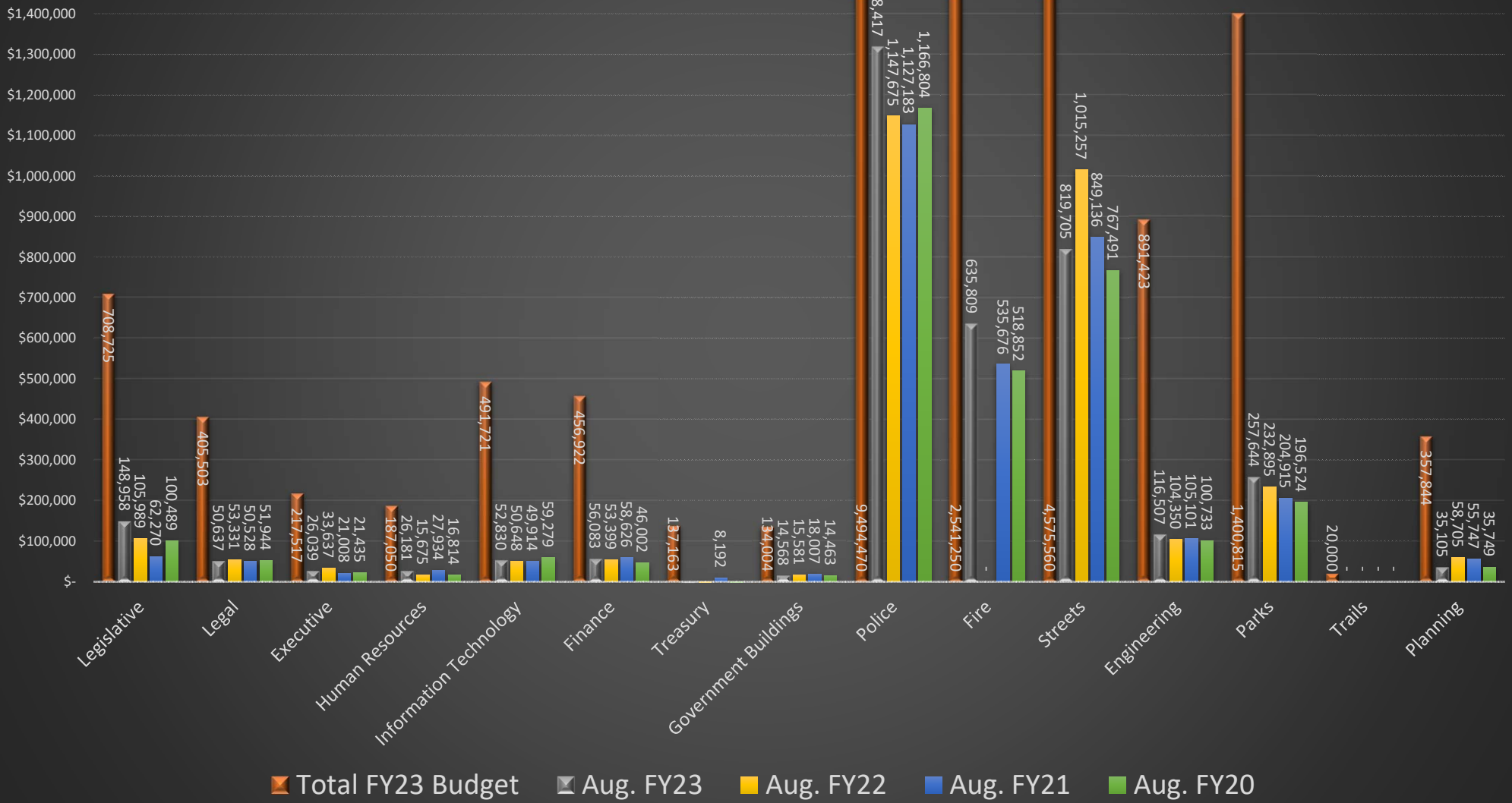
JOURNAL DETAIL 2022 1 TO 2022 6

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
10 GENERAL FUND	-22,017,466	-22,019,966	-1,274,816.36	-682,000.35	.00	-20,745,149.64	5.8%
30 DEBT SERVICE	-679,904	-679,904	.00	.00	.00	-679,904.00	.0%
45 CAPITAL IMPROVEMENT	-13,318,754	-13,316,254	-7,985,707.52	-71,564.34	.00	-5,330,546.48	60.0%
48 RECYCLING	-657,200	-657,200	-81,248.60	-49,082.12	.00	-575,951.40	12.4%
49 STORM WATER	-2,031,918	-2,031,918	-294,554.63	-177,901.09	.00	-1,737,363.37	14.5%
51 WATER	-5,538,000	-5,538,000	-934,218.46	-563,569.19	.00	-4,603,781.54	16.9%
53 LIGHT & POWER	-29,235,221	-29,235,221	-5,952,759.26	-3,461,887.11	.00	-23,282,461.74	20.4%
55 GOLF COURSE	-1,723,500	-1,723,500	-561,456.68	-324,910.77	.00	-1,162,043.32	32.6%
57 LANDFILL	-1,812,122	-1,812,122	-371,648.97	-208,334.89	.00	-1,440,473.03	20.5%
58 SANITATION	-1,378,725	-1,378,725	-193,117.40	-118,257.09	.00	-1,185,607.60	14.0%
59 CEMETERY	-764,500	-764,500	-94,425.28	-66,968.07	.00	-670,074.72	12.4%
61 COMPUTER MAINTENANCE	-74,611	-74,611	-.48	-1.14	.00	-74,610.52	.0%
63 LIABILITY INSURANCE	-488,307	-488,307	-593,100.72	-2,416.79	.00	104,793.72	121.5%
64 WORKERS' COMP INSURANCE	-176,377	-176,377	-44,446.49	-25,390.32	.00	-131,930.51	25.2%
72 RDA REVOLVING LOAN FUND	-201,145	-201,145	-35,504.63	-22,116.69	.00	-165,640.37	17.7%
73 REDEVELOPMENT AGENCY	-1,005,000	-1,005,000	-525.58	-844.73	.00	-1,004,474.42	.1%
74 CEMETERY PERPETUAL CARE	-122,000	-122,000	-14,054.05	-12,985.18	.00	-107,945.95	11.5%
78 LANDFILL CLOSURE	-4,800	-4,800	-2,926.19	-1,680.59	.00	-1,873.81	61.0%
83 RAP TAX	-714,000	-714,000	-783.33	-1,127.87	.00	-713,216.67	.1%
92 OPEB TRUST	0	0	-1,715.06	-576.00	.00	1,715.06	100.0%
99 INVESTMENT	0	0	677,633.73	829,812.40	.00	-677,633.73	100.0%
GRAND TOTAL	-81,943,550	-81,943,550	-17,759,375.96	-4,961,801.93	.00	-64,184,174.04	21.7%

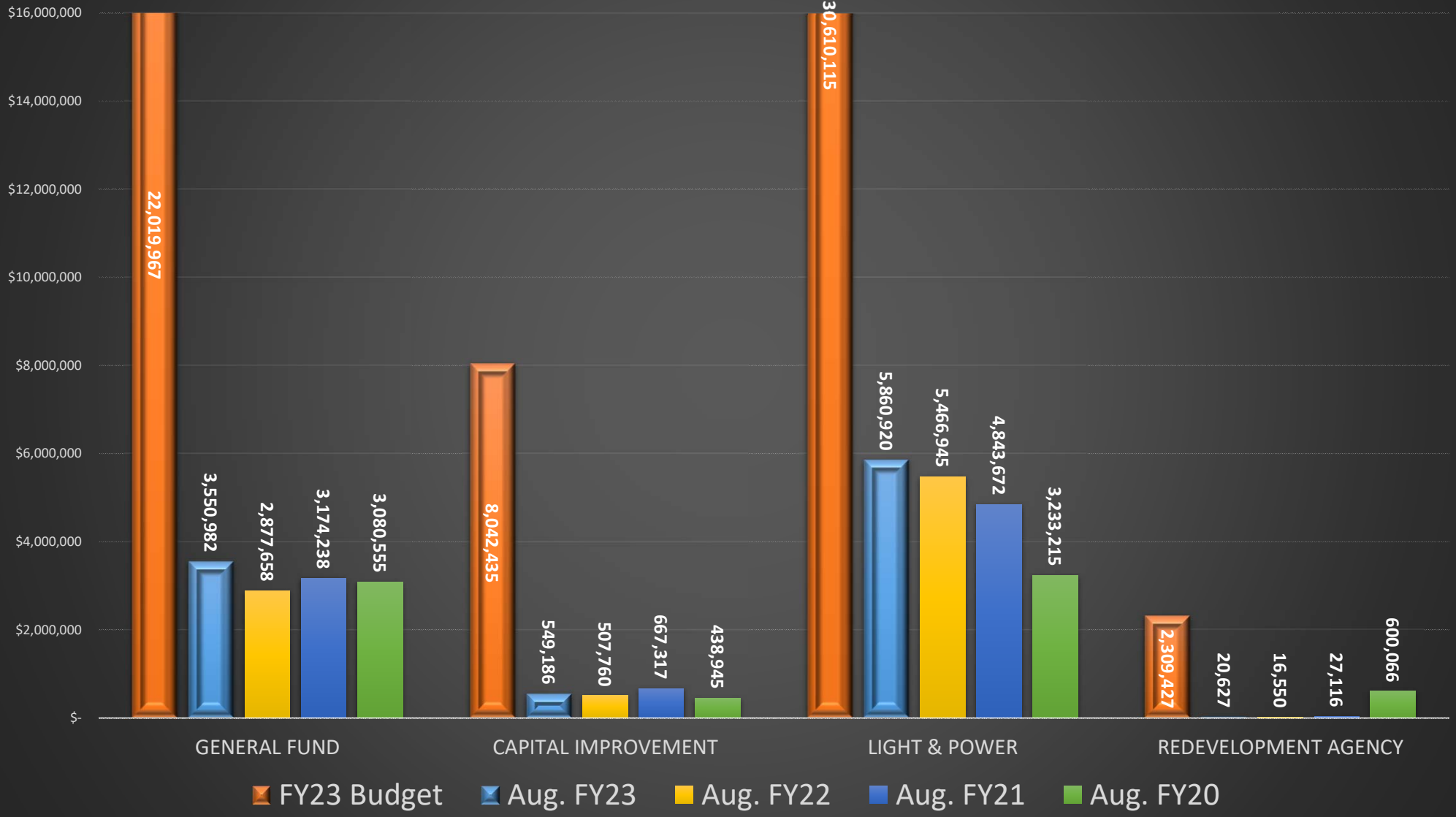
\*\* END OF REPORT - Generated by Tyson Beck \*\*

## General Fund Detailed Expenditures - August 2022

### Fiscal 2023 YTD Expenditures Compared to Budget and also the Expenditures of the Same Timeframe of the Past Three Fiscal Years

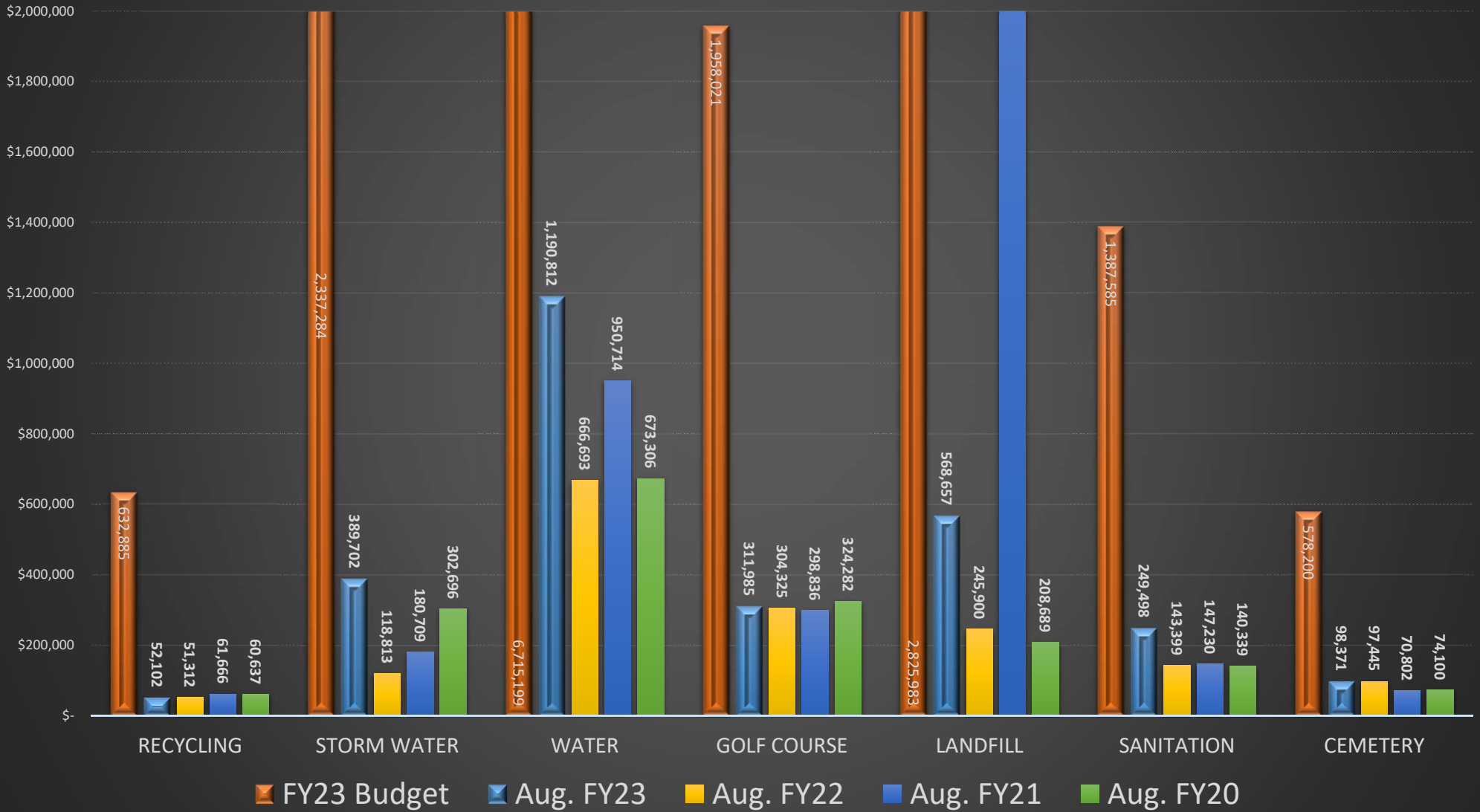


## August 2022 YTD (Fiscal 2023) Expenditures Compared to Budget and also the Expenditures of the Same Timeframe of the Past Three Fiscal Years





## August 2022 YTD (Fiscal 2023) Expenses Compared Budget and also the Expenses of the Same Timeframe of the Past Three Fiscal Years



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Bountiful City Corporation  
AUGUST 2022 - FY2023 YTD EXPENSE

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FOR 2023 02

JOURNAL DETAIL 2022 1 TO 2022 6

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
<b>10 GENERAL FUND</b>							
4110 Legislative	708,725	708,725	148,957.70	70,998.43	.00	559,767.30	21.0%
4120 Legal	405,503	405,503	50,637.49	26,407.18	.00	354,865.51	12.5%
4130 Executive	217,517	217,517	26,038.72	14,151.03	.00	191,478.28	12.0%
4134 Human Resources	187,050	187,050	26,181.49	11,310.87	.00	160,868.51	14.0%
4136 Information Technology	491,721	491,721	52,829.82	27,656.53	.00	438,891.18	10.7%
4140 Finance	456,922	456,922	56,082.87	24,977.48	.00	400,839.13	12.3%
4143 Treasury	137,163	137,163	-7,501.41	-4,501.17	.00	144,664.41	-5.5%
4160 Government Buildings	134,004	134,004	14,568.44	8,262.65	.00	119,435.56	10.9%
4210 Police	7,330,272	7,330,272	1,085,049.55	528,617.35	.00	6,245,222.45	14.8%
4215 Reserve Officers	10,000	10,000	.00	.00	.00	10,000.00	.0%
4216 Crossing Guards	155,710	155,710	.00	.00	.00	155,710.00	.0%
4217 School Resource Officer	442,899	442,899	24,630.05	15,340.45	.00	418,268.95	5.6%
4218 Liquor Control	42,000	42,000	4,366.66	3,533.33	.00	37,633.34	10.4%
4219 PSAP - E911	1,513,589	1,513,589	204,370.66	124,341.73	.00	1,309,218.34	13.5%
4220 Fire	2,541,250	2,541,250	635,809.00	.00	.00	1,905,441.00	25.0%
4410 Streets	4,575,560	4,575,560	819,705.00	622,456.69	.00	3,755,855.00	17.9%
4450 Engineering	891,423	891,423	116,507.49	60,356.06	.00	774,915.51	13.1%
4510 Parks	1,400,815	1,400,815	257,643.77	130,967.14	.00	1,143,171.23	18.4%
4550 Trails	20,000	20,000	.00	.00	.00	20,000.00	.0%
4610 Planning	357,844	357,844	35,105.01	15,389.48	.00	322,738.99	9.8%
TOTAL GENERAL FUND	22,019,967	22,019,967	3,550,982.31	1,680,265.23	.00	18,468,984.69	16.1%
<b>30 DEBT SERVICE</b>							
4710 Debt Sevice	787,629	787,629	21,019.60	.00	.00	766,609.40	2.7%
TOTAL DEBT SERVICE	787,629	787,629	21,019.60	.00	.00	766,609.40	2.7%
<b>45 CAPITAL IMPROVEMENT</b>							
4110 Legislative	3,317,800	3,317,800	436,024.36	427,779.36	.00	2,881,775.64	13.1%
4140 Finance	19,000	19,000	3,867.90	2,044.28	.00	15,132.10	20.4%
4160 Government Buildings	10,500	10,500	8,700.00	8,700.00	.00	1,800.00	82.9%
4210 Police	877,635	877,635	.00	.00	.00	877,635.00	.0%
4410 Streets	2,992,500	2,992,500	701.00	296.00	.00	2,991,799.00	.0%

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Bountiful City Corporation  
AUGUST 2022 - FY2023 YTD EXPENSE

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FOR 2023 02		JOURNAL DETAIL 2022 1 TO 2022 6						
	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED	
4510 Parks	95,000	95,000	64,132.00	.00	.00	30,868.00	67.5%	
4550 Trails	730,000	730,000	35,760.40	35,760.40	.00	694,239.60	4.9%	
TOTAL CAPITAL IMPROVEMENT	8,042,435	8,042,435	549,185.66	474,580.04	.00	7,493,249.34	6.8%	
<hr/> 48 RECYCLING <hr/>								
4800 Recycling	632,885	632,885	52,101.85	46,953.33	.00	580,783.15	8.2%	
TOTAL RECYCLING	632,885	632,885	52,101.85	46,953.33	.00	580,783.15	8.2%	
<hr/> 49 STORM WATER <hr/>								
4900 Storm Water	2,337,284	2,337,284	389,701.95	334,604.45	.00	1,947,582.05	16.7%	
TOTAL STORM WATER	2,337,284	2,337,284	389,701.95	334,604.45	.00	1,947,582.05	16.7%	
<hr/> 51 WATER <hr/>								
5100 Water	6,715,199	6,715,199	1,190,811.53	749,496.60	.00	5,524,387.47	17.7%	
TOTAL WATER	6,715,199	6,715,199	1,190,811.53	749,496.60	.00	5,524,387.47	17.7%	
<hr/> 53 LIGHT & POWER <hr/>								
5300 Light & Power	30,610,115	30,610,115	5,860,919.69	2,784,440.91	.00	24,749,195.31	19.1%	
TOTAL LIGHT & POWER	30,610,115	30,610,115	5,860,919.69	2,784,440.91	.00	24,749,195.31	19.1%	
<hr/> 55 GOLF COURSE <hr/>								
5500 Golf Course	1,958,021	1,958,021	311,985.45	145,895.41	.00	1,646,035.55	15.9%	
TOTAL GOLF COURSE	1,958,021	1,958,021	311,985.45	145,895.41	.00	1,646,035.55	15.9%	
<hr/> 57 LANDFILL <hr/>								

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Bountiful City Corporation  
AUGUST 2022 - FY2023 YTD EXPENSE

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FOR 2023 02		JOURNAL DETAIL 2022 1 TO 2022 6						
57	LANDFILL	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
5700	Landfill	2,825,983	2,825,983	568,656.95	468,608.76	.00	2,257,326.05	20.1%
	TOTAL LANDFILL	2,825,983	2,825,983	568,656.95	468,608.76	.00	2,257,326.05	20.1%
<hr/>								
58	SANITATION							
5800	Sanitation	1,387,585	1,387,585	249,498.45	179,720.86	.00	1,138,086.55	18.0%
	TOTAL SANITATION	1,387,585	1,387,585	249,498.45	179,720.86	.00	1,138,086.55	18.0%
<hr/>								
59	CEMETERY							
5900	Cemetery	578,200	578,200	98,371.18	44,621.68	.00	479,828.82	17.0%
	TOTAL CEMETERY	578,200	578,200	98,371.18	44,621.68	.00	479,828.82	17.0%
<hr/>								
61	COMPUTER MAINTENANCE							
6100	Computer Maintenance	97,799	97,799	440.91	440.84	.00	97,358.09	.5%
	TOTAL COMPUTER MAINTENANCE	97,799	97,799	440.91	440.84	.00	97,358.09	.5%
<hr/>								
63	LIABILITY INSURANCE							
6300	Liability Insurance	696,701	696,701	617,457.80	18,650.19	.00	79,243.20	88.6%
	TOTAL LIABILITY INSURANCE	696,701	696,701	617,457.80	18,650.19	.00	79,243.20	88.6%
<hr/>								
64	WORKERS' COMP INSURANCE							
6400	Workers' Comp Insurance	325,110	325,110	132,129.17	19,173.19	.00	192,980.83	40.6%
	TOTAL WORKERS' COMP INSURANCE	325,110	325,110	132,129.17	19,173.19	.00	192,980.83	40.6%
<hr/>								
72	RDA REVOLVING LOAN FUND							

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Bountiful City Corporation  
AUGUST 2022 - FY2023 YTD EXPENSE

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FOR 2023 02

JOURNAL DETAIL 2022 1 TO 2022 6

72	RDA REVOLVING LOAN FUND	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
7200	RDA Revolving Loans	502,000	502,000	428.43	211.22	.00	501,571.57	.1%
	TOTAL RDA REVOLVING LOAN FUND	502,000	502,000	428.43	211.22	.00	501,571.57	.1%
<hr/>								
73	REDEVELOPMENT AGENCY							
7300	Redevelopment Agency	1,807,427	1,807,427	20,198.55	7,629.74	.00	1,787,228.45	1.1%
	TOTAL REDEVELOPMENT AGENCY	1,807,427	1,807,427	20,198.55	7,629.74	.00	1,787,228.45	1.1%
<hr/>								
74	CEMETERY PERPETUAL CARE							
7400	Cemetery Perpetual Care	1,740	1,740	284.41	140.17	.00	1,455.59	16.3%
	TOTAL CEMETERY PERPETUAL CARE	1,740	1,740	284.41	140.17	.00	1,455.59	16.3%
<hr/>								
83	RAP TAX							
8300	RAP Tax	1,303,739	1,303,739	51,104.77	36.30	.00	1,252,634.23	3.9%
	TOTAL RAP TAX	1,303,739	1,303,739	51,104.77	36.30	.00	1,252,634.23	3.9%
<hr/>								
92	OPEB TRUST							
9200	OPEB Trust	0	0	2,382.92	1,192.15	.00	-2,382.92	100.0%
	TOTAL OPEB TRUST	0	0	2,382.92	1,192.15	.00	-2,382.92	100.0%
	GRAND TOTAL	82,629,819	82,629,819	13,667,661.58	6,956,661.07	.00	68,962,157.42	16.5%

\*\* END OF REPORT - Generated by Tyson Beck \*\*



# City Council Staff Report

**Subject: Curbside Recycling Collection**

**Author: Recycling Director**

**Department: Recycling**

**Date: October 11, 2022**



## **Background**

On September 13<sup>th</sup>, the City Council and staff discussed the possibility of making recycling hauling a city-operated function. At the direction of the City Council, I contacted ACE regarding the possible purchase of the recycle carts in place around the city. ACE responded favorably to the option of selling the carts to Bountiful.

## **Analysis**

The direction that Bountiful City provide Recycling collection services with City staff and equipment is a large task but will benefit the residents of Bountiful in both the short and long term.

### **The startup costs.**

The City has spare refuse trucks that will be used for now until we can save and budget for new refuse trucks to be built. The equipment purchase plan is for 1 truck in FY26 and another in FY29. We are not looking for any up-front funding for purchases of refuse trucks.

The costs for operating the refuse trucks will be covered by redirecting funds that would have gone to the contractor (ACE).

Council would need to authorize the two additional full-time employees needed to operate the recycling collection trucks. We will need time to recruit and train new employees to safely operate equipment to empty containers in daily collection areas. Our staff that covers time off for sanitation could step in for a time if needed. The costs for new employees operating the refuse trucks will be covered by redirecting funds that would have gone to the contractor (ACE).

I contacted ACE regarding the possibility of purchasing or leasing of the recycle carts in place around the city. ACE responded favorably to the option of leasing and selling the carts to Bountiful. After some discussion a lease price of \$1,000 per month for seven months and a price of \$40 per container for a total of \$522,600 to purchase the 13,065 containers in July 2023 was established. Leasing the carts until July will cost an additional \$7,000 but will allow time for the cart purchase funding to go through the FY24 budgeting and review process.

This cart purchase will save the city \$415,360 plus the labor of delivering these cans to every household in Bountiful over the new can cost quote. We expect the remaining life of the purchased containers to be well over 15 years. We also found that the Ace logo and phone number will wipe off with a mild solvent leaving us with a blank space to stencil whatever is decided to apply to the containers.

# Bountiful City Recycle

	A	B	Budget History		
	BTFL	Ace			
	Collection	Collection			
Can Rate	\$3.75	\$3.75	\$3.75	\$3.50	\$2.75
	<b>2023</b>	<b>2023</b>	<b>2022</b>	<b>2021</b>	<b>2020</b>
Cans	13015	13015	12957	12787	12787
<b>Total revenue</b>	\$ 585,675	\$ 585,675	\$ 583,065	\$ 537,054	\$ 422,000
<b>Non- Operating Revenues</b>	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200
<b>Total Operating Revenues</b>	\$ 585,875	\$ 585,875	\$ 583,265	\$ 537,254	\$ 422,200
<b>Expenses</b>					
<b>Total personnel Services</b>	\$ 168,458	\$ -	\$ -	\$ -	\$ -
Ace Collection Charges	\$ -	\$ 509,147	\$ 443,010	\$ 437,418	\$ 423,633
Bountiful City Fleet Maint	\$ 134,000				
Rocky Mountain Recycling Charges	\$ 86,265	\$ 86,265	\$ 58,589	\$ 134,198	\$ 159,367
Admin Services	\$ 59,204	\$ 59,204	\$ 78,304	\$ 79,408	\$ 76,935
Other	\$ 2,750	\$ 2,750	\$ 2,750	\$ 2,750	\$ 2,750
<b>Total operations and Maintenance</b>	\$ 282,219	\$ 657,366	\$ 582,653	\$ 653,774	\$ 662,685
Collection Trucks 7 Year replacement	\$ 100,000				
Recycling Carts (ACE) 15 Year pay plan	\$ 34,840				
<b>Capital Expenses</b>	\$ 134,840	\$ -	\$ -	\$ -	\$ -
<b>Total Expenses</b>	\$ 585,517	\$ 657,366	\$ 582,653	\$ 653,774	\$ 662,685
<b>In or (Out) of Reserve Fund</b>	\$ 358	\$ (71,491)	\$ 612	\$ (116,520)	\$ (240,485)
From Landfill	\$ 75,000	\$ 75,000	\$ 95,000	\$ 255,000	\$ 240,485
New		13100	Cans	\$ 71.60	\$ 937,960
New		2	Trucks	\$ 350,000	\$ 700,000
					\$ 1,637,960
Lease Cans from ACE		7 months		\$ 1,000	\$ 7,000
Buy Cans from ACE		13,065		\$ 40.00	\$ 522,600

## The accounting plan.

The Recycling operation is closely related to, and benefits both the Sanitation and Landfill operations. With staff's recommendation of bringing recycling collection in-house, staff believes it is important for the recycling operation to be rolled into the same external accounting and budgeting fund that the Landfill and Sanitation are in now. With the proposed change, the funds would be so interconnected that it would be reasonable and beneficial to report them as one fund from an external financial reporting and budgeting perspective. Internally, staff would continue to track the Sanitation, Landfill, and Recycle operations separately as a management tool to evaluate rates/fees and ensure the financial health of each operation. During the budget process, the City Council will also continue to review and approve them as separate departments; however, externally these three funds would be reported as a single reporting unit to properly reflect their interdependence and simplify reporting.



### **Department Review**

This report was reviewed by the Recycling Department Director, Public Works Director, Finance Director, and the City Manager.

### **Significant Impacts**

It makes sense to make this change when the current contract ends. Bringing the Recycling collection in house will help control costs and improve customer service.

### **Recommendation**

Due to the various economic and operational benefits to Bountiful City residents, staff recommends recycling collection services be taken in-house and provided by Bountiful City personnel. Staff recommends the City Council approved the following three items:

1. Authorize staff to move forward with in-house recycling collection services beginning December 1, 2022 and hire 2 new full-time positions to operate collection trucks.
2. Enter into a recycling cart lease with Ace Recycling for a seven-month period until the full purchase of those carts can be approved through the budgeting process.
3. Authorize staff to move forward with the external financial reporting and budgeting consolidation of the Recycling fund into the Sanitation and Landfill fund effective in fiscal year 2023.

### **Attachments**

None (All contracts are available for review if desired.)



# City Council Staff Report



**Subject:** Renaissance Towne Centre Lot 11  
Development Plan Amendment

**Property:** 1791 South Renaissance Towne Drive

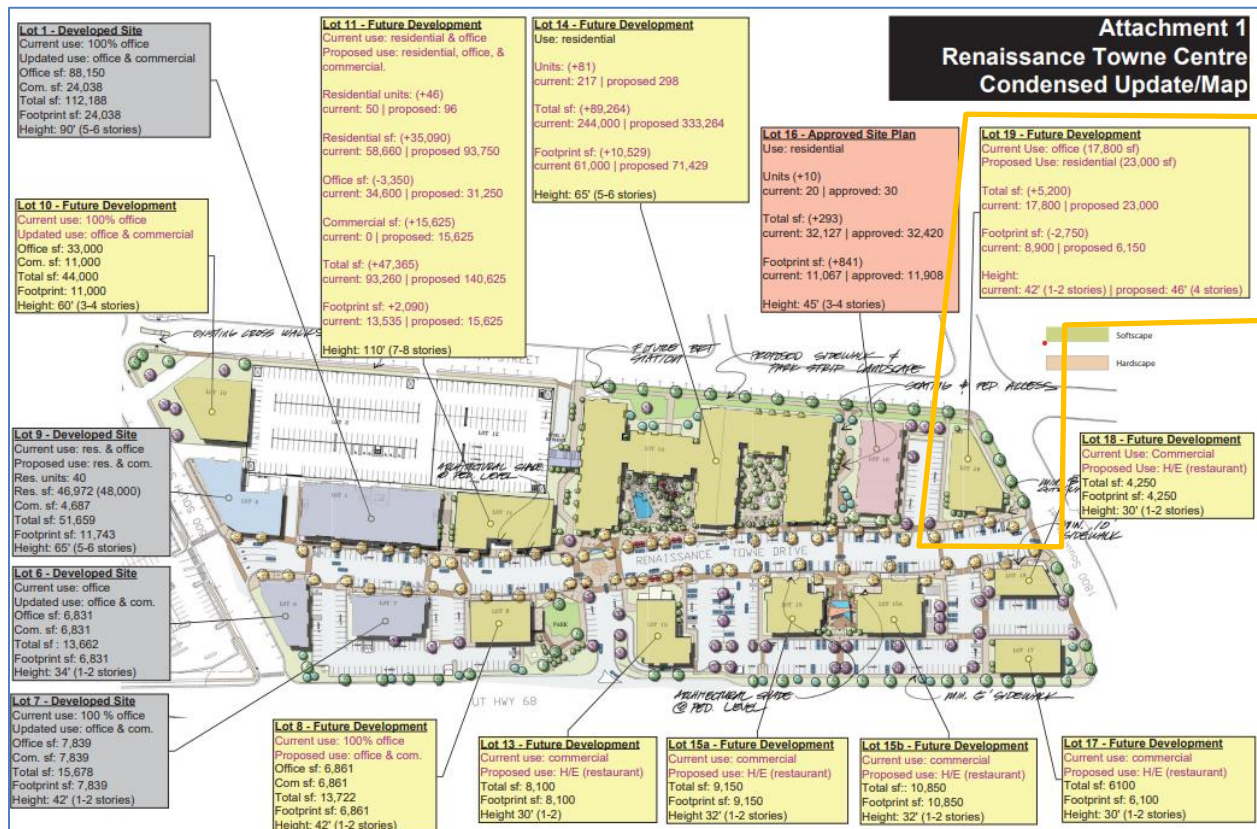
**Author:** Francisco Astorga, AICP, Planning Director

**Date:** October 11, 2022

## Background

The property owner, Brian Knowlton, submitted an application to amend the Renaissance Towne Centre (RTC) Development Plan specifically and solely affecting platted **Lot 11** (formerly identified on the Development Plan as site 19). On May 28, 2019, the City Council approved an overall Zone Change from General Commercial (C-G) to Mixed Use-Residential (MXD-R) with its accompanying Development Plan. On April 27, 2021, the City Council approved a Development Plan Amendment which affected most sites throughout the development including the subject site.

The 2021 amendment authorized a 23,000 square foot (approximately) multi-family residential building at a maximum building height of 46 feet within (now platted) Lot 11. See 2021 condensed update below with the highlights of the subject site:



The site received Architectural/Site Plan approval from the City Council on July 27, 2021, for a 26-unit apartment building which met the adopted parameters of the amended Development Plan. That approval expired on July 27, 2022, as the property owner chose not to pursue a building permit for the project. The current proposal includes an amendment to the Development Plan specifically and solely affecting Lot 11 to reflect the following:




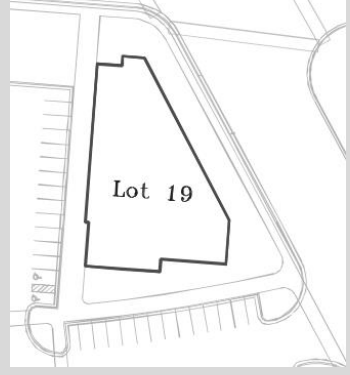

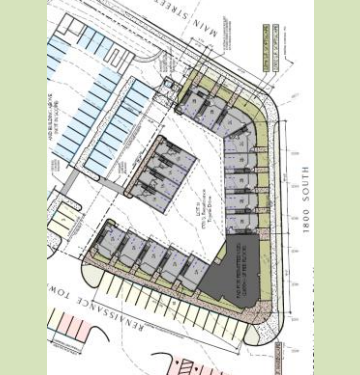
- 12,500 square feet of *non-residential* space on the southeast corner (T-intersection) of 1800 South and Renaissance Towne Drive with a maximum building height of 69 feet (5 stories).  
*Non-residential space in the MXD-R zone is referred to permitted uses in the MXD-R other than residential including office, commercial, institutional/public, and hotel/entertainment (including restaurant), as specified in the MXD Code.*
- 17 townhouses with a maximum building height of approximately 35 feet (13 two-bedroom units and 4 one-bedroom townhouses)

This proposal was reviewed by the Planning Commission at its September 20, 2022, Planning Commission meeting. After thorough discussion, deliberation, and several 3-3 tied motions, a unanimous motion was made to forward a positive recommendation to the City Council (6-0 vote). The Planning Commission’s specific recommendation regarding each item is listed within each subsection is found in the Analysis:

### Analysis

The following chart further illustrates the former approval (2019), the current amendment (2021), and the current proposal to amend the Development Plan:

	<b>2019 Approval:</b>	<b>2021 Amendment:</b>	<b>2022 Proposal:</b>
<b>Specified Use:</b>	Office	Residential	Mixed use (residential and non-residential)
<b>Approx. building Square Footage</b>	17,800 sf.	23,000 sf. shown on the Development Plan.  <i>38,660 sf. shown on the approved 2021 Site Plan Review (parking added to the calculation) which included 26 units in the form of one (1) apartment building</i>	<u>12,500 sf.</u> of non-residential space  <u>28,890 sf.</u> of residential units in the form of 17 townhouses, including the garage.  <u>41,390 sf (overall)</u>
<b>Max. Building Height</b>	42 feet 2 floors 1-2 stories	46 feet  <i>(as a definitive measure, not based on # of floors or # of stories)</i>	69 feet for the non-residential space (footprint of 2,500 sf.)

			35 feet (approx.) for the townhouses
<b>Setback from Main St.</b>	20 feet, min.	No change requested	10 feet, min. for three (3) proposed townhouses along Main towards the corner on 1800 South
<b>Potential Arch. Design</b>	 View angle not specified	 View from Main Street and 1800 South (south elevation).	 View from Main Street and 1800 South (east elevation)  See attachment 2 RTC Lot 11 Conceptual Exterior Perspectives
<b>Concept Site Plan</b>			

Use and Potential Architectural Design

Staff does not have any concerns regarding the proposed amendment to the use of Lot 11. This site was originally approved as General Commercial (C-G) and master planned to have office building in 2019. It was then reclassified as an apartment building (residential) in 2021, and at this time it is proposed as a combination of residential space (17 townhouses) and non-residential space as permitted in the MXD-R Code with the following permitted uses:

- Office*
- Professional offices*
- Banks and credit unions*
- Medical clinics*
- Artist studios*

Commercial

*Convenience stores – without fuel sales*

*Grocery stores – maximum 50,000 square feet per tenant*

*Retail – maximum 50,000 square feet per tenant/floor, no single tenant to exceed 100,000 square feet total across multiple floors*

*Personal services and improvements*

*Health Clubs*

Institutional/Public

*Medical clinics*

*Colleges/Universities/Educational Services*

*Museums*

*Open space/Park*

*Convention center/Assembly/Auditorium*

*Government offices*

*Places of worship*

*Municipal Facilities*

Hotel/Entertainment

*Hotels – Rooms off interior corridors (no motor lodges)*

*Recreation – Indoor/Outdoor*

*Restaurants and private clubs – without drive-up window*

*Fast-food restaurant*

*Movie Theaters - Indoor*

*Convention center/Assembly/Auditorium*

The current proposal includes a mixed-use development approach with this site, likely office and/or retail, and 17 townhouses around the non-residential node. Townhouses have not been included at RTC Development Plan and staff finds that it does provides a diverse mix of residential housing options within the development. Staff supports the proposed use amendment, with modifications. Staff also supports the amendment in the graphic representation of the site from the requested change from one (1) apartment building to a mix of uses within a site based on the findings found throughout this staff report.

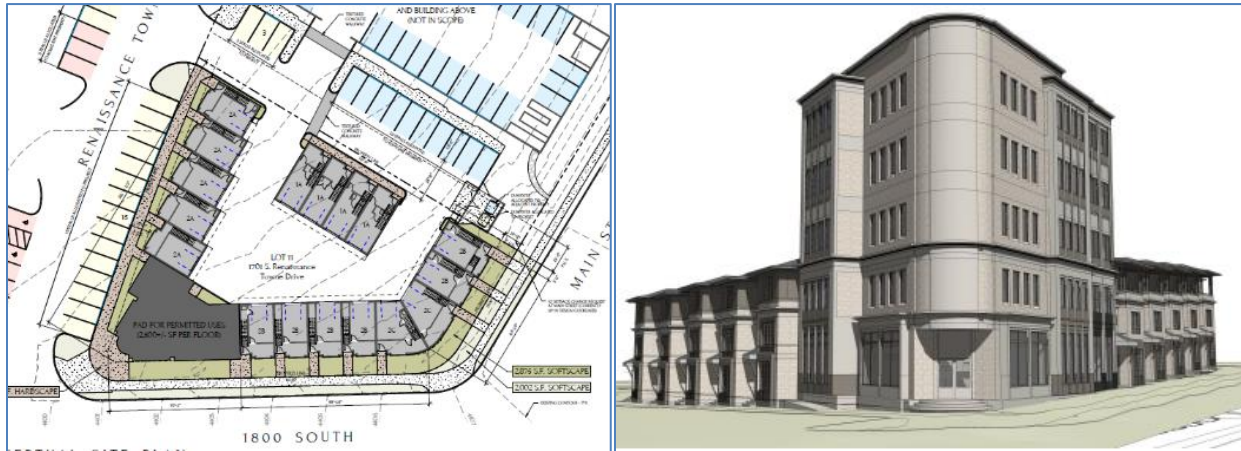
**The Planning Commission and Planning Staff support the Development Plan Amendment relating to the Use and Potential Architectural Design.**

Height

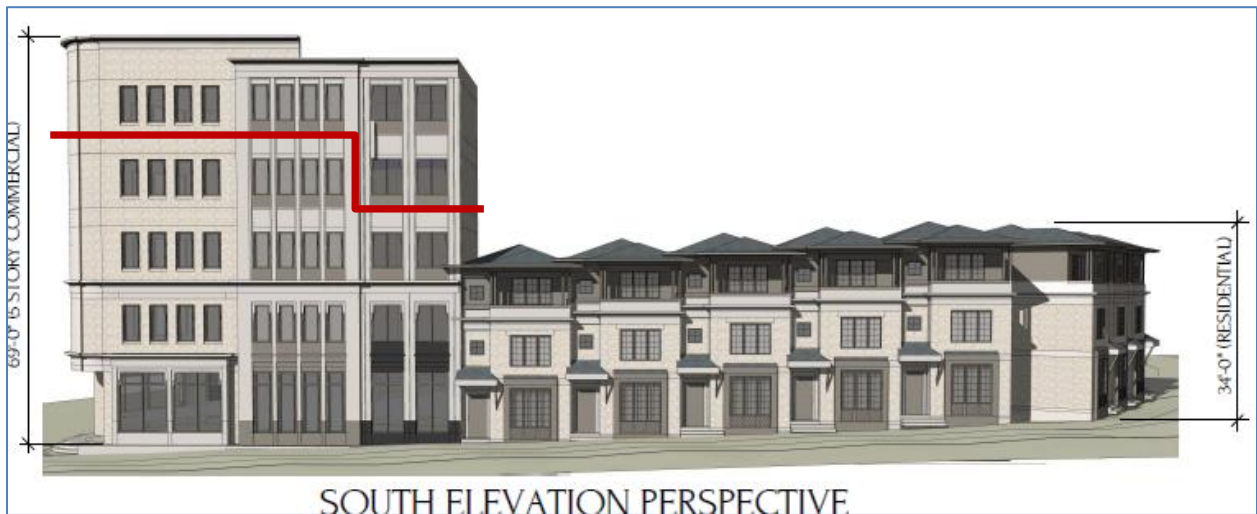
The MXD Code indicates that the height is established as part of the Development Plan with default of 20 feet, minimum, and 35 feet, maximum. The 2019 approval established a maximum of 42 feet which was amended in 2021, at the request of the property owner, to a max. of 46 feet. The applicant requests added height to the proposed non-residential node located on the corner of 1800 South and Renaissance Towne Drive be increased from the 46 feet maximum to 69 feet maximum. This would be an increase of 23 feet and is



requested to accommodate a five (5) story building. The requested height is illustrated in the conceptual site plan in the darker gray (below, left) and a concept rendering shown (below, right):



Staff finds that the transition from the proposed townhouses, at approx. 35' around the non-residential building, to 69' is too drastic and additional massing mitigation would be appropriate based on the proposed development pattern from the townhouses to the non-residential building. Staff recommends a pyramid effect to mitigate the disparity in height. By dropping the proposal of the non-residential building from five stories to four there would be an approximate building height of 55 feet that would transition to 45 feet then 35 feet. The diagram below illustrates the proposal with Staff's pyramid effect recommendation.



Staff finds that this mitigation would help the effects of the difference in height in the two (2) types of buildings (relating to use) and softens the transition. The non-residential node is not adjacent to single-family residential (max. height of 35 feet) east of Main Street. Staff is not aware of any issues that would negatively affect the vehicle dealership on 1800 South in the General Commercial (C-G) Zone (max. height of 45 feet). Based on the proposed

location of the non-residential building, Staff supports the height amendment for the non-residential building as described herein with an approximate building height of 55 feet transitioning to 45 feet as the building gets closer the proposed townhouses. Staff's recommendation also applies to the west elevation, Renaissance Towne Drive.

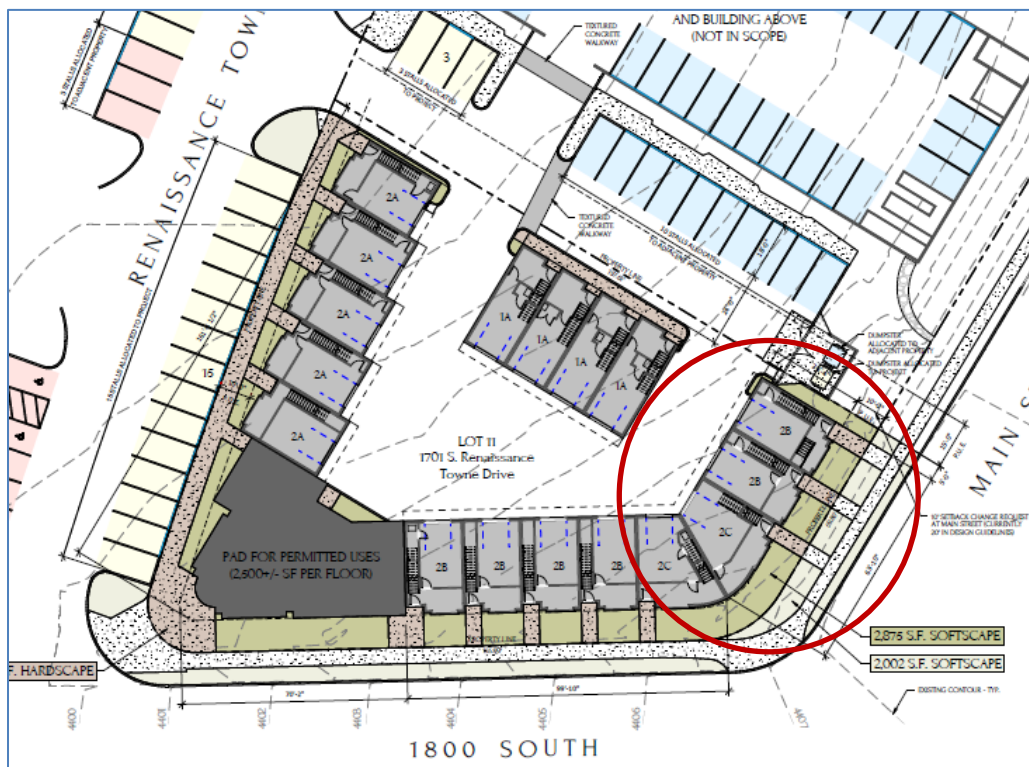
Staff acknowledges the established height parameters assigned to this site in 2019 and amended in 2021; however, Staff finds that these height parameters were established in conjunction to a cohesive review off the proposal tied to site specific conceptual representations/diagrams that were originally presented when the Development Plan was approved.

**The Planning Commission recommends limiting the maximum building height of the non-residential building to 55 feet (four stories) that would transition to the proposed townhouses which have a maximum building height of 42 feet. During the Planning Commission meeting, the Applicant did not disagree with this parameter.**

Setback.

The MXD Code indicates that building setbacks are established as part of the Development Plan with default a of 30 feet, minimum, and 50 feet, maximum. The 2019 approval established a minimum setback of five feet (5') from all property lines, except for Main Street, which is twenty feet (20'), minimum.

The proposal seeks to reduce the minimum setback from 20 feet to 10 feet for the three townhouses facing Main Street as illustrated below:





The purpose of the 2019 setback regulation was to provide additional space from the single-family dwellings east on Main Street to accommodate and mitigate higher building heights in the development. For example, the allowed heights along Main Street are as follows: 65' for RTC site 10, 70' for RTC site 14, 110' for RTC site 11, etc. This also provides front yard space for utilities. The site has a 10-foot public utility easement surrounding the entire site. For this reason, Planning Staff supports the proposed setback of 10 feet.

It should be noted that the City Engineer disagreed with this recommendation. The City Engineer indicated to the Planning Commission that he felt the appropriate setback is 20 feet, minimum. The size of the setback was discussed at length at the Planning Commission meeting. Two motions regarding the setback were proposed and both failed. The first was for a 10-foot setback and the second was for a 20-foot setback. The Planning Commission eventually recommended a minimum setback of 15 feet.

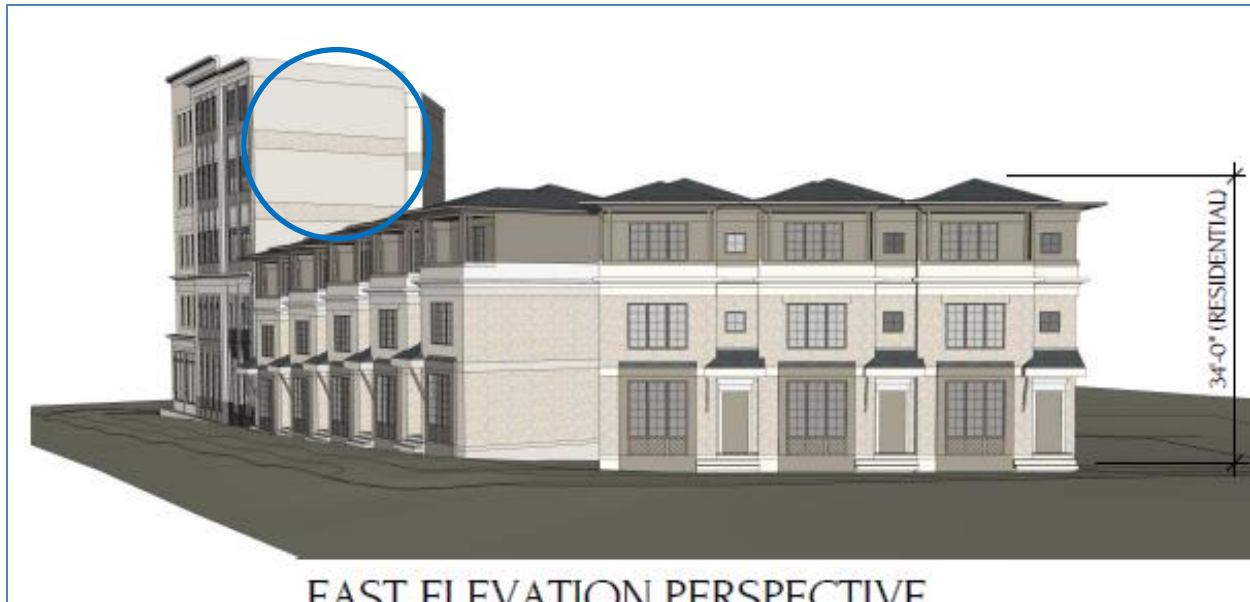
Since the Planning Commission discussion, the City Engineer was informed that the proposed culinary water line, originally designed to connect to the existing culinary system in Main Street via the easement on the north side of Lot 11, was relocated to the 10-foot utility easements adjacent to the Main Street and 1800 South frontages. In addition to the culinary water line, the electrical power system is also located in the 10-foot utility easements. The City Engineer still does not support the reduced setback to 10 feet on either Main Street or 1800 South based on the proximity of the proposed structures to the utility easement and specifically the eight inch (8") culinary water main, and the associated potential difficulties of using equipment needed to maintain such utilities in such close proximity to structures.

Planning Staff finds that the proposed setback for these three (3) specific townhouses is mitigated based on their proposed building height, approximately 35' which provide a soft transition from the maximum allowed height across Main Street towards the east (limited at 35').

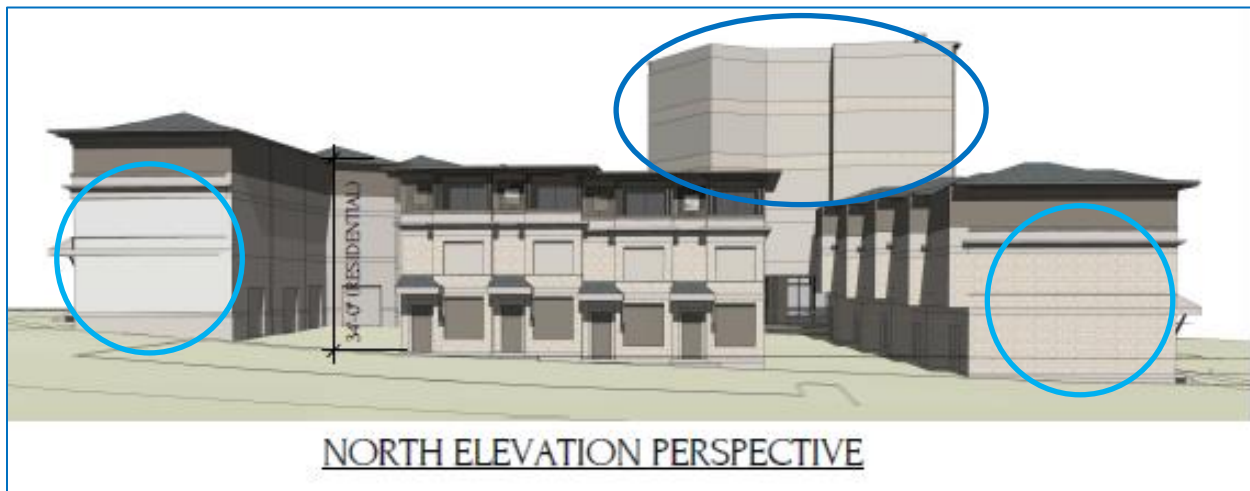
**The Planning Commission supports the requested setback of the three (3) townhouses on Main Street to fifteen feet (15'), minimum, from the property line to allow more room for utility equipment, etc. The Applicant currently requests the minimum setback of ten feet (10') for these three (3) units.**

#### Design Standards

The proposed amendment provides conceptual designs for the development of the subject property. The conceptual exterior perspectives submitted by the applicant represent a significant amount of brick, which is considered a high-end material. Staff would encourage the use of brick as a primary material as reflected on the submitted exterior perspectives. Staff recommends adding windows on the upper stories of the non-residential building, rear and sides, as well as the side elevation of the townhouses as seen from the north, as identified in these exhibits:



EAST ELEVATION PERSPECTIVE



NORTH ELEVATION PERSPECTIVE

In addition to these design standards, the property is subject to the design standards found in chapter 15 of the Land Use Code. Each of the sites/buildings require individual Architectural and Site Plan Review at which time the details of specific design are to be discussed, reviewed, and approved.

**The Planning Commission agreed with Staff's specific recommendation regarding design standards which includes brick as a primary material to be used as reflected on the submitted exterior perspectives and adding windows and/or architectural details on the upper stories of the non-residential building along the rear and side elevations, as well windows on the side elevation of the townhouses as seen from the north.**

Pedestrian Circulation Plan

The approved pedestrian circulation plan includes north/south pedestrian routes along Main Street and Renaissance Towne Drive, with east/west connection occurring along 1500 South, 1800 South, and mid-development. The proposed amendment does not affect the Pedestrian Circulation component approved in the 2019 Ordinance (Zoning Map Amendment and Development Plan).

### Traffic and Parking

During the 2021 Amendment the applicant submitted a parking study developed by Hales Engineering analyzing the required parking for the site. The suggested shared parking rates were found to be consistent with principles included in the MXD Code standards. Peak parking demand for the office/commercial and residential uses occur at different time allowing for shared use of the parking. The updated 2021 Parking Study was completed using parking rates found in the Institute of Transportation Engineers (ITE), *Parking Generation* 5<sup>th</sup> edition (2019) with updated parking rates, etc. During Architectural and Site Plan review the proposal is reviewed for compliance with the parking requirements. This proposed amendment does not affect the Traffic Impact Study approved in the 2019 Ordinance.

### Common Area and Open Space

The Development Plan indicates the following:

1. *The development shall provide at least 15 percent of the gross floor area or 15 percent of the gross site area, whichever is greater, as common open space. Open space may include any or all the following: cultivated landscaping, plazas, parks, urban trails/sidewalks, and community recreation space.*
2. *Other types of landscaping may be permitted as approved by the Planning Commission and City Council.*
3. *A maximum of 50 percent of all open space may be hard surfaced.*

The proposal complies with the open space requirement consisting of 15%.

### Site Planning

It is not inappropriate for the Planning Commission and the City Council to provide feedback regarding proposed amendments, especially at this time where the applicant requests to amend established parameters: setback, height, use, etc.

Staff recommended the removal of the four (4) 1-bedroom apartment building towards the middle of the development. This small area can accommodate a community gathering space or similar. While Staff supports the diversity in housing type in the introduction of townhouses to the overall development, Staff also recognizes the inefficiency of townhouses compared to an apartment building regarding site circulation (pedestrian/vehicular), access, usable open space, etc., mainly overtaken by the vehicular access to accommodate the 17 townhouses. While it can be shown that open space requirements are met, the site plan itself illustrates the unusable nature of the proposed open spaces and how is not suitable for actual use from future residents. The provided open space is mainly located within the required front yard setback with a miniscule amount of soft open space found in the “interior” portion of the site.



As a point of reference only, the illustration below (former approval) is only used to illustrate the efficiency of the former approval compared to the current proposal. Staff is not advocating for the former approval, but simply uses it for comparison purposes only:

Comparison	Former approval	Proposal
<b>Conceptual Site Plan</b>		
<b>Use:</b>	1 apartment building with 26 units	Non-residential building and 17 townhouses (as described herein)
<b>Max. height:</b>	46 feet	Varies (see height section)

<b>Bldg. Footprint</b>	10,368 sf. / 43% of lot	11,443 sf. / 47% of the lot
<b>Parking spaces onsite</b>	<b>34 parking spaces</b> onsite (26 within the building) (9 surface spaces)	<b>17 parking spaces</b> onsite (1 parking space within each proposed townhouse)
<b>Approx. Driveway</b>	<b>835 sf. / 0.03% of the lot</b>	<b>7,224 sf. / 30% of the lot</b>

While the removal of the proposed 1-bedroom unit building, as recommended by Staff, does not decrease the approx. driveway area of the proposal currently corresponding to 30% of the site, it provides an opportunity for usable open space, in the form of a possible community gathering space. This recommendation allows for further mitigation of the newly requested amount and location of vehicular circulation, which was not discussed in the past as townhouses were not proposed.

**The Planning Commission did not agree with Staff’s specific recommendation regarding site planning which included the removal of the four (4) townhouses in the middle to accommodate usable open space. The Commission found little to no benefit in Staff’s recommendation based on its size, impact, and park amenity to be built in the future towards the middle of the development.**

Standard of Review

As a matter of procedure, whenever the City Council considers a request for a rezone (zone map amendment), it shall review it in accordance with the provisions of 14-2-205(B) AMENDMENTS TO THE LAND USE CODE AND MAP, which are as follows:

B. For the purpose of establishing and maintaining sound, stable, and desirable development within the City, it is declared to be the public policy that amendments should not be made to the Bountiful City Land Use Ordinance or Zoning Map except to promote the objectives and purposes of the Land Use Code, the Bountiful City General Plan, or to correct manifest errors.

**Department Review**

This staff report was written by the Planning Director and reviewed by the City Engineer, City Attorney, and City Manager.

**Significant Impacts**

The proposed amendment contains a shift in identified uses, additional height for a specific building, reduced setbacks for specific units (3), and additional square footage that is now being proposed from what was approved in 2019, and amended in 2021; however, the proposal is supported by the standards outlined in the Code.

**Recommendation**

Staff recommends that the City Council review the requested Amendment to the Development Plan for Renaissance Towne Centre Lot 11, hold a public hearing, and

consider approving it based the recommendation provided by the Planning Commission supporting the amendment based on the following:

1. The maximum building height of the non-residential building is 55 feet transitioning to the proposed townhouses which have a maximum building height of 42 feet, applied to both sides of the non-residential building.
2. The maximum building height of the townhouses is 42 feet.
3. The minimum building setback of the three (3) townhouses on Main Street is fifteen feet (15').
4. The site is subject to design standards found in the Chapter 15 of the Land Use Code, and the Development Plan as each site/building requires individual Architectural and Site Plan Review at which time the details of specific design are to be discussed, reviewed, and approved.

### **Attachments**

1. Proposed Ordinance with
  - A. RTC Lot 11 Conceptual Site Plan
  - B. RTC Lot 11 Conceptual Exterior Perspectives
2. [Ordinance No. 2021-04 including Exhibit A – 2021 Development Plan \(web link\)](#)
3. [Current MXD-R Code \(web link\)](#)





# Bountiful

## Bountiful City Draft Ordinance No. 2022-09

**MAYOR**  
Kendalyn Harris

**CITY COUNCIL**  
Millie Segura Bahr  
Jesse Bell  
Kate Bradshaw  
Richard Higginson  
Cecilee Price-Huish

**CITY MANAGER**  
Gary R. Hill

### **An Ordinance Amending Section 2 of Bountiful City Ordinance No. 2021-04 Which Contained the Development Standards of the Renaissance Towne Centre Development Plan approved by the City Council on April 13, 2021.**

#### **It is the finding of the Bountiful City Council that:**

1. The Bountiful City Council is empowered to adopt and amend Ordinances pursuant to Utah State law and under corresponding sections of the Bountiful City Code.
2. The proposed Ordinance/Development Plan amendment request has been made by the owners of the subject property.
3. As required by Section 14-2-205 of the Bountiful City Land Use Code this Ordinance/Development plan amendment is found to be in harmony with the objectives and purposes of the Land Use Code.
4. After a public hearing, the Bountiful City Planning Commission recommended in favor of approving this proposed Ordinance amendment on September 20, 2022.
5. The Bountiful City Council held a public hearing on this proposal on October 11, 2022.

#### **Be it ordained by the City Council of Bountiful, Utah:**

That the development within the Renaissance Towne Centre Lot 11 MXD-R Zone will be in accordance with the standards contained in the Bountiful Land Use Code as the updated and amended Development Plan is found is an Attachment to this Ordinance.

**Section 1.** This Ordinance pertains all of Lot 11, Renaissance Towne Centre Commercial PUD Phase 2, Plat 1, located at 1791 South Renaissance Towne Drive, Bountiful, Utah 84010, currently in the Mixed-Use Residential (MXD-R) Zone, consisting of 0.55600 acres.

**Section 2.** Development of the property described herein shall be subject to the standards

outlined in Exhibit A - RTC Lot 11 Conceptual Site Plan, Exhibit B -RTC Lot 11 Conceptual Exterior Perspectives, and Ordinance No. 2021-04, except for the following parameters requested by the property owner and approved by the City Council:

1. The site is subject to all permitted uses listed on Bountiful City Land Use Code section 14-10-105a allowing residential, office, commercial, institutional/public, and hotel/entertainment uses.
2. The maximum building height of the non-residential building is 55 feet transitioning to the proposed townhouses which have a maximum building height of 42 feet, applied to both sides of the non-residential building.
3. The maximum building height of the townhouses is 42 feet.
4. The minimum building setback of the three (3) townhouses on Main Street is fifteen feet (15').
5. The site is subject to design standards found in the Chapter 15 of the Land Use Code, and the Development Plan as each site/building requires individual Architectural and Site Plan Review at which time the details of specific design are to be discussed, reviewed, and approved.
6. The site is subject to all other applicable standards found in the 2021 Renaissance Towne Centre Development Plan, which are not amended by this Ordinance.

**Adopted by the City Council of Bountiful, Utah, this 11<sup>th</sup> day of October 2022.**

---

Kendalyn Harris, Mayor

ATTEST:

---

Shawna Andrus, City Recorder









SOUTHWEST CORNER PERSPECTIVE (OVERALL)



SOUTH ELEVATION PERSPECTIVE



EAST ELEVATION PERSPECTIVE



NORTH ELEVATION PERSPECTIVE



WEST ELEVATION PERSPECTIVE



**EDIFICE**  
DESIGN + ARCHITECTURE

352 NORTH FLINT STREET  
KAYSVILLE, UT 84037  
385.432.3332 www.EDIFICEdna.com

stamp:

consultant:

RENAISSANCE TOWNE  
CETERN MIXED-USE  
LOT 11  
1701 S. RENAISSANCE TOWNE DRIVE  
BOUNTIFUL, UTAH

project:

PROJECT STATUS

**ZONING**

**APPLICATION**

SEPTEMBER 15, 2022

REVISIONS

DATE	DESCRIPTION

Project #: 22204.01

**EXTERIOR  
PERSPECTIVES**

**A901**



# City Council Staff Report



**Subject:** 2022 Moderate Income Housing Report Update  
**Author:** Francisco Astorga, AICP, Planning & Economic Development Director  
**Date:** October 11, 2022

## Background

The Bountiful City Planning & Economic Development Department requests to update the City Council the recent changes to the annual Moderate Income Housing Report made by House Bill (HB) 462 (2022) which amended applicable sections of State Code (LUDMA) affecting the 2022 report and how it is submitted to the state, as well as future reporting requirements starting in 2023. In 2019 the City was required to adopt a minimum of three (3) moderate income housing strategies to comply with LUDMA made by Senate Bill (SB) 34 (2019).

## Analysis

Starting in 2022 the MIH report is required to be submitted in a form approved by the Department of Workforce Services. The online submittal (google docs) simply required the following information:

- Preparer’s contact information and name of the municipality
- If the municipality adopted a MIH element in the General Plan and date of last amendment/adoption
- Links to the ordinance adopting/amending the MIH element and General Plan
- Page number of the MIH element
- Selection of the strategies that have included in the MIH element

Staff, as the preparer, reported on three of the four (3of4) strategies adopted in 2019 due to the recent changes (SB 462) in State Code that drastically affected the language of the fourth adopted MIH strategy as the staff was not comfortable with the recent changes to this applicable strategy. Even though the wording of all four adopted strategies were amended by SB 462, the principle of the first three remained the same. Staff can further elaborate on this if necessary, and why the fourth strategy was selected in 2019:

Adopted/selected MIH strategy as provided and required in 2019 (SB 34)	Reported MIH strategy as required and amended in 2022 (HB 462)
(E) Create or allow for, and reduce regulations related to, accessory dwelling units in residential zones.	(E) Create or allow for, and reduce regulations to, <u>internal or detached</u> accessory dwelling units in residential zones.
(F) <u>Allow</u> for higher density or moderate-income residential development in commercial and mixed-use zones, commercial centers, or employment centers.	(F) <u>Zone or rezone</u> for higher density or moderate income residential development in commercial or mixed-use zones <u>near major transit investment corridors</u> , commercial centers, or employment centers.

(G) <u>Encourage higher density or moderate-income residential development near major transit investment corridors.</u>	(G) <u>Amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors.</u>
(L) Preserve existing moderate-income housing.	<p><u>Strategy K (formerly strategy L) was not included in the 2022 MIH Annual Report as the updated wording from HB 462 added specificity that was not found in 2019:</u></p> <p>(K) <u>Preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program or establishing a housing loss mitigation fund.</u></p>

Starting in 2023 the MIH report is required to provide the following items submitted to the Department of Workforce Services in their approved form:

1. A description of each moderate income housing strategy selected by the jurisdiction for implementation;
2. An implementation plan;
3. A description of each action, whether one-time or ongoing, taken by the jurisdiction during the previous fiscal year to implement the moderate income housing strategies selected by the jurisdiction for implementation;
4. A description of each land use regulation or land use decision made by the jurisdiction during the previous fiscal year to implement the moderate income housing strategies, including an explanation of how the land use regulation or land use decision supports the jurisdiction's efforts to implement the moderate income housing strategies;
5. A description of any barriers encountered by the jurisdiction in the previous fiscal year in implementing the moderate income housing strategies;
6. Information regarding the number of internal and external or detached accessory dwelling units located within the jurisdiction for which the jurisdiction:
  - a. issued a building permit to construct, or
  - b. issued a business license to rent;
7. A description of how the market has responded to the selected moderate income housing strategies, including the number of entitled moderate income housing units or other relevant data; and
8. Any recommendations on how the state can support the jurisdiction in implementing the moderate income housing strategies.

By way of reference, the City is working on update the Comprehensive General Plan which includes an update to the Moderate Income Housing Element, subject to compliance with all applicable requirements of State Code.

**Department Review**

The 2022 Moderate Income Housing Report was prepared and submitted to the State on time by the Planning Director. This report was written by the Planning Director and reviewed by the City Manager.

**Significant Impacts**

Staff is planning on working with the City Manager to make sure that work sessions with Council, as appropriate, are scheduled that provides updates, as needed, prior to October 1, 2023 as several descriptions, applicable information, recommendations, and implementation plan are required to be reported.

**Recommendation**

Action is not needed at this time as this item is intended to provide an update to Council on the submitted 2022 Moderate Income Housing Plan as well as an update as to what will be required to be planned, programed, and submitted in 2023.

**Attachments**

None.



# City Council Staff Report

**Subject:** Lot Line Adjustment for Lots 101, 102 and 103  
Maple Hill No.2 Plat D  
**Address:** 1846 E Maple Hills Dr.  
**Author:** City Engineer  
**Department:** Engineering, Planning  
**Date:** October 11, 2022



---

## Background

Henry Ashworth, applicant, is requesting approval of a lot line adjustment to combine lots 101, 102 and a remainder portion of 103 of the Maple Hills No.2 Plat D Subdivision. Mr. Ashworth's home occupies lot 102 with landscaping and retaining walls that extend on to lots 101 and 103. This phase of the Maple Hills Subdivisions was platted in 1976 when the "Foothill Zone" was in its infancy and lot sizes and slope restrictions varied considerably from current requirements in the R-F Zone.

The City has previously processed lot line adjustments through the Administrative Committee, but a change in the State Code now necessitates that these requests be processed as amended subdivision plats where the properties involved are part of an existing platted subdivision and involve a parcel with an existing residential structure.

## Analysis

**Location:** The properties consist of Lot 101 (26,571 sq ft, 0.61 ac), Lot 102 (20,037 sq ft, 0.46 ac) and remainder of Lot 103 (25,264 sqft, 0.58 ac) of the Maple Hills No.2 Plat D Subdivision. Of the 3 lots involved, only the portion of Lot 103 does not (individually) meet the current lot frontage requirements. Since these lots are located in the R-F zone, a slope study was conducted by the Engineering Dept. to understand how the lot size requirements would apply. The average slope, based on the City's Lidar-based contour mapping (5 ft contour interval) shows the average slope of these lots (individually) to be 40.5% for Lot 101, 23.1% for Lot 102 and 35.4% for Lot 103. The current zoning would require a minimum lot size of 40 acres for Lot 101, 2 acres for Lot 102 and 40 acres for Lot 103. The proposed combined lot (1.65 acres) has an average slope of 33.9%, which would require a 10 acre minimum lot size under the current zoning. It is not possible to achieve the minimum sizes required by the current ordinance for any of the individual lots involved, or for the proposed combined lot.

**Future Use:** Mr. Ashworth is requesting approval combine the three lots to accommodate his plans for a future detached garage. Because lots 101 and 103 do not have a primary structure, it would not be possible to issue a permit for the accessory structure until the lots are combined. The location under consideration would be subject to the current criteria for use according to the current zoning requirements. Any proposed improvements involving grading or structures would need an appropriate application and would be subject to the standard review process prior to issuance of a permit by the City. No new building lots would be created by this proposed action.

The Planning Commission has reviewed this item and forwarded a recommendation for approval of this lot line adjustment to the City Council. During the Commission's discussion it was noted that there are three existing drive approaches that access Mr. Ashworth's property. Three drive approaches are authorized for lots which have more than 150 feet of frontage and are greater than 1 acre in size.

Utilities: No additional utilities are required.

Proposed Right of Way Improvements and Access: No improvements are required.

### **Department Review**

This memo has been reviewed by the City Attorney, and Planning Director.

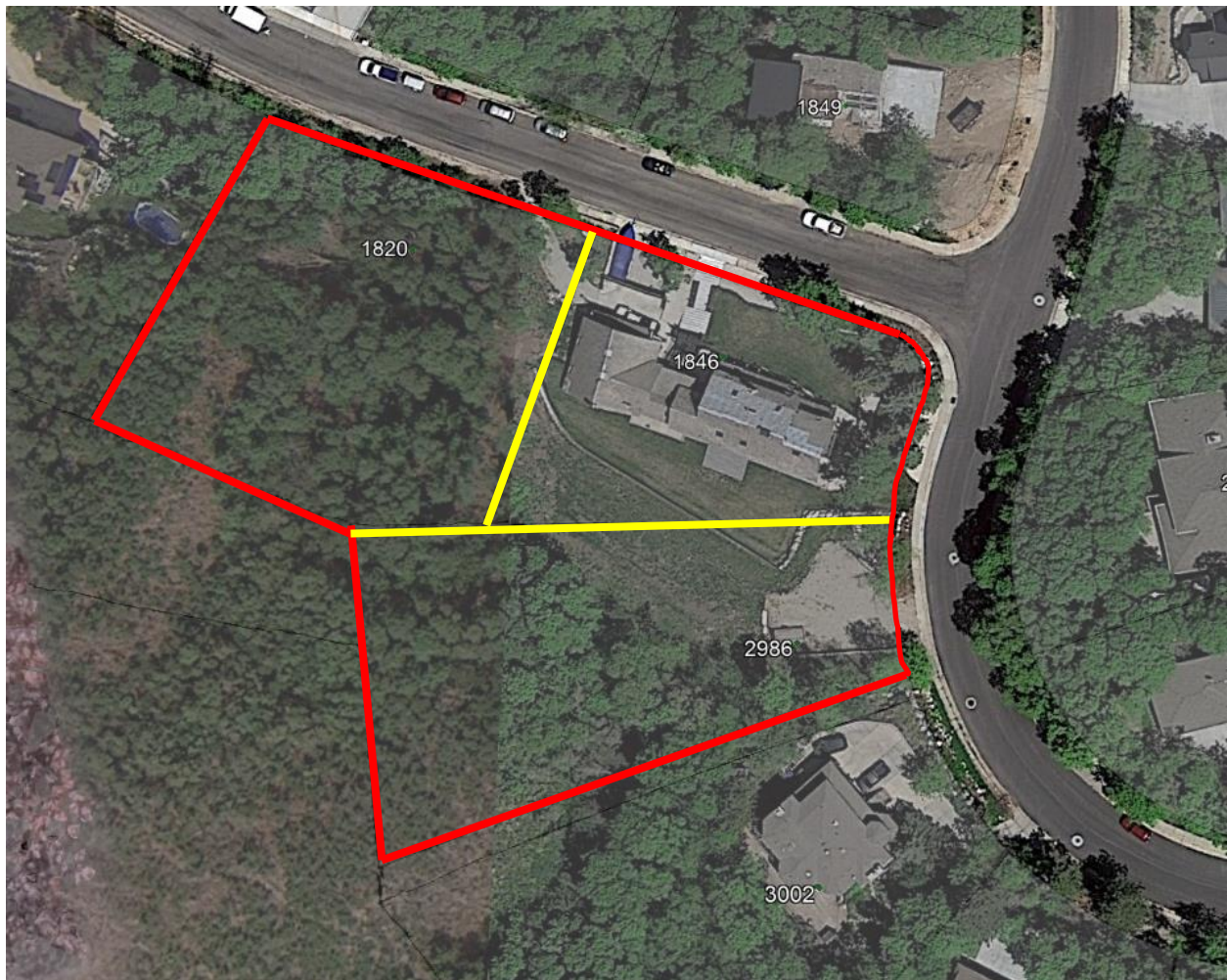


Figure 1 Location of Proposed Lot Line Adjustment

### **Recommendation**

[https://bountifulgov-my.sharepoint.com/personal/engstor\\_bountiful\\_gov/documents/engineering/lot line adjustments/maple hills 2d lots 101 102 103 ashworth/xcc lla maple hills no2 plat d 101 102 103 ashworth oct 2022.docx](https://bountifulgov-my.sharepoint.com/personal/engstor_bountiful_gov/documents/engineering/lot%20line%20adjustments/maple%20hills%202d%20lots%20101%20102%20103%20ashworth/xcc%20lla%20maple%20hills%20no2%20plat%20d%20101%20102%20103%20ashworth%20oct%202022.docx)



Staff would support the Planning Commission forwarding a recommendation approval of the Lot Line Adjustment at 1848 E Maple Hills Dr. to the City Council with the following conditions:

1. Prepare a final plat after making any minor corrections identified during the review process.
2. Provide a current title report.

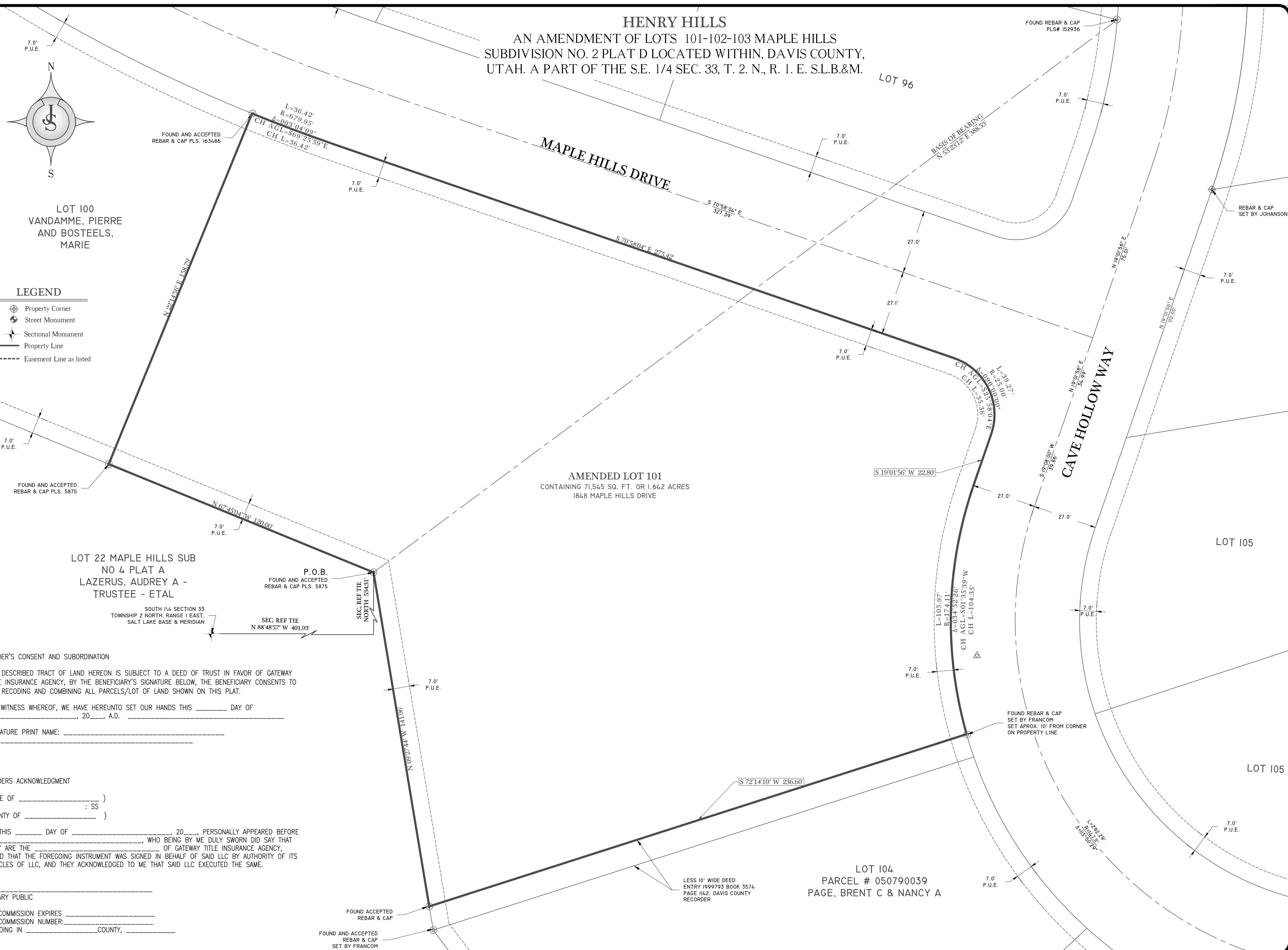
### **Significant Impacts**

None

### **Attachments**

1. A copy of the preliminary amended plat.

**HENRY HILLS**  
 AN AMENDMENT OF LOTS 101-102-103 MAPLE HILLS  
 SUBDIVISION NO. 2 PLAT D LOCATED WITHIN, DAVIS COUNTY,  
 UTAH. A PART OF THE S.E. 1/4 SEC. 33, T. 2. N., R. 1. E. S.L.B.&M.



**SURVEYOR'S CERTIFICATE**

I, Shane Johanson, do hereby certify that I am a Professional Land Surveyor in the State of Utah and that I hold License No. 7075114 in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Act; I further certify that by authority of the owners I have completed a survey of the property described on this subdivision plat in accordance with Section 17-23-17 and have verified all measurements; that the reference monuments shown on this plat are located as indicated and are sufficient to retrace or reestablish this plat; and that the information shown herein is sufficient to accurately establish the lateral boundaries of the herein described tract of real property; hereafter known as SUBDIVISION.



**BOUNDARY DESCRIPTION**

THE consolidation of the following: Lot 101 Containing 0.61 Acres. Lot 102 Containing 0.46 Acres. Lot 103 Containing excepting the southerly 10.0 ft parallel to the original southerly lot line of lot 103, Maple Hills Sub No. 2, Plat D, containing, 0.57 acres. Said lots are apart of the Maple Hills Subdivision No. 2 Plat D on file within the official records of Davis County, Utah. Described lots are more particularly described as follows:

Beginning at the South corner in lot 101 which is also a subdivision boundary Angle point said of Maple Hills Subdivision No. 2 Plat D on file within the official records of Davis County, Utah. Running Thence North 67° 45' 04" West a distance of 120.00 feet, Thence North 22° 14' 56" East a distance of 158.79 feet to the beginning of a non-tangential curve, Said curve bears to the left through an angle of 03° 04' 09", having a radius of 679.95 feet along the arc a distance of 36.42 feet, and whose long chord bears South 69° 25' 59" East a distance of 36.42 feet, Thence South 70° 58' 04" East a distance of 275.42 feet to the beginning of a curve, Said curve bears to the right through an angle of 90° 00' 00", having a radius of 25.00 feet along the arc a distance of 39.27 feet, and whose long chord bears South 25° 58' 04" East a distance of 35.36 feet, Thence South 19° 01' 56" West a distance of 22.80 feet to the beginning of a curve, Said curve bears to the left through an angle of 34° 52' 30", having a radius of 174.11 feet along the arc a distance of 105.98 feet, and whose long chord bears South 01° 35' 41" West a distance of 104.35 feet to a point of intersection with a non-tangential line, Thence South 72° 14' 10" West a distance of 236.60 feet, Thence North 09° 27' 44" West a distance of 141.96 feet to the point of beginning, containing 71,545 sq. ft. or 1.642 acres.

**OWNER'S CONSENT TO RECORD**

Know all men by these presents that the undersigned owner of the above described tract of land having caused same to be consolidated into a single lot with pre existing easements not affected shown as per previous recorded plat known as Maple Hills Subdivision No. 2 Plat D, Now accepted as to be hereafter known as Henry Hills Subdivision.

In witness whereof \_\_\_\_\_ have hereunto set this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_.

Henry M. Ashworth

**ACKNOWLEDGMENT**

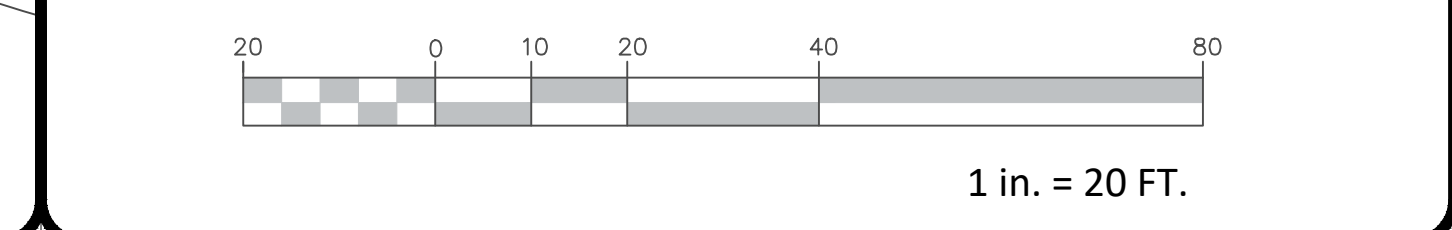
STATE OF UTAH \_\_\_\_\_ } S.S.  
 County of SALT LAKE \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_, personally appeared before me Henry Ashworth, who being by me duly sworn did say they are the owners of the described above parcel of land and that the within and foregoing instrument was signed voluntarily for the uses and purposes herein mentioned.

My commission expires: \_\_\_\_\_ Notary Public \_\_\_\_\_  
 residing in: \_\_\_\_\_

NOTE:  
 1. NO NEW BUILDING LOTS ARE CREATED BY RECORDING THIS PLAT.

**HENRY HILLS**  
 AN AMENDMENT OF LOTS 101-102-103 MAPLE  
 HILLS SUBDIVISION NO. 2 PLAT D LOCATED WITHIN,  
 DAVIS COUNTY, UTAH. A PART OF THE S.E. 1/4 SEC.  
 33, T. 2. N., R. 1. E. S.L.B.&M.



LOT 100  
 VANDAMME, PIERRE  
 AND BOSTEELS,  
 MARIE

- LEGEND**
- Property Corner
  - Street Monument
  - Sectional Monument
  - Property Line
  - Easement Line as Listed

**LENDER'S CONSENT AND SUBORDINATION**

THE DESCRIBED TRACT OF LAND HEREON IS SUBJECT TO A DEED OF TRUST IN FAVOR OF GATEWAY TITLE INSURANCE AGENCY, BY THE BENEFICIARY'S SIGNATURE BELOW, THE BENEFICIARY CONSENTS TO THE RECODING AND COMBINING ALL PARCELS/LOT OF LAND SHOWN ON THIS PLAT.

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

SIGNATURE PRINT NAME: \_\_\_\_\_  
 ITS: \_\_\_\_\_

**LENDERS ACKNOWLEDGMENT**

STATE OF \_\_\_\_\_ )  
 COUNTY OF \_\_\_\_\_ ) S.S.

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, PERSONALLY APPEARED BEFORE ME \_\_\_\_\_, WHO BEING BY ME DULY SWORN DID SAY THAT THEY ARE THE \_\_\_\_\_ OF GATEWAY TITLE INSURANCE AGENCY, \_\_\_\_\_, AND THAT THE FOREGOING INSTRUMENT WAS SIGNED IN BEHALF OF SAID LLC BY AUTHORITY OF ITS ARTICLES OF LLC, AND THEY ACKNOWLEDGED TO ME THAT SAID LLC EXECUTED THE SAME.

NOTARY PUBLIC  
 MY COMMISSION EXPIRES \_\_\_\_\_  
 MY COMMISSION NUMBER: \_\_\_\_\_  
 RESIDING IN \_\_\_\_\_ COUNTY, \_\_\_\_\_

**PLANNING COMMISSION**

APPROVED BY THE BOUNTIFUL CITY  
 PLANNING COMMISSION THIS \_\_\_\_\_  
 DAY OF \_\_\_\_\_,  
 20\_\_\_\_.

BOUNTIFUL CITY PLANNING DIRECTOR

**CITY ENGINEER**

APPROVED BY THE BOUNTIFUL CITY  
 ENGINEER THIS \_\_\_\_\_ DAY  
 OF \_\_\_\_\_, 20\_\_\_\_.

BOUNTIFUL CITY ENGINEER

**CITY ATTORNEY**

APPROVED BY THE BOUNTIFUL CITY  
 ATTORNEY THIS \_\_\_\_\_ DAY  
 OF \_\_\_\_\_, 20\_\_\_\_.

BOUNTIFUL CITY ATTORNEY

**BOUNTIFUL CITY COUNCIL**

APPROVED BY THE BOUNTIFUL CITY COUNCIL  
 ON THIS \_\_\_\_\_ DAY  
 OF \_\_\_\_\_, 20\_\_\_\_.

MAYOR \_\_\_\_\_  
 ATTEST: CITY RECORDER \_\_\_\_\_

**SEAL**

**DAVIS COUNTY RECORDER**

Recorded # \_\_\_\_\_  
 State of Utah, County of Salt Lake, recorded and filed at the request of \_\_\_\_\_  
 Date \_\_\_\_\_ Time \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_  
 Fee \$ \_\_\_\_\_ Deputy DAVIS COUNTY Recorder \_\_\_\_\_

NUMBER \_\_\_\_\_  
 ACCOUNT \_\_\_\_\_  
 SHEET 1  
 OF 1 SHEETS



# City Council Staff Report

**Subject: Approval of Reimbursement Agreement  
For Extension of Eagle Ridge Drive**

**Author: Lloyd Cheney, City Engineer**

**Department: Engineering**

**Date: October 11, 2022**



---

## **Background**

The planned extension of Eagle Ridge Drive from the Eagle Ridge Subdivision and the area below the “B” to the intersection of 50 North and Bountiful Blvd will create a much needed and highly anticipated route to the area for residents, recreational users and emergency response. The City Council awarded the construction contract to M.C. Green earlier this year as a first step towards construction and Staff has been working to finalize necessary arrangements with the Rainey family and representatives from Rainey Homes who own the property from Bountiful Blvd to the south side of the Davis County debris basin on Stone Creek.

## **Analysis**

The Reimbursement Agreement defines and provides the necessary terms and conditions for the construction of the project across private property. Through the Agreement, the Rainey Family Trust will deed the necessary property to the City, provide a temporary construction easement, and agree to reimburse the City for the expenses of the project which would be incurred for the development of the property. In addition to the construction costs, Rainey agrees to reimburse the City for design work by the consulting engineer, utility costs for power and natural gas service, and other fees. The construction costs identified in the Agreement are estimated expenses based on the unit pricing from the City’s contract with M.C. Green. Actual incurred costs, and estimated future expenses associated with project management during construction are also included in the \$1,105,038.13 total. This total is subject to revision to reflect the actual costs incurred (see paragraphs 6, 7 and 8) and reimbursement of these expenses is specifically identified as a requirement for future development approval for the final phase of the Stone Creek subdivision (see paragraph 11). Because the timeline for the future approval of the Stone Creek Estates Phase 4 is uncertain, the Agreement provides a 15 year maximum term for the City to be reimbursed (see paragraph 12). It is also important to note that the Agreement applies to future owners, should the adjacent property be sold (see paragraph 16). The City’s estimated expense for construction of improvements beyond the subdivision boundary is approximately \$607,000.

### **Department Review**

This report has been reviewed by the City Manager. The Agreement has been reviewed by the City Attorney.

### **Significant Impacts**

This project will be funded by the City through the Street Department's Capital Budget. Project financing also includes \$1,000,000 loan from Davis County.

### **Recommendation**

- Staff recommends the City Council approve the Reimbursement Agreement with the Rainey Family for the construction of Eagle Ridge Drive and authorize the Mayor to sign the Agreement and other related documents on behalf of the City.

### **Attachments**

Agreement Document



## REIMBURSEMENT AGREEMENT

This Agreement is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by and between the Rainey Family Trust U/D/T Dated September 13, 2001 or any amendments thereto (“Owner”) and Bountiful City, Utah, a municipality and political subdivision of the State of Utah (the “City”) and collectively referred to “as the Parties”.

### RECITALS

WHEREAS, Owner owns certain real property (“Property”) located within the corporate boundaries of the City of Bountiful, Davis County, Utah, as reflected in Exhibit “A” which is attached hereto and incorporated by this reference desires to sell the Property to a developer for the purpose of constructing a single family residential development; and

WHEREAS, as a condition of development approval, Owner is required by City ordinance to dedicate a portion of the Property (“Right-of-Way”) as described in Exhibit “B” which is attached hereto and incorporated by this reference; and

WHEREAS, as a condition of development approval, Owner is required to construct and install certain public improvements (“Eligible Public Improvements”) as reflected in Exhibit “C” which is attached hereto and incorporated by this reference; and

WHEREAS, the Eligible Public Improvements are lawfully required as a condition of development approval and reasonably related to the development of the Property; and

WHEREAS, the Eligible Public Improvements will serve a critical public safety function for the community; and

WHEREAS, the City desires the Eligible Public Improvements to be constructed as soon as possible and is willing to construct the Eligible Public Improvements with all costs of said construction to be reimbursed by Owner as described herein; and

WHEREAS, Owner desires to reimburse the City for the costs to construct the Eligible Public Improvements on the Property as described herein; and

WHEREAS, the Parties desire to enter into this Reimbursement Agreement which obligates Owner to dedicate the Right-of-Way, permits the City to construct the Eligible Public Improvements, and obligates Owner to reimburse the City for the costs associated with the construction and installation of Eligible Public Improvements.

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

1. Incorporation of Recitals. The foregoing Recitals are hereby incorporated into this Agreement and are made a part hereof.
2. City Obligations.

a. The City shall design, construct, and install or cause to be constructed and installed the Eligible Public Improvements on the Property.

3. Owner's Obligations.

a. Owner shall dedicate to the City the Right-of-Way to the City which is necessary to complete the Eligible Public Improvements. The instrument of dedication of the Right-of-Way shall be by warranty deed ("Warranty Deed") which is attached hereto as Exhibit "D" and incorporated by this reference. Upon execution, the Warranty Deed shall be recorded at the Davis County Recorder's Office. Construction of the Eligible Public Improvements will not begin until the Warranty Deed is executed and recorded at the Davis County Recorder's Office.

b. Owner shall grant to the City, its agents or assigns a temporary construction easement ("Temporary Construction Easement") upon the Property for the purpose of surveying, constructing, and maintaining the Eligible Public Improvements.

6. Reimbursement Amount. Owner shall reimburse to the City the City's actual costs ("Actual Costs") to design, permit, construct, and install the Eligible Public Improvements. The City estimates the costs ("Estimated Costs") for the Eligible Public Improvements to be \$1,105,038.13; a breakdown of which is set forth in Exhibit "E", which is attached hereto and incorporated by this reference. The Actual costs may be different than the Estimated Costs and will be increased/decreased accordingly before being submitted to Owner for reimbursement.

7. Documentation of Actual Costs. Upon request, the City shall provide documentation demonstrating the Actual Costs incurred by the City for the design, construction, and installation of Eligible Public Improvements.

8. Interest on Reimbursement Amount. No interest shall accrue or otherwise be required or included in the amount of the Actual Costs to be paid to the City so long as Owner fully reimburses the City within the Term of this Agreement as described herein.

9. Reimbursement Payments. Owner may make reimbursement payments in installments or pay in one lump sum, provided however that no building permits shall be approved by the City for the Property unless and until the total reimbursement for the Actual Costs is paid in full to the City.

10. Ownership of Right-of-Way and Eligible Public Improvements. The City shall own the Right-of-Way and Eligible Public Improvements in fee title. Upon completion of the Eligible Public Improvements, the City shall be responsible for all maintenance, repair, and replacement of the Eligible Public Improvements.

11. Reimbursement to the City a Requirement of Subdivision Approval. Full reimbursement of the Actual Costs to the City shall be a condition of subdivision approval.

12. Term of Agreement. Full reimbursement of the Actual Costs shall be made to the City on or before fifteen (15) years from the date of this Reimbursement Agreement or before any building permits are issued or approved by the City, whichever is first.

13. Effect of Agreement. Nothing in this Reimbursement Agreement shall be construed as a land use, subdivision, or building approval or to relieve Owner from any obligations imposed by Federal, State or local laws, ordinances, regulations, or standards.

14. Arm's Length Transaction. Owner affirms that this Reimbursement Agreement is an arm's length transaction and is not made under duress or the threat of eminent domain. Owner understands that this Reimbursement Agreement is a legally binding document and has had opportunity to retain and consult independent counsel.

15. Waiver and Covenant Not to Sue. Owner acknowledges that the Eligible Public Improvements serve a legitimate public interest, are reasonably related to the development of the Property, and lawfully required to be dedicated to the City as part of the subdivision process. Owner waives any rights or claims against and covenants not to sue the City for any claims of eminent domain or unlawful exactions of any kind.

16. Agreement Binding on All Successors in Interest and Run with the Land. Owner hereby agrees and covenants that it is Owner's intent that this Reimbursement Agreement be binding upon all successors-in-title or interest, that it touches and concerns the Property, and shall run with the land. This Reimbursement Agreement shall be recorded at the Davis County Recorder's Office and shall bind any successors-in-title or interest to all obligations set forth in this Reimbursement Agreement.

17. Assignment. Neither the Reimbursement Agreement nor any of its provisions, terms or conditions may be assigned to any other party, individual or entity without assigning the rights as well as the responsibilities and without the prior written consent of City.

18. Indemnification. Owner represents that it owns the Property in fee simple and shall indemnify and hold harmless the City from any claims in interest for the Property.

21. Entire Agreement. This Reimbursement Agreement contains the entire agreement and understanding of the Parties and supersedes all prior written or oral agreements, representations, promises, inducements, or understandings between the Parties with regard to any reimbursements to the City.

22. Binding Effect. This Reimbursement Agreement shall be binding upon the parties hereto and their respective officers, employees, representatives, agents, members, successors, and assigns.

23. Validity and Severability. If any section, clause, or portion of this reimbursement Agreement is declared invalid by a court of competent jurisdiction for any reason, the remainder shall not be affected thereby and shall remain in full force and effect.

24. Amendment. This Agreement may be amended only in a writing signed by the parties hereto and recorded at the Office of the Davis County Recorder.

25. Controlling Law, Jurisdiction and Venue. This Reimbursement Agreement shall be governed by the laws of the State of Utah. Venue shall be in Davis County, Utah.

26. Attorney's Fees. If any action at law or in equity is necessary to enforce or interpret the terms of this Reimbursement Agreement, the prevailing party shall be entitled to reasonable attorney's fees and costs in addition to any other relief to which such party may be entitled.

**IN WITNESS WHEREOF**, the parties hereto have executed this Reimbursement Agreement as of the day and year first hereinabove written.

Grantor

\_\_\_\_\_ Trustee

\_\_\_\_\_ Trustee

Rainey Family Trust U/D/T Dated September 13, 2001

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2022

By \_\_\_\_\_ trustee

\_\_\_\_\_ trustee

Notary's signature \_\_\_\_\_

Residing at \_\_\_\_\_

My commission expires: \_\_\_\_\_

Notary's seal

Grantee

\_\_\_\_\_ Kendalyn Harris, Mayor

\_\_\_\_\_ Attest Shawna Andrus, City Recorder

City Seal

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2022

By Kendalyn Harris, Mayor and Shawna Andrus, City Recorder.

Notary's signature \_\_\_\_\_

Residing at \_\_\_\_\_

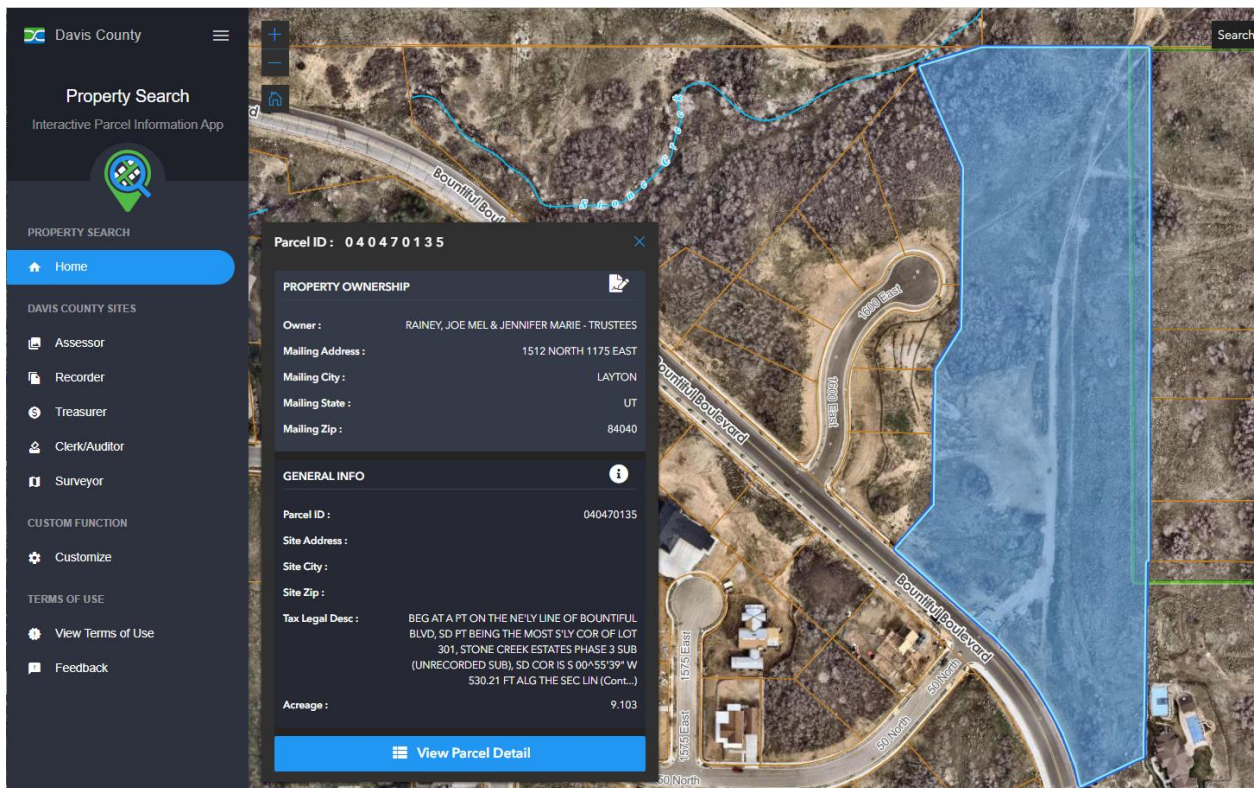
My commission expires: \_\_\_\_\_

Notary's seal



## EXHIBIT "A" PROPERTY

Beginning at a point on the northerly line of Bountiful Boulevard, said point being the most southerly corner of Lot 301, Stone Creek Estates Phase 3 Subdivision, recorded in the office of the Davis County Recorder, said corner is  $S00^{\circ}55'39''W$  530.21 feet along the Section Line and  $N90^{\circ}00'00''E$  1992.86 feet from the West Quarter Corner of Section 21, Township 2 North, Range 1 East, Salt Lake Base and Meridian, Davis County, Utah, and running thence along the East boundary of said Stone Creek Estates Subdivision Phase 3 the following five (5) courses: 1)  $N41^{\circ}07'20''E$  100.00 feet; 2)  $N00^{\circ}50'18''E$  230.88 feet; 3)  $N31^{\circ}43'42''E$  83.00 feet; 4)  $N00^{\circ}40'13''E$  275.15 feet; 5)  $N23^{\circ}45'39''W$  188.64 feet; thence  $N72^{\circ}41'00''E$  112.29 feet; thence  $N00^{\circ}37'04''E$  0.87 feet; thence  $S89^{\circ}51'24''E$  294.60 feet; thence  $S00^{\circ}40'14''W$  1212.63 feet; thence  $S64^{\circ}41'06''W$  118.39 feet to a point on a 533.00 foot radius curve to the left and the northeasterly right of way of Bountiful Boulevard; thence along said curve and right of way 321.97 feet through a central angle of  $34^{\circ}36'38''$ , chord bearing  $N31^{\circ}34'50''W$  317.10 feet; thence  $N48^{\circ}52'40''W$  205.15 feet along said northeasterly right of way to said most southerly corner of Lot 301 and the Point of Beginning.





**STONE CREEK ESTATES SUBDIVISION PHASE 4**

LOCATED IN THE WEST HALF OF SECTION 21,  
TOWNSHIP 2 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN  
BOUNTIFUL CITY, DAVIS COUNTY, UTAH  
FEBRUARY 2021

**UTILITY APPROVAL**

SO. DAVIS SEWER IMP. DISTRICT: \_\_\_\_\_ DATE: \_\_\_\_\_  
BOUNTIFUL LIGHT AND POWER: \_\_\_\_\_ DATE: \_\_\_\_\_  
BOUNTIFUL CITY WATER: \_\_\_\_\_ DATE: \_\_\_\_\_  
CENTURY LINK: \_\_\_\_\_ DATE: \_\_\_\_\_  
COMCAST: \_\_\_\_\_ DATE: \_\_\_\_\_  
BOUNTIFUL IRRIGATION DISTRICT: \_\_\_\_\_ DATE: \_\_\_\_\_

**SURVEYOR'S CERTIFICATE**

I, JEREMIAH R. CUNNINGHAM, A PROFESSIONAL LAND SURVEYOR HOLDING CERTIFICATE NO. 9182497 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT BY THE AUTHORITY OF THE OWNERS I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HERewith AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS HEREAFTER TO BE KNOWN AS STONE CREEK ESTATES SUBDIVISION PHASE 4 AND THAT SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND, AS SHOWN.

**NOT APPROVED**

JEREMIAH R. CUNNINGHAM, P.L.S. UT #9182497

**BOUNDARY DESCRIPTION**

BEGINNING AT A POINT ON THE NORTHEASTERLY LINE OF BOUNTIFUL BOULEVARD, SAID POINT BEING THE MOST SOUTHERLY CORNER OF LOT 301, STONE CREEK ESTATES PHASE 3 SUBDIVISION, RECORDED IN THE OFFICE OF THE DAVIS COUNTY RECORDER, SAID CORNER IS SOUTH 00°55'39" WEST 530.21 FEET ALONG THE SECTION LINE AND NORTH 90°00'00" EAST 1992.86 FEET FROM THE WEST QUARTER CORNER OF SECTION 21, TOWNSHIP 2 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, DAVIS COUNTY, UTAH, AND RUNNING THENCE ALONG THE WEST BOUNDARY OF STONE CREEK ESTATES SUBDIVISION PHASE 4, DAVIS COUNTY RECORDER, THE FOLLOWING FIVE (5) COURSES:  
1) NORTH 41°07'20" EAST 100.00 FEET; 2) NORTH 00°50'18" EAST 230.88 FEET;  
3) NORTH 31°43'42" EAST 83.00 FEET; 4) NORTH 00°40'13" EAST 275.15 FEET;  
5) NORTH 23°45'39" WEST 188.64 FEET; THENCE NORTH 72°41'00" WEST 112.29 FEET; THENCE NORTH 00°37'04" EAST 0.87 FEET; THENCE SOUTH 89°51'24" EAST 294.60 FEET; THENCE SOUTH 00°40'14" WEST 1212.63 FEET; THENCE SOUTH 64°41'06" WEST 118.39 FEET TO A POINT ON A 533.00-FOOT-RADIUS CURVE TO THE LEFT AND THE NORTHEASTERLY RIGHT OF WAY OF BOUNTIFUL BOULEVARD; THENCE ALONG SAID CURVE AND RIGHT-OF-WAY 321.97 FEET THROUGH A CENTRAL ANGLE OF 34°36'39", CHORD BEARING NORTH 31°34'49" WEST 317.09 FEET TO THE POINT OF BEGINNING.

CONTAINING 9.042 ACRES.

**OWNER'S DEDICATION**

KNOWN ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SUBDIVIDED INTO PRIVATE LOTS, HEREAFTER TO BE KNOWN AS STONE CREEK ESTATES SUBDIVISION PHASE 4, DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE, INCLUDING STRETS AND EASEMENTS, AND DO WARRANT AND DEFEND AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENT OR OTHER ENCUMBRANCE WHICH WILL INTERFERE WITH THE CITY'S USE, MAINTENANCE, AND OPERATION OF THE STREETS AND SAID EASEMENTS.

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

MEMBER:  
RAINEY DEVELOPMENT INC.

**CORPORATE ACKNOWLEDGMENT**

ON THE \_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_ THERE PERSONALLY APPEARED BEFORE ME, \_\_\_\_\_, WHO BEING BY ME DULY SWORN DID SAY THAT HE/SHE IS THE \_\_\_\_\_ OF RAINEY DEVELOPMENT INC. COMPANY AND THAT THE FOREGOING INSTRUMENT WAS SIGNED IN BEHALF OF SAID CORPORATION, AND HE/SHE ACKNOWLEDGED TO ME THAT SAID CORPORATION EXECUTED THE SAME.

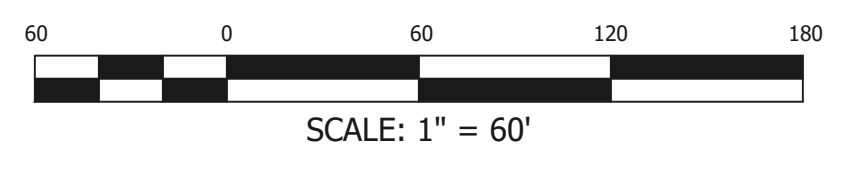
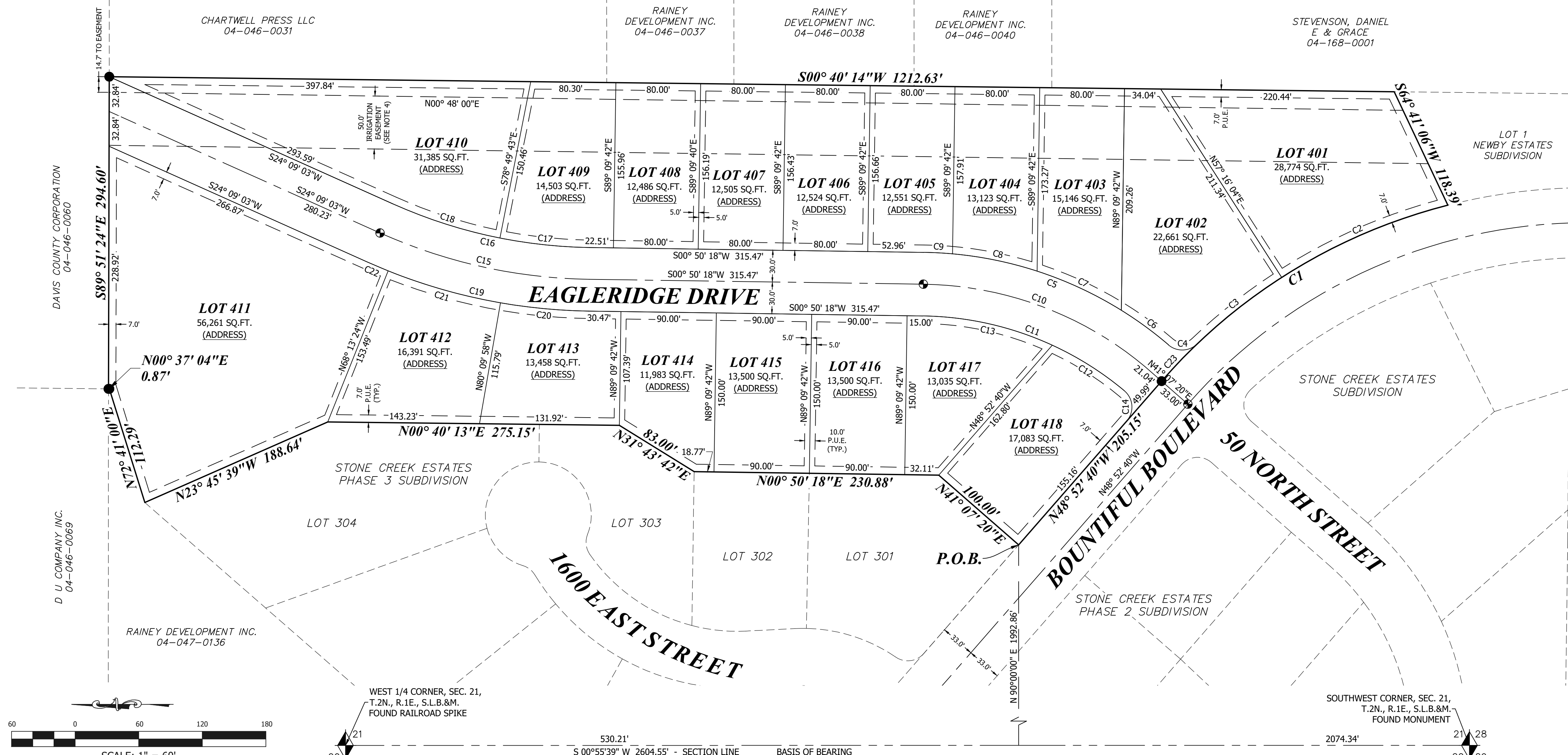
NOTARY PUBLIC: \_\_\_\_\_

RESIDENCE: \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

**NOTES**

- ALL EASEMENTS SHOWN ARE TYPICAL 7.0' WIDE PUBLIC UTILITY EASEMENTS (P.U.E.) UNLESS OTHERWISE NOTED.
- P.U.E. DENOTES A PUBLIC UTILITY EASEMENT AND A DRAINAGE EASEMENT.
- THE STATE PLANE BEARING ALONG THE BASIS OF BEARING IS SOUTH 01°15'02" WEST (D.C.S.), CALCULATED USING NAD 1983 STATE PLANE COORDINATES IN THE UTAH NORTH ZONE.
- 50 FOOT WIDE IRRIGATION EASEMENT IDENTIFIED BY NEWBY ESTATES SUBDIVISION PLAT, ENTRY #2059409, DAVIS COUNTY RECORDER.



**LEGEND**

- PROPERTY LINE: \_\_\_\_\_
- INTERNAL LOT LINE: \_\_\_\_\_
- ADJACENT PROPERTY: \_\_\_\_\_
- ROAD CENTERLINE: \_\_\_\_\_
- SECTION LINE: \_\_\_\_\_
- TIE TO MONUMENT: \_\_\_\_\_
- EASEMENT LINE: \_\_\_\_\_

RECORD CALLS ( )

- SET 5/8" REBAR WITH H&A ENTELLUS CAP, LS #166385, AT CORNER (UNLESS OTHERWISE NOTED): ●
- FOUND PROPERTY MARKER (AS NOTED): ○
- CENTERLINE MONUMENT TO BE SET: ⊕

**CURVE TABLE**

CURVE	LENGTH	RADIUS	Δ	CH BEARING	CH LENGTH	CURVE	LENGTH	RADIUS	Δ	CH BEARING	CH LENGTH
C1	321.97'	533.00'	034°36'38"	N 31°34'50" W	317.10'	C13	125.97'	303.00'	023°49'10"	N 12°44'53" E	125.06'
C2	171.70'	533.00'	018°27'26"	N 23°30'14" W	170.96'	C14	31.83'	20.00'	091°11'23"	N 85°31'38" E	28.58'
C3	101.96'	533.00'	010°57'35"	N 38°12'45" W	101.80'	C15	203.44'	500.00'	023°18'45"	S 12°29'40" W	202.04'
C4	29.42'	20.00'	084°16'27"	S 01°33'19" E	26.84'	C16	191.24'	470.00'	023°18'46"	S 12°29'40" W	189.92'
C5	251.80'	363.00'	039°44'36"	N 20°42'36" E	246.78'	C17	85.24'	470.00'	010°23'28"	S 06°02'02" W	85.12'
C6	55.30'	363.00'	008°43'40"	N 36°13'04" E	55.24'	C18	106.00'	470.00'	012°55'18"	S 17°41'24" W	105.77'
C7	87.84'	363.00'	013°51'54"	N 24°55'17" E	87.63'	C19	215.65'	530.00'	023°18'45"	S 12°29'40" W	214.16'
C8	81.59'	363.00'	012°52'41"	N 11°33'00" E	81.42'	C20	83.69'	530.00'	009°02'50"	S 05°21'43" W	83.60'
C9	27.07'	363.00'	004°16'21"	N 02°58'28" E	27.06'	C21	110.45'	530.00'	011°56'23"	S 15°51'19" W	110.25'
C10	227.21'	333.00'	039°05'39"	N 20°23'07" E	222.83'	C22	21.51'	530.00'	002°19'32"	S 22°59'17" W	21.51'
C11	206.74'	303.00'	039°05'39"	N 20°23'07" E	202.76'	C23	48.31'	533.00'	005°11'37"	N 46°17'21" W	48.30'
C12	80.78'	303.00'	015°16'29"	N 32°17'42" E	80.54'						

**DOMINION ENERGY UTAH**

QUESTAR GAS COMPANY, dba DOMINION ENERGY UTAH, HEREBY APPROVES THIS PLAT SOLELY FOR THE PURPOSES OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY UTAH MAY REQUIRE ADDITIONAL EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES INCLUDING PRESCRIPTIVE RIGHTS AND OTHER RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGEMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNER DEDICATION OR IN THE NOTES, AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OR CONDITIONS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY UTAH'S RIGHT-OF-WAY DEPARTMENT AT 800-366-8532.

QUESTAR GAS COMPANY  
dba DOMINION ENERGY UTAH  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_

**CITY COUNCIL'S APPROVAL**

PRESENTED TO THE CITY COUNCIL OF BOUNTIFUL CITY, UTAH, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.  
CITY RECORDER ATTEST: \_\_\_\_\_  
MAYOR: \_\_\_\_\_

**CITY ENGINEER'S APPROVAL**

APPROVED BY THE BOUNTIFUL CITY ENGINEER, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.  
BOUNTIFUL CITY ENGINEER \_\_\_\_\_

**PLANNING COMMISSION APPROVAL**

APPROVED BY THE PLANNING COMMISSION OF BOUNTIFUL CITY, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.  
PLANNING DIRECTOR \_\_\_\_\_

**CITY ATTORNEY'S APPROVAL**

APPROVED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.  
BOUNTIFUL CITY ATTORNEY \_\_\_\_\_

**DAVIS COUNTY RECORDER**

ENTRY NO. \_\_\_\_\_ FEE PAID \_\_\_\_\_  
FILED FOR RECORD AND RECORDED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
AT \_\_\_\_\_ IN BOOK \_\_\_\_\_ OF \_\_\_\_\_  
COUNTY RECORDER: \_\_\_\_\_  
BY: \_\_\_\_\_ DEPUTY

1470 South 600 West  
Woods Cross, Utah 84010  
Phone 801-298-2236  
www.Entellus.com  
PROJECT #1402001 1/29/2021 JH  
2/16/2021 JAF

## EXHIBIT "B" RIGHT-OF-WAY

A 60.00 ft wide right of way for utility infrastructure construction, installation and maintenance and public access further described as follows: Beginning at a point on the northerly line of Bountiful Boulevard, said point being located N48°52'40"W 155.15 feet from the most southerly corner of Lot 301, Stone Creek Estates Phase 3 Subdivision, as recorded in the office of the Davis County Recorder, said corner is also S00°55'39"W 530.21 feet along the Section Line, N90°00'00"E 1992.86 feet and N48°52'40"W 155.15 feet from the West Quarter Corner of Section 21, Township 2 North, Range 1 East, Salt Lake Base and Meridian, Davis County, Utah, and also being a point of tangency with a 20.00 foot radius curve to the left; and running thence 31.83 feet along said curve (D=91°11'23", Chord Length=28.58 feet, Chord Bearing N85°31'38"E) to a point of compound curvature with a 303.00 foot radius curve to the left; thence 206.74 feet along said curve (D=39°05'39", Chord Length=202.76 feet, Chord Bearing =N20°23'07"E); thence N00°50'18"E 315.47 feet to a point on a 530.00 foot radius curve to the right; thence 215.65 feet along said curve (D=23°18'45", Chord Length=214.16 feet, Chord Bearing = N12°29'40"E); thence N24°09'03"E 266.87 feet to the north line of Grantors property; thence S89°51'24"E 65.68 feet along said North line to the Northeast corner of Grantor's property; thence S24°09'03"W 293.59 feet to a point on a 470.00 foot radius curve to the left; thence 106.00 feet along said curve (D=12°55'18", Chord Length=105.77 feet, Chord Bearing=S17°41'24"W); thence S00°50'18"W 315.47 feet to a point on a 363.00 foot radius curve to the right; thence 251.80 feet along said curve (D=39°44'36", Chord Length=264.78 feet, Chord Bearing =N20°42'36"E) to a point of reverse curvature with a 20.00 foot radius curve to the left; thence 29.42 feet along said curve (D=84°16'27", Chord Length=26.84 feet, Chord Bearing = S01°33'19"E) to a point on the North line of Bountiful Boulevard; continuing thence along the north line of Bountiful Boulevard 48.31 feet along a non-tangent 533.00 foot radius curve to the left (D=05°11'37", Chord Length=48.30 feet, Chord Bearing =N46°17'21"W); thence N48°52'40" W 49.99 feet to the Point of Beginning. Contains 1.45 ac.

**EXHIBIT “C”  
ELIGIBLE PUBLIC IMPROVEMENTS**

UTILITIES:

Culinary Water	Culinary Water Services Fire Hydrants	
Sanitary Sewer	Sewer Main Line Sewer Manholes Sewer Laterals	
Storm Drain	Storm Drain Main Line Pipes and Lateral Pipes Storm Drain Manholes Storm Drain Curb Inlets	
Irrigation	Irrigation Main Line Irrigation Services Irrigation Air/Vac Assembly	
Other	Natural Gas System by Dominion Energy Electrical Power System & Street Lights by Bountiful Light & Power	
Street Improvements:	Sidewalk Fencing Asphalt Paving Traffic Signs	Curb and Gutter Retaining Walls Pavement Striping Street Signs

**EXHIBIT "D"**  
**WARRANTY DEED**

WARRANTY DEED

Joe Mel Rainey and Jennifer Marie Rainey, Trustees of the Rainey Family Trust U/D/T Dated September 13, 2001, Grantors, of Bountiful, Davis County, State of Utah, hereby convey and warrant to:

Bountiful City, a municipal corporation of the State of Utah, Grantee, Davis County, State of Utah,

for the sum of Ten DOLLARS and other good and valuable consideration, the following described tract of land in Bountiful City, Davis County, State of Utah:

A 60.00 ft wide right of way for utility infrastructure construction, installation and maintenance and public access described as follows: Beginning at a point on the northerly line of Bountiful Boulevard, said point being located N48°52'40"W 155.15 feet from the most southerly corner of Lot 301, Stone Creek Estates Phase 3 Subdivision, as recorded in the office of the Davis County Recorder, said corner is also S00°55'39"W 530.21 feet along the Section Line, N90°00'00"E 1992.86 feet and N48°52'40"W 155.15 feet from the West Quarter Corner of Section 21, Township 2 North, Range 1 East, Salt Lake Base and Meridian, Davis County, Utah, and also being a point of tangency with a 20.00 foot radius curve to the left; and running thence 31.83 feet along said curve (D=91°11'23", Chord Length=28.58 feet, Chord Bearing N85°31'38"E) to a point of compound curvature with a 303.00 foot radius curve to the left; thence 206.74 feet along said curve (D=39°05'39", Chord Length=202.76 feet, Chord Bearing =N20°23'07"E); thence N00°50'18"E 315.47 feet to a point on a 530.00 foot radius curve to the right; thence 215.65 feet along said curve (D=23°18'45", Chord Length=214.16 feet, Chord Bearing = N12°29'40"E); thence N24°09'03"E 266.87 feet to the north line of Grantors property; thence S89°51'24"E 65.68 feet along said North line to the Northeast corner of Grantor's property; thence S24°09'03"W 293.59 feet to a point on a 470.00 foot radius curve to the left; thence 106.00 feet along said curve (D=12°55'18", Chord Length=105.77 feet, Chord Bearing=S17°41'24"W); thence S00°50'18"W 315.47 feet to a point on a 363.00 foot radius curve to the right; thence 251.80 feet along said curve (D=39°44'36", Chord Length=264.78 feet, Chord Bearing =N20°42'36"E) to a point of reverse curvature with a 20.00 foot radius curve to the left; thence 29.42 feet along said curve (D=84°16'27", Chord Length=26.84 feet, Chord Bearing = S01°33'19"E) to a point on the North line of Bountiful Boulevard; continuing thence along the north line of Bountiful Boulevard 48.31 feet along a non-tangent 533.00 foot radius curve to the left (D=05°11'37", Chord Length=48.30 feet, Chord Bearing =N46°17'21"W); thence N48°52'40" W 49.99 feet to the Point of Beginning. Contains 1.45 ac.

Grantor

\_\_\_\_\_  
Trustee \_\_\_\_\_ Date  
\_\_\_\_\_  
Trustee \_\_\_\_\_ Date

Rainey Family Trust U/D/T Dated September 13, 2001

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2022

By \_\_\_\_\_ trustee  
\_\_\_\_\_ trustee

Notary's signature \_\_\_\_\_

Residing at \_\_\_\_\_

My commission expires: \_\_\_\_\_

Notary's seal

**ACCEPTANCE BY BOUNTIFUL CITY**

\_\_\_\_\_  
(Signature of Mayor, Bountiful City, Kendalyn Harris)

SEAL

\_\_\_\_\_  
(Signature of Recorder, Bountiful City, Shawna Andrus)

**Acknowledgment**

State of UTAH )

) ss.

County of DAVIS )

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2022 by  
Kendalyn Harris, Bountiful Mayor and Shawna Andrus, Bountiful Recorder

Notary's signature \_\_\_\_\_

Residing at \_\_\_\_\_

My commission expires: \_\_\_\_\_

Notary's seal

**EXHIBIT "E"**  
**ESTIMATED COSTS**





BOUNTIFUL CITY ENGINEERING DEPARTMENT  
 2022 Eagle Ridge Drive Extension Project  
 PRELIMINARY Project Cost Allocation  
 19-Sep-22

Item	Description	Unit	Quantity	MC Green & Sons		Rainey	
				Unit Price	Amount	Units	Amount
<b>SCHEDULE 1</b>							
1	Mobilization	LS	1	58,098.00	58,098.00	0.9	52,288.20
<b>EARTHWORK AND GRADING</b>							
2	Earthwork - Cut	CYD	5,225	6.45	33,701.25	4,616	29,773.20
3	Earthwork - Fill	CYD	3,300	3.75	12,375.00	2,901	10,878.75
4	Rough Grading	SqYd	8,700	2.75	23,925.00	5,700	15,675.00
5	Pulverize Asphalt & ReGrade	SqYd	1,900	2.70	5,130.00	-	-
6	2'-0" & 3'-0" Concrete Retaining Walls	Lft	170	530.00	90,100.00	-	-
7	4'-0" Concrete Retaining Walls	Lft	40	707.00	28,280.00	-	-
8	5'-0" Concrete Retaining Walls	Lft	20	722.00	14,440.00	-	-
9	7'-0" Concrete Retaining Walls	Lft	30	779.00	23,370.00	-	-
10	8'-6" Concrete Retaining Walls	Lft	20	929.00	18,580.00	-	-
11	10'-6" Concrete Retaining Walls	Lft	36	946.00	34,056.00	6	5,676.00
12	12'-6" Concrete Retaining Walls	Lft	56	1,026.00	57,456.00	30	30,780.00
13	14'-6" Concrete Retaining Walls	Lft	46	1,159.00	53,314.00	10	11,590.00
14	16'-6" Concrete Retaining Walls	Lft	40	1,221.00	48,840.00	16	19,536.00
<b>SANITARY SEWER</b>							
15	8" Sewer Main	Lft	697	88.21	61,482.37	697	61,482.37
16	4" Sewer Lateral	Ea	17	3,267.21	55,542.57	17	55,542.57
17	48" Sewer Manhole	Ea	4	6,415.00	25,660.00	4	25,660.00
18	Connect to Exit. 60" Manhole	LS	1	2,381.00	2,381.00	1	2,381.00
<b>STORM DRAIN</b>							
19	15" RCP	Lft	89	145.00	12,905.00	55	7,975.00
20	18" RCP	Lft	440	104.00	45,760.00	428	44,512.00
21	48" Manhole	Ea	4	5,481.00	21,924.00	2	10,962.00
22	60" Manhole	Ea	1	6,009.00	6,009.00	1	6,009.00
23	APWA 315.1 Single Catch Basin	Ea	2	5,530.00	11,060.00	2	11,060.00
24	APWA 315.2 Double Catch Basin	Ea	2	7,390.00	14,780.00	-	-
25	Overflow Spillway	SqFt	465	45.20	21,018.00	-	-
<b>Culinary Water</b>							
26	Bountiful 1" Service	Ea	16	1,938.00	31,008.00	16	31,008.00
27	Bountiful Fire Hydrant Assembly	Ea	2	8,784.00	17,568.00	3	26,352.00
<b>IRRIGATION</b>							
28	8" Irrigation Main	Lft	735	65.47	48,120.45	735	48,120.45
29	8" DI Fitting	Ea	3	1,673.00	5,019.00	3	5,019.00
30	Irrigation Air-Vac Assembly	LS	1	3,883.00	3,883.00	1	3,883.00
31	Irrigation Service Lateral	Ea	16	2,071.00	33,136.00	6	12,426.00
<b>POWER</b>							
32	2'-6" w x 2'-6" d Trenching & Backfill	Lft	565	10.10	5,706.50	565	5,706.50
33	4'-0" w x 3'-6" d Trenching & Backfill	Lft	2,345	10.10	23,684.50	2,345	23,684.50
<b>GAS</b>							
34	4" PVC Sleeve	Lft	44	43.60	1,918.40	44	1,918.40
<b>ROADWAY IMPROVEMENTS</b>							
35	Type E Curb and Gutter	Lft	3,230	24.40	78,812.00	2,065	50,386.00
36	4" Flatwork	SqFt	22,470	7.60	170,772.00	7,624	57,942.40
37	Road Base	Ton	4,009	20.90	83,788.10	1,834	38,330.60
38	Asphalt Paving Mobilization	Ea	2	1,337.50	2,675.00	1	1,337.50
39	4" Asphalt Paving	Ton	2,004	82.07	164,468.28	917	75,258.19

40	6' Chain Link Fence	Lft	595	40.30	23,978.50	60	2,418.00
41	Adjust Valve to Final Grade	Ea	3	518.00	1,554.00	3	1,554.00
42	Adjust Manhole to Final Grade	Ea	3	750.00	2,250.00	8	6,000.00
43	4" Double Yellow Striping	Lft	1,625	0.74	1,202.50	1,030	762.20
44	4" Single White Striping	Lft	3,250	0.48	1,560.00	2,060	988.80
45	SWPPP	LS	1	18,500.00	18,500.00	1	18,500.00
SubTotal					1,499,791.42	813,376.63	
<b>SCHEDULE 2</b>							
ALTERNATE ITEMS							
19A	15" ADS HP Storm Pipe	Lft	89	141.00	12,549.00	-	-
20A	18" ADS HP Storm Pipe	Lft	440	102.00	44,880.00	-	-
46	Imported Backfill	Ton	500	35.00	17,500.00	500	17,500.00
SubTotal					74,929.00	17,500.00	
TOTAL SCHEDULE 1 and Bid Item 46					1,517,291.42	830,876.63	
TOTAL Excluding Bid Items 19,20 Including Bid Items 19A, 20A, 46					1,516,055.42		

TOTAL ALL BID ITEMS 1,574,720.42



**BOUNTIFUL ENGINEERING DEPARTMENT**

EAGLE RIDGE DRIVE EXTENSION PROJECT

PROJECT EXPENSE SUMMARY

Updated 26-Sep-22  
LNC

<b>CONSULTANT EXPENSES</b>		Actual	Estimated	Total
Date	Invoice			
4/5/2021	51998 Entellus	4,397.50		
7/26/2021	52615 Entellus	2,667.50		
12/22/2021	53454 Entellus	1,423.75		
3/29/2022	53780 Entellus	3,163.75		
9/8/2022	54516 Entellus	7,537.50		
	Additional Design		5,000.00	
	Construction Staking		15,000.00	
	AsBuilt Documentation		2,500.00	
	Materials Testing		20,000.00	
SubTotal		19,190.00	42,500.00	61,690.00

<b>PROJECT FEES</b>		Actual	Estimated	Total
7-Jul-22	37609 South Davis Sewer	4,000.00		
	fee			
	escrow	3,600.00		
6/20/2022	Dominion Energy	49,571.50		
4/25/2022	Weber Basin	200.00		
4/25/2022	US BoR	100.00		
	Bountiful Power		155,000.00	
SubTotal		57,471.50	155,000.00	212,471.50

<b>CONSTRUCTION COSTS</b>		Actual	Estimated	Total
Rainey Construction Costs Per Preliminary Cost Allocation				
Dated 9/19/2022			830,876.63	830,876.63

**TOTAL, All Project Costs** **1,105,038.13**