CITY OF NORTH SALT LAKE

CITY COUNCIL MEETING
NOTICE & AGENDA
August 6, 2024

Notice is given that the City Council of the City of North Salt Lake will hold a regular meeting on August 6, 2024 at City Hall, 10 East Center Street, North Salt Lake, Utah. A work session will be held at 6:00 pm followed by the regular session at 7:00 pm in the Council Chambers.

Meetings of the City Council may be conducted via electronic means pursuant to Utah Code Ann. §52-4-207 as amended. In such circumstances, contact will be established and maintained via electronic means and the meetings will be conducted in accordance with the City's Electronic Meetings Policy.

The following items of business will be discussed; the order of business may be changed as time permits:

WORK SESSION – 6:00 p.m.

1. Update on Eaglewood Golf Course
2. Approval of City Council Minutes of July 16, 2024
3. Action Items
4. Council Reports
5. City Attorney Report
6. Mayor's Report
7. City Manager Report
8. Adjourn

REGULAR SESSION – 7:00 p.m.

1. Introduction by Mayor Brian Horrocks
2. Thought or Prayer and Pledge of Allegiance ~ Councilmember Tammy Clayton
3. Citizen Comment
4. Public Hearing and Consideration of Resolution 2024-28R: A Resolution Authorizing Staff to Execute a Real Estate Purchase Agreement for the Sale of City Owned Property Located at 740 David Way
5. Consideration of Appointment to Health & Wellness Committee
6. Consideration of Resolution 2024-29R: A Resolution Adopting the Proposed Wasatch Integrated Waste Management District Opt-Out Recycling Program Requiring Mandatory Recycling for All New Residential Accounts
7. Consideration of Bid Award for Sidewalk Condition Inventory to Precision Concrete Cutters in the Amount of $350 Per Sidewalk Mile

8. Consideration of an Engagement Services Letter with Child Richards CPAs and Advisors for Fiscal Year 2024 External Audit Services in an Amount not to Exceed $30,000

9. Consideration of Awarding the Nancy Way Area Water Line Project to Tonnco Inc. in the Amount of $99,417

10. Consideration of Addition of the Rebuild of Nancy Way and 150 North to the 2024 Street Rebuild Project, BHI, Inc. in the Amount of $98,890.55 for Nancy Way and Time and Materials for 150 North Street

11. Adjourn

CLOSED SESSION

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

City Council meetings are open to the public. If you need special accommodation to participate in the meeting, please call (801) 335-8709 with at least 24 hours' notice. This meeting will be broadcasted live through the City's YouTube channel: https://www.youtube.com/@nslutah4909/streams

Notice of Posting:
I, the duly appointed City Recorder for the City of North Salt Lake, certify that copies of the agenda for the City Council meeting to be held August 6, 2024 were posted on the Utah Public Notice Website: https://www.utah.gov/pmn/, City's Website: https://www.nslcity.org, and at City Hall: 10 E. Center St. North Salt Lake.

Date Posted: August 5, 2024

Wendy Page, City Recorder

Summary Guide of City Council Agenda Items for
<u>August 6, 2024</u>

This document is provided as a way to briefly understand the most important content and purposes of the agenda items at the upcoming meeting. It is hoped that this summary guide will assist you as you study in preparation for this meeting.

Work Session Summary.

a. Tyler Abegglen will provide updates and proposals on additional improvements for Eaglewood Golf Course - no formal action required.
b. Approval of meeting minutes, Council and staff reports have been put here since there is time in the work session for these items.

Item #4: Resolution 2024-28R: Sale of City property at 740 David Way - City Council action required.

a. 0.75 acre parcel is being purchased by adjacent owner – purchase price is $15,000
b. Required public hearing prior to selling City property
c. The Council had a closed session on this matter on May 21, 2024
d. Property is not useable as a building lot

Item #5: Appointment to Health and Wellness Committee - City Council action required.

a. Alisa Van Langeveld appointment of Jeff Scroger to the Committee
b. Fills seat #3 and expires on January 1, 2025

Item #6: Resolution 2024-29R: Adopting Opt-out Recycling Program - City Council action required.

a. Wasatch Integrated Waste Management District is using discounted fees to incentivize recycling
b. Resolution adopts program of mandatory recycling for all new single family accounts – not retroactive to existing customers
c. Program participation is estimated to save approximately $33,700 annually

Item #7: Consideration of bid award for sidewalk condition inventory – City Council action required.

a. This project awards a bid to Precision Concrete Cutting for an inventory of existing conditions of public sidewalks – unit cost is $350/per sidewalk mile or an estimated cost of $31,500
b. This project was included in the FY25 budget

Item #8: Consideration of Audit Engagement Letter – City Council action required.

a. This item selects Child Richards CPAs to perform the City's required annual audit
b. Project not to exceed $30,000

Item #9: Consideration of Award for Nancy Way Water Line – City Council action required.

a. Water line replacement on Nancy Way asbestos concrete pipe
b. This project is a needed repair due to the recent Gary Way water line breaks
c. Total project cost is $99,417 and will require a future budget amendment of $75,000

Item #10: Consideration of addition to 2024 street rebuild project – City Council action required.

a. The City Engineer is recommending adding the street resurfacing projects on Nancy Way and 150 North Street to the existing street rebuild project contract with BHI, Inc.
b. Adding these projects to an existing contract saves significant cost of bidding

c. Nancy Way cost is $98,890.55 and budgeted amount is $110,000 (FY25 Budget)
d. Staff will request an additional $30,000 in a future budget amendment to cover both roads

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-WORK SESSION
ANCHOR LOCATION: CITY HALL
10 EAST CENTER STREET, NORTH SALT LAKE
JULY 16, 2024

DRAFT

Mayor Horrocks welcomed those present at 6:05 p.m.

PRESENT: Mayor Brian Horrocks
Councilmember Lisa Watts Baskin
Councilmember Tammy Clayton
Councilmember Suzette Jackson
Councilmember Ted Knowlton
Councilmember Alisa Van Langeveld

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

OTHERS PRESENT: Jeff Scroger, Camille Thorpe, Peter Wirthlin, Dee Lalliss, Kyle Poulter, Stan Porter, Jon Marsh, residents.

1. MONTHLY FINANCIAL REPORT FOR PERIOD ENDING MAY 31, 2024

Heidi Voordeckers reported that this monthly financial report was for the period ending May 31, 2024. She noted that 92% of the fiscal year has elapsed with General Fund revenues at 79% and expenditures at 86.9%. She explained that the June financial report would be presented in September due to year end revenue recognition. She shared that the Utah League of Cities and Towns (ULCT) local sales tax study data was promising for fiscal year 2025. She shared projections from the study including that 30 year mortgages rates were anticipated to drop by the end of 2025 to 5.5%, taxable sales in Davis County would increase by 3.2% in 2024 and 4.8% in 2025.

Ms. Voordeckers mentioned that there was an update in the City's population from 22,537 to 23,560 which resulted in a larger statewide collection with an estimated $120,000 increase in annual revenue. She said the monthly updated accounts payable detail reports would be available to view.

2. DISCUSSION OF CITIZEN COMMITTEES

Ken Leetham reported that this was a discussion on citizen committees. He reviewed the Parks, Trails, Arts, and Recreation Board and its purpose and bylaws which were to act as the City's advisory board to the City Council related to current and long range needs in parks, trails, arts, and recreation. He said the second purpose was that the City Council formed this Board for the purpose of advancing and improving the quality of life for all residents of the City to provide improved access and levels of service to the public and to meet the public's ongoing and changing needs for quality parks, trails, arts, and recreation services. He mentioned the Board's involvement in Legacy Park, Wild Rose Park, and Tunnel Springs Park. He noted that the City Council had responsibilities and duties and acknowledged that it was critical that an advisory board be created so a citizen committee could assist in the creation and implementation of plans, policies, proposals, events, and any other matters related to parks, trails, arts, and recreation in the City.

Mr. Leetham spoke on the different facets that the Parks and Arts Board was involved in including City events, the emphasis on trail building, active transportation, arts (murals, repurposing property for art), and park facilities plans. He noted that some of the barriers to maximizing the Board included having a broad focus, not using staff in strategic ways, inefficient use of meetings trying to cover all topics, and some Board members were more interested in specific areas (trails, arts, etc.). He then shared options for overcoming these barriers including creating new committees or sub groups, assigning City staff to those specific sub groups, increasing Citywide interest if new committees were formed, focus on grants and funding efforts with designated committees, and more focus on specific areas of expertise for committee members. His recommendation was to divide the Board into four sub groups: 1) community events, 2) trails and active transportation, 3) arts, and 4) parks and recreation as needed (designated members could review City plans for new parks and reinvestment in existing parks). He explained that if the Board was reorganized the next steps would be new or amended enabling ordinances, new bylaws, and efforts to increase citizen members.

Ken Leetham reviewed the issues with the Health and Wellness Committee including lack of engagement and inconsistent participation with some members.

Councilmember Van Langeveld commented on the engagement and resignation of the Health and Wellness Committee members. She did not agree that lack of engagement was a fair assessment for the overall Committee but said some individuals had not been engaged.

Ken Leetham said he was not recommending ending the Health and Wellness Committee but was suggesting a different way to perform the duties. He shared other issues including the need for participation from staff members (City Manager, Police Chief, Community Development Director, Communications Manager, etc.), designation for a Health Coalition per the Healthy Utah Communities, and how several of the achievements of the Committee could be done

through staff (CTC classes, social media outreach, events). He explained the requirements for the Health Coalition designation included: quarterly meetings, inclusion of local health department, hospital, school district, business leaders, and community members. He said expanding the Committee would allow for discussing broader health issues and needs as well as becoming more educated and focused on what issues to address. He suggested retaining the Committee but adding other representatives (as mentioned above) to create stronger partnerships with other agencies. He spoke on data related to mental health problems, physical health, criminal stats, youth, and family structures and expanding deeper into these social challenges.

Mayor Horrocks spoke on events and said while they all had merit and value that some of those events were not well attended. He spoke on the difficulty of finding a balance for cultural and inclusive events, overall attendance, and support and attendance by the committees and Council. He suggested reviewing each event to ensure that participation met the level of time and funds spent.

Staff shared a list of community events including NSL Reads, Kite Festival, Golden Spoke, Photo Contest, Halloween Spooktacular, Winter Lights Fest, Summer Recreation Classes, Spring and Fall Soccer, Food Trucks/Vendor Fair, Arbor Day, Liberty Fest, Night Out Against Crime, 9/11 Day of Service, Spring/Fall Cleanup, Get to the River, Unity in the Community (Pride, Juneteenth, Hispanic Heritage), Health and Wellness Fair, Summer Trails Series, and golf course events (Family Golf Scramble, Oktoberfest, Breakfast with Santa).

Councilmember Jackson mentioned celebrating events that would appeal to a broader audience like Flag Day, Utah Constitution Month, or health related fundraisers and suggested picking unifying events for the entire City.

Councilmember Knowlton commented that due to the level of work and planning to execute events he felt there should be a standalone event committee. He suggested establishing an event committee, a trails committee, an arts committee, and a health and wellness committee. He was in favor of the health and wellness committee coordinating with other groups (health department, school district, etc.) and improving health outcomes on a quarterly basis.

Councilmember Van Langeveld stated that the Health and Wellness Committee had coordinated with the Health Department on multiple events and in utilizing City Hall for WIC services as well as with Communities That Care (Davis County). She spoke on several difficulties the Committee faced which halted progress including disproportionate staff input and quorum requirements that resulted in canceled meetings. She was in favor of creating an umbrella structure with the Parks, Trails, Arts, and Recreation Board as the main committee with smaller subcommittees such as Health and Wellness, or Trails.

Councilmember Knowlton expressed that the City Council was already the umbrella committee over Parks, Arts, and Recreation. He said the breadth of what was covered by these committees was difficult with latent inefficiencies.

Councilmember Van Langeveld stated that the smaller subcommittees (events, trails, arts, health and wellness) could have one member attend the Parks and Arts Board meetings each quarter. She said the collective group could provide parks planning and an oversight for all the different areas.

The City Council discussed the level of staff support, meeting frequency, and combining arts with health and wellness.

Ken Leetham suggested that by having smaller subcommittees, one staff member would be sufficient for most committee meetings.

Councilmember Van Langeveld asked for clarity of the duties and responsibilities of the Chair and Councilmember on these committees.

Councilmember Clayton commented that she was an advocate of quality meetings and making the most of staff time. She also mentioned that residents wanted events that fostered community and inclusion with a focus on quality and not quantity.

Councilmember Baskin spoke on the vision for the function of the committees and ways to improve. She felt it was important to have events as a standalone committee, continued focus on senior citizens, and a subcommittee that answered to the City Council.

Councilmember Van Langeveld commented on barriers to citizen involvement including only allowing officially appointed members on the committees. She expressed support for having citizens be part of committees without official appointment by the City Council.

3. ADJOURN

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

CITY OF NORTH SALT LAKE
CITY COUNCIL MEETING-REGULAR SESSION
ANCHOR LOCATION: CITY HALL
10 EAST CENTER STREET, NORTH SALT LAKE
JULY 16, 2024

DRAFT

Mayor Horrocks welcomed those present at 7:15 p.m. Krish Thota offered an invocation and Councilmember Jackson led those present in the Pledge of Allegiance.

PRESENT: Mayor Brian Horrocks
Councilmember Lisa Watts Baskin
Councilmember Tammy Clayton
Councilmember Suzette Jackson
Councilmember Ted Knowlton
Councilmember Alisa Van Langeveld

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

OTHERS PRESENT: Jeff Scroger, Camille Thorpe, Peter Wirthlin, Dee Lalliss, Kyle Poulter, Stan Porter, Jon Marsh, Amber Thota, Krish Thota, Chris Smith, Alina Smith, Meighan Smith, Audrey Beebe, Enos Beebe, residents; Michael Lambert, Layton resident.

1. CITIZEN COMMENT

Michael Lambert, Layton resident, commented that he was running for Davis County Commission. He spoke on concerns in politics and finding common ground. He shared that he was a licensed social worker who served on the school community council in Layton. He mentioned he was focused on mental health, aging, conservation, and air quality.

Peter Wirthlin, Parks and Arts Board, said that when he and Kyle Poulter had reported to the City Council in June that their message had been hurtful and implied that the Chair was not running the Board well. He apologized to Jeff Scroger and said the comments made were related to the broadness of items that needed to be covered for the whole of the Parks, Trails, Art, and Recreation Board.

Stan Porter, resident, mentioned the Get to the River Festival that would be held in September and encouraged the City to continue to promote this event. Sherrie Pace commented that staff was currently reviewing the ability to pre-register boat reservations for this event.

Camille Thorpe, Parks and Arts Board, spoke on public art particularly in the Town Center as well as the redevelopment of Hatch Park and preserving trees. She also mentioned the increasing speed of traffic on Main Street and traffic calming options.

Ken Leetham commented that staff would implement speed enforcement and electronic speed signs as these seemed to be effective.

Jeff Scroger, Parks and Arts Board, commented on community involvement and viewing residents as assets. He said that this was important to keep in mind when planning events and planning for who those events would attract. He was in favor of less formal committee structures to encourage participation in accordance with public meeting laws.

2. PRESENTATION OF YOUTH CITY COUNCIL SCHOLARSHIP AWARDS TO ALINA SMITH, MAYOR; KIERSTINA STANGER, CITY MANAGER; PEYTON OTIS, ACTIVITIES COMMITTEE CHAIR; AND KRISH THOTA, CITY RECORDER

Councilmember Clayton spoke on Youth City Council (YCC) activities (including the monthly food pantry event) and the inclusion and kindness of the youth.

Audrey Beebe, YCC Advisor, spoke on how the YCC was run by the executive committee (youth mayor, city manager, recorder, and four committee chairs) who organized all of the activities.

Audrey and Enos Beebe shared some information about each of the four scholarship award winners for 2023-2024 including Krish Thota; City Recorder, Peyton Otis; Activities Committee Chair, Kierstina Stanger; City Manager, and Alina Smith, Mayor.

Mayor Horrocks presented certificates to the YCC members who were present.

3. CONSIDERATION OF THE MAYOR'S PLANNING COMMISSION APPOINTMENT

Mayor Horrocks introduced Jonathan Marsh as the Planning Commission appointment.

Jonathan Marsh said he was excited to work with staff and the Commission. He mentioned working as a computer engineer for a defense contractor and a real estate investor. He said his wife was a city planner for Holladay City which had helped to give him some familiarity with planning.

Councilmember Van Langeveld moved that the City Council approve Mayor Horrocks' appointment of Jon Marsh to the Planning Commission for the remainder of the term for Seat 4 which expires on January 1, 2025. Councilmember Knowlton seconded the motion. The motion was approved by Councilmembers Baskin, Clayton, Jackson, Knowlton, and Van Langeveld.

4. CONSIDERATION OF THE MAYOR'S GOLF COURSE OVERSIGHT COMMITTEE APPOINTMENTS

Mayor Horrocks recommended the appointment of Corey Markisich to fill seat 2 and the reappointments of Lisa Watts Baskin for seat 1 and Court Huish to fill seat 4 on the Golf Course Oversight Committee.

Councilmember Clayton moved that the City Council approve Mayor Horrocks' appointment to the Golf Course Oversight Committee of Corey Markisich to fill Seat 2 and the reappointments of Lisa Watts Baskin to fill seat 1 and Court Huish to fill seat 4 all expiring on March 1, 2028. Councilmember Jackson seconded the motion. The motion was approved by Councilmembers Baskin, Clayton, Jackson, Knowlton, and Van Langeveld.

5. CONSIDERATION OF RESOLUTION 2024-26R: A RESOLUTION SUPPORTING AN APPLICATION TO DISCOVER DAVIS FOR THE INSTALLATION OF A MURAL UTILIZING THE 2024 MURAL GRANT PROGRAM AND AUTHORIZING MATCHING FUNDS

Sherrie Pace reported on the application for the Discover Davis grant program and the need for the authorization of matching funds. She said the grant request would be $10,000 with a requested City match of $10,000. She spoke on the process of identifying a building owner to participate, choosing a theme, and obtaining an artist. She mentioned that the Parks and Arts Board had discussed the possibility of an orchard-themed mural or a mural with a kindness theme to go along with the kindness initiative passed by the City Council, but there was no official recommendation at this time.

Councilmember Baskin moved that the City Council approve Resolution 2024-26R authorizing the submittal of a Discover Davis Mural grant application for the installation of a mural in the City and authorizing matching funds. Councilmember Van Langeveld seconded the motion. The motion was approved by Councilmembers Baskin, Clayton, Jackson, Knowlton, and Van Langeveld.

6. CONSIDERATION OF A MOTION TO AUTHORIZE CITY STAFF TO DONATE TO THE BOUNTIFUL HIGH AND WOODS CROSS HIGH SCHOOL GOLF TEAMS

Tyler Abegglen spoke on building a relationship with the youth and Eaglewood Golf Course. He said they currently utilized courses throughout the County and hoped this would build a relationship between the high school teams and the course. He requested authorization to make a donation from Eaglewood Golf Course to each these schools' golf teams for $2,000 in rounds of golf, $1,000 in range balls, and ordering of team gear at cost plus 10%. He explained that there would be restrictions for use limited to certain days and times. He reviewed the benefits for Eaglewood in exchange for the donation which included purchased golf items from the pro shop, advertising at the schools (football, baseball/softball fields, and basketball games), and a four hour service project from each team.

Councilmember Baskin asked how many rounds this would equal. Tyler Abegglen replied that it would be approximately 80 rounds per team.

Councilmember Van Langeveld moved that the City Council authorize City staff to donate golf services and offer a discount on team gear to the Bountiful High School and Woods Cross High School golf teams which includes up to $2,000 in rounds of golf, $1,000 in range balls and a 10% discount on team apparel. Councilmember Clayton seconded the motion. The motion was approved by Councilmembers Baskin, Clayton, Jackson, Knowlton, and Van Langeveld.

7. CONSIDERATION OF ORDINANCE 2024-04: AN ORDINANCE ADOPTING THE FORM OF A TELECOMMUNICATIONS FRANCHISE AGREEMENT FOR USE BETWEEN THE CITY OF NORTH SALT LAKE AND TELECOMMUNICATIONS OPERATORS AS DEFINED BY TITLE 7, CHAPTER 8 OF THE CITY CODE

Ken Leetham reported that several different franchise agreements or forms have been used for operators to construct, operate, and maintain telecommunications infrastructure within the public right of way. He explained that it was important for the City to adopt a standard form of agreement that could provide consistency among all operators in the City. He mentioned that the City Attorney had prepared the subject draft which established the terms and conditions under which franchisees would operate including established use of public rights of way, clear reference to the City's Telecommunications Use of Rights of Way Ordinance, clear definition of all pertinent terms needed to manage a franchise agreement, terms of the franchise fees and taxes to be collected and remitted, the 10 year term and 5 year renewal provisions, use of public rights of way including being subordinate to the City, complying with City codes, undergrounding poles and lines under specific conditions, and repairs and legal protections through insurance and indemnification. He shared that the new form would provide consistent agreement for all franchisees with the following provisions: right to use City right of way for telecommunications, commitment to follow all City ordinances related to telecom and construction, indemnify the

City and provide the City as additional insured, relocation at franchisees expense, quarterly meetings with the City, and no new utility poles.

Mr. Leetham spoke on some minor corrections to the draft franchise agreement which included the need to reference the correct Code on pages four and eleven and strike references to "Municipal Telecommunications Tax Laws" and replace these with "Title 7, Chapter 8 of the City Code" as necessary. He noted that any franchise agreement with specific operators must be reviewed and approved by the City Council prior to being executed.

Councilmember Van Langeveld moved that the City Council approve Ordinance No. 2024-04: An Ordinance Adopting the Form of a Telecommunications Franchise Agreement for Use Between the City of North Salt Lake and Telecommunications Operators as Defined by Title 7, Chapter 8 of the City Code, as amended. Councilmember Jackson seconded the motion. The motion was approved by Councilmembers Baskin, Clayton, Jackson, Knowlton, and Van Langeveld.

8. CONSIDERATION OF APPROVAL TO PURCHASE A SECOND BOILER AT CITY HALL FROM FIRST SERVICE MECHANICAL IN THE AMOUNT OF $53,653.32

Ken Leetham spoke on the HVAC system in the City Hall building and said that the original boilers installed in the building were twice the size needed. He explained how this oversizing has caused difficulty in heating and cooling the building. He mentioned that one of the boilers failed and the building has been running on only one new boiler since that time. He spoke on the need to install the second boiler, which was included in the fiscal year 2025 Budget. He said the price of the boiler was based upon a bid from First Service Mechanical for $53,653.32.

Councilmember Clayton moved that the City Council authorize City staff to purchase a second boiler for the City Hall building from First Service Mechanical in the amount of $53, 653.32. Councilmember Baskin seconded the motion. The motion was approved by Councilmembers Baskin, Clayton, Jackson, Knowlton, and Van Langeveld.

9. CONSIDERATION OF GOLF EQUIPMENT PURCHASE IN THE AMOUNT OF $99,676.82

Tyler Abegglen reported that this would be the replacement for an existing mower. He explained that two Toro mowers were non-operational and the previously approved Toro replacements (which were ordered three years ago) still had no imminent delivery date. He mentioned the original price of the Toro Groundmaster mower was $104,051.13. He said staff was impressed with the John Deere rough unit and recommended replacement from John Deere/Stotz Equipment for $99,676.82. He shared that this would come from the Golf Fund and proposed retaining one of the original Toro mowers on order.

Councilmember Baskin moved that the City Council approve the purchase of a John Deere Tractor and a Trimax pull behind mower attachment from John Deere / Stotz Equipment for $99,676.82. Councilmember Knowlton seconded the motion. The motion was approved by Councilmembers Baskin, Clayton, Jackson, Knowlton, and Van Langeveld.

10. CONSIDERATION OF POLICE VEHICLE PURCHASES IN THE AMOUNT OF $72,591.86

Chief Black reported that as part of the fiscal year 2025 Budget the police department had requested and was approved to purchase six vehicles. He explained that two of these vehicles would be used in the investigations division and would be unmarked. He requested two Toyota Highlanders through Young Automotive Group, a State contract pricing authorized dealer. He said this price did not include equipping the vehicles with the standard emergency equipment. He shared that the price of each Highlander was $36,295.93 for a total purchase cost of $72,591.86.

Councilmember Van Langeveld moved that the City Council approve the purchase of two (2) Toyota Highlanders for use in the police department investigations division. Councilmember Jackson seconded the motion. The motion was approved by Councilmembers Baskin, Clayton, Jackson, Knowlton, and Van Langeveld.

11. CONSIDERATION OF PUBLIC WORKS DEPARTMENT VEHICLE PURCHASE IN THE AMOUNT OF $30,987

Jon Rueckert reported on the request to purchase a 2024 Toyota RAV4 hybrid from Young Automotive Group for $30,987. He said the primary use of the vehicle would be for the Public Works Operations Manager to replace a 2005 RAV4, which met the 15 point replacement policy.

Councilmember Jackson moved that the City Council authorize City staff to purchase a 2024 Toyota RAV4 Hybrid from Young Automotive Group for $30,987. Councilmember Knowlton seconded the motion. The motion was approved by Councilmembers Baskin, Clayton, Jackson, Knowlton, and Van Langeveld.

12. CONSIDERATION OF PURCHASE OF A PUBLIC WORKS SNOW REMOVAL EQUIPMENT IN THE AMOUNT OF $36,048

Jon Rueckert reported on the recommendation to purchase Varitech skid mounted anti-ice snow removal equipment. He explained the anti-icing technique of placing salt brine on the roadway prior to the storm and how this helped to prevent snow or ice from bonding to the pavement surface. He said this equipment would provide for a proactive road treatment before storms and allow plows to more easily remove ice and snow. He mentioned this equipment could be used on the existing hook lift truck and would be purchased from Owen Equipment for $36,048.

Councilmember Knowlton moved that the City Council authorize City staff to purchase Varitech skid mounted anti-ice snow removal equipment from Owen Equipment Company for $36,048. Councilmember Van Langeveld seconded the motion. The motion was approved by Councilmembers Baskin, Clayton, Jackson, Knowlton, and Van Langeveld.

13. CONSIDERATION OF PURCHASE OF A PUBLIC WORKS EXCAVATOR TRAILER IN THE AMOUNT OF $57,675

Jon Rueckert reported that the requested Versamax tilt deck trailer would be used to haul a large excavator for the Water Department. He mentioned that it would replace the current trailer which had two broken axles. He shared that the new trailer had the capacity to haul the largest equipment and was in stock now. He said the trailer would be purchased from Reading Truck Equipment for $57,675, which was a State of Utah contract price. He shared several experiences where they had a need for this trailer including Liberty Fest and moving an excavator.

Councilmember Baskin moved that the City Council authorize City staff to purchase a 2023 Versamax 60,000 lb. rated tilt deck trailer from Reading Truck Equipment, LLC for $57,675. Councilmember Jackson seconded the motion. The motion was approved by Councilmembers Baskin, Clayton, Jackson, Knowlton, and Van Langeveld.

14. CONSIDERATION OF PURCHASE OF A PUBLIC WORKS FORKLIFT AND SKID LOADER IN THE AMOUNT OF $125,883

Jon Rueckert reported on the request to purchase a 2023 CAT GP25N5 Forklift for $45,903 and 2024 CAT 255 C3H2 Tracked Skid Loader for $79,980 from Wheeler Machinery for a total of $125,883. He said the 2023 CAT forklift would replace a used refurbished 1990s forklift and would be utilized at Public Works. He continued that the 2024 CAT skid loader would be used for water construction projects.

Councilmember Baskin asked for clarification on the State purchasing contract. Jon Rueckert replied that the State of Utah collected bids for different equipment items and the City could purchase those for the same price that the State had negotiated. He said the State contract price was generally the best price.

Councilmember Jackson asked if these vehicle and equipment requests were already approved as part of the budget. Jon Rueckert replied affirmatively.

Councilmember Jackson moved that the City Council authorize City staff to purchase a 2023 CAT GP25N5 Forklift and 2024 CAT 255 C3H2 Tracked Skid Loader from Wheeler Machinery for $125,883. Councilmember Knowlton seconded the motion. The motion was approved by Councilmembers Baskin, Clayton, Jackson, Knowlton, and Van Langeveld.

15. CONSIDERATION OF RESOLUTION 2024-27R: A RESOLUTION AUTHORIZING THE SURPLUS OF PROPERTY

Tyler Abegglen shared the items which had exceeded their lifespan and were available for surplus including: one 2003 SandPro Bunker Rake, two 2007 GreensMasters Greens Mower2, two 2009 ReelMaster Fairway Mowers, and two 2014 GroundMaster Rough Mowers. He said the replacements for these items had already been approved and received or scheduled for delivery within this fiscal year.

Jon Rueckert said the following vehicles/equipment were proposed to be declared as surplus property including: one 2005 Toyota RAV4, one 2013 PJ Trailer, and one 1990 CAT forklift.

Councilmember Clayton moved that the City Council approve Resolution 2024-27R: a resolution declaring surplus property and authorizing its disposal. Councilmember Baskin seconded the motion. The motion was approved by Councilmembers Baskin, Clayton, Jackson, Knowlton, and Van Langeveld.

16. DISCUSSION OF LIBERTY FEST 2024

Ken Leetham reported on some of the negative aspects of Liberty Fest in the last several years including injuries in the last two fireworks events which required treatment at a local hospital. He spoke on how the event has changed over the years and that even though the City was well intentioned in providing a wonderful celebration that dangerous behavior had occurred and seemed to be increasing.

Chief Black spoke on the expansion of Liberty Fest and a criminal element that had arisen in the last several years. He said from a public safety standpoint this had created a carnival like atmosphere for those that came and behaved immaturely and dangerously. He spoke on an incident that occurred during Liberty Fest where an individual was hospitalized. He said it took 15 minutes to reach the victim and the ambulance could not leave the site until after the event was over.

Chief Black said there was also several individuals selling drugs, drinking alcohol, driving while intoxicated, and setting off fireworks in the crowd. He discussed what was occurring at similar events in other cities. He commented that Liberty Fest was a great event that unified residents but spoke on how the growth of these events resulted in increased traffic, restricted emergency service access, and other issues.

17. ADJOURN INTO CLOSED SESSION

At 8:51 p.m. Councilmember Baskin moved to go into closed session to discuss the deployment of security personnel, devices, or systems. Councilmember Van Langeveld

seconded the motion. The motion was approved by Councilmembers Baskin, Clayton, Jackson, Knowlton, and Van Langeveld.

18. RECONVENE INTO REGULAR SESSION

At 9:14 p.m. Councilmember Baskin moved to go out of closed session and into the regular session. Councilmember Knowlton seconded the motion. The motion was approved by Councilmembers Baskin, Clayton, Jackson, Knowlton, and Van Langeveld.

19. DISCUSSION OF LIBERTY FEST 2024 (CONTINUED)

Chief Black spoke on the change in dynamics and how Bountiful managed their events. He said one of the issues was the fireworks started when it was dark and potentially separating events with fireworks at the golf course and bounce houses and food trucks at a different location.

Councilmember Knowlton suggested a work session item to discuss the options for this event. Ken Leetham indicated that it may be difficult to change the culture of the event without taking a year off in 2025 and then providing a firework show in 2026 either at a new location or with a much smaller event that wouldn't have all of the features of the current fireworks show.

Tyler Abegglen shared that there was damage done to the golf course including firework debris and the cleanup required by staff.

The Council discussed controlling the crowd, spacing out the events at different locations, mitigating the risk, downsizing, love for the event, and reviewing how other cities celebrated.

Mayor Horrocks expressed discouragement and questioned if the fireworks event should be canceled permanently. Chief Black commented that he was not advocating canceling the event but spoke on the need to determine how to better manage this event.

20. APPROVAL OF CITY COUNCIL MINUTES

The City Council minutes of June 18, 2024 were reviewed and approved.

Councilmember Van Langeveld moved that the City Council approve the minutes of June 18, 2024, as written. Councilmember Jackson seconded the motion. The motion was approved by Councilmembers Baskin, Clayton, Jackson, Knowlton, and Van Langeveld.

21. ACTION ITEMS

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

Councilmember Knowlton asked about the Davis/Salt Lake County connector and if the City would be required to help support the project financially and participation in the design. Sherrie Pace replied that the City would be involved in the design.

Ken Leetham commented that every public agency would be required to pay for a share of the project but was unsure of the cost at this time.

Councilmember Van Langeveld asked about a review of allowing aerial fireworks in the west side of the City. She requested connecting with South Davis Fire and asking them to review this area. Ken Leetham commented that staff could request a written response from the Fire Chief.

22. COUNCIL REPORT

Councilmember Clayton reminded the City Council of their participation in the Bountiful parade on Saturday.

Councilmember Van Langeveld reported on the South Davis Sewer truth in taxation meeting. She said there were still multiple complaints about odor issues in the Foxboro area. She spoke on City events and prioritizing purchasing a stage.

Councilmember Baskin reported on the Golf Committee meeting and how much work had been completed at the course, current revenues, and ideas for increasing revenues.

Councilmember Jackson spoke on significant tax increases from several entities including the sewer district. Mayor Horrocks mentioned an unfunded EPA mandate for the sewer district including building a new plant.

Councilmember Jackson spoke on how her relative helped to establish the school lunch program during the Great Depression. She mentioned the teen center at Woods Cross High School and how there were 35 homeless students and 72 food insufficient students at that center. She spoke on collecting food for those students to utilize during the weekends.

Councilmember Knowlton reported on the trails meeting with NSL, Bountiful, and Centerville cities. He said it was mainly focused on what Bountiful had established including a trails committee, meeting regulatory requirements, finding funding sources, and maintenance. He suggested that the City could have an even better trail system and that Bountiful was willing to help.

Councilmember Knowlton also spoke on the annexation of Chevron and discussing this with the Davis County Commission. Mayor Horrocks commented that Chevron was part of the City and petitioned to annex into the County.

23. CITY ATTORNEY'S REPORT

Todd Godfrey had nothing to report.

24. MAYOR'S REPORT

Mayor Horrocks spoke on potentially partnering with Bountiful on the cost for their cemetery and providing resident rates to City residents.

Councilmember Van Langeveld commented that burial spaces in Bountiful were $750 for residents and $2750 for non-residents.

Ken Leetham mentioned that there were ten acres available at Tunnel Springs Park and the potential to discuss a cemetery site in the City.

Mayor Horrocks also mentioned some City owned land that a developer had expressed interest in purchasing.

Mayor Horrocks commented that Fire Chief Stone was retiring. He mentioned a meeting with the South Davis Recreation Center and the school district related to swimming facilities.

25. CITY MANAGER'S REPORT

Ken Leetham commented that a stage with room for gathering was part of the Hatch Park redesign.

26. ADJOURN

Mayor Horrocks adjourned the meeting at 9:59 p.m.

The foregoing was approved by the City Council of the City of North Salt Lake on Tuesday August 6, 2024 by unanimous vote of all members present.

_____ _____

Brian J. Horrocks, Mayor *Wendy Page, City Recorder*

Action Items for August 6, 2024

Item	Staff	Description	Staff Responses
New			
1		(7-16-24 CM Knowlton) Discuss annexation of Chevron with Davis County.	
2		(7-16-24 Mayor) Reach out to Bountiful on the potential to partner in the cost of their cemetery and provide resident rates to NSL residents.	
Current			
3	Ken and David	(6-18-24 CC) Eagleridge beautification project – staff to continue working on the beautification project including branding, less expensive plans, cohesive signage (all City).	
4	Ken	(6-4-24 CM Van Langeveld) Formal notification to the South Davis Sewer District that the Foxboro neighborhood it still experiencing significant odor issues.	
5	Heidi	(5-21-24 CM Jackson) Staff to review the water study and ask Bowen Collins about commercial operations, high users, and water usage related to fees.	*(7/31/24) Please see summary memo of original study findings in council packet.*
6	Ken	(5-21-24 CM Knowlton) Prepare talking points for the 2600 South / 1100 North bridge challenges.	
7	Ken	(5-21-24 CM Knowlton) Staff follow up with UTA on Foxboro bus route.	
8	Sherrie	(5-7-24 CC) Prepare application for Discover Davis Mural Program and review RAP tax for potential City match	*(7/30/24) Application deadline was extended until 8/30/24, the Parks & Arts Board is looking for a location.*
9	Ken	(5-7-24 CC) Review next steps for the potential of a Sister City partnership with Mangoase Ghana	
10	Ken/David	(5-7-24 CM Jackson) Possibility for an app that would provide the status of possible rail blockages.	
11	Heidi/Ken	(3-6-24 Mayor Horrocks) Potential hardship policy for mandatory recycling. Review costs for waste & recycling services.	*(5/2/24) Salt Lake City and Spanish Fork City have hardship programs managed by an outside agency (i.e., Salvation Army, Community Action Services Food Bank). Staff will look for a community partner (Davis County?) that could administer a program in NSL.*
12	Heidi	(2-20-24) Request for property tax report and sales tax analysis related to the City's industrial park.	*(6/11/24) Now that Davis County has set final values for 2024, Staff will work with them to prepare an analysis for presentation at a future City Council meeting.*

13	David / Karyn	(2-6-24 CM Jackson) Staff to further investigate and reach out to Big West Oil related to soil conditions of park strip on the south side of Center Street adjacent to BWO property.	
14	Sherrie / Karyn	(1-2-24 CM Van Langeveld & Knowlton) Staff to provide maps and inventory of City Owned properties, particularly those over one acre and list parcels that could potentially be put to a different use.	*(5/2/24). First draft under review and Ken will get specific feedback to Sherrie.*
15	Ken	(1-2-24 CM Van Langeveld) Staff to research additional cell towers or options in the Eaglewood Golf Course area including moving the existing cell tower near the clubhouse to the flagpole area and the ordinance related to smaller cellular towers.	*(5/22/24) Crown Castle has provided feedback on preferred locations. Staff to work on outreach to residents in order to obtain feedback on the possible addition of a cell tower.*
16	Ken	(3-7-23) Staff to identify any items that would qualify for the Community Funding Projects that Congressman Stewart advised Mayor Horrocks about.	*(5/16/24) Program details were not made available in advance and so we will be looking at projects for 2025. Possible projects include message and reader boards related to train crossing delays or other traffic safety improvements.*
17	Ken/Wendy	(3-7-23) Staff to prepare a policy related to City Hall rental/use.	*(3/16/23) Staff is reviewing city hall use policies and will propose a written policy statement in a future Council meeting.*
18	Sherrie & PW/Parks Dept.	*Combined Action Items:* (Various Dates) Park strips & City owned property. Review city code for park strip landscape requirements, propose alternatives for vegetation requirements (trees) & evaluate city owned park strips and properties for recommendation on conversion to water wise landscape & review compliance notifications and processes. (3-21-23) Look into increasing tree plantings on City owned land.	*(5/22/2024) Ali is investigating possible grant opportunities for water efficient landscape improvements at City Hall as a demonstration project for the residents similar to Weber Basin and the Jordan River Conservatory Districts.*
19	Ken	(1-4-22) Options for emergency preparedness training for staff including windstorms, landslides, etc.	*(4/12/22) Staff is exploring solutions with Davis County.*
Future Agenda Item Discussion Requests			
20		(7-16-24 CC) Discuss the options for future Liberty Fest celebrations including new venues, security, mitigating risk, reviewing how other cities celebrated similar events.	
21	Ken	(6-18-24 CM Van Langeveld) Future work session to revisit the purpose of the advisory boards including potential to restructure, change scope, and focus. (7-16-24) Staff will put together ideas on City committees with potential to include events, arts, trails and active transportation, health &	*(7/9/24) City Council work session on 7-16-24 will include this item.*

		wellness under one umbrella. Define roles of chair and assigned Councilmember. Prepare changes to code and bylaws as needed.	
22	Sherrie	(6-18-24 CM Knowlton) Future work session to discuss the creation of a Trails Master Plan as part of the General Plan update.	
23	Ken / Wendy	(3-6-24 CM Jackson) Council review of all City events for potential consolidating or removal. Staff to potentially prepare information on past events including attendance, cost, targeted demographics, etc.	*(3/13/24) Staff has updated the general ledger to include new general ledger accounts for each of the regular events. The new breakdown for review/discussion at the budget retreat scheduled for 3/23/24. (7-9-24) City Council work session on 7-16-24 will include this item.*
24	Ken / David	(4-2-24 CC) Staff will make future proposal on trees/sidewalk damage policies.	*(5/16/24) Funds have been proposed in the FY25 budget of $100k for the purpose of sidewalk repair. An ordinance relating to trees and public rights-of-way needs to be put forward.*
25	Sherrie	(5-21-2024 CM Knowlton) Completion of the Hwy 89 corridor agreement with UDOT with a goal to complete the agreement by September 1, 2024.	*(5/22/24)-Ali has been tasked with setting up a meeting with UDOT to complete the agreement. Chris Chestnut (UDOT) was working on the agreement and has moved to another position with UDOT. We recently received the 29preferred station locations from Horrocks and Karyn is drafting the proposed cross sections for the meeting.*
26	Sherrie	(5-21-2024 CM Knowlton) update on Utah Trails Network next steps. The Hwy 89 side path trail was not funded for 2024. (6-18-2024 CM Knowlton) set up a meeting with UDOT to discuss Highway 89 for the Utah Trails Network.	*(5/22/24) Staff will provide an update with regard to future funding cycles and how the WFRC's Beehive Bikeways plan may assist in obtaining funding in the next budget year.*
27	David / Jon	(3-23-24 CM Knowlton) Development of City tree planting program for private landowners. (6-18-2024 CM Knowlton) combine two action items related to tree planting program and set up a work session discussion with a proposal for the City Council.	
28	Ken / David	(3-23-24 Mayor Horrocks) Emergency preparedness – Hold CC work meeting where staff will present some findings about best practices and give CC some recommendations.	
29	Sherrie	(2-6-24) Schedule a joint Council / Planning Commission work session to provide direction to Landmark Design on the General Plan update and be involved from the beginning.	*(5/24/24) The community workshop will be held on June 27 at City Hall from 6-8 p.m. The CC and PC are invited and encouraged to attend. Post workshop, the consultant will formulate scenarios and a work session will be scheduled (tentatively September) to review the scenarios prior to releasing to the public.*

30	Sherrie	(1-2-24) Work session related to Code changes for the Rip the Strip Program and regulations for street trees.	
31	David/Linda	(12-6-23) Signage for Veterans Memorial Park and Hatch Park (Bamberger marker) back to City Council for review at future meeting.	
32	Sherrie	(10/3/23) Future work session item to discuss parking (restrictions, shared parking, time of day, on street, etc.)	
33	Ken/CM Van Langeveld	(8-15-23) Plan for a work session discussion on the wellbeing survey results and any action to be implemented (including any recommendations from the Health & Wellness Committee)	*(9/27/23) Staff to present survey results to the Health & Wellness Committee and then schedule this in a CC work meeting.*
34	Ken	(6-20-23) Potential City Council discussion on cyber security.	*(7/12/23) A work meeting for this item will be held in September or October as schedules allow.*
35	Todd	(6-20-23) City Attorney to discuss first amendment, equal protection, and use of public facilities (time, place, manner restrictions).	*(7/12/23) This item will be scheduled for January 2024 after the new City Council is in place.*
Completed			
36	Karyn	(1-2-24 Mayor Horrocks) Staff to follow-up on potholes along Eagleridge Drive.	*(5/2/24) Staff did a field inspection and is getting proposals from three contractors for repair. Work will be done in the next 30-60 days. (7/31/24) Repairs complete.*

REPORTING ON ACTION ITEMS

(No Council Action Required)

CITY OF NORTH SALT LAKE
FINANCE DEPARTMENT

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

Brian J. Horrocks
Mayor

Heidi Voordeckers
Finance Director

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Heidi Voordeckers, Finance Director

DATE: 08/06/2024

SUBJECT: Response to Action Item #5 - Commercial Water Rate Tiered Structure

BACKGROUND

When the City Council adopted water rates for FY 2025, the question was raised regarding the lack of an escalating tiered structure for commercial customers (see comparison chart below). Staff were tasked with reviewing the Bowen Collins Study and presentations to determine the factors that contributed to the decision to use a flat tier structure for Commercial accounts.

SUMMARY

The consultants clearly identified the challenge commercial users presented, especially due to the highly industrial nature of North Salt Lake businesses. This includes:

- Businesses may be heavily water-dependent (e.g., steam used for manufacturing, car washes).
- Businesses that serve the public may not be easily able to regulate or discourage use of restroom facilities.
- Improvements to manufacturing processes that would enable conservation may be cost-prohibitive.
- At the time of the study (2021-2022), a flat commercial tier was consistent with neighboring communities.

Aside from those factors, the City should also consider that State mandates on reductions of per capita consumption are solely borne by residential customers. As a point of reference, the chart below provides a comparison of rates, total users, and total demand by user type. It may be helpful to review commercial accounts that routinely use above 30,000 gallons to determine if a different fee structure would be appropriate, though this memo is prepared as an informational item only and would require further discussion for action.

User Type	1" Meter Monthly Base	0-8,000 Gallons	8,001-30,000 Gallons	30,001-60,000 Gallons	60,001-100,000 Gallons	100,001+ Gallons	2023 % Total Users	2023 % Total Usage/Demand
Residential	$35.64	1.83	2.30	3.02	4.59	5.87	94%	77%
Tier Escalation %			26%	65%	151%	221%		
Commercial	$35.64	2.43	2.43	2.43	2.43	2.43	6%	23%

CITY OF NORTH SALT LAKE

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

Brian J. Horrocks
Mayor

Ken Leetham
City Manager

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Ken Leetham, City Manager

DATE: August 6, 2024

SUBJECT: Public Hearing and Consideration of Resolution 2024-28R: A resolution authorizing the execution of a real estate purchase agreement for the sale of City owned property at 740 David Way

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RECOMMENDATION

I recommend approval of Resolution 2024-28R: A resolution authorizing the execution of a real estate purchase agreement for the sale of City owned property at 740 David Way.

BACKGROUND

You may recall that on May 21, 2024, the City Council reviewed this purchase request and authorized the City staff to prepare final documents needed for City Council approval in order to effectuate the sale of the subject property at 740 David Way. Prior to taking that action, the City Council went into a closed session to consider the terms of the purchase which include the following highlights:

1) The City will be selling an approximately .75 acre parcel (170 David Way) to the adjacent property owner (158 David Way).
2) The two parcels will be combined into one parcel after the sale is completed.
3) There must never be improvements allowed on the subject parcel due to its geotechnical deficiencies, except as described in the proposed agreement.
4) Land Use restrictions were prepared by the City Engineer and included in the proposed purchase agreement.
5) The owner of property at 158 David Way has offered to purchase the City's property for $15,000 which the Council reviewed in the previously-described closed session.
6) After purchase, the owner will take responsibility for the maintenance of the public sidewalk and parkstrip of the subject property.

I have attached a map of the two parcels that are the subject of this item. Mr. Ordonez, owner of property at 158 David Way has a plan to construct a home on that property and would like to have some

control over the subject property so that he can maintain it, keep it clean, monitor the sidewalk in the area and potentially use a portion of the property for a portion of the driveway, if needed, and only in compliance with City ordinances.

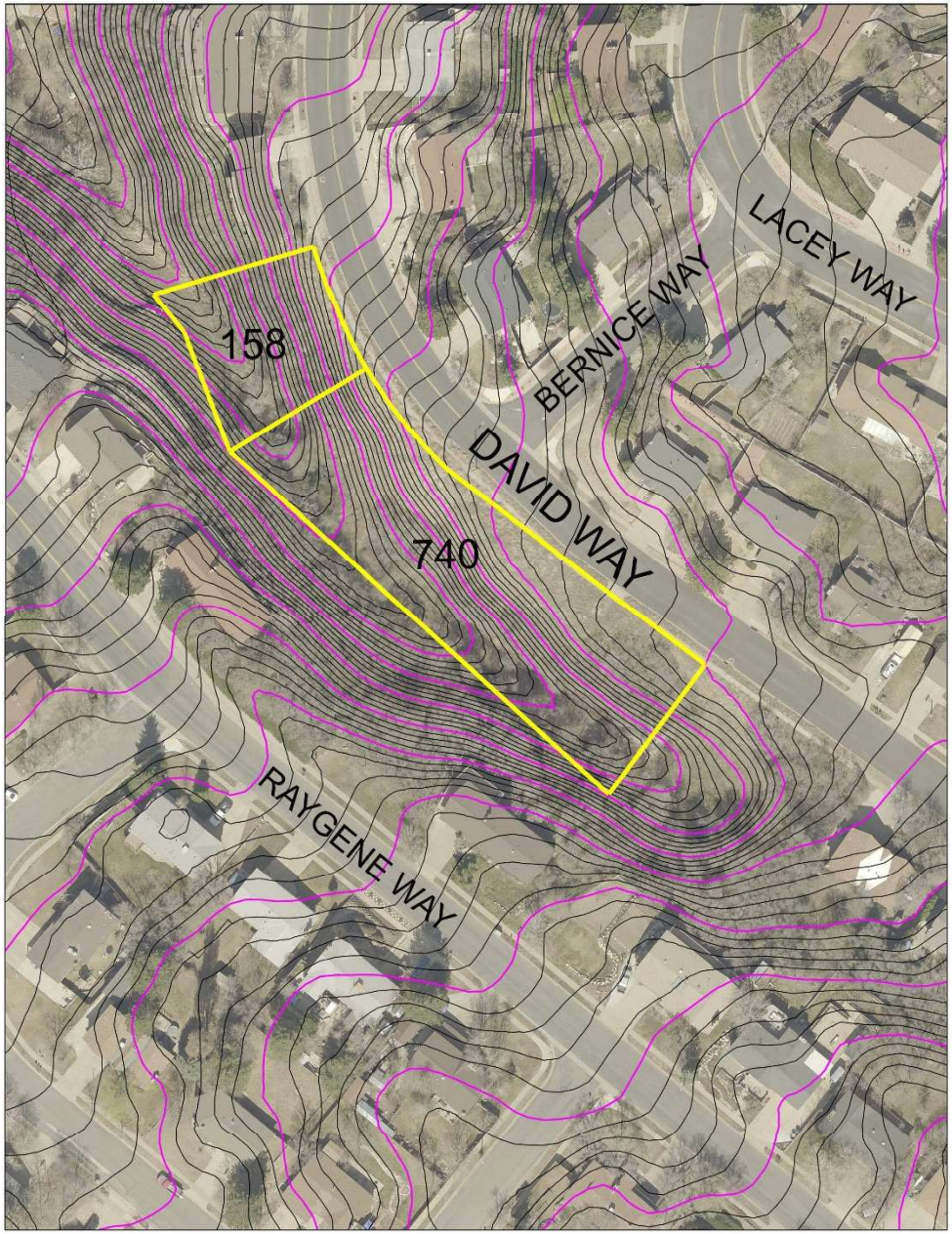
Approval of Resolution 2024-28R will allow City staff to close on this proposed transaction. Prior to taking action, the Council is required to conduct a public hearing on this matter which has been properly advertised in advance of the meeting.

PROPOSED MOTION

I move that the City Council approve Resolution 2024-28R: A resolution authorizing the execution of a real estate purchase agreement for the sale of City owned property at 740 David Way.

Property Line locations for 158 David Way and 740 David Way

Topographic Information for 158 David Way and 740 David Way



RESOLUTION NO. 2024-28R

A RESOLUTION AUTHORIZING STAFF TO EXECUTE A REAL ESTATE PURCHASE AGREEMENT FOR THE SALE OF CITY OWNED PROPERTY LOCATED AT 740 DAVID WAY

WHEREAS, the City of North Salt Lake owns a parcel of real property generally located at 740 David Way in North Salt Lake; and

WHEREAS, the subject property has restricted value due to its lack of geotechnical stability and though it has street frontage, curb and gutter, sidewalk and parkstrip and possibly other improvements, is not suitable for the construction of improvements except under very limited circumstances; and

WHEREAS, the owner of real property located at 158 David Way and adjacent to the City's property has proposed to purchase the City's property for $15,000 and is willing to add the subject property to their property, abide by all restrictions in order to safely use and enjoy the subject property and otherwise abide by all rules, restrictions, laws and ordinances that apply to the subject property; and

WHEREAS, the City has reviewed the proposed purchase of the subject property and is desirous to enter into a real estate purchase agreement to effectuate the sale of its property and further finds that sale of the subject property, with the restrictions attached, is in the best interest of the public; and

WHEREAS, the City Council has conducted a required public hearing in order to sell its property and is now ready to approve the attached real estate purchase agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of North Salt Lake that the attached real estate purchase agreement is hereby approved which sells the City's property located generally at 740 David Way to Olivia Ordonez, owner of adjacent property located generally at 158 David Way and further authorizes City staff to execute the agreement and any closing documents related to the sale of said property and implement the agreement's terms.

The Resolution hereby adopted shall be effective immediately.

APPROVED AND ADOPTED by the City of North Salt Lake, Utah, on this 6th day of August, 2024.

CITY OF NORTH SALT LAKE
By:

_____
BRIAN J. HORROCKS
Mayor

City Recorder
ATTEST:

_____
WENDY PAGE

City Council Vote as Recorded:

Council Member Watts Baskin	_____
Council Member Clayton	_____
Council Member Jackson	_____
Council Member Knowlton	_____
Council Member Van Langeveld	_____

REAL ESTATE PURCHASE AGREEMENT

AGR 2024-16A

This Real Estate Purchase Agreement ("Agreement") is made and entered into as of the ___day of _____2024, by and between The City of North Salt Lake, a Utah Municipal Corporation, as Seller, and Olivia Ordonez, as Buyer.

1. Purchase and Sale of Property. Buyer hereby agrees to purchase and Seller hereby agrees to sell that certain improved real property located generally at 740 David Way consisting of approximately 0.75 acres of property in North Salt Lake, Utah, as more particularly described in Exhibit "A" attached hereto (the "Property"), on the terms and conditions set forth in this Agreement.

2. Purchase Price. The Purchase Price for the Property is $15,000.00 all of which shall be paid on closing.

3. Additional Consideration.

(a) Sale is contingent on approval from the North Salt Lake City Council via Resolution. City Council will consider this item at the regular meeting scheduled for August 6, 2024.

(b) Property will be subject to the conditions below due to known geohazard present on this property. Buyer also agrees that sale is contingent on Buyer and Seller executing the deed restriction attached to this Agreement as Exhibit B.

(i) No structures of any kind may be built on this parcel, including accessory structures.

(ii) No portions of this parcel may be excavated, graded, or filled except as reasonably necessary when planting additional plants, shrubs, or trees, except as noted in 3(b)(iii) below.

(iii) Use of this parcel is restricted to foot traffic only (no motorized vehicles, including recreational) except for an approved driveway as noted in 3(b)(iii) below.

(iv) Excavation and grading, including the addition of any retaining walls, will only be approved as required for the installation of a driveway onto the adjoining parcel (parcel 01-116-0051, 158 South David Way). No approval for a driveway may be presumed to be granted, and may only be granted upon review and approval of a site-specific geohazard investigation and report in compliance with North Salt Lake Code Chapter 10 Title 12.

(v) All landscaping shall use minimal excavation and irrigation only as reasonably necessary to plant any additional plants, shrubs, and trees. Excavation and disturbance will be limited to hand digging and the use of a small trencher for irrigation purposes. Irrigation shall be limited to a drip irrigation system, and the use of native or drought-tolerant plant will be required in accordance with geotechnical recommendations.

(vi) All restrictions shall be perpetually binding on this parcel and shall be attached to parcel at 158 David Way.

c) Within 30 days of closing, Buyer agrees to submit an application to the Davis County Property Assessor's office to combine the subject property with the Buyer's property at 158 David Way so that the two properties are perpetually combined together and cannot be separated through sale, disposal or other means, but shall always and hereafter be one parcel of real property.

4. Non-Contingent Transaction. Except as otherwise specifically set forth in this Agreement, the purchase of the Property by Buyer is not conditioned or contingent upon Buyer's approval of any inspection, test or evaluation of the Property, any appraisal or other report concerning the Property, any governmental approval relating to the Property, or any act or event under the control of any third party.

5. Closing and Closing Costs. This transaction shall be closed on or before October 1, 2024, (the "Closing" or the "Closing Date"), through First American Title Company, (the "Closing Office") or at such other date and place as mutually agreed upon by the Buyer and Seller. Upon demand, Buyer and Seller shall deposit with the closing office all documents necessary to complete the purchase and sale of the subject property in accordance with this Agreement. Closing shall occur when: Buyer and Seller have signed and delivered to each other all documents required by this Agreement; the monies required to be paid under this Agreement have been delivered to the closing office in the form of wire transfer; and all required documents have been recorded. Buyer shall pay any fee charged by the Closing Office to act as escrow holder for this transaction. Real estate taxes, if any, shall be prorated through the Closing Date and shall be paid by the Buyer. Buyer shall pay such other closing costs, such as recording fees, attorney's fees, if any, and any other costs for this real estate transaction.

6. Representations and Warranties.

(a) Seller hereby represents and warrants, as follows:

(vii) Seller has full power and authority to execute and deliver this Agreement and to sell the Property to Buyer on the terms and conditions set forth herein. The person or persons signing this Agreement on behalf of Seller have full power and authority to bind Seller to the terms of this Agreement.

(viii) Seller has fee title to the subject property and will convey good and marketable title to Buyer at the Closing by General Warranty Deed free of all liens, encumbrances and restrictions, except for those specifically noted in this Agreement.

(b) Buyer represents and warrants that Buyer has full power and authority to execute and deliver this Agreement and to purchase the Property from Seller on the terms

and conditions set forth herein. The person or persons signing this Agreement on behalf of Buyer have full power and authority to bind Buyer to the terms of this Agreement.

7. Unavoidable Delay; Time is of the Essence. In the event that this sale cannot be closed by the Closing Date, or any act performed within the time period provided herein, solely due to the interruption of transport, strikes, fire, flood, extreme weather, government regulations, acts of God, or similar occurrences beyond the control of Buyer and Seller, then the Closing Date or such other time period provided herein shall be extended beyond the cessation of such condition, but in no event by more than three (3) days of such cessation. Thereafter, time is of the essence. Other than as stated in this paragraph, all extensions of time must be agreed to in writing by the parties.

8. Possession. Seller shall deliver possession of the Property immediately upon closing unless otherwise specifically agreed in writing.

9. Right of Entry. Buyer shall have the right to enter and inspect the Property.

10. Complete Agreement - No Oral Agreements. This Agreement constitutes the complete and entire agreement between the parties and supersedes and cancels any and all prior negotiations, representations, warranties, understandings or agreement between the parties. There are no oral agreements which modify or affect this Agreement. This Agreement cannot be changed, altered, modified or amended except by mutual written agreement of the parties.

11. Agreement Not Assignable By Buyer. Buyer shall have no right to assign its rights or duties under this Agreement without the prior written consent of Seller first had and obtained. Any attempted assignment by Buyer shall render this Agreement void.

12. No Brokerage. Neither Buyer nor Seller are represented by a real estate broker in this transaction and each party agrees to indemnify and hold harmless the other from any claims, cost and expense, including attorney's fees, made through such party against the other for a real estate brokerage commission or other fee related to this transaction.

13. Notices. All notices under this Agreement shall either hand delivered or be sent by certified mail, return receipt requested, addressed as follows:

If to Buyer: Olivia Ordonez
158 S David Way
North Salt Lake, Utah 84054

If to Seller: City Manager
City of North Salt Lake
10 East Center Street
North Salt Lake, Utah 84054

14. Default: Attorney's Fees. Both parties agree that should either party default in any of the covenants and agreements herein contained, the defaulting party shall pay all costs and expenses, including reasonable attorney's fees, which may arise or accrue from enforcing or terminating this Agreement, or in pursuing any remedy provided hereunder or by applicable law, whether such remedy is pursued by filing suit or otherwise.

15. Governing Law. This Agreement shall be construed and interpreted in accordance with the laws of the State of Utah without regard to its conflicts o flaws provisions.

16. Survival. Except as otherwise provided herein, all covenants, agreements, representations and warranties set forth in this Agreement shall survive the Closing and shall not merge into any deed, assignment or other instrument executed or delivered pursuant to this Agreement.

Executed by Buyer and Seller as of the date first above written.

Buyer

_____

STATE OF UTAH)
)ss.
COUNTY OF DAVIS)

On the ____ day of _____, 2024, personally appeared before me Olivia Ordonez, the signer(s) of this instrument, who duly acknowledged to me that they executed the same.

_____
NOTARY PUBLIC

CITY OF NORTH SALT LAKE

_____
BY ITS MANAGER

Attest:

_____
CITY RECORDER

STATE OF UTAH)
)ss.
COUNTY OF DAVIS)

On the_____ day of _____, 2024, personally appeared before me Ken Leetham, the Manager of the City of North Salt Lake, and Wendy Page, the City Recorder, the signers of the within instrument, who duly acknowledged to me that they executed the same.

_____
NOTARY PUBLIC

EXHIBIT “A”

Davis County Serial Number: 01-117-0037

Legal Description:
ALL OF LOT 37, ORCHARD HILLS EAST PLAT "I". CONT. 0.75 ACRES

EXHIBIT "B"
DEED RESTRICTION

Prior to closing on this transaction, a deed restriction will be prepared which contains the provision to combine the subject parcel with Buyer's property located at 158 David Way and, at a minimum, the following restrictions:

1) No structures of any kind may be built on this parcel, including accessory structures.

2) No portions of this parcel may be excavated, graded, or filled except as reasonably necessary when planting additional plants, shrubs, or trees, except as noted in 3(b)(iii) below.

3) Use of this parcel is restricted to foot traffic only (no motorized vehicles, including recreational) except for an approved driveway as noted in 3(b)(iii) below.

4) Excavation and grading, including the addition of any retaining walls, will only be approved as required for the installation of a driveway onto the adjoining parcel (parcel 01-116-0051, 158 South David Way). No approval for a driveway may be presumed to be granted and may only be granted upon review and approval of a site-specific geohazard investigation and report in compliance with North Salt Lake Code Chapter 10 Title 12.

5) All landscaping shall use minimal excavation and irrigation only as reasonably necessary to plant any additional plants, shrubs, and trees. Excavation and disturbance will be limited to hand digging and the use of a small trencher for irrigation purposes. Irrigation shall be limited to a drip irrigation system, and the use of native or drought-tolerant plant will be required in accordance with geotechnical recommendations.

6) All restrictions shall be perpetually binding on this parcel and shall be attached to parcel at 158 David Way.

CITY OF NORTH SALT LAKE

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

Brian J. Horrocks
Mayor

Ken Leetham
City Manager

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Ken Leetham, City Manager

DATE: August 6, 2024

SUBJECT: Health & Wellness Committee Member Appointment

RECOMMENDATION

Councilmember Van Langeveld recommends the appointment of Jeff Scroger for Seat 3 to fill the vacancy left by Chase Larson on the Health and Wellness Committee with a term ending 1/1/2025.

BACKGROUND

The Health and Wellness Committee was established by Resolution 2021-38R which states that each of the five Councilmembers of the City Council shall recommend one citizen committee member for appointment to the Committee. Such appointments will be made by a majority vote of the City Council. Chase Larson has been serving on the Committee since February of 2024 but has since resigned. Councilmember Van Langeveld desires to appoint Jeff Scroger to fill the current vacancy on the Health and Wellness Committee with a term ending 1/1/2025.

PROPOSED MOTION

I move the City Council approve the appointment of Jeff Scroger to the Health and Wellness Committee.

Attachments:

1) Current Roster
2) Jeff Scroger's Committee Application

NSL HEALTH & WELLNESS COMMITTEE

SEAT 1 (Non-Voting)	
City Council Appointee (by Mayor)	
Appointed	Terms
Lisa Baskin	1/1/22 - 2/15/22
Alisa Van Langeveld	3/15/22 - 1/1/26

SEAT 2	
Appointee by Council Member Tammy Clayton (prior Gordon)	
Appointed	Terms
Janet Welsh	1/1/22 - 1/1/25
	1/1/25 - 1/1/29

SEAT 3	
Appointee by Council Member Alisa VanLangeveld	
Appointed	Terms
Valerie Walton	3/15/22 - 1/1/25 (resigned 1/8/24)
Chase Larson	2/20/24 - 7/8/24 (remaining term of Valerie Walton)
VACANT	8/6/24 - 1/1/25 (remaining term of Chase Larson)
	1/1/25 - 1/1/29

SEAT 4	
Appointee by Council Member Suzette Jackson (prior Porter)	
Appointed	Terms
Mary Kay Porter	1/1/22 - 1/1/26 resigned November 2023
Jane Hall	1/1/24 - 1/1/26 filled remaining term of Mary Kay
	1/1/26 - 1/1/30

SEAT 5	
Appointee by Council Member Knowlton (prior Horrocks)	
Appointed	Terms
Corey Markisich	1/1/22 - 1/1/26
	1/1/26 - 1/1/30

SEAT 6	
Appointee by Council Member Lisa Baskin	
Appointed	Terms
Rachel Butterfield	1/1/22 - 1/1/26 resigned June 2023
Mason Bennett	7/18/23-1/1/26 filled remaining term for Rachel

Wendy Page

From: noreply@civicplus.com
Sent: Wednesday, June 26, 2024 7:16 PM
To: Wendy Page; Linda Horrocks
Subject: Online Form Submittal: Health and Wellness Committee Application

Health and Wellness Committee Application

The Health and Wellness Committee's role is to address physical and mental health, emergency preparedness, personal wellness, food and housing access issues, etc. for the residents of the City of North Salt Lake

Contact Information	
First Name	Jeffrey
Last Name	Scroger
Address1	[redacted]
Address2	*Field not completed.*
City	North Salt Lake
State	UT
Zip	84054
Phone Number	[redacted]
Email Address	[redacted]
Please explain why you are interested in serving as a member of the Health & Wellness Committee.	I like being involved in my community, and I have a lot of respect for the varied work done by H&W, from organizing hiking events, to sending out community surveys to assess community opinions and needs.
Please describe any professional or volunteer experience you have in any of the following areas:	In the past when I was in college I volunteered at a local hospital where I was stationed at the Triage Desk in the Emergency Room where I managed initial intake of all incoming patients, and assisted the check-in nursing staff during their assessment work. Also in the past I performed emergency medical care on someone who had collapsed in my

physical and mental health, emergency preparedness, personal wellness, food and housing access, addiction services or any other activities related to public health and general welfare.	workplace before an ambulance could arrive, as well as more recently I assisted in providing medical care to a person who was in a motorcycle accident. This past year I took voluntary CPR training at my workplace and got my Red Cross CPR certification renewed. And I have a Bachelor's Degree in Psychology from the University of Wisconsin-Madison.
What do you think are the greatest health and wellness challenges currently facing NSL residents?	I think NSL, like most of Utah, likely faces high community risks associated with food insecurity/hunger and suicide. Anecdotally I am concerned about the effects of air pollution in our community, especially those citizens who live proximate to the petroleum plants and waste treatment plant.
Of all of the areas of proposed Committee work areas, which one interests you the most?	- CERT - Food Pantry - Healthy Utah Community - Well Being Survey (I have experience with survey writing during independent psychology research I performed in university)
Do you have any experience in marketing, branding, communications or public outreach and education? If so, please describe:	I have been working on the NSL PTAR committee for the past 3 years, and have learned a lot about preparing and hosting public events. I work as Legal Counsel for a corporation with offices worldwide where I regularly perform corporate trainings on a global scale for corporate policy, legal terms and conditions, and various legal topics and admin procedures.

Thank you for your application. If you have questions related to this application or committee, please contact us at nslstaff@nslcity.org.

Email not displaying correctly? View it in your browser.

CITY OF NORTH SALT LAKE

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

Brian J. Horrocks
Mayor

Ken Leetham
City Manager

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Ken Leetham, City Manager

DATE: August 6, 2024

SUBJECT: Consideration of Resolution 2024-29R: A Resolution adopting the Opt-out Recycling Program as described in the Wasatch Integrated Waste Management District ordinances

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RECOMMENDATION

I recommend that the City Council approve Resolution 2024-29R: A Resolution adopting the Opt-out Recycling Program as described in the Wasatch Integrated Waste Management District ordinances.

BACKGROUND

As the Council knows, our City is one of many public member agencies of the Wasatch Integrated Waste Management District (the District). That means that our solid waste and recycling curbside pickup is all disposed of at District facilities. As a member agency, we have representation on the Governing Board of the District (Mayor Horrocks).

The District has always had the objective of having proactive and aggressive recycling programs. Recently, the District and its Board have been looking for ways to improve recycle rates among its member agencies which include agencies in Davis, Weber and Morgan Counties. They have proposed increasing public education programs, providing grants which would reduce the cost of recycling and adopting various policy proposals which range from mandatory recycling to the present proposed program which provides pricing incentives to agencies in exchange for local requirements on residential customers.

This Spring, District personnel held meetings with member agency staffs in order to discuss how to achieve better recycling participation. Those discussions began with the idea of a heavy-handed approach of penalizing member agencies who chose not to adopt recommended mandatory recycling. That proposal met with significant opposition by participating member agencies. The District has now proposed a new and much better system which is a per unit price reduction for agencies which are willing to participate in one of three programs: Bundled solid waste and recycling; Opt-out recycling; and green waste curbside programs.

The proposal that fits the City's needs the best is the Opt-out recycling program. This is the definition of the Opt-out recycling program adopted by the District:

> "Opt-out Recycling Program" means a program of a member city or county for the curbside collection of Comingled Recyclable Materials from Household Units in separate 90 to 105 gallon containers that allow existing residents of a member city or county to opt-out of participation in the recycling program at the time of the implementation and initial roll-out of the recycling program by the city or county. Any Opt-out Recycling Program must also provide that residents of the member city or county who apply for new solid waste services after implementation and roll-out of the city or county's recycling program may not opt-out of the recycling program and must be provided a Recycling container for Comingled Recycling Materials ensuring increasing recycling program participation over time.

Participating in this option will do two things in our City: First, it is not a retroactive program: that is, the City is not required to force existing customers who previously chose not to have a recycling can to participate in recycling. Second, for all individual residential accounts established after August 14, 2024, the City will require those accounts to have and pay for a recycling can.

In summary, if the City adopts the Opt-out Recycling Program, we will receive the discounted recycling pricing from the District. The discounted pricing is a formula based upon the percentage weight of waste that is diverted from the solid waste stream through recycling. So, discount rates range from $0.58 to $.72 per container. Those agencies with higher participation experience the largest discounts. Our City has a high recycling rate of 81.8% and so we would expect to have a higher per can discount.

If we choose to not adopt the program, our rates and fees for solid waste and recycling disposal will not go up, but will stay the same. In that event, the City would not be able to receive a discounted recycling fee. So, if our discount were $.65 per unit per month, we could receive an annual discount of approximately $33,704. Hopefully, this information will help you in deciding whether or not to participate in the Opt-out Recycling Program.

The City currently does not have a green waste curbside program, but we are investigating the costs to provide such a service to residents. If we were to offer that program, we could see additional discounts offered by Wasatch Integrated Waste. Those discounts may or may not be offset by the City's additional hauling costs which are unknown at the present time.

PROPOSED MOTION

I move that the City Council approve Resolution 2024-29R: A Resolution adopting the Opt-out Recycling Program as described in the Wasatch Integrated Waste Management District ordinances.

RESOLUTION NO. 2024-29R

A RESOLUTION ADOPTING THE PROPOSED WASATCH INTEGRATED WASTE MANAGEMENT DISTRICT OPT-OUT RECYCLING PROGRAM REQUIRING MANDATORY RECYCLING FOR ALL NEW RESIDENTIAL ACCOUNTS

WHEREAS, the City of North Salt Lake is a member agency of the Wasatch Integrated Waste Management District (the District) and is obligated by contract to dispose of its solid waste at District facilities; and

WHEREAS, the District Board has adopted or intends to adopt a policy of incentivizing its member agencies by reducing the unit costs for recycling if members participate in various recycling and green-waste programs; and

WHEREAS, the City currently has a high participation rate in recycling, but does not require mandatory recycling on new single family or individual residential accounts; and

WHEREAS, the City is desirous to participate in the incentive program and can be approved to receive the incentive by complying with the District's recycling policy; and

WHEREAS, the City finds that maximizing recycling opportunities supports the public's general health and welfare including preservation of landfill space and reduction of general solid waste.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of North Salt Lake that the City hereby adopts the Opt-out Recycling Program as described in the ordinances of the Wasatch Integrated Waste Management District which requires mandatory recycling for all new individual residential accounts in order to qualify for a price incentive (reduction) on recycling waste charges from the District.

This Resolution is effective August 15th, 2024.

APPROVED AND ADOPTED by the City of North Salt Lake, Utah, on this 6th day of August, 2024.

CITY OF NORTH SALT LAKE
By:

_____
BRIAN J. HORROCKS
Mayor

ATTEST:

_____
WENDY PAGE
City Recorder

City Council Vote as Recorded:

Council Member Watts Baskin _____
Council Member Clayton _____
Council Member Jackson _____
Council Member Knowlton _____
Council Member Van Langeveld _____

NORTH SALT LAKE PUBLIC WORKS

10 East Center Street
North Salt Lake, Utah 84054
801-335-8700
www.nslcity.org

Brian J. Horrocks
Mayor
Jonathan Rueckert
Public Works Director

TO: Honorable Mayor and City Council
FROM: Jonathan Rueckert, Public Works Director
DATE: Aug 6, 2024
SUBJECT: Sidewalk Distress Survey

STAFF RECOMMENDATION

Staff recommends the City Council award Precision Concrete Cutting the bid to survey all concrete sidewalk throughout the city for $350/Sidewalk Mile.

BACKGROUND

In an effort to better understand the need and potential costs associated with repairing damaged and degraded sidewalk. City staff is proposing using a third party company specializing in these types of assessments to survey the 90+ miles of sidewalk throughout the City. This survey will identify and record all repairable trip hazards from .5" to 2" and will document hazards >2" needing replacement. Other repairs such as sections needing replacement because of cracking, spalling or concrete that is out of spec will also be recorded. The data from this survey will be mapped using GPS points marking the location of all hazards, and will also provide photos of locations needing replacement.

Staff will use this information to formulate a sustainable CFP that can be included in future budgets. It is estimated there is just over 90 miles of sidewalk throughout the City. Precision Concrete Cutting has bid $350 per sidewalk mile or approximately $31,500 to complete this survey. Additional funds for this survey were included in the adopted FY2024-25 budget.

POSSIBLE MOTION

I move that the City Council award Precision Concrete Cutting the bid to survey all concrete sidewalks throughout the City for $350/Sidewalk Mile.

CITY OF NORTH SALT LAKE
FINANCE DEPARTMENT

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

Brian J. Horrocks
Mayor

Heidi Voordeckers
Finance Director

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Heidi Voordeckers, Finance Director

DATE: 8/6/2024

SUBJECT: Engagement Letter – External Audit Services

BACKGROUND

In accordance with the Uniform Fiscal Procedures Act for Cities, an external audit of the City's financial activities and statements is required to be conducted by an independent firm at the conclusion of each fiscal year.

SUMMARY

The attached letter identifies the scope of audit procedures proposed by Child Richards CPA's and Advisors in conducting the fiscal year 2024 audit. The proposed cost is approximately $5,000 less than fees charged in recent years as we do not anticipate the need to engage Single Audit Services for federal awards received in fiscal year 2024.

The City has engaged the services of Child Richards (formerly Wood Richards) since 2009, receiving excellent service from the firm. Accounting standards and best practice recommend replacing auditing firms every few years to maintain independence and staff anticipates issuing an RFP for audit services at the conclusion of this year's audit.

ACTION

Staff recommends approval of the engagement of the firm Child Richards to conduct the City's Fiscal Year 2024 external audit in an amount not to exceed $30,000.

Attachments:

1) Engagement letter from Child Richards dated August 1, 2024

C|R
CHILD RICHARDS
— CPAs & ADVISORS —

August 1, 2024

To the Mayor and Council and Management of

the City of North Salt Lake
10 E. Center St.
North Salt Lake, UT 84054

We are pleased to confirm our understanding of the services we are to provide the City of North Salt Lake for the year ended June 30, 2024.

Audit Scope and Objectives

We will audit the financial statements of the governmental activities, business-type activities, each major fund, and the aggregate remaining fund information, and the disclosures, which collectively comprise the basic financial statements of the City of North Salt Lake as of and for the year ended June 30, 2024. Accounting standards generally accepted in the United States of America (GAAP) provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the City of North Salt Lake's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the City of North Salt Lake's RSI in accordance with auditing standards generally accepted in the United States of America (GAAS). These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient appropriate evidence to express an opinion or provide any assurance. The following RSI is required by GAAP and will be subjected to certain limited procedures, but will not be audited:

1) Management's Discussion and Analysis
2) Budgetary comparison to actual on the General Fund and Major Special Revenue Funds
3) Schedule of the Proportionate Share of the Net Pension Liability
4) Schedule of Contributions
5) Notes to the Required Supplementary Information

We have also been engaged to report on supplementary information other than RSI that accompanies the City of North Salt Lake's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with GAAS, and we will provide an opinion on it in relation to the financial statements as a whole in a report combined with our auditor's report on the financial statements.

ROYCE J. RICHARDS, J.D., CPA | RYAN R. CHILD, CPA

2490 WALL AVENUE, OGDEN, UTAH 84401 | MAIN 801-621-0440 | FAX 801-399-9264

1) Combining and individual nonmajor fund financial statements.

The objectives of our audit are to obtain reasonable assurance as to whether the financial statements as a whole are free from material misstatement, whether due to fraud or error; issue an auditor's report that includes our opinion about whether your financial statements are fairly presented, in all material respects, in conformity with GAAP; and report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment of a reasonable user made based on the financial statements.

The objectives also include reporting on internal control over financial reporting and compliance with provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.

Auditor's Responsibilities for the Audit of the Financial Statements

We will conduct our audit in accordance with GAAS and the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and will include tests of your accounting records of the City of North Salt Lake and other procedures we consider necessary to enable us to express such opinions. As part of an audit in accordance with GAAS and *Government Auditing Standards*, we exercise professional judgment and maintain professional skepticism throughout the audit.

We will evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management. We will also evaluate the overall presentation of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not expect auditors to perform specific procedures to detect waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste or abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is an unavoidable risk that some material misstatements may not be detected by us, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors, fraudulent financial reporting, or misappropriation of assets that comes to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

We will also conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the government's ability to continue as a going concern for a reasonable period of time.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, tests of the physical existence of inventories, and direct confirmation of receivables and certain assets and liabilities by correspondence with selected customers, creditors, and financial institutions. We will also request written representations from your attorneys as part of the engagement.

We have identified the following significant risk(s) of material misstatement as part of our audit planning:

According to GAAS, significant risks include management override of controls, and GAAS presumes that revenue recognition is a significant risk. Accordingly, we have considered these as significant risks.

We may, from time to time and depending on the circumstances, use third-party service providers in serving your account. We may share confidential information about you with these service providers but remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures, and safeguards to protect the confidentiality of your personal information. In addition, we will secure confidentiality agreements with all service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have appropriate procedures in place to prevent the unauthorized release of your confidential information to others. In the event that we are unable to secure an appropriate confidentiality agreement, you will be asked to provide your consent prior to the sharing of your confidential information with the third-party service provider. Furthermore, we will remain responsible for the work provided by any such third-party service providers.

Our audit of financial statements does not relieve you of your responsibilities.

Audit Procedures—Internal Control

We will obtain an understanding of the government and its environment, including the system of internal control, sufficient to identify and assess the risks of material misstatement of the financial statements, whether due to error or fraud, and to design and perform audit procedures responsive to those risks and obtain evidence that is sufficient and appropriate to provide a basis for our opinions. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentation, or the override of internal control. An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards and *Government Auditing Standards*.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City of North Salt Lake's compliance with the provisions of applicable laws, regulations, contracts, agreements, and grants. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

Responsibilities of Management for the Financial Statements

Our audit will be conducted on the basis that you acknowledge and understand your responsibility for designing, implementing, establishing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, and for evaluating and monitoring ongoing activities to help ensure that appropriate goals and objectives are met; following laws and regulations; and ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles, for the preparation and fair presentation of the financial statements and all accompanying information in conformity with accounting principles generally accepted in the United States of America, and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management is responsible for making drafts of financial statements, all financial records, and related information available to us; for the accuracy and completeness of that information (including information from outside of the general and subsidiary ledgers); and for the evaluation of whether there are any conditions or events, considered in the aggregate, that raise substantial doubt about the government's ability to continue as a going concern for the 12 months after the financial statements date or shortly thereafter (for example, within an additional three months if currently known). You are also responsible for providing us with (1) access to all information of which you are

aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters; (2) additional information that we may request for the purpose of the audit; and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by GAAS and *Government Auditing Standards*.

Your responsibilities include adjusting the financial statements to correct material misstatements and for confirming to us in the written representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements of each opinion unit taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants and for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, or contracts or grant agreements that we report.

You are responsible for the preparation of the supplementary information, which we have been engaged to report on, in conformity with accounting principles generally accepted in the United States of America (GAAP). You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits or other studies related to the objectives discussed in the Audit Scope and Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or other studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

Other Services

We will also assist in preparing the financial statements and related notes of the City of North Salt Lake in conformity with accounting principles generally accepted in the United States of America based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statement services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

You agree to assume all management responsibilities relating to the financial statements and related notes and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements and related notes and that you have reviewed and

approved the financial statements and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

We will provide copies of our reports to City; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Child Richards CPAs & Advisors and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to a regulator or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for the purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Child Richards CPAs & Advisors personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend or decide to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the regulator. If we are aware that a federal awarding agency or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Ryan Child is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them. We expect to begin our audit on approximately August 1, 2024 and to issue our reports no later December 31, 2024.

Our fee for these services will be at our standard hourly rates. We estimate our fees to be between $28,000 and $30,000. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the engagement. If significant additional time is necessary, we will keep you informed of any problems we encounter and our fees will be adjusted accordingly.

Reporting

We will issue a written report upon completion of our audit of the City of North Salt Lake's financial statements. Our report will be addressed to the Mayor and Council of the City of North Salt Lake. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add a separate section, or add an emphasis-of-matter or other-matter paragraph to our auditor's report, or if necessary, withdraw from this engagement. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or we may withdraw from this engagement.

We will also provide a report (that does not include an opinion) on internal control related to the financial statements and compliance with the provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements as required by *Government Auditing Standards*. The report on internal control and on compliance and other matters will state (1) that the purpose of the report is solely to describe the scope of testing of internal control and compliance, and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal

control and compliance. The report will also state that the report is not suitable for any other purpose. If during our audit we become aware that the City of North Salt Lake is subject to an audit requirement that is not encompassed in the terms of this engagement, we will communicate to management and those charged with governance that an audit in accordance with U.S. generally accepted auditing standards and the standards for financial audits contained in *Government Auditing Standards* may not satisfy the relevant legal, regulatory, or contractual requirements.

We appreciate the opportunity to be of service to the City of North Salt Lake and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the attached copy and return it to us.

Very truly yours,

Child Richards CPAs & Advisors

RESPONSE:

This letter correctly sets forth the understanding of the City of North Salt Lake.

Signature:_____

Name:_____

Title:_____

Date:_____

NORTH SALT LAKE ENGINEERING

10 East Center Street
North Salt Lake, Utah
84054
(801) 335-8722
karynb@nslcity.org

BRIAN J. HORROCKS
Mayor

KARYN BAXTER, PE
City Engineer

MEMORANDUM

To: Honorable Mayor & City Council

From: Karyn Baxter, City Engineer

Date: August 6, 2024

Subject: Award of Nancy Way area water line to Tonnco, Inc. for the price of $99,417

RECOMMENDATION

Staff recommends that City Council award the Nancy Way water line project to Tonnco, Inc. for the price of $99,417.

BACKGROUND

The waterline in Nancy Way is an old asbestos cement (AC) pipe that connects between Lacey Way and Gary Way. The Lacey Way water line, also AC pipe, failed multiple times, requiring an emergency repair. The recent pipe failure which resulted in massive street damage was this AC pipe running up Nancy Way into Gary Way.

As a result of the pipe failure in Gary Way, it was discovered that the adjacent pipes which will be connected to the Gary Way line are also AC pipe, and not PVC as indicated on existing water system maps. As a result, the extents of this project have been enlarged by an additional 200 LF of water line in Gary and an additional 50 LF of water line in Lacey.

The replacement of this water line is urgently needed and was scheduled to be replaced this summer as a completion of the Lacey Way water line project. This was included in the FY25 Capital Facilities Plan.

There is currently $30,000 remaining in the budget for this water line, but the completion of this project will require a future budget amendment in the amount of $75,000.

POSSIBLE MOTION

I move that the City Council award the Nancy Way water line project to Tonnco, Inc. for the price of $99,417.

NORTH SALT LAKE ENGINEERING

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North Salt Lake, Utah
84054
(801) 335-8722
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BRIAN J. HORROCKS
Mayor

KARYN BAXTER, PE
City Engineer

MEMORANDUM

To: Honorable Mayor & City Council

From: Karyn Baxter, City Engineer

Date: August 6, 2024

Subject: Consideration of Addition to 2024 Street Rebuild Projects Contract

RECOMMENDATION

Staff recommends that City Council authorize adding the Nancy Way and 150 North Street Resurfacing Projects to the 2024 Street Rebuild Project Contract with BHI, Inc. at the line-item bid price of $98,890.55.

BACKGROUND

BHI, Inc. was the low bidder for the 2024 Street Rebuild Projects, which included a combination of several street rebuild projects:

- Cynthia Way (from Eagleridge Dr to intersection at Dorthea)
- Dorthea Way
- 4000 South (from Hwy 89 to annexation line)

This contract was awarded in April 2024. The Contractor has agreed to add two additional streets to the existing contract under the line item pricing established in the bid. This allows the work to be done at the bid prices by linear foot of curb, square yard of asphalt removal, tons of new asphalt installed, etc.

Bidding these roads as a separate project will incur additional expenses including preparation of plans and bid documents, additional contracts, etc. More significantly, bid prices are typically much more competitive in the spring than late summer as many contractors are no longer looking for additional work.

There is $110,000 in the adopted FY25 budget for 150 North, which will cover the asphalt and concrete work for this road. The work on Nancy Way will need a future budget amendment in the amount of $30,000.

POSSIBLE MOTION

I move that the City Council authorize adding the Nancy Way and 150 North Street Resurfacing Projects to the 2024 Street Rebuild Project Contract with BHI, Inc. at the line-item bid price of $98,890.55.