



All agenda items
in this packet are
preliminary, until
approved by the
Layton City
Council.

**REGULAR MEETING AGENDA OF THE
CITY COUNCIL OF LAYTON, UTAH**

PUBLIC NOTICE is hereby given that the City Council of Layton, Utah, will hold a public meeting in the Council Chambers of the City Center Building, 437 North Wasatch Drive, Layton, Utah, commencing at **7:00 PM on July 17, 2025**.

AGENDA ITEMS:

1. CALL TO ORDER, PLEDGE, OPENING CEREMONY, RECOGNITION, APPROVAL OF MINUTES:

- A. Minutes of Layton City Council Work Meeting - March 20, 2025
- B. Minutes of Layton City Council Meeting - March 20, 2025
- C. Minutes of Layton City Council Meeting - June 19, 2025

2. MUNICIPAL EVENT ANNOUNCEMENTS:

3. VERBAL PETITIONS AND PRESENTATIONS:

4. CITIZEN COMMENTS:

5. CONSENT ITEMS: (These items are considered by the City Council to be routine and will be enacted by a single motion. If discussion is desired on any particular consent item, that item may be removed from the consent agenda and considered separately.)

- A. Approve a Land Purchase Agreement between Layton City and D&R Ventures LC – Resolution 25-32 – Approximately 925 West Weaver Lane
- B. Submit an Opinion Question for the November 4, 2025, General Election Ballot to the Citizens of Layton City to Authorize a Local Sales Tax of One-Tenth of One Percent (0.1%) on Certain Qualifying Transactions to Fund Recreation, Arts, Museum, and Parks Improvements, Facilities, and Organizations – Resolution 25-37 (Amended)
- C. Proposal Bid Award – Secondary Water Trunk Line Trenchless Design Services – Brierley Associates Corporation – Resolution 25-41
- D. Approve a Lease Agreement for the Davis Arts Council to Lease a Portion of Layton City Center – Resolution 25-40

6. PUBLIC HEARINGS:

- A. Easement Vacation – Parcel 11-050-0108 and Lot 1 Tezak Subdivision (Creek Bend Estates) – Ordinance 25-17 – 876 and 942 East Rosewood Lane

7. UNFINISHED BUSINESS:

ADJOURN:

Notice is hereby given that:

- A Redevelopment Agency (RDA) Meeting will be held at 5:30 PM. A Work Meeting will be held at 5:30 PM to discuss miscellaneous matters.
- This meeting will also be live streamed via laytoncitylive.com and facebook.com/Laytoncity
- In the event of an absence of a full quorum, agenda items will be continued to the next regularly scheduled meeting.
- This meeting may involve the use of electronic communications for some of the members of this public body. Elected Officials at remote locations may be connected to the meeting electronically.
- By motion of the Layton City Council, pursuant to Title 52, Chapter 4 of the Utah Code, the City Council may vote to hold a closed meeting for any of the purposes identified in that chapter.

Date: _____

By: _____

Kimberly S Read, City Recorder

This public notice is posted on the Utah Public Notice website www.utah.gov/pmn/, the Layton City website www.laytoncity.org, and at the Layton City Center.

In compliance with the Americans with Disabilities Act, persons in need of special accommodations or services to participate in this meeting shall notify the City at least 48 hours in advance at 801-336-3826 or 801-336-3820.

Citizen Comment Guidelines

For the benefit of all who participate in a PUBLIC HEARING or in giving PUBLIC COMMENT during a City Council meeting, we respectfully request that the following procedures be observed so that all concerned individuals may have an opportunity to speak.

Electronic Information: An electronic or hard copy of any electronic information presented to the City Council must be submitted to the City Recorder by the end of the meeting.

Time: If you are giving public input on any item on the agenda, please limit comments to three (3) minutes. If greater time is necessary to discuss the item, the matter may, upon request, be placed on a future City Council agenda for further discussion.

New Information: Please limit comments to new information only to avoid repeating the same information multiple times.

Spokesperson: Please, if you are part of a large group, select a spokesperson for the group.

Courtesy: Please be courteous to those making comments by avoiding applauding or verbal outbursts either in favor of or against what is being said.

Comments: Your comments are important. To give order to the meeting, please direct comments to and through the person conducting the meeting.

Thank you.

D R A F T

MINUTES OF LAYTON CITY COUNCIL WORK MEETING

MARCH 20, 2025; 5:30 P.M.

MAYOR AND COUNCILMEMBERS PRESENT:

**MAYOR JOY PETRO, ZACH BLOXHAM, CLINT
MORRIS, TYSON ROBERTS, BETTINA SMITH
EDMONDSON, AND DAVE THOMAS**

STAFF PRESENT:

**ALEX JENSEN, CLINT DRAKE, STEPHEN
JACKSON, WESTON APPOLONIE, LON
CROWELL, DAVID PRICE, JOELLEN GRANDY,
ED FRAZIER, AND KIM READ**

The meeting was held in the Council Conference Room of the Layton City Center.

Mayor Petro opened the meeting.

AGENDA:

MAYOR'S REPORT

Mayor Petro reported she had attended a Board Meeting of the North Davis Sewer District and announced the construction project along Fairfield Road was proceeding well. She mentioned no formal action had yet taken place specific to the sewer rate.

COUNCILMEMBER'S REPORTS

No Councilmember Reports were shared.

AUTHORIZE THE ACQUISITION OF PROPERTY FOR CONTINUATION OF THE LAYTON CITY'S KAYS CREEK TRAIL – RESOLUTION 25-10 – APPROXIMATELY 891 WEST WEAVER LANE

Councilmember Roberts recused himself from the discussion as the property being discussed was part of his family's estate and left the room at 5:33 PM.

JoEllen Grandy, Parks Planner, shared a visual illustration and oriented the Council which identified the location of the parcel of property. She explained acquisition of this parcel would be the last segment

D R A F T

needed in order to fully connect the Kays Creek Trail system. She informed the Council of the appraised value for the 0.75 acres needed to complete the trail. She reviewed the negotiation process which concluded with an agreed amount of \$178,910. She asked if there were any questions.

Councilmember Smith Edmondson arrived at 5:36 PM.

A discussion took place regarding the appraisal.

Councilmember Roberts re-joined the meeting at 5:37 PM.

AMENDMENT – DEVELOPMENT GUIDELINES AND DESIGN STANDARDS – ORDINANCE 25-07

Stephen Jackson, Public Works Director, reminded the Council the Engineering Division of Public Works maintained a set of Development Guidelines and Design Standards which were annually updated and revised as needed. He mentioned some of the updates were based on changes to the State Code. He reviewed the following key updates:

- Dead-end street shall end in cul-de-sac
- Reverse grade streets restrictions
- 8-inch thick sidewalk through commercial and industrial drive sections
- Removed ¾ inch meter to culinary water system
- Clarification of casing requirements between manholes for Sanitary Sewer, Storm Drainage, and Land Drain
- Reverse grade land drain restrictions
- Coordination of written standards with standard plans

A discussion took place regarding the dead-end street/cul-de-sac restriction.

AUTHORIZE BID AWARD – PAGE'S PROFESSIONAL TREE SERVICES, INC. – KAYSCREEK ESTATES SIDEWALK REPAIR, PROJECT 24-55 – RESOLUTION 25-18 – VARIOUS LOCATIONS THROUGHOUT THE KAYSCREEK ESTATES SUBDIVISION

Mr. Jackson shared a presentation specific to the bid process used by Staff with selecting Page's Professional Tree Service for tree removal in Kayscreek Estates Subdivision. He reported City Staff annually completed a sidewalk maintenance project with Yarbrough Construction, which had been

D R A F T

selected through the City's formal bidding process and the City would utilize its bid pricing for the project. He continued to review the emergency bid process associated with this specific project which included consultation with various arborists and the vetting process used by Staff to identify the selected tree service vendor. He announced Page's Tree Service had been identified as the most capable company to complete this portion of the project.

Mr. Jackson reported following the meeting with residents in the subdivision an additional contractor had indicated he could complete the tree removal project at a substantial lower cost. He stated Staff had reached out to that individual and reported that company was not aware of the standards and specifications for the project, that they wouldn't grind the stumps to the City's requirements. They didn't have the work force to keep up with the time frame for the concrete, and other concerns. Based on those findings the City determined it wouldn't be in its best interest to move forward with that vendor.

Mr. Jackson recommended approval of the resolution approving the contract with Page's Tree Service and asked if there were any questions.

Councilmember Smith Edmondson stated she would like to have seen more bids for a comparison and expressed concern the bid submitted by Yarborough had been considered for the tree removal as this company provided sidewalk repair for the City. She also believed several residents had indicated they had also received lower bids from other tree companies, not just the one company mentioned by Mr. Jackson. Mr. Jackson spoke to the Yarbrough bid which included the tree removal/stump grinding being contracted out to a tree removal company and emphasized this was considered a sidewalk repair project with a tree component. He noted that the other bids may not have included the same services.

Mayor Petro requested clarification why this project didn't proceed through the regular bid process as was used with other City projects. Mr. Jackson responded this was an emergency and a 'Professional Services Contract' and explained the tree removal company would have to coordinate work with Yarbrough Construction for the sidewalk repair and clarified the City was using the existing pricing and a discussion followed. Mr. Jackson emphasized Yarbrough's pricing for the sidewalk was based on the City's existing maintenance contract for various sidewalk repair/replacement throughout the City.

Alex Jensen, City Manager, responded to Councilmember Smith Edmondson's concern regarding the two submitted bids for tree removal/stump grinding services. He concluded based on the City's/Parks Department's past experience the bids were satisfactory. A discussion followed and Councilmember Smith Edmondson continued to express disappointment the City hadn't requested additional bids from

D R A F T

other tree removal entities in order to provide an equal comparison with the submitted bids. She spoke to the perception of the residents that due diligence by the City hadn't taken place and the tree removal costs were excessive.

Mr. Jensen explained the difficulty with allowing independent contractors completing the work, which might not meet the City's standards or timeline, and mentioned the stump/root removal would be critical to the success of the City's infrastructure of the new sidewalk.

Councilmember Morris commented this project hadn't been included in the budget and inquired about the funding source for the project pointing out every Layton City taxpayer would be paying for this sidewalk project. Mr. Jensen responded the City had a healthy reserve fund balance and indicated funding had been allocated for various sidewalk repair projects throughout the City. He pointed out this neighborhood had been the City's first PRUD (Planned Residential Unit Development), developed in the 1990's, and at that time an approved tree list did not exist. He added the CC&R's (Codes, Covenants, and Restrictions) established by the developer provided an approved tree list, to be enforced by the HOA (Homeowner's Association) and clarified that wasn't established or designated by the City. He mentioned the City had never experienced a situation of this magnitude associated with a sidewalk project. He indicated revenue received from UTOPIA could be the funding source for this project and pointed out the City would be paying for the sidewalk infrastructure with the residents contributing half of the tree removal costs. He emphasized the City had never contributed toward similar repair projects.

Mayor Petro inquired why the City hadn't previously recognized the issue regarding the damage to the sidewalk infrastructure caused by the trees before now. Mr. Jensen stated he had responded to residents with the same question pointing out there were similar situations throughout the entire City which required Staff to identify and prioritize these projects. He pointed out residents within the subdivision were aware of the sidewalk issue and had the opportunity to address it on their own, and reported many had done so over the past 20 years. He emphasized the City's perspective would always be to address a safety issue.

Councilmember Smith Edmondson requested clarification whether the resident had the option to remove the trees within a designated timeframe, prior to the City completing the project, and whether that would remove any liability. Clint Drake, City Attorney, responded he wasn't aware of any suggested precedent similar to this used by any jurisdiction and suggested that could be a reasonable plan.

Councilmember Smith Edmondson expressed her opinion this might be a good option to residents

D R A F T

pointing out the residents would then be responsible for the costs, which was standard procedure; therefore, not burdening the entire City's taxpayers.

Mr. Jackson explained the challenge with moving forward with that scenario; not one resident had approached the City expressing their willingness to remove the tree and replace the existing damaged sidewalk. Rather, residents had expressed a desire to fix the sidewalk without removing the tree, which would only be a temporary remedy. He continued to explain the issued permit for the sidewalk repair required, as a condition of the permit, removal of the tree causing the damage, including the stumps and roots. He also addressed the timing associated with the contractors to complete the work. He stated the need for urgency because a project of this size required significant lead time. He reported in order to retain them for the construction season, they had committed to the City's timeline. He reviewed the City's proposed costs to residents. The discussion continued regarding the City's liability and financial impact to residents. Councilmember Bloxham suggested removing the financial incentive to the residents and the City paying all costs using Unreserved Fund Balance. He also requested clarification regarding whether the City's procurement process for this project had been conducted within statute and Mr. Drake expressed his opinion the process was sufficient based on this emergency situation.

Councilmember Roberts requested clarification the issue was considered a unique situation and it wouldn't be repeated in the future and both Mr. Jensen and Mr. Jackson responded in the affirmative. Mr. Jensen emphasized the City desired to treat all residents fairly.

Councilmember Bloxham suggested this item be removed from the Consent Agenda during the regular meeting and Mr. Drake also requested the Kays Creek Trail item also be removed from the Consent Agenda to separately be addressed.

AUTHORIZE THE ACQUISITION OF INTERESTS IN REAL PROPERTY FOR THE HOLMES CREEK RESERVOIR TO ANDY ADAMS RESERVOIR SECONDARY WATER TRUNK LINE PROJECT BY NEGOTIATION OR BY CONDEMNATION (EMINENT DOMAIN) – RESOLUTION 25-19 – APPROXIMATELY 728 RIDGE ROAD

Mr. Drake informed the Council this project would be critical to the City's secondary water system to more efficiently deliver water to residents. He reported there were three private property owners impacted by the proposed trunk line project and shared a visual illustration and oriented the Council. He indicated agreements had already been negotiated for the two neighboring property owners where the waterline would be installed between the homes. He emphasized the Peacefield HOA (Peacefield Homeowners

D R A F T

Association's) open space had to remain as open space due to an existing preservation easement and the bonus density associated with the PRUD. He reviewed a timeline pertaining to discussions with the Peacefield HOA regarding the proposed project and also explained the appraisal process for the parcel. He explained the urgency in completing the construction project and since the HOA refused to sign the purchase agreement for the appraised value, the City sent a letter anticipating the use of eminent domain to acquire the property. He also indicated the HOA declined to allow the City access to complete the project without waiving any rights to value. He reiterated due to the urgency in completing the project, the City would need to immediately file in order for a judge to grant the City access to the property. A discussion followed. Mr. Drake announced the HOA would be allowed to publicly address the Council during the regular meeting.

**ACCEPT THE LAYTON CITY LONG RANGE ECONOMIC DEVELOPMENT PLAN AS
SUBMITTED BY BETTER CITY AND URBAN DESIGN ASSOCIATES (CONSULTANT)
UNTIL A FUTURE DATE WHEN IT MAY BE ATTACHED TO A LEGISLATIVE DOCUMENT
– RESOLUTION 25-11**

This item wasn't addressed during the Council.

**REZONE REQUESTS WITH CONCEPT PLAN AND DEVELOPMENT AGREEMENT
BETWEEN LAYTON CITY, SCOTT PRESTON AND DEBRA NALDER BOYCE – TRUSTEES
– REZONE FROM A (AGRICULTURE) AND CP-1 (PLANNED NEIGHBORHOOD
COMMERCIAL) TO MU (MIXED-USE) – RESOLUTION 25-15 AND ORDINANCE 25-06 –
APPROXIMATELY 1150 NORTH FAIRFIELD ROAD**

This item wasn't addressed by the Council.

**CLOSED SESSION TO DISCUSS THE CHARACTER AND/OR COMPETENCY OF AN
INDIVIDUAL(S), PENDING OR REASONABLY IMMINENT LITIGATION, PURCHASE,
SALE, EXCHANGE OR LEASE OF REAL PROPERTY, WATER RIGHTS OR SHARES,
AND/OR DEPLOYMENT OF SECURITY PERSONNEL, DEVICES OR SYSTEMS AS
PERMITTED UNDER UTAH CODE §52-4-205**

This item wasn't addressed by the Council.

The meeting adjourned at 6:57 p.m.

D R A F T

Kimberly S Read, City Recorder

D R A F T

MINUTES OF LAYTON CITY COUNCIL MEETING

MARCH 20, 2025; 7:04 P.M.

MAYOR AND COUNCILMEMBERS PRESENT:

**MAYOR JOY PETRO, ZACH BLOXHAM, CLINT
MORRIS, TYSON ROBERTS, BETTINA SMITH
EDMONDSON, AND DAVE THOMAS**

STAFF PRESENT:

**ALEX JENSEN, CLINT DRAKE, WESTON
APPLONIE, LON CROWELL, STEPHEN JACKSON,
DAVID PRICE, JOELLEN GRANDY, AND KIM
READ**

The meeting was held in the Council Chambers of the Layton City Center.

Mayor Petro opened the meeting and welcomed the public. Councilmember Morris offered the invocation and led the Pledge of Allegiance.

MINUTES:

There were no minutes before the Council for approval.

MUNICIPAL EVENT ANNOUNCEMENTS:

Councilmember Roberts announced Parks and Recreation's Family Recreation Activity was scheduled for Friday, May 9, 2025, at the Kenley Amphitheater. He mentioned it would be a family game night with various games taking place in and around the amphitheater and plaza area.

PRESENTATIONS:

There were no verbal petitions or presentations.

CITIZEN COMMENTS:

There were no public comments.

CONSENT AGENDA:

D R A F T

Councilmember Roberts announced a conflict of interest specific to an item on the agenda. He requested items A and C of the Consent Agenda be removed to be addressed separately. Councilmember Smith Edmondson also requested item D be removed from the consent agenda.

AMENDMENT – DEVELOPMENT GUIDELINES AND DESIGN STANDARDS – ORDINANCE 25-07

Stephen Jackson, Public Works Director, explained the Development Guidelines and Design Standards were maintained through the City's Engineering Division and indicated it included two separate components: written standards and standard plans for public facility construction. He stated updates to the plans were necessary based on current code, construction standards, regulations, and other City needs due to legislation. He briefly reviewed the following updates and amendments:

- Dead end streets need to end in a cul-de-sac
- Reverse grade streets restrictions
- Thicker sidewalk through commercial and industrial drive approaches
- Removed the $\frac{3}{4}$ inch meter from culinary water systems
- Clarification of casing requirements for side and rear lot utilities would also be required between manholes for sanitary sewer, storm drainage, and land drain improvements, as well as similar reverse grade restrictions
- Standard plans had been updated to coordinate with written standards
- Adding a drive approach standard in abutting sidewalk to meet ADA compliance

Staff recommended adoption and asked if there were any questions. There were no questions from the Council.

ACCEPT THE LAYTON CITY LONG RANGE ECONOMIC DEVELOPMENT PLAN AS SUBMITTED BY BETTER CITY AND URBAN DESIGN ASSOCIATES (CONSULTANT) UNTIL A FUTURE DATE WHEN IT MAY BE ATTACHED TO A LEGISLATIVE DOCUMENT – RESOLUTION 25-11

Lon Crowell, Economic Development Director, shared a visual presentation regarding the Long Range Economic Development Plan submitted by Better City and Urban Design Associates. The City had received grant funding to complete the Plan which required the Council to adopt or accept the Plan by the end of the contract period, June 1, 2025. The purpose of the Plan was to obtain data. He reviewed the primary goals of the Plan with the Council and mentioned the following:

D R A F T

- Analyze the economic feasibility of the City's existing town centers and urban centers
- Explore the possibility of a new town center to be located near the intersection of SR 193 and Hill Field Road
- Assess the current retail demand, leakage, and saturation across the City
- Examine opportunities for future retail and determine ability to attract higher-end retail
- Evaluate economic position in retail, residential, office, and industrial markets
- Determine the overall economy of the City

He expressed appreciation to the Better City consultants and Wasatch Front Regional Council which contributed toward the funding of the project. He reviewed the processes used by the consultant to complete the study and provide data to the City.

He recommended approval of the resolution and asked if there were any questions.

Councilmember Bloxham mentioned the Plan provided a lot of information and inquired why the Council had to approve or accept the Plan prior to June 1, 2025. Mr. Crowell pointed out the City was requesting the Council accept the Plan, although more work was still needed. Councilmember Bloxham pointed out the Plan wasn't a legislative document and expressed concern the Council was being required to accept the Plan. He continued to explain there were some aspects of the Plan he wouldn't desire to be implemented within Layton City. Mr. Crowell mentioned the significant amount of the grant funding which allowed for the completion of the Plan, which then required acceptance by the Council.

Councilmember Smith Edmondson expressed appreciation for Better City's efforts in compiling the data and was grateful for the grant opportunity. She commented the Council was only being asked to accept the Plan at this time.

MOTION: Councilmember Smith Edmondson moved to approve Items B and E of the Consent Agenda as presented. Councilmember Morris seconded the motion, which passed unanimously.

AUTHORIZE THE ACQUISITION OF PROPERTY FOR THE CONTINUATION OF LAYTON CITY'S KAYS CREEK TRAIL – RESOLUTION 25-10 – APPROXIMATELY 891 WEST WEAVER LANE

Councilmember Roberts indicated this property was owned by his family, recused himself, and left the meeting at 7:24 PM.

D R A F T

JoEllen Grandy, Parks Planner, introduced the agenda item and shared a visual illustration. She oriented the Council and identified the location for the proposed connection which would connect the City's trail system from the mountains to the shoreline preserve. She also identified the location of the West Davis Corridor trail pointing out the land acquisition would allow trail users continual access of the Kays Creek Trail through the western portion of the City and shared an illustration. She announced an appraisal for the 0.75 acres of property had been completed which identified the value at \$211,600 and a negotiation process followed. The agreed upon negotiated price for the parcel was \$178,910 and Staff recommended approval.

Councilmember Bloxham requested clarification between the difference of the appraised value and the actual purchase price. Ms. Grandy responded nearly 60% of the property were the creek and the banks, property which was designated as undevelopable. She identified this on the visual illustration designated by the red-hatching.

Mayor Petro mentioned she often used the Kays Creek Trail heading west, until it ended, and explained her route to access the far western portion of the City and expressed excitement at now having a designated trail along the creek for this purpose.

MOTION: Councilmember Thomas moved to accept the acquisition of property on Weaver Lane, Resolution 25-10, Item A of the Consent Agenda, as presented. Councilmember Smith Edmondson seconded the motion. The motion passed with the following vote: **Voting AYE – Councilmembers Bloxham, Morris, Smith Edmondson, and Thomas.** **Voting NO – None.** Councilmember Roberts was not present for deliberation or the vote.

Councilmember Roberts rejoined the meeting at 7:30 PM.

AUTHORIZE BID AWARD – PAGE'S PROFESSIONAL TREE SERVICES, INC. – KAYSCREEK ESTATES SIDEWALK REPAIR, PROJECT 24-55 – RESOLUTION 25-18 – VARIOUS LOCATIONS THROUGHOUT THE KAYSCREEK ESTATES SUBDIVISION

Stephen Jackson, Public Works Director, announced the agenda item and reviewed the process used with determining the vendor for the Professional Services Agreement. He shared the bid sheet reflecting the various bid figures and reviewed it with the Council. He explained the City had solicited pricing from professional arborists for the tree removal scope of the project and Staff had selected Page's Professional Tree Services from three received bids. He mentioned Page's had also been identified as the lowest responsive and

D R A F T

responsible bid in the amount of \$401,470.00. He pointed out some of the trees identified as ‘optional’ would not be removed as some of the homeowners had chosen to remove the trees on their own and Page’s would only be grinding the stumps; therefore, the total cost would be reduced.

Staff recommended approval and asked if there were any questions.

Mayor Petro informed those in attendance at the meeting that public comment wasn’t accepted for items on the Consent Agenda. She indicated the appropriate time for comments from the public should have been made during the ‘Citizen Comment’ portion of the meeting. She stated she would allow one representative to speak on behalf of the group of residents to address the Council, if it so agreed, following its deliberation of the agenda item.

Councilmember Bloxham suggested a great discussion regarding the item had taken place during the Work Meeting; however, he stated he would be willing to allow any and all residents to address the body. The Council expressed agreement with Councilmember Bloxham’s request. Councilmember Smith Edmondson suggested this allowance also be granted to Item D.

Councilmember Thomas requested clarification on what the residents had the option to complete on their own and Mr. Jackson responded residents could remove the tree; however, the grinding of the stumps and removal of tree roots under the sidewalk would need to be completed by either Page’s Tree Service or a contractor of the residents’ choice. He added approximately 25% of the homeowners on the ‘optional’ tree list had responded to the City and approximately 29% of the required list had responded.

Councilmember Bloxham stated he previously expressed concern regarding the financial impact to the resident associated with the project and the City subsequently offered financial assistance. He indicated his willingness to consider removing any and all financial considerations to the residents associated with the project and would be amenable to the City removing any costs for the mandatory tree removal in this exceptional circumstance; however, expressed concern whether this would set precedent with similar situations in the future.

Councilmember Roberts mentioned he would be supportive of Councilmember Bloxham’s suggestion and indicated he had had similar concerns with the financial impact to the resident.

Councilmember Thomas requested clarification regarding the number of residents which had responded to the City’s letter. Mr. Jackson reported 29% responses were received from residents which had trees designated as ‘mandatory’ for removal and 25% responses were received from those with trees identified as ‘optional’. He

D R A F T

continued to explain how the City would address those properties which didn't provide any response back to the City. He also indicated 14 of the respondents indicated they would remove their own trees to save on those costs and share the cost with the City for the stump removal, and three respondents indicated they would remove their 'optional' tree.

The discussion continued and Clint Drake, City Attorney, clarified municipalities had the right and authority to protect its infrastructure.

Councilmember Smith Edmondson requested Mr. Jackson address what was preventing the City from obtaining additional bids for tree removal and address the Yarbrough bid since the company wasn't a tree removal service. Mr. Jackson responded Yarbrough Construction had been selected as the City's contractor for its sidewalk repair and replacement projects and had provided tree removal services generally on a much smaller scale and suggested the size and scope of this project was outside of its capability. He reported conversations had taken place with another tree service vendor within the area, following the most recent neighborhood meeting, and during the vetting process determined it didn't have the ability and capabilities to complete the work to the City's specifications and identified those differences. Ultimately, it was determined this company wasn't large enough and didn't have the capacity to complete the work according to the City's specifications and timeline.

Councilmember Smith Edmondson also inquired about the opportunity to allow residents a timeframe to complete the project on their own and Mr. Jackson responded that wouldn't be possible due to the schedule of both vendors, Page's Tree Service and Yarbrough Construction. He indicated if the work was postponed to be completed at a later date costs would significantly increase. Additionally, homeowners requesting to fix the sidewalk on their own had consistently indicated they had no intention of removing their trees. He continued if a City permit was issued for the repair, the condition of the permit would require removal of the tree. He emphasized the City was trying to resolve the problems with the sidewalk; however, the trees are the problem and the City was looking for a permanent solution.

The discussion continued regarding the pricing, costs, and seeking additional bids associated with the project. Mr. Jackson pointed out the current bid figures were public information and suggested that would compromise any legitimacy of bids should the City proceed through a second bid process.

Councilmember Bloxham pointed out liability issues once the City had identified the sidewalk issues within the neighborhood and Mr. Drake concurred.

D R A F T

Councilmember Morris expressed appreciation to Staff in addressing concerns with these sidewalks and acknowledged the Council's responsibility to ensure the health, safety, and welfare of Layton City residents. He believed the City was being generous with the concept of cost sharing to complete the project.

Mayor Petro requested Mr. Jackson address the bid process associated with this particular agenda item and explain why a traditional RFP (Request for Proposal) process hadn't taken place. Mr. Jackson responded the City desired to have the tree removal project be completed in tandem with the sidewalk repair project in an attempt to eliminate significant disruption to residents within the subdivision. Due to the urgency of the project and the need for a professional arborist to evaluate and advise on the project and explained what the project would look like compared to how this project would be completed if the City proceeded with a traditional RFP process. Mr. Drake spoke to the issue and subsequent repair project presented imminent danger to residents and visitors as well as compliance to the ADA (Americans with Disabilities Act) and reiterated discussion and action had and was taking place in a very public process.

Mayor Petro requested Mr. Jackson comment on the requirement for the tree replacement. Mr. Jackson explained the City's ordinance allowed residents to meet the standard which was in place when the subdivision was originally developed and identified that was two trees per frontage; or the resident could meet the new ordinance, one tree for every 30 feet or within 10 feet behind the sidewalk. He couldn't speak to the CC&R's (Covenants, Conditions and Restrictions) designated for the subdivision by the HOA (Homeowner's Association). He clarified this was the purpose for requiring Page's Tree Service to grind the stumps to a specific depth in case the homeowner chose to re-plant a tree in the same location.

Councilmember Roberts requested Mr. Jackson address the standards used to determine the trees required to be removed. Mr. Jackson stated tree species was not taken into consideration for the tree removal requirement. The Engineering Staff identified the trees currently damaging g City infrastructure which were required to be removed. The professional arborist identified the trees designated as 'optional' for removal based on whether he believed it could potentially cause an issue within the next five years or beyond, and believed species would have been considered for those. He informed the Council a one quarter inch lift or vertical separation of the sidewalk was the standard used by Staff engineers to determine whether it warranted the tree removal. He pointed out if a homeowner chose to keep an 'optional' tree the cost sharing with the City wouldn't be available in the future and the resident would bear the cost of not only removing the tree, but fixing the sidewalk at their own expense.

Councilmember Roberts expressed concern minimal damage or lifting of the sidewalk warranted removal of a tree.

D R A F T

Randy Herget announced the residents want choice; to repair sidewalk at their expense and not be required to remove the tree. He compared this situation to the paving of roads knowing they would certainly incur potholes or have to be dug up for utility repair. He believed if the residents were allowed to keep the trees and repair their sidewalks when needed, this could save the City hundreds of thousands of dollars.

Ashley Simmons informed the Council she had requested mediation with the State's property ombudsman who had identified three property right concerns and identified those. She believed many of the trees identified for removal met City Code standards. She suggested there were options in moving forward without violating property rights by opting out of the City's plan and repairing the sidewalks at their own expense with the City granting permits for this purpose. Additionally the City should respect a homeowner's right to address the sidewalk issue as long as it was compliant to City Code. She requested the Council allow residents to opt out of the proposed plan and repair and maintain their sidewalks on their own and believed this was a property rights issue.

Gretchen Thomas indicated her comments would be specific to seeking the most permanent solution to avoid having to repair sidewalks in the future. She identified the benefits the trees provided and read a statement requesting the City allow residents to opt out and repair the sidewalks at their own expense. She distributed a handout she witnessed specific to Salt Lake City's sidewalk repair project. She mentioned residents within the Kayscreek Subdivision weren't aware of the sidewalk situation and requested the City consider the trees and sidewalks case by case.

Councilmember Smith Edmondson emphasized Layton City didn't require the planting of the trees in the park strip nor had it identified the species; rather that had been determined by the developer which were identified in the CC&R's and indicated there were differences between City Code and the CC&R's. She suggested there were some sidewalks which had less than minimal damage caused by the trees. She wondered whether something else could be considered for these mature trees which had caused negligible lift allowing the homeowner to opt out and repair on their own.

Councilmember Bloxham inquired how the City would address a similar issue in a different area of the City and the sidewalk repair process implemented by the City on a case by case basis. Mr. Drake responded once the City was aware of the issue the homeowner would receive a notice following an investigation. The notice would inform the homeowner of the code violation, provide a timeline for it to be remedied. If the sidewalk repair didn't happen it would be forwarded to the City's prosecution office. Councilmember Bloxham asked what this would look like if the City chose to address the issue on a case by case basis. Mr. Drake responded

D R A F T

in those cases the homeowner would be required to remove the tree which caused the damage to the sidewalk infrastructure. Councilmember Bloxham concluded this wasn't merely a sidewalk issue; the tree and the sidewalk issues in this circumstance couldn't be separated.

Mr. Drake clarified the City's position that this issue wasn't appropriate for the property rights ombudsman and pointed out that entity hadn't officially accepted to mediate the complaint from the residents.

Councilmember Roberts expressed agreements with Councilmember Smith Edmondson's concern regarding identified trees associated with minimal disruption of the sidewalk and curb and gutter. He indicated he would like to see a different approach specific to the required list of trees identified for removal without it affecting the timeline for the project.

Councilmember Morris requested Mr. Jackson address the Council regarding the City's process used to identify trees for removal.

Mr. Jackson responded Staff addressed trip hazard sidewalks within the subdivision and explained the City's standard for evaluation was based on whether there was identifiable damage to the sidewalk. He indicated shaving or grinding of a sidewalk had proven to be ineffective in the past; therefore, the conclusion was whether the tree was damaging the sidewalk. He believed Staff had attempted to be as open as possible and many conversations with residents had taken place; however, ultimately the Public Works Department was responsible for protecting the City's infrastructure and emphasized Staff's attempt with being consistent with the sidewalk repair project.

Councilmember Bloxham inquired about the timeline associated with approving the resolution accepting the bid. Mr. Jackson responded Staff intended to begin delivering project notices on Monday, March 24, 2025, to allow contractors to notify Blue Stakes for construction to begin the first week of April. He continued to explain potential costs to the City in the event it delayed the commencement of the project.

Councilmember Smith Edmondson suggested another review of the trees could take place between now and when construction would begin to determine the sidewalk damage and whether the trees needed to be removed.

Alex Jensen, City Manager, asked the Council what facts it believed would change in another two weeks or even another month and suggested decisions had been made based on facts. He expressed concern the standard followed in making decisions would no longer be applied; rather, an attempt for a political solution would outweigh the facts. He suggested all residents of Layton City would be paying the costs associated with

D R A F T

providing a solution to this one problem and had a fiscal responsibility to them for a final resolution. He pointed out the Council's decision to this agenda item would impact over 100 residents and a small handful had addressed the Council.

Councilmember Roberts didn't want to diminish Staffs' work; however, he expressed concern with the fact that one quarter inch of a sidewalk lift over 25 years required removal of a tree. He stated he couldn't consciously approve the agenda item when he didn't know which trees would be removed.

Mr. Jensen emphasized Staff's focus wasn't placed on the trees; rather whether the tree caused a safety risk and a discussion followed. Mr. Jensen continued to point out sidewalks belonged to the public as opposed to the individual homeowner and the City had the responsibility to maintain it. He spoke to the issue of individual citizens attempting to dictate the level and method of maintenance of public infrastructure.

MOTION: Councilmember Morris moved to authorize the bid award – Page's Professional Tree Services – Kayscreek Estates Sidewalk Repair, Project 24-55, Resolution 25-18, as presented. Councilmember Thomas seconded the motion.

Councilmember Bloxham clarified the motion before the Council was specific to the bid award only separate from how the project would be funded and Mr. Drake responded in the affirmative.

Councilmember Thomas suggested the issue was twofold: the tree issue and sidewalk repair issue. He added a third issue of consideration with the City willing to pay at least fifty percent of the costs. He shared an example of similar situation years ago in which the resident was required to pay for the removal of a tree. He expressed concern this offer was only being extended in this circumstance. He understood the need for the project to be completed which justified his vote.

Councilmember Smith Edmondson explained her reasoning for her vote in that she understood the small lift was based on ADA requirements as a trip hazard; however, she would be open to Councilmember Roberts' request of visiting the neighborhood with Staff to re-evaluate the trees identified for removal and to also re-visit the financial options.

Councilmember Morris indicated he considered this a health, safety, and welfare issue. He expressed appreciation to the professional manner in which Staff had completed due diligence associated with the project.

Councilmember Bloxham would be authorizing the project to move forward; however, he expressed his

D R A F T

opinion the City should be providing financial assistance to the residents and also believed further discussion regarding the removal of trees. He expressed appreciation to the public's involvement.

Councilmember Roberts shared a personal experience with removing a tree which held sentimental value to his family to accommodate a sidewalk in conjunction with the Layton Parkway construction. He expressed appreciation to Mr. Jensen's comments; however, he believed the City was taking a blanket approval to remove certain trees in conjunction with the project and stated he would be voting in opposition to the agenda item.

The motion passed with the following vote: **Voting AYE – Councilmembers Thomas, Smith Edmondson, Morris, and Bloxham. Voting NO – Councilmember Roberts.**

Mayor Petro expressed appreciation to the Council for vetting the issue. Although the item was passed by the City Council, she directed Staff to conduct further discussion regarding the financial aspect of the project and regarding the process of identifying trees.

AUTHORIZE THE ACQUISITION OF INTERESTS IN REAL PROPERTY FOR THE HOLMES CREEK RESERVOIR TO ANDY ADAMS RESERVOIR SECONDARY WATER TRUNK LINE PROJECT BY NEGOTIATION OR BY CONDEMNATION (EMINENT DOMAIN) – RESOLUTION 25-19 – APPROXIMATELY 728 RIDGE ROAD

Mr. Drake mentioned the agenda item had been discussed at length during the previous work meeting, during which property owner representatives were present, and announced the agenda item. He pointed out the project was vital to the efficiency for water delivery within the City. He stated the resolution authorized the City to use eminent domain, if necessary, to acquire the easement. He spoke to the City's evaluation and the property owner's counteroffer of \$27,300, which he previously indicated amounted to \$300 per homeowner, and clarified this would be paid to the HOA (Homeowner's Association). He also mentioned it had been proposed by the property owner, and discussed, during the negotiation process about the City assuming maintenance of a private road and reported since the road didn't meet City standards, that hadn't been agreed to.

He informed the Council, state statute required the property owner have the opportunity to address the City Council during a public meeting and mentioned the HOA President was in attendance for that purpose.

Councilmember Bloxham inquired whether the HOA had been represented by legal counsel and Mr. Drake responded in the negative.

D R A F T

John Fullmer, HOA president, stated three separation discussions had previously taken place between the HOA and City Staff regarding the parcel. He referenced some emails and briefly reviewed the timeline and his understanding regarding the various letters it received from the City. He suggested the HOA didn't understand how to interpret the first initial offer with nothing to compare it to. He continued to explain 60% of the homeowners participating in the HOA had to be agreeable to any offer. He believed the definition of negotiation was when two separate parties came to agreement. He also suggested the appraisal didn't take into consideration all issues concerning the property and invited other members of the HOA Board to address those.

Brian Hill, HOA Boardmember, identified the following which he believed hadn't been considered during the appraisal:

- 30 foot tall Blue Spruce tree would need to be removed
- The easement would prohibit the ability for the HOA to do anything on the property such as a playground, pickleball court, or picnic bowery in the future
- One water valve provided water to the entire preservation area for grass, trees, shrubs and the easement would prohibit water access to the entire preservation area

Brian Van Uitert, resident, read a letter on behalf of Michael Hendry expressing his comments regarding the agenda item which was distributed to the Council

Sean O'Neil, resident, expressed concerns regarding the appraisal and indicated representatives from the HOA Board hadn't accompanied the appraiser during the appraisal process.

Larry Cook, HOA Board, pointed out the HOA was offered only five percent of the estimated value of the property.

Kenneth Clifford, resident, shared his personal experience with selling real estate and expressed his opinion if the Hendry's were allowed to construct and rent high end condominiums near his home it would significantly increase property values. He continued the offer of \$2,900 to the HOA for the easement wasn't a fair offer. He expressed appreciation to Councilmember Roberts' opinion regarding the tree removal associated with the Kayscreek sidewalk repair project. He also expressed appreciation to Mr. Jensen for road repairs near the Peacefield development. He suggested the City ensure the road repair in conjunction with the secondary water trunk line project be completed appropriately.

Scotty Kearns, resident, indicated he would love to purchase the six acre parcel of property for \$2,900 to be used for a community garden. He believed the process and value was unfair; but expressed agreement with the

D R A F T

purpose of completing the pipeline project. He requested clarification whether the City would still be willing to negotiate. He would also like the property restored to its current standard.

Mr. Drake clarified the property impacted by the easement wasn't six acres in size and Mayor Petro indicated it was .17 in acreage. Mr. Drake additionally clarified previous comments that, if necessary, the City could seek to obtain a temporary right of access in approximately 14 days in response to a question.

Mr. Kearns emphasized the Peacefield HOA be fairly compensated for the parcel and when completed the property would be restored to its current standard.

Randy Bird, HOA Board, believed when the HOA Board had the opportunity to meet with Mr. Drake, it would be for a negotiation; however, they were told the appraised amount of \$2,900 would be the final offer and the City could no longer negotiate the cost.

Mayor Petro inquired whether the original offer of \$15,000 could still be considered and Mr. Drake responded that would be up to the Council to decide. He clarified he had followed direction based upon previous property acquisitions.

Mr. Drake responded to concerns expressed by the HOA Board and residents:

- The City was bound to the appraisal and that fact had been made clear to the HOA Board both verbally and in writing
- The negotiation process was not over and he encouraged the HOA Board to contact an appraiser regarding the appraisal
- The City's appraiser had made contact with a member of the HOA Board and read a statement from the appraiser, Mr. Lang, regarding his attempts to meet with the property owner.
- He continued to speak regarding negotiations and that process

He pointed out no one representing the subdivision or HOA Board had contested whether the City had the right to place a secondary water pipe in vacant property within the City. He also emphasized a Right of Entry Agreement would allow the City to enter the property and complete construction of the proposed project without delay. The HOA Board would continue to retain all rights specific to valuation. The HOA Board indicated that wouldn't happen.

The Council continued to discuss and receive clarification regarding the appraisal, the alignment for the proposed pipeline, the preservation easement, restrictions associated with the easement, and the timeline

D R A F T

associated with project.

Mr. Jensen emphasized the City's intent to be fair and the Council's action was significant for the City to meet its statutory obligations to residents. He clarified it wasn't intended to force the HOA Board to come to an agreement, and pointed out it was part of the process and ongoing discussions could continue to take place.

Mr. Drake responded City Staff intended to continue with discussion and negotiations.

Mr. Van Uitert believed no one within the development was opposed to the pipeline; rather, the issue was with the appraised value and compensation for the easement. He expressed appreciation to the Council for listening to the residents' concerns.

MOTION: Councilmember Bloxham moved to approve Resolution 25-19 authorizing the Acquisition of Real Property for the Holmes Creek Reservoir to Andy Adams Reservoir by Negotiation of Condemnation. The motion was seconded by Councilmember Morris. The motion passed with the following vote: **Voting AYE – Councilmembers Morris, Bloxham, Smith Edmondson, Thomas, and Roberts. Voting NO – None.**

Councilmember Roberts explained his vote and pointed out the difference between purchasing ground verses an easement or unencumbered land verses land with an existing conservation easement and suggested the scenario wasn't a fair comparison of 'apples to apples'.

PUBLIC HEARINGS:

REZONE REQUEST WITH CONCEPT PLAN AND DEVELOPMENT AGREEMENT BETWEEN LAYTON CITY, SCOTT PRESTON, AND DEBRA NALDER BOYCE – TRUSTEES – REZONE FROM A (AGRICULTURE) AND CP-1 (PLANNED NEIGHBORHOOD COMMERCIAL) TO MU (MIXED-USE) – RESOLUTION 25-15 AND ORDINANCE 25-06 – APPROXIMATELY 1150 NORTH FAIRFIELD ROAD

The Council took a brief break at 10:07 PM.

The meeting reconvened at 10:10 PM.

Weston Applonie, Community and Economic Development Director, announced the agenda item. He shared a visual illustration and identified the location of the property and oriented the Council. He explained the applicant had requested a rezone for the parcel which was located within the Gordon Avenue/Fairfield Road

D R A F T

Town Center of the General Plan. He identified the various components for the proposed mixed-use development: townhomes, multi-family, mixed-use buildings, and commercial to encourage strong neighborhood connections and walkability. He shared the proposed development intentions which consisted of two commercial buildings fronting Fairfield Road, transitioning to three-story townhomes and two-story townhomes with the inclusion of open space, a clubhouse, and a park area for the residents. He spoke to the specific roadways and shared conceptual illustrations and exterior products. He reviewed the proposed parking spaces and parking amenities and identified the City's required minimum parking spaces. He continued to address specifics called out and identified in the Development Agreement.

He reported the Planning Commission reviewed this item during its meeting on Tuesday, February 28, 2025, and recommended approval. Staff supported that recommendation and asked if there were any questions.

The Council requested clarification of the distance between the structures and the fence line, the number of parking spaces for the townhomes. Mr. Applonie confirmed the units were rear-loaded which facilitated installation of utilities. He clarified 2.5 parking spaces were required for each townhome and pointed out the driveways could not accommodate a parked vehicle. The Council expressed concern the townhomes would be a rented/leased product as opposed to providing homeownership to residents.

Mayor Petro opened the public hearing at 10:21 p.m.

Mayor Petro called for public comment.

Chris Nielsen, adjacent property owner, expressed concern with the proposed traffic, concept design, and the number of ingress/egress locations near the development. He continued to express concern how the public road would match the private lane for the adjacent property. He pointed out the street width of 1150 North would probably not accommodate on-street parking. He also expressed concern with potential drainage from the public right of way to the adjacent hayfield.

Tyler Miles, applicant, expressed appreciation to Staff's input of good practices which contributed to a good product for the City. He responded to Councilmember Smith Edmondson's comment about the housing component being a rented/leased product as opposed to owner occupied. AIM Development believed quality market rate rental housing was helping with the housing shortage and suggested many didn't have the ability to purchase homes.

Councilmember Morris requested Mr. Applonie address Mr. Nielsen's concerns. Mr. Applonie referred to an

D R A F T

illustration and indicated the developer would need to address the drainage. He explained only half the roadway would be constructed and the property owners would have to negotiate how the drainage would be managed. The discussion continued about the runoff for the hayfield to the north and Mr. Nielsen stated it currently flowed to the southwest direction.

The discussion continued regarding 1150 North and the designated zoning in the General Plan for the adjacent properties east of the proposed development. Mr. Jackson indicated the north side of the street was fully developed with a curb, gutter, and sidewalk.

Councilmember Morris asked what was planned for the commercial use buildings along Fairfield and Mr. Applonie responded the developer was currently seeking users for the retail component.

MOTION: Councilmember Smith Edmondson moved to close the public hearing at 10: 34 PM and approve the Rezone Request with Concept Plan and Development Agreement between Layton City, Scott Preston, and Debra Nalder Boyce – Trustees – Rezone from A (Agriculture) and CP-1 (Planned Neighborhood Commercial) to MU (Mixed-Use) – Resolution 25-15 and Ordinance 25-06 – Approximately 1150 North Fairfield Road, as presented. Councilmember Roberts seconded the motion. The motion passed with the following vote: **Voting AYE – Councilmembers Roberts, Bloxham, Morris, Smith Edmondson, and Thomas. Voting NO – None.**

UNFINISHED BUSINESS:

There was no unfinished business.

The meeting adjourned at 10:35 p.m.

Kimberly S Read, City Recorder

D R A F T

MINUTES OF LAYTON CITY COUNCIL MEETING

JUNE 19, 2025; 7:07 P.M.

MAYOR AND COUNCILMEMBERS

PRESENT:

MAYOR JOY PETRO, ZACH BLOXHAM, CLINT MORRIS, BETTINA SMITH EDMONDSON, AND DAVE THOMAS

EXCUSED:

TYSON ROBERTS

STAFF PRESENT:

ALEX JENSEN, CLINT DRAKE, TRACY PROBERT, WESTON APPOLONIE, DAVID PRICE, JOELLEN GRANDY, AND KIM READ

The meeting was held in the Council Chambers of the Layton City Center.

Mayor Petro opened the meeting and welcomed the public. Mayor Petro offered the invocation and Deviuan Doyle, Youth Council, led the Pledge of Allegiance.

MINUTES:

There were no minutes for approval.

MUNICIPAL EVENT ANNOUNCEMENTS:

Mayor Petro encouraged participation in the City's July 4th events highlighting the following:

- 5k Fun Run and More Fun, Less Run
- Rotary Club would be serving breakfast in the amphitheater plaza for \$7 per person
- Flag raising ceremony at 8:30 AM
- Kids' bike parade would begin at 10:15 AM
- Parade would begin at 10:30 AM
- Surf 'n Swim would open at 12 noon
- Events in Commons Park
- Free evening concert beginning at 8:00 PM in the Kenley Amphitheater would feature Utah Broadway Stars presenting "The Spirit of Freedom"
- Fireworks display would begin at 10:00 PM

She also mentioned the City Council would be recognizing Hometown Heroes during a free concert on Sunday,

D R A F T

June 29, 2025, at 7:00 PM.

Councilmember Smith Edmondson mentioned the All-Star Baseball game was scheduled for Thursday, July 3, 2025 at Ellison Park, in conjunction with the City's 4th of July events.

Mayor Petro also announced Layton F.E.S.T. (Farmers, Entertainment, Shopping, and Trucks – food) would begin on Friday, July 11, 2025, in Commons Park.

PRESENTATIONS:

There were no presentations.

CITIZEN COMMENTS:

Jennifer Bazanno, resident, expressed appreciation to the Council for their service to the City. She shared comments regarding the dog park presentation which was shared during the previously held work session. She expressed her opinion benefits of a dog park were greater than just 'dog socialization' and shared some of those which included a possible decrease in barking dog complaints received by Davis County Animal Control. She believed the City had a responsibility to provide an off-leash dog park to its residents. She believed dogs should be allowed on the trail system and suggested residents which might be put-off by encountering dogs on the trail had many other options for outdoor activities; however, dog owners didn't have other options. She requested the Council genuinely consider the options.

Jean Medberry, resident, stated she was shocked to learn Layton City didn't have a dog park after she moved here and shared examples of dog parks in Colorado, where she previously lived. She shared some benefits to the community of having a dog park and pointed out she wasn't a current a dog owner. She distributed a handout for the Council.

Megan Smock, resident, expressed agreement with the other comments and expressed her opinion the City wasn't meeting the needs of its residents by not having a dog park amenity. She believed there were many more benefits for having a dog park than what had been mentioned in the presentation. She suggested the benefits of a dog park far outweighed the challenges and risks. She believed Layton had the room to accommodate a dog park and it also had the responsibility to provide this to its residents.

Jennifer Garner, resident, stated although she was a dog owner; she didn't believe it was the City's

D R A F T

responsibility to provide a dog park for her. She requested any decision to implement a dog park within the City should wait until data can be collected specific to liability. She complimented Layton City for its fiscal conservativeness on being debt free. She mentioned the Executive Order by Governor Cox taking over some of the planning for municipalities and expressed concern with this declaration. She suggested the City rely on collected data when determining need for its future growth needs.

Orlando, resident, informed the Council of challenges experienced at Central Davis Junior High and Crestview Elementary fields from residents using these areas for their dogs. He believed a dog park was needed to provide an acceptable environment for responsible dog owners to have a nice place for their dogs to play.

CONSENT AGENDA:

AMEND SEWER RATES AND OTHER FEES LISTED IN TITLE 3, CHAPTER 3.15, SECTION 3.15.010 OF THE LAYTON MUNICIPAL CODE – CONSOLIDATED FEE SCHEDULE – ORDINANCE 25-15

Tracy Probert, Finance Director, briefly reviewed the proposed changes to the Consolidated Fee Schedule. He recommended approval and asked if there were any questions.

Councilmember Morris requested clarification specific to fire costs for unincorporated areas of Davis County and Mr. Probert responded Davis County requested the City, through an Interlocal Agreement, provide these services for a fee.

Councilmember Smith Edmondson inquired about other entities renting the City's fire training tower and Mr. Probert responded in the affirmative and mentioned Layton was the only city within Davis County with a training facility.

ANNEXATION REQUEST – LOVE'S VALLEY VIEW – CERTIFICATION OF THE PETITION – RESOLUTION 25-14 – APPROXIMATELY 940 NORTH EAST SIDE DRIVE

Weston Applonie, Community and Economic Development Director, shared a visual illustration and identified the location of the parcel proposed for annexation. He explained, that if accepted, the annexation would facilitate a residential development subdivision.

Staff recommended approval and asked if there were any questions.

D R A F T

Councilmember Morris clarified the parcel was located within a Sensitive Lands designated area and Mr. Applonie responded in the affirmative and indicated it could be a while before additional approvals would come before the Council.

MOTION: Councilmember Smith Edmondson moved to approve the Consent Agenda as presented. Councilmember Morris seconded the motion, which passed unanimously. **Councilmember Roberts was not present for the vote.**

PUBLIC HEARINGS:

AMEND THE ADOPTED BUDGET FOR THE FISCAL YEAR 2024-2025 – ORDINANCE 25-14

Mr. Probert announced the agenda item and reviewed the summarized dollar amount of General Fund amendments. He directed the Council to the summary which identified amendments to other City funds.

He asked if there were any questions regarding any of the amendments.

Councilmember Smith Edmondson clarified the circumstances which required a budget amendment and requested clarification where excess unanticipated funds would be appropriated. Mr. Probert explained that revenue would be appropriated to the General Fund and also shared some examples to illustrate the circumstances in which the City might be reimbursed for various activities, fronted by the City, as needed from time to time.

Councilmember Morris requested Mr. Probert speak to the amount allowed in the Unreserved Fund Balance. Mr. Probert responded he would address that later in the meeting during the discussion related to adoption of the Fiscal Year 2025-2026 Budget.

Mayor Petro opened the public hearing at 7:47 p.m.

Mayor Petro called for public comment.

There were no public comments.

MOTION: Councilmember Bloxham moved to approve the budget amendments to the Fiscal Year 2024-2025

D R A F T

Budget as presented, Ordinance 25-14. Councilmember Morris seconded the motion. The motion passed with the following vote: **Voting AYE – Councilmembers Thomas, Smith Edmondson, Morris, and Bloxham.** **Voting NO – None.** Councilmember Roberts was not present for the vote.

ADOPT THE PROPOSED BUDGET, PROPERTY TAX RATE, AND COMPENSATION SCHEDULE FOR ELECTIVE, STATUTORY, AND EXECUTIVE MUNICIPAL OFFICERS OF LAYTON CITY FOR FISCAL YEAR JULY 1, 2025, THROUGH JUNE 30, 2026 – ORDINANCE 25-13

Mr. Probert addressed Councilmember Smith Edmondson's request regarding parameters associated with the unreserved fund balance, also known as the 'rainy day fund'. He stated the City was allowed to set aside anywhere from 5% - 35% of revenues and pointed out Layton City generally kept its reserves at around 15%. He continued to explain the City's philosophy of maintaining an adequate amount in reserves and not retaining significant tax revenue of Layton City residents. He mentioned this philosophy was different from some cities within the State which maintained their respective unreserved fund balance at the maximum of 35%.

He shared a brief overview of the 2025-2026 Fiscal Year proposed budget pointing out the following:

- No property tax increase
- General Fund Budget was just over \$48,987,206
- Total City-Wide budget was just over \$129,806,897
- Market, cost of living and merit adjustments for officers and employees
- \$2,943,581 in capital equipment
- \$23,629,902 in capital projects (utilities, streets, parks, dispatch, etc.)
- Sewer rate increase by North Davis Sewer District (\$2.50) and the City's increase of (\$2.64)

Major projects included:

- Emergency communications dispatch center – intergovernmental funding
- Swimming pool dome
- Parks projects – RAMP funded
- Street maintenance
- Utility projects

He shared illustrations which identified revenue sources and expenditures and reviewed those with the Council. He pointed out summary statements could be located on page 2 of the budget document which could be accessed from the City's website. He asked if there were any questions and there were none.

D R A F T

Councilmember Smith Edmondson pointed out this had also been reviewed during the Council Meeting of June 5, 2025.

Mayor Petro called for public comment.

There were no public comments.

MOTION: Councilmember Thomas moved to approve the Proposed Budget, Property Tax Rate, and Compensation Schedule for Elective, Statutory, and Executive Municipal Officers for Fiscal Year July 1, 2025, through June 30, 2026, as presented, Ordinance 25-13. Councilmember Bloxham seconded the motion. The motion passed with the following vote: **Voting AYE – Councilmembers Bloxham, Morris, Smith Edmondson, and Thomas. Voting NO – None.** Councilmember Roberts was not present for the vote.

EASEMENT VACATION – PARCEL 11-050-0108 AND LOT 1 TEZAK SUBDIVISION (CREEK BEND ESTATES) – ORDINANCE 25-17 - 876 AND 942 EAST ROSEWOOD LANE

Weston Applonie, Community and Economic Development Director, stated Staff had received an application from Mr. Phil Holland, representing HG Rosewood LLC, requesting the vacation of four public utility and drainage easements on properties located at 876 and 942 East Rosewood Lane. He shared a visual illustration and explained the request had been received in order to facilitate construction of a new subdivision. He shared an illustration of the proposed subdivision and identified the different easements. Staff recommended approval and he asked if there were any questions.

Councilmember Smith Edmondson inquired about the length of the process for the six lot subdivision, assuming this agenda item was approved by the Council. Mr. Applonie responded as soon as the developer was ready for it to be recorded at Davis County.

Mayor Petro called for public comment.

Catherine Martinez, resident, stated her home was located directly south of the proposed subdivision and shared the unique circumstances regarding her property in conjunction with the proposed subdivision in relation to access to Holmes Creek required for maintenance. She expressed concern how the vacation of the easements could affect her access, as well as the other four houses, to the creek adjacent to her property. She emphasized the four houses utilized that easement. She indicated she wasn't opposed to the proposed

D R A F T

development and expressed a desire to reach a mutual agreement or understanding for continued access and described circumstances associated with the creek bed. She requested the Council pause on approving the easement vacation until further review and consideration.

Councilmember Thomas inquired whether Staff could address Ms. Martinez's concerns. Mr. Applonie responded the proposed subdivision had proceeded through the subdivision review process and this action would only be to vacate the current easements allowing for new easements to be put in place.

Clint Drake, City Attorney, clarified the difference between any private easement and public utility easements and emphasized the request was to vacate the current easements which would allow for new public utility easements to be put in place with the new development.

Mr. Applonie shared a visual illustration which identified the easements and a discussion followed. Mayor Petro requested clarification regarding the access point for Ms. Martinez to access the rear of her property. Mr. Drake inquired whether Staff was familiar with the Ms. Martinez's property and described circumstances associated with the easements and access. Mr. Applonie responded he was not. Ms. Martinez referenced an illustration displayed by Mr. Applonie and explained how the creek crossed her property and continued to explain how she had utilized the easement to access her property. Mr. Drake suggested this item be tabled until further investigation regarding access could be completed by Staff.

MOTION: Councilmember Smith Edmondson moved to continue the public hearing to a future meeting to take place at a later date and table approval of the Easement Vacation – Parcel 11-050-0108 and Lot 1 Tezak Subdivision (Creek Bend Estates) – 876 and 942 East Rosewood Lane, as presented, Ordinance 25-17. Councilmember Morris seconded the motion which passed unanimously. **Councilmember Roberts was not present for the vote.**

EASEMENT VACATION – LOT 7 AND LOT 8 EAST LAYTON HILLS NO. 6 SUBDIVISION – ORDINANCE 25-18 - 2025 AND 2033 EAST DAN DRIVE

Mr. Applonie shared a visual illustration and identified the location of the parcel. He stated the applicant, Keith Bennett, the owner of Lot 8, and representing the property owner of Lot 7, was requesting realignment of the property line between the shared properties, which required relocation of the existing public utility and drainage easement. He referred to the illustration and explained how the easement alignment would take place. He continued to explain the easement relocation would facilitate an addition to the existing home located at 2033 East Dan Drive. He clarified the easement vacation would also adjust the property line for both lots.

D R A F T

Staff recommended approval and asked if there were any questions.

Councilmember Smith Edmondson inquired whether both lots were owned by the same individual and Mr. Applonie responded in the affirmative.

Mayor Petro called for public comment.

There were no public comments.

MOTION: Councilmember Bloxham moved to approve the Easement Vacation – Lot 7 and Lot 8, East Layton Hills No. 6 Subdivision – 2025 and 2033 East Dan Drive, as presented, Ordinance 25-18. Councilmember Thomas seconded the motion. The motion passed with the following vote: **Voting AYE – Councilmembers Morris, Smith Edmondson, Thomas, and Bloxham. Voting NO – None.** Councilmember Roberts was not present for the vote.

EASEMENT VACATION – LOT 68 LAYTON INDUSTRIAL PARK AMENDMENT NO. 2 **SUBDIVISION – ORDINANCE 25-16 - 820 NORTH MARSHALL WAY**

Mr. Applonie shared a visual illustration and identified the location of the parcel. He explained the applicant, Blake Madsen, representing Liberty Rentals Inc., was requesting the vacation of three public utility and drainage easements on the property located at 820 North Marshall Way, also known as Lot 68 of the Layton Industrial Park Amendment No. 2 Subdivision. He referred to the illustration and identified those easements which would be vacated and stated the easement vacation would accommodate construction of new buildings and would also meet compliance with the City's requirements specific to public utility easements on commercial properties. He pointed out the remaining storm drain easement would remain.

Staff recommended approval and asked if there were any questions.

Mayor Petro called for public comment.

There were no public comments.

MOTION: Councilmember Morris moved to approve the Easement Vacation – Lot 68 Layton Industrial Park Amendment No. 2 Subdivision – 820 North Marshall Way, as presented, Ordinance 25-16. Councilmember

D R A F T

Smith Edmondson seconded the motion. The motion passed with the following vote: **Voting AYE – Councilmembers Smith Edmondson, Morris, Thomas, and Bloxham. Voting NO – None.** Councilmember Roberts was not present for the vote.

MOTION: Councilmember Smith Edmondson moved to close the public hearings at 8:14 PM for Ordinances 25-14, 25-13, 25-18, and 25-16; and continue the public hearing for Ordinance 25-17, as previously stated. Councilmember Thomas seconded the motion which passed unanimously. **Councilmember Roberts was not present for the vote.**

UNFINISHED BUSINESS:

Mayor Petro suggested canceling the City Council Meeting on Thursday, July 3, 2025, due to a lack of agenda items at this time. She mentioned the need for assistance getting ready for the parade on the 4th of July and the popsicle distribution. The Council expressed agreement with that decision.

The meeting adjourned at 8:16 p.m.

Kimberly S Read, City Recorder

**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 5.A.

Subject:

Approve a Land Purchase Agreement between Layton City and D&R Ventures LC – Resolution 25-32 – Approximately 925 West Weaver Lane

Background:

Layton City (City) and D&R Ventures LC propose an agreement for the acquisition of property for the continuation of Kays Creek Trail. The acquisition of land will allow trail users continual access to the Kays Creek Trail through the western half of the City.

An appraisal was completed by a licensed appraiser who identified \$211,600 as the value of the property desired. The total size of the property desired is 0.75 acres, a section of parcel number 11-076-0061.

A portion of the desired 0.75 acres included the creek and bankside, which the City considered unusable. The property owner is willing to sell the property to the City for an agreed-upon negotiated price of \$178,910.

A Land Purchase Agreement has been prepared to outline an accurate understanding and complete agreement of the parties.

Alternatives:

Alternatives are to: 1) Adopt Resolution 25-32 to approve a Land Purchase Agreement between Layton City and D&R Ventures LC and authorize the Mayor to approve the final terms, execute, and deliver the Agreement ; 2) Adopt Resolution 25-32 with any amendments the Council deems appropriate; or 3) Not adopt Resolution 25-32 and remand to Staff with directions.

Recommendation:

Staff recommends the Council adopt Resolution 25-32 to approve a Land Purchase Agreement between Layton City and D&R Ventures LC and authorize the Mayor to approve the final terms, execute, and deliver the Agreement.

RESOLUTION 25-32

**A RESOLUTION APPROVING THE LAND PURCHASE AGREEMENT
BETWEEN LAYTON CITY CORPORATION AND D&R VENTURES LC**

WHEREAS, Layton City Corporation desires to purchase from D&R Ventures LC a portion of property located at approximately 925 West Weaver Lane, within Layton City, Utah, for public use; and

WHEREAS, D&R Ventures LC is willing to sell said property to Layton City Corporation; and

WHEREAS, the attached Land Purchase Agreement constitutes an accurate understanding and a complete agreement of the parties.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LAYTON, UTAH:

1. That the Land Purchase Agreement between Layton City and D&R Ventures LC, which is attached hereto and incorporated herein by this reference, be adopted and approved.
2. That the Mayor be authorized to execute and deliver the Land Purchase Agreement and the Mayor is authorized to approve the final terms of the Land Purchase Agreement.
3. This Resolution shall become effective immediately upon adoption by the City Council.

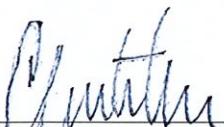
PASSED AND ADOPTED by the City Council of Layton, Utah, this **17th day of July, 2025**.

JOY PETRO, Mayor

ATTEST:

KIMBERLY S READ, City Recorder

APPROVED AS TO FORM:


CLINTON R. DRAKE, City Attorney


DAVID R. PRICE,
Parks & Recreation Director

LAND PURCHASE AGREEMENT

Purchaser: Layton City Corporation
437 North Wasatch Drive
Layton, Utah 84041

Seller: D&R Ventures LC
C/O Dix B Roberts, Member
12845 W 8040 N
Penrose, UT 84337

This Agreement between the Purchaser and Seller is entered into this _____ day of _____, 2025.

WHEREAS, the Purchaser desires to purchase and the Seller is willing to sell certain real property located at approximately 925 West Weaver Lane, within Layton City, Utah; and

WHEREAS, this Agreement constitutes an accurate understanding and a complete agreement of the parties.

NOW, THEREFORE, PURCHASER AND SELLER AGREE AS FOLLOWS:

1. Purchase: The Seller agrees to sell and the Purchaser agrees to purchase certain real property located at approximately 925 West Weaver Lane, Layton, Davis County, State of Utah, hereinafter "the Property" which property is more particularly described in Exhibit "A" attached hereto.

2. The purchase price of the above-described property shall be one hundred seventy eight thousand nine hundred ten dollars (\$178,910) to be paid at closing.

3. Deed Provision: A Warranty Deed shall be made out to the Purchaser with title vested as follows:

LAYTON CITY CORPORATION

4. Title Approval: Seller agrees to furnish, at Purchaser's option, an Owner's Standard Title Policy to purchaser for the amount of sale with the usual exceptions, or an abstract extending down to the date of the deed showing good marketable title in Seller. Purchaser shall have a reasonable time to examine a title report before delivery of the deed. The sale shall be

subject to the approval of the preliminary title report by both parties. If title to the property is found defective, Purchaser shall specify in writing such defects as render the title unmarketable, and fourteen (14) days of additional time shall be given to Seller to perfect the same. Purchaser shall pay for the title report and the title insurance policy.

5. Closing Date: This transaction shall close and the deed or contract be delivered on or before July 31, 2025, and possession shall be on or before July 31, 2025.

6. Approval: This purchase requires approval by the Layton City Council. All documents are to have the approval of the City Attorney's office.

7. Prorations: Taxes and assessments shall be prorated as of the date of closing based on the latest figures available.

8. Expenses: Closing expenses shall be paid by the Purchaser.

9. Representations: Purchaser declares that the property has been personally inspected and the same is being purchased upon personal examination and judgement and not through any representation made by Seller, as to its location, value, future value, income therefrom, type or condition of improvements or construction, production, allowed usages or zoning. Purchaser will accept the property as is unless otherwise noted.

10. Attorney's Fees: If either party fails to comply with the terms of this agreement, said party shall pay all expenses of enforcing the agreement, or any right arising out of the breach thereof, including reasonable attorney's fees.

11. Special Provisions:

(A) Trail and Fence Improvements. The City agrees to construct, at its sole expense, improvements to the portion of the property being purchased, including the installation of a 10-foot-wide asphalt trail and a 6-foot-tall vinyl coated chain link fence along the northern boundary of the purchased area. The City shall ensure that the Seller's tail water carried along a ditch and pipe from their field in the southwest corner is still able to deposit into Kays Creek across the trail.

(B) Concrete Wall Demolition. The City shall demolish and remove the existing free-standing concrete wall located in the southeastern corner of the Seller's retained property. As a condition precedent to this demolition, the Seller shall remove all personal property, debris, junk, and other materials surrounding the wall.

(C) Construction Access and Easement. The Seller grants to the City, its employees, contractors, agents, and representatives a non-exclusive temporary construction easement over and across the Seller's existing private dirt road located along the western boundary of Seller's property (the "Access Road"). This easement is for the

sole purpose of providing access to the property being acquired by the City for construction of the public trail improvements described herein.

(D) Term of Easement. The temporary construction easement shall commence upon the Closing Date and shall remain in effect until completion of the trail construction. In no event shall the easement extend beyond six (6) months from the commencement of construction, unless extended in writing by mutual agreement of the parties.

(E) Use and Restoration of Access Road. During the term of the easement, the City shall have the right to:

- Enter and use the Access Road for ingress, egress, and transport of personnel, equipment, and materials reasonably necessary for trail construction; and
- Deposit and spread excavated soils generated during trail construction along the Access Road, at no cost to the Seller, for the Seller's use in building up or improving the road.
- The City shall make reasonable efforts to avoid unnecessary disruption to the Seller's property during its use of the Access Road. Upon completion of trail construction, the City shall restore the Access Road to a condition equal to or better than its condition prior to construction, subject to the agreed-upon soil deposition.
- Any remaining or excess soil after construction of the trail shall be left on the Seller's remainder parcel in the approximate location of the concrete wall to be demolished.

(F) Removal from Agricultural Protection Area. The Property (as shown in Exhibit A) is currently included as part of an Agricultural Protection Area (APA) pursuant to Utah Code § 17-41-306. As the current owner of record and the party that initiated the APA for the Property, Seller shall initiate and complete the process for removal of the Property from the APA with Purchaser's assistance. Purchaser shall be responsible for any associated costs or fees related to the APA removal. Successful removal of the property from the APA shall be a condition precedent to Closing, unless otherwise waived in writing by Purchaser.

12. Entire Agreement: The terms of this Agreement constitute the entire preliminary contract between the parties, and any modifications must be in writing and signed by both parties.

This is a legally binding document. If not understood, seek competent advice.

SELLER

Dix B Roberts
DIX B ROBERTS, Member
D&R Ventures LC

11 Jul 2025
Date

PURCHASER

JOY PETRO, Layton City Mayor

ATTEST:

KIMBERLY S READ, City Recorder

STATE OF UTAH)
: ss.
COUNTY OF Davis)

APPROVED AS TO FORM:

For: Clinton R. Drake
CLINTON R. DRAKE, City Attorney

On this 11 day of July, 2025, personally appeared before me Dix B Roberts, who duly acknowledged to me that he is a Member of D&R Ventures LC, that the document was signed by him in behalf of said LC, and acknowledged to me that said LC executed the same.



Tori L. Campbell
NOTARY PUBLIC

Dix B Roberts 7-10-25
Parks & Recreations Director Date

EXHIBIT "A"

A TRAIL AND REMNANT

A PART OF THE SOUTHWEST CORNER OF SECTION 29 AND THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN

BEGINNING AT A POINT ON THE WEST LINE OF OLD FARMS AT PARKWAY PHASE 4 AS RECORDED WITH THE OFFICE OF THE DAVIS COUNTY RECORDER, SAID POINT BEING LOCATED SOUTH 89°58'20" WEST ALONG SECTION LINE 433.46 FEET AND NORTH WEST ALONG SECTION LINE 433.46 FEET AND NORTH 302.89 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 29 AND RUNNING

THENCE SOUTH 36°08'15" EAST ALONG SAID WEST LINE 57.52 FEET TO THE NORTHEASTERLY LINE OF OLD FARM AT KAYS EAST ALONG SAID WEST LINE 57.52 FEET TO THE NORTHEASTERLY LINE OF OLD FARM AT KAYS CREEK SUBDIVISION PHASE 1 AS RECORDED WITH THE OFFICE OF THE DAVIS COUNTY RECORDER;

THENCE SOUTHWESTERLY ALONG SAID NORTHWESTERLY TO AND ALONG THE NORTHWESTERLY LINE OF OLD FARMS AT KAYS CREEK PHASE 2 AS RECORDED WITH THE OFFICE OF THE DAVIS COUNTY RECORDER THE FOLLOWING FIVE (5) CALLS:

- 1) SOUTH 33°59'03" WEST 95.70 FEET, SOUTH 33°59'03" WEST 95.70 FEET, WEST 95.70 FEET,
- 2) SOUTH 38°40'38" WEST 74.82 FEET, SOUTH 38°40'38" WEST 74.82 FEET, WEST 74.82 FEET,
- 3) SOUTH 42°52'51" WEST 216.32 FEET, SOUTH 42°52'51" WEST 216.32 FEET, WEST 216.32 FEET,
- 4) SOUTH 55°53'27" WEST 100.26 FEET, SOUTH 55°53'27" WEST 100.26 FEET, WEST 100.26 FEET,
- 5) SOUTH 68°55'16" WEST 127.46 FEET TO A POINT ON THE EAST LINE OF HILL FARMS PHASE 7, NOT YET RECORDED;

THENCE NORTH 40°01'40" WEST ALONG SAID EAST LINE 44.74 FEET TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 4254.25 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF $00^{\circ}52'54''$ A DISTANCE OF 65.45 FEET (CHORD BEARS NORTH $65^{\circ}42'10''$ EAST 65.45 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 655.24 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF $06^{\circ}07'03''$ A DISTANCE OF 69.96 FEET (CHORD BEARS NORTH $64^{\circ}07'19''$ EAST 69.93 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG EH ARC OF A 674.01 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF $06^{\circ}33'27''$ A DISTANCE OF 77.14 FEET (CHORD BEARS NORTH $53^{\circ}44'59''$ EAST 77.10 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 168.21 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF $15^{\circ}50'04''$ A DISTANCE OF 46.49 FEET (CHORD BEARS NORTH $42^{\circ}20'26''$ EAST 46.34 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 965.09 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF $03^{\circ}41'04''$ A DISTANCE OF 62.06 FEET (CHORD BEARS NORTH $36^{\circ}20'02''$ EAST 62.05 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 325.99 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF $09^{\circ}53'37''$ A DISTANCE OF 56.29 FEET (CHORD BEARS NORTH $47^{\circ}21'16''$ EAST A DISTANCE OF 56.22 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 1330.05 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF $02^{\circ}15'00''$ A DISTANCE OF 52.23 FEET (CHORD BEARS NORTH $54^{\circ}28'31''$ EAST 52.23 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 160.30 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF $31^{\circ}43'20''$ A DISTANCE OF 88.75 FEET (CHORD BEARS NORTH $39^{\circ}51'58''$ EAST 87.62 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 369.83 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF $05^{\circ}49'00''$ A DISTANCE OF 37.55 FEET (CHORD BEARS NORTH $29^{\circ}01'55''$ EAST 37.53 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 204.81 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 17°59'50" A DISTANCE OF 64.33 FEET (CHORD BEARS NORTH 31°17'08" EAST 64.07 FEET) TO THE WEST LINE OF SAID OLD FARMS AT PARKWAY PH 4 AND THE POINT OF BEGINNING.

CONTAINS - 32,533.01 SQ. FT. 0.75 ACRES

20' TRAIL AREA

A PART OF THE SOUTHWEST CORNER OF SECTION 29 AND THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, BEGGINING AT A POINT ON THE WEST LINE OF OLD FARMS AT PARKWAY PHASE 4 AS RECORDED WITH THE OFFICE OF THE DAWS COUNTY RECORDER; THENCE NORTH 36°28'15" WEST ALONG SAID SECTION LINE 20.64 FEET AND NORTH 362.89 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 29 AND RINING SECTION LINE 433.46 FEET AND NORTH THENCE SOUTH 36°28'15" EAST ALONG SAID WEST LINE 20.64 FEET TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 184.81 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 179°42'27" A DISTANCE OF 54.87 FEET (CHORD BEARS SOUTH 30°16'31" WEST 54.67 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 349.83 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 179°42'27" A DISTANCE OF 36.67 FEET (CHORD BEARS SOUTH 29°17'27" WEST 36.45 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE SOUTHWESTERLY ALONG THE ARC OF A 180.30 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 02°14'27" A DISTANCE OF 98.41 FEET (CHORD BEARS SOUTH 30°52'25" WEST 98.16 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE SOUTHWESTERLY ALONG THE ARC OF A 131.05 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 02°14'27" A DISTANCE OF 51.24 FEET (CHORD BEARS SOUTH 54°29'44" WEST 51.24 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE SOUTHWESTERLY ALONG THE ARC OF A 305.89 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 08°43'22" A DISTANCE OF 51.92 FEET (CHORD BEARS SOUTH 47°24'27" WEST 51.86 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE SOUTHWESTERLY ALONG THE ARC OF A 184.81 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 179°42'27" A DISTANCE OF 45.02 FEET (CHORD BEARS SOUTH 30°16'31" WEST 80.01 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE SOUTHWESTERLY ALONG THE ARC OF A 184.81 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 179°42'27" A DISTANCE OF 52.04 FEET (CHORD BEARS SOUTH 30°23'34" WEST 51.88 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE SOUTHWESTERLY ALONG THE ARC OF A 494.81 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 08°43'22" A DISTANCE OF 80.17 FEET (CHORD BEARS SOUTH 47°43'39" WEST 80.13 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE SOUTHWESTERLY ALONG THE ARC OF A 673.24 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 08°43'40" A DISTANCE OF 72.81 FEET (CHORD BEARS SOUTH 49°43'02" WEST 72.55 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE SOUTHWESTERLY ALONG THE ARC OF A 511.83 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 08°43'01" A DISTANCE OF 53.32 FEET (CHORD BEARS SOUTH 49°43'24" WEST 59.51 FEET) TO A POINT ON THE EAST LINE OF HILL FARMS PHASE 7;

THENCE NORTH 40°01'40" WEST ALONG SAID EAST LINE 20.70 FEET TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 455.24 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 08°43'45" FEET (CHORD BEARS NORTH 30°47'10" EAST 65.45 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 655.24 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 08°43'45" FEET (CHORD BEARS NORTH 30°47'10" EAST 65.45 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 674.01 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 08°43'40" FEET (CHORD BEARS NORTH 30°47'10" EAST 67.04 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 674.01 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 08°43'40" FEET (CHORD BEARS NORTH 30°47'10" EAST 67.04 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 686.09 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 08°43'40" A DISTANCE OF 82.86 FEET (CHORD BEARS NORTH 29°23'02" EAST 62.02 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 232.99 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 08°43'27" A DISTANCE OF 52.23 FEET (CHORD BEARS NORTH 30°47'10" EAST 52.23 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 133.05 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 08°43'27" A DISTANCE OF 68.75 FEET (CHORD BEARS NORTH 30°52'35" EAST 68.42 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 269.83 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 08°43'02" A DISTANCE OF 37.05 FEET (CHORD BEARS NORTH 29°23'02" EAST 37.03 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 204.81 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 179°30'30" A DISTANCE OF 44.33 FEET (CHORD BEARS NORTH 31°17'08" EAST 84.07 FEET) TO THE WEST LINE OF SAID OLD FARMS AT PARKWAY PH 4 AND THE POINT OF BEGINNING.

CONTAINS - 12,386.91 SQ. FT. 0.28 ACRES

TRAIL AND REMNANT

A PART OF THE SOUTHWEST CORNER OF SECTION 29 AND THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, BEGGINING AT A POINT ON THE WEST LINE OF OLD FARMS AT PARKWAY PHASE 4 AS RECORDED WITH THE OFFICE OF THE DAWS COUNTY RECORDER; THENCE NORTH 36°28'15" WEST ALONG SAID SECTION LINE 20.64 FEET AND NORTH 362.89 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 29 AND RINING SECTION LINE 433.46 FEET AND NORTH THENCE SOUTH 36°28'15" EAST ALONG SAID WEST LINE 20.64 FEET TO THE NORTHEASTERLY LINE OF OLD FARM AT KAYS CREEK PHASE 2 AS RECORDED WITH THE OFFICE OF THE DAWS COUNTY RECORDER;

THENCE SOUTHWESTERLY ALONG THE ARC OF A 184.81 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 179°42'27" A DISTANCE OF 54.87 FEET (CHORD BEARS SOUTH 30°16'31" WEST 54.67 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE SOUTHWESTERLY ALONG THE ARC OF A 349.83 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 179°42'27" A DISTANCE OF 36.67 FEET (CHORD BEARS SOUTH 29°17'27" WEST 36.45 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE SOUTHWESTERLY ALONG THE ARC OF A 180.30 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 02°14'27" A DISTANCE OF 98.41 FEET (CHORD BEARS SOUTH 30°52'25" WEST 98.16 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE SOUTHWESTERLY ALONG THE ARC OF A 131.05 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 02°14'27" A DISTANCE OF 51.24 FEET (CHORD BEARS SOUTH 54°29'44" WEST 51.24 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE SOUTHWESTERLY ALONG THE ARC OF A 305.89 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 08°43'22" A DISTANCE OF 51.92 FEET (CHORD BEARS SOUTH 47°24'27" WEST 51.86 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE SOUTHWESTERLY ALONG THE ARC OF A 184.81 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 179°42'27" A DISTANCE OF 45.02 FEET (CHORD BEARS SOUTH 30°16'31" WEST 80.01 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE SOUTHWESTERLY ALONG THE ARC OF A 184.81 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 179°42'27" A DISTANCE OF 52.04 FEET (CHORD BEARS SOUTH 30°23'34" WEST 51.88 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE SOUTHWESTERLY ALONG THE ARC OF A 494.81 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 08°43'22" A DISTANCE OF 80.17 FEET (CHORD BEARS SOUTH 47°43'39" WEST 80.13 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE SOUTHWESTERLY ALONG THE ARC OF A 673.24 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 08°43'40" A DISTANCE OF 72.81 FEET (CHORD BEARS SOUTH 49°43'02" WEST 72.55 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE SOUTHWESTERLY ALONG THE ARC OF A 511.83 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 08°43'01" A DISTANCE OF 53.32 FEET (CHORD BEARS SOUTH 49°43'24" WEST 59.51 FEET) TO A POINT ON THE EAST LINE OF HILL FARMS PHASE 7;

THENCE NORTH 40°01'40" WEST ALONG SAID EAST LINE 20.70 FEET TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 455.24 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 08°43'45" FEET (CHORD BEARS NORTH 30°47'10" EAST 65.45 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 655.24 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 08°43'45" FEET (CHORD BEARS NORTH 30°47'10" EAST 65.45 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 674.01 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 08°43'40" FEET (CHORD BEARS NORTH 30°47'10" EAST 67.04 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 674.01 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 08°43'40" FEET (CHORD BEARS NORTH 30°47'10" EAST 67.04 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 686.09 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 08°43'40" A DISTANCE OF 82.86 FEET (CHORD BEARS NORTH 29°23'02" EAST 62.02 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 232.99 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 08°43'27" A DISTANCE OF 52.23 FEET (CHORD BEARS NORTH 30°47'10" EAST 52.23 FEET) TO A POINT ON A NON-TANGENT CURVE;

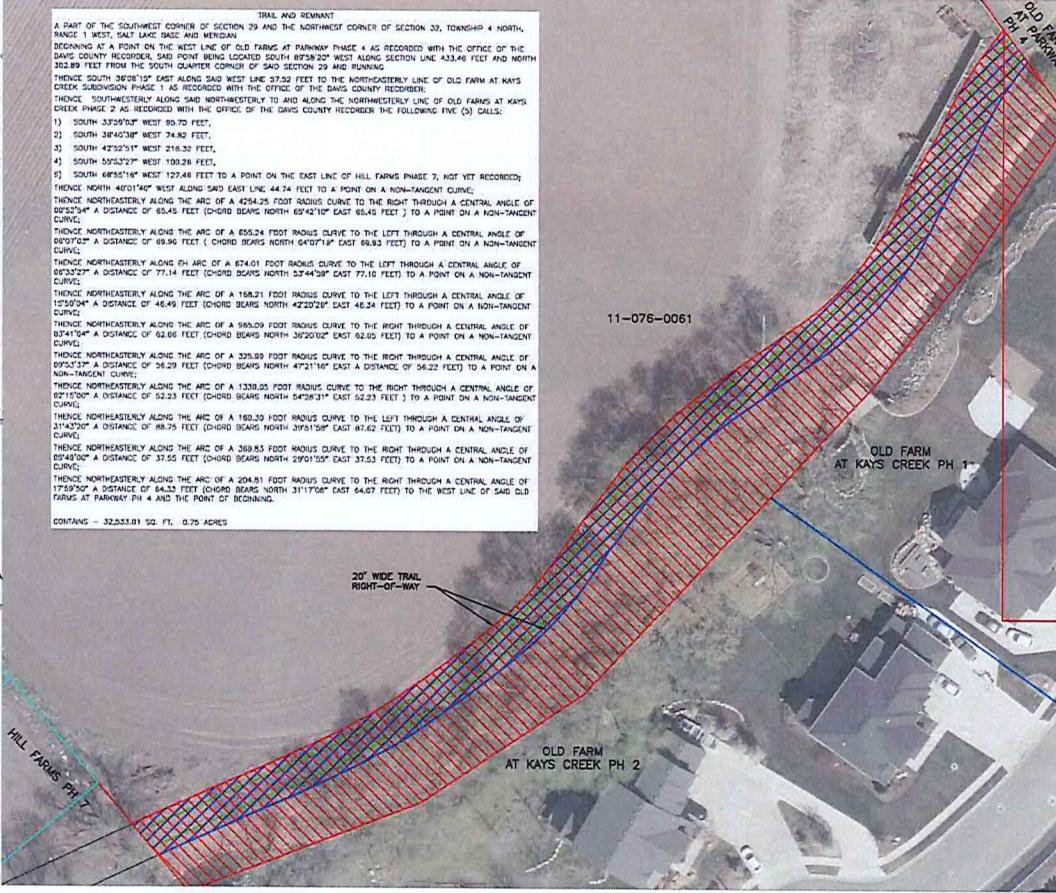
THENCE NORTHEASTERLY ALONG THE ARC OF A 133.05 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 08°43'27" A DISTANCE OF 68.75 FEET (CHORD BEARS NORTH 30°52'35" EAST 68.42 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 269.83 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 08°43'02" A DISTANCE OF 37.05 FEET (CHORD BEARS NORTH 29°23'02" EAST 37.03 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 204.81 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 179°30'30" A DISTANCE OF 44.33 FEET (CHORD BEARS NORTH 31°17'08" EAST 84.07 FEET) TO THE WEST LINE OF SAID OLD FARMS AT PARKWAY PH 4 AND THE POINT OF BEGINNING.

CONTAINS - 32,333.01 SQ. FT. 0.75 ACRES

11-076-0061



PROPOSED TRAIL

TRAIL & REMNANT

20' WIDE TRAIL ROW

KAY'S CREEK TRAIL -
Layton, UT 84041

DESIGNED BY / DATE J. GRANDY / MAR '20	HORIZONTAL SCALE 1" = 50'	N Sheet 1 of 1
DRAWN BY J. GRANDY / MAR '20	APPROVED BY DRAWDNG 20-2	



WARRANTY DEED

D&R Ventures LC, **GRANTOR** of certain real property located at approximately 925 West Weaver Lane, City of Layton, County of Davis, State of Utah, hereby **CONVEYS** and **WARRANTS** to Layton City Corporation of 437 North Wasatch Drive, Layton, Utah, for good and valuable consideration, the following tract of land more fully described on Exhibit "A" attached and incorporated hereto.

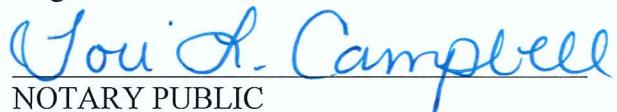
WITNESS, the hand of said grantor, this 11 day of Jul, 2025



DIX B ROBERTS, Member
D&R Ventures LC

STATE OF UTAH)
: ss.
COUNTY OF DAVIS)

On the 11th day of July, 2025, personally appeared before me Dix B Roberts, who duly acknowledged to be that he is a Member of D&R Ventures LC, that the document was signed by him in behalf of said LC, and acknowledged to me that said LC executed the same.



Tori L. Campbell
NOTARY PUBLIC

The Warranty Deed signed by Mayor Joy Petro, dated the _____ day of _____, 20____, has been accepted by Layton City Corporation on the _____ day of _____, 20____.

JOY PETRO, Layton City Mayor

ATTEST:

KIMBERLY S READ, City Recorder

Approved as to Form

By Joyce A. Petro
Date 7/10/25

STATE OF UTAH)
: ss.
COUNTY OF DAVIS)

On this _____ day of _____, 20____, personally appeared before me JOY PETRO, who duly acknowledged to me that she is the Mayor of Layton City, and that the document was signed by her in behalf of Layton City Corporation, and Joy Petro acknowledged to me that Layton City Corporation executed the same.

NOTARY PUBLIC

EXHIBIT "A"

A TRAIL AND REMNANT

A PART OF THE SOUTHWEST CORNER OF SECTION 29 AND THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN

BEGINNING AT A POINT ON THE WEST LINE OF OLD FARMS AT PARKWAY PHASE 4 AS RECORDED WITH THE OFFICE OF THE DAVIS COUNTY RECORDER, SAID POINT BEING LOCATED SOUTH $89^{\circ}58'20''$ WEST ALONG SECTION LINE 433.46 FEET AND NORTH WEST ALONG SECTION LINE 433.46 FEET AND NORTH 302.89 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 29 AND RUNNING

THENCE SOUTH $36^{\circ}08'15''$ EAST ALONG SAID WEST LINE 57.52 FEET TO THE NORTHEASTERLY LINE OF OLD FARM AT KAYS EAST ALONG SAID WEST LINE 57.52 FEET TO THE NORTHEASTERLY LINE OF OLD FARM AT KAYS CREEK SUBDIVISION PHASE 1 AS RECORDED WITH THE OFFICE OF THE DAVIS COUNTY RECORDER;

THENCE SOUTHWESTERLY ALONG SAID NORTHWESTERLY TO AND ALONG THE NORTHWESTERLY LINE OF OLD FARMS AT KAYS CREEK PHASE 2 AS RECORDED WITH THE OFFICE OF THE DAVIS COUNTY RECORDER THE FOLLOWING FIVE (5) CALLS:

- 1) SOUTH $33^{\circ}59'03''$ WEST 95.70 FEET, SOUTH $33^{\circ}59'03''$ WEST 95.70 FEET, WEST 95.70 FEET,
- 2) SOUTH $38^{\circ}40'38''$ WEST 74.82 FEET, SOUTH $38^{\circ}40'38''$ WEST 74.82 FEET, WEST 74.82 FEET,
- 3) SOUTH $42^{\circ}52'51''$ WEST 216.32 FEET, SOUTH $42^{\circ}52'51''$ WEST 216.32 FEET, WEST 216.32 FEET,
- 4) SOUTH $55^{\circ}53'27''$ WEST 100.26 FEET, SOUTH $55^{\circ}53'27''$ WEST 100.26 FEET, WEST 100.26 FEET,
- 5) SOUTH $68^{\circ}55'16''$ WEST 127.46 FEET TO A POINT ON THE EAST LINE OF HILL FARMS PHASE 7, NOT YET RECORDED;

THENCE NORTH $40^{\circ}01'40''$ WEST ALONG SAID EAST LINE 44.74 FEET TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 4254.25 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF $00^{\circ}52'54''$ A DISTANCE OF 65.45 FEET (CHORD BEARS NORTH $65^{\circ}42'10''$ EAST 65.45 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 655.24 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 06°07'03" A DISTANCE OF 69.96 FEET (CHORD BEARS NORTH 64°07'19" EAST 69.93 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG EH ARC OF A 674.01 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 06°33'27" A DISTANCE OF 77.14 FEET (CHORD BEARS NORTH 53°44'59" EAST 77.10 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 168.21 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 15°50'04" A DISTANCE OF 46.49 FEET (CHORD BEARS NORTH 42°20'26" EAST 46.34 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 965.09 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 03°41'04" A DISTANCE OF 62.06 FEET (CHORD BEARS NORTH 36°20'02" EAST 62.05 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 325.99 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 09°53'37" A DISTANCE OF 56.29 FEET (CHORD BEARS NORTH 47°21'16" EAST A DISTANCE OF 56.22 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 1330.05 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 02°15'00" A DISTANCE OF 52.23 FEET (CHORD BEARS NORTH 54°28'31" EAST 52.23 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 160.30 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 31°43'20" A DISTANCE OF 88.75 FEET (CHORD BEARS NORTH 39°51'58" EAST 87.62 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 369.83 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 05°49'00" A DISTANCE OF 37.55 FEET (CHORD BEARS NORTH 29°01'55" EAST 37.53 FEET) TO A POINT ON A NON-TANGENT CURVE;

THENCE NORTHEASTERLY ALONG THE ARC OF A 204.81 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 17°59'50" A DISTANCE OF 64.33 FEET (CHORD BEARS NORTH 31°17'08" EAST 64.07 FEET) TO THE WEST LINE OF SAID OLD FARMS AT PARKWAY PH 4 AND THE POINT OF BEGINNING.

CONTAINS - 32,533.01 SQ. FT. 0.75 ACRES

20' TRAIL AREA

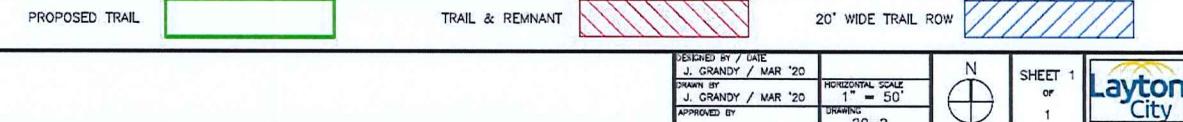
A PART OF THE SOUTHWEST CORNER OF SECTION 29 AND THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 4 NORTH, BEGINNING AT A POINT ON THE WEST LINE OF OLD FARMS AT PARKWAY PHASE 4 AS RECORDED WITH THE OFFICE OF THE DAVIS COUNTY RECORDER, SAID POINT BEING LOCATED SOUTH 87°58'20" WEST ALONG SECTION LINE 433-46 FEET AND NORTH 02°42'20" WEST ALONG THE SOUTHERLY LINE OF OLD FARMS AT PARKWAY PHASE 4 AND THE POINT OF BEGINNING; THENCE SOUTH 36°01'15" EAST ALONG THE ARC OF A 208.64 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 17.0044° A DISTANCE OF 54.87 FEET (CHORD BEARS SOUTH 30°16'31" WEST 54.87 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 349.83 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 06°22'20" A DISTANCE OF 56.67 FEET (CHORD BEARS SOUTH 29°12'03" WEST 56.67 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 180.30 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 31°35'33" A DISTANCE OF 92.41 FEET (CHORD BEARS SOUTH 39°55'25" WEST 92.41 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 131.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 02°12'27" A DISTANCE OF 51.24 FEET (CHORD BEARS SOUTH 54°28'44" WEST 51.24 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 303.98 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 09°43'22" A DISTANCE OF 51.92 FEET (CHORD BEARS SOUTH 47°24'22" WEST 51.92 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 945.69 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 03°38'19" A DISTANCE OF 60.02 FEET (CHORD BEARS SOUTH 36°18'41" WEST 60.02 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 188.21 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 15°30'32" A DISTANCE OF 52.04 FEET (CHORD BEARS SOUTH 42°20'54" WEST 51.98 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 864.81 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 06°37'08" A DISTANCE OF 80.17 FEET (CHORD BEARS SOUTH 33°46'38" WEST 80.13 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 675.24 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 06°07'00" A DISTANCE OF 72.62 FEET (CHORD BEARS SOUTH 64°05'02" WEST 72.58 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 5113.80 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 00°40'01" A DISTANCE OF 59.52 FEET (CHORD BEARS SOUTH 65°46'24" WEST 59.51 FEET) TO A POINT ON THE EAST LINE OF HILL FARMS PHASE 7, NOT YET RECORDED; THENCE NORTH 40°01'40" WEST ALONG SAID EAST LINE 20.70 FEET TO A POINT ON A NON-TANGENT CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF A 4254.25 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 00°30'25" A DISTANCE OF 63.45 FEET (CHORD BEARS NORTH 65°42'10" EAST 63.45 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF A 655.24 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 06°07'03" A DISTANCE OF 69.98 FEET (CHORD BEARS NORTH 64°07'19" EAST 69.93 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF A 674.01 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 06°33'27" A DISTANCE OF 77.14 FEET (CHORD BEARS NORTH 53°44'59" EAST 77.10 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF A 168.21 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 15°50'04" A DISTANCE OF 52.23 FEET (CHORD BEARS NORTH 54°28'31" EAST 52.23 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF A 160.30 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 03°49'00" A DISTANCE OF 37.59 FEET (CHORD BEARS NORTH 29°01'55" EAST 37.55 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF A 204.81 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 17°59'50" A DISTANCE OF 64.33 FEET (CHORD BEARS NORTH 31°17'08" EAST 64.07 FEET) TO THE WEST LINE OF SAID OLD FARMS AT PARKWAY PH 4 AND THE POINT OF BEGINNING.

CONTAINS - 12,348.81 SQ. FT. 0.28 ACRES

TRAIL AND REMNANT

A PART OF THE SOUTHWEST CORNER OF SECTION 29 AND THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 4 NORTH, BEGINNING AT A POINT ON THE WEST LINE OF OLD FARMS AT PARKWAY PHASE 4 AS RECORDED WITH THE OFFICE OF THE DAVIS COUNTY RECORDER, SAID POINT BEING LOCATED SOUTH 87°58'20" WEST ALONG SECTION LINE 433-46 FEET AND NORTH 02°42'20" WEST ALONG THE SOUTHERLY LINE OF OLD FARMS AT PARKWAY PHASE 4 AND THE POINT OF BEGINNING; THENCE SOUTH 36°01'15" EAST ALONG THE ARC OF A 208.64 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 17.0044° A DISTANCE OF 54.87 FEET (CHORD BEARS SOUTH 30°16'31" WEST 54.87 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 349.83 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 06°22'20" A DISTANCE OF 56.67 FEET (CHORD BEARS SOUTH 29°12'03" WEST 56.67 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 180.30 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 31°35'33" A DISTANCE OF 92.41 FEET (CHORD BEARS SOUTH 39°55'25" WEST 92.41 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 131.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 02°12'27" A DISTANCE OF 51.24 FEET (CHORD BEARS SOUTH 54°28'44" WEST 51.24 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 303.98 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 09°43'22" A DISTANCE OF 51.92 FEET (CHORD BEARS SOUTH 47°24'22" WEST 51.92 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 945.69 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 03°38'19" A DISTANCE OF 60.02 FEET (CHORD BEARS SOUTH 36°18'41" WEST 60.02 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 188.21 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 15°30'32" A DISTANCE OF 52.04 FEET (CHORD BEARS SOUTH 42°20'54" WEST 51.98 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 864.81 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 06°37'08" A DISTANCE OF 80.17 FEET (CHORD BEARS SOUTH 33°46'38" WEST 80.13 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 675.24 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 06°07'00" A DISTANCE OF 72.62 FEET (CHORD BEARS SOUTH 64°05'02" WEST 72.58 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF A 5113.80 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 00°40'01" A DISTANCE OF 59.52 FEET (CHORD BEARS SOUTH 65°46'24" WEST 59.51 FEET) TO A POINT ON THE EAST LINE OF HILL FARMS PHASE 7, NOT YET RECORDED; THENCE NORTH 40°01'40" WEST ALONG SAID EAST LINE 20.70 FEET TO A POINT ON A NON-TANGENT CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF A 4254.25 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 00°30'25" A DISTANCE OF 63.45 FEET (CHORD BEARS NORTH 65°42'10" EAST 63.45 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF A 655.24 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 06°07'03" A DISTANCE OF 69.98 FEET (CHORD BEARS NORTH 64°07'19" EAST 69.93 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF A 674.01 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 06°33'27" A DISTANCE OF 77.14 FEET (CHORD BEARS NORTH 53°44'59" EAST 77.10 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF A 168.21 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 15°50'04" A DISTANCE OF 52.23 FEET (CHORD BEARS NORTH 54°28'31" EAST 52.23 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF A 160.30 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 03°49'00" A DISTANCE OF 37.59 FEET (CHORD BEARS NORTH 29°01'55" EAST 37.55 FEET) TO A POINT ON A NON-TANGENT CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF A 204.81 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 17°59'50" A DISTANCE OF 64.33 FEET (CHORD BEARS NORTH 31°17'08" EAST 64.07 FEET) TO THE WEST LINE OF SAID OLD FARMS AT PARKWAY PH 4 AND THE POINT OF BEGINNING.

CONTAINS - 32,333.01 SQ. FT. 0.75 ACRES



DESIGNED BY / DATE J. GRANDY / MAR '20	HORIZONTAL SCALE 1" = 50'	N	SHEET 1 or 1
APPROVED BY DRAWING 20-2			

**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 5.B.

Subject:

Submit an Opinion Question for the November 4, 2025, General Election Ballot to the Citizens of Layton City to Authorize a Local Sales Tax of One-Tenth of One Percent (0.1%) on Certain Qualifying Transactions to Fund Recreation, Arts, Museum, and Parks Improvements, Facilities, and Organizations – Resolution 25-37 (Amended)

Background:

Resolution 25-37 was presented to Council on June 5, 2025. Council passed and adopted Resolution 25-37. After further evaluation it became apparent that the September 3rd date in paragraph 4C(1) needed to be amended to August 29, 2025.

Alternatives:

Alternatives are to: 1) Adopt Resolution 25-37 (Amended) to submit an Opinion Question for the November 4, 2025, General Election Ballot to the citizens of Layton City to authorize a local sales tax of one-tenth of one percent (0.1%) on certain qualifying transactions to fund recreation, arts, museum, and parks improvements, facilities, and organizations; 2) Adopt Resolution 25-37 (Amended) with any amendments the Council deems appropriate; or 3) Not adopt Resolution 25-37 (Amended) and remand to Staff with directions.

Recommendation:

Staff recommends the Council adopt Resolution 25-37 (Amended) to submit an Opinion Question for the November 4, 2025, General Election Ballot to the citizens of Layton City to authorize a local sales tax of one-tenth of one percent (0.1%) on certain qualifying transactions to fund recreation, arts, museum, and parks improvements, facilities, and organizations and authorize the Mayor to sign the necessary documents.

RESOLUTION 25-37 (AMENDED)

A RESOLUTION SUBMITTING AN OPINION QUESTION FOR THE NOVEMBER 4, 2025 GENERAL ELECTION BALLOT TO THE CITIZENS OF LAYTON CITY TO AUTHORIZE A LOCAL SALES TAX OF ONE-TENTH OF ONE PERCENT (0.1%) ON CERTAIN QUALIFYING TRANSACTIONS TO FUND RECREATION, ARTS, MUSEUM, AND PARKS IMPROVEMENTS, FACILITIES, AND ORGANIZATIONS.

WHEREAS, in 2015, Layton City (City) voters approved the imposition of a local sales and use tax to assist in funding items associated with Recreation, Arts, Museum, and Parks (RAMP) facilities, programs, and organizations; and,

WHEREAS, the City has a strong history of and continued interest in supporting facilities, programs, and organizations designed to improve Recreation, Arts, Museum, and Parks opportunities for its residents; and,

WHEREAS, the City's continued support of such RAMP facilities, programs, and organizations for its residents could be enhanced by continuing to provide additional revenue to be used for those purposes; and,

WHEREAS, the City is authorized, in accordance with Utah Code Annotated 59-12-1402, to submit an opinion question to the residents of the City, providing each resident an opportunity to express their opinion on the imposition of a local sales and use tax of one-tenth of one percent 0.1% (1/10 of one percent, or one penny on a \$10 sale) on qualifying transactions within the City to RAMP improvements, facilities, and organizations; and,

WHEREAS, the City has determined that it is in the best interest of the residents of the City to submit an opinion question to the voters of the City regarding the imposition of a RAMP Tax to assist the City in developing and improving recreational, arts, museum, and parks facilities, programs, and opportunities for the City and its residents; and,

WHEREAS, the City is required, pursuant to Utah Code 59-12-1402, to approve a resolution submitting the opinion question to impose a RAMP Tax to the voters of the City; and,

WHEREAS, the City Council desires to submit to its residents in the upcoming November 4, 2025 general election the ballot question of whether the City should authorize the imposition of a RAMP Tax, as more particularly provided herein and in accordance with applicable provisions of the Utah Code in Sections 59-12-1401 et seq, Chapter 14 of Title 11, the Utah Election Code in Title 20A, and the Transparency of Ballot Propositions Act; and,

WHEREAS, on March 6, 2025, the Layton City Council passed Resolution 25-09, requesting Davis County allow an opinion question to be placed on the next general election ballot and give the opportunity to each Layton resident to express an opinion on the imposition of a RAMP Tax, and Davis County gave their authorization, (Davis County Commission Resolution No. 2025-371), to move forward.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LAYTON, UTAH:

1. Pursuant to authority set forth in the Utah Code 59-12-1402, the Layton City Council hereby directs and authorizes that a RAMP Tax ballot question be submitted to the residents of the City by a ballot proposition to be held in conjunction with the general election on November 4, 2025 so that each Layton resident has the opportunity to express an opinion on the imposition of this proposed tax.
2. The effective date of the proposed tax will be April 1, 2026 and under State Law will run for a period of ten (10) years.

3. The specific ballot title and proposition to be submitted to the voters at the November 4, 2025 election shall be as follows:

**OFFICIAL BALLOT PROPOSITION FOR THE CITY OF
LAYTON, UTAH**

**RAMP Tax Authorization Election
November 4, 2025**

Shall the City of Layton, Utah, be authorized to impose one-tenth of one percent (0.1%) sales and use tax for funding recreational, arts, museum, and parks improvements, facilities, and organizations for the City of Layton?

Yes

No

4. Pursuant to applicable law, Staff is hereby directed to:

- A. Provide a copy of this approved Resolution to the Lieutenant Governor and the election officer charged with conducting the election in accordance with applicable provisions of Title 11, Chapter 14 of the Utah Code and the Davis County Clerk.
- B. Ensure that a notice of the election regarding the RAMP Tax is published as required by Section 11-14-202 of the Utah Code by:
 - I. Publishing notice on the Utah Public Notice website, Layton City official website, at the Layton City offices, at least 30 days prior to the election date.
 - II. Preparing and providing a voter information pamphlet including arguments for and against imposition of the RAMP Tax to each household containing a registered voter who is eligible to vote on the ballot proposition not less than 15 days, nor more than 45 days prior to the election;
- C. The election shall be conducted in conformity with the laws of the State of Utah, including, but not limited to Title 11 Chapter 14 of the Utah Code, the Utah Election Code of Title 20A, and the Transparency of Ballot Propositions Act. The officials of the City are hereby authorized and directed to do all things necessary to conduct the election in accordance with the law;
 - I. Make efforts to notify the City's residents of the opportunity to file a request to prepare and provide arguments either for or against the imposition of the RAMP Tax, which may be included in the voter information pamphlet to be distributed to each household in Layton containing a registered voter who is eligible to vote on the ballot proposition by no later than September 3, 2025August 29, 2025;
 - II. Post the arguments and rebuttal arguments designated by the election officer, both for and against the imposition of the RAMP Tax on the Statewide Electronic Voter Information Wwebsite and the City's website for 30 consecutive days prior to the election, as well as publishing them in the Parks and Recreation utility flyer;

- III. Schedule a public meeting of the City Council at least 4 but not more than 45 days prior to the November 4, 2025, election where arguments for and against the imposition of the RAMP Tax can be presented and where any interested party may be heard; and
- IV. Perform any other tasks necessary or required by law to properly bring the RAMP Tax opinion question set forth above as a ballot proposition to the people of Layton on the November 4, 2025 regular general election.

| 57. This Resolution shall take effect immediately.

PASSED AND ADOPTED by the City Council of Layton, Utah, this **17th day of July, 2025**.

JOY PETRO, Mayor

ATTEST:

KIMBERLY S READ, City Recorder

APPROVED AS TO FORM:


CLINT DRAKE, City Attorney


DAVID R. PRICE,
Parks & Recreation Department Director

**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 5.C.

Subject:

Proposal Bid Award – Secondary Water Trunk Line Trenchless Design Services – Brierley Associates Corporation – Resolution 25-41

Background:

Resolution 25-41 authorizes the execution of an agreement between Layton City (City) and Brierley Associates Corporation (Brierley) for consulting services for the Secondary Water Trunk Line Trenchless Design Services. The purpose of this project is to provide professional services for the tunneling and trenchless construction portion of the Secondary Water Trunk Line, Project 22-04. This phase of the trunk line will involve four boring; to cross under SR-232 (approximately 200 feet), cross under I-15 (approximately 740 feet), cross under SR-126 (approximately 175 feet), and under the Union Pacific Rail Road and Utah Transit Authority Front Runner Rights-of-Way (approximately 120 feet).

The City solicited proposals from four consultants for the trenchless design services and received three proposals, on June 17, 2025, with Brierley submitting the proposal whose approach, qualifications, and cost were determined to best align with the specific needs of the project, in the amount of \$342,340.

Alternatives:

Alternatives are to: 1) Adopt Resolution 25-41 to award the contract to Brierley Associates Corporation for the Secondary Water Trunk Line Trenchless Design Services; 2) Adopt Resolution 25-41 with any amendments the Council deems appropriate; or 3) Not adopt Resolution 25-41 and remand to Staff with directions.

Recommendation:

Staff recommends the Council adopt Resolution 25-41 to award the contract to Brierley Associates Corporation and authorizes the City Manager to execute the agreement for the Secondary Water Trunk Line Trenchless Design Services.

RESOLUTION 25-41

A RESOLUTION AUTHORIZING THE ADOPTION OF AN AGREEMENT WITH BRIERLEY ASSOCIATES CORPORATION TO PROVIDE PROFESSIONAL SERVICES FOR THE SECONDARY WATER TRUNK LINE TRENCHLESS DESIGN SERVICES

WHEREAS, Layton City (City) elected to construct street improvements, known as the Gordon Avenue Secondary Water Trunk Line, Project 22-04 (Project 22-04), which was approved, by Resolution 24-08, on March 7, 2024; and

WHEREAS, the current phase of Project 22-04 will involve four borings to cross under SR-232, I-15, and SR-126, as well as the Union Pacific Rail Road and Utah Transit Authority Front Runner Rights-of-Way; and

WHEREAS, the City solicited proposals from four consultants for the Secondary Water Trunk Line Trenchless Design Services and received three proposals on June 17, 2025; and

WHEREAS, City Staff has reviewed and evaluated the response to the Request for Proposals and has found it to be in the best interest of the City and citizens of Layton City to conditionally select Brierley Associates Corporation (Brierley) as the consultant for the Secondary Water Trunk Line Trenchless Design Services.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LAYTON, UTAH:

1. Brierley is conditionally selected as the lowest responsive and responsible engineering consultant with whom the City Manager should conduct negotiations for the Secondary Water Trunk Line Trenchless Design Services.

2. The City Manager is directed to conduct negotiations for an agreement (Agreement) with Brierley Associates Corporation for the Secondary Water Trunk Line Trenchless Design Services. The terms of the Agreement shall address the terms and conditions of the proposal as well as the price contained in the proposal submitted by Brierley that are consistent with the intent of the proposal. The Agreement shall include such other provisions as are deemed necessary to accomplish the purposes of the City in entering an agreement for the Secondary Water Trunk Line Trenchless Design Services.

3. When the Agreement is in a form acceptable to the City Manager and City Attorney and after Brierley has properly executed said Agreement, the City Manager is authorized to execute the Agreement on behalf of the City. Execution of the Agreement by the City Manager shall constitute the City's acceptance of the offer by Brierley and the formal award of the contract to Brierley for the Secondary Water Trunk Line Trenchless Design Services, pursuant to the terms and conditions of the Agreement.

4. This Resolution shall become effective immediately upon adoption by the City Council.

PASSED AND ADOPTED by the City Council of Layton, Utah this 17th day of July, 2025.

JOY PETRO, Mayor

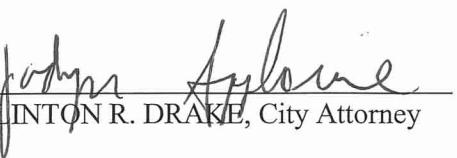
ATTEST:

KIMBERLY S READ, City Recorder

APPROVED AS TO FORM:

For:

Clinton R. Drake, City Attorney

STEPHEN JACKSON, Department Director





Proposal for Secondary Water Trunk Line Trenchless Design Services

Prepared for
Layton City, Utah

**BRIERLEY
ASSOCIATES**
Creating Space Underground

June 17, 2025

June 17, 2025

Ryan Bankhead
Senior Staff Engineer
Layton City Engineering Department
437 North Wasatch Drive
Layton, UT 84041

Re: Proposal for Secondary Water Trunk Line Trenchless Design Services
File No: 125138-970

Dear Mr Bankhead,

Brierley Associates Corporation offers this qualifications package specifically for Trenchless Engineering Services in response to your Request for Proposal. We are a nationwide tunnel, trenchless, advanced geotechnical, and geo-structural design firm that specializes exclusively in the planning, design, and construction of subsurface projects. “**Creating Space Underground**” is our mission and our passion. Founded in 1999, we have grown to more than 75 geotechnical and geo-structural engineers, and engineering geologists specializing in the heavy civil design and construction of underground projects, tunneling, and the wide array of trenchless methods spanning from Horizontal Directional Drilling (HDD) to microtunneling.

We are often employed to complement the infrastructure design and construction services by others, or to lead technically challenging underground projects that require our unique specialization. We have provided these services to such entities as Colorado Springs Utilities, Thornton Water, City of Omaha, and City of Aurora.

Trenchless Design Services

Brierley Associates is an internationally recognized authority in the selection, design, construction management, and forensic analysis of Horizontal Directional Drilling (HDD), microtunneling, and other trenchless technologies. Our engineering and consulting services include new installations and pipe rehabilitation. Trenchless design reduces disruption and damage to developed urban locales, environmentally sensitive areas, waterways, and surface transportation corridors and airports. We are consistently ranked among the top 50 Trenchless Firms in the US by Trenchless Technology Magazine.

Thank you for taking time to review our proposal and we welcome the opportunity to discuss this project and provide our expertise. Please feel free to contact nstrater @brierleyassociates.com 603-918-0606.

Kindest Regards,
BRIERLEY ASSOCIATES CORPORATION


Nick Strater
Trenchless Sector Lead

Table of Contents

Section 1 - Project Team Information	1
Statement of Qualifications of the Brierley Team	1
Areas of Expertise	1
Experience of Firm	1
Trenchless Design	2
Project Management Approach	2
Quality Assurance Program	3
Innovation in Project Approach	3
Statement of Qualifications of Golden Geotechnics	4
Responsible Professional Engineer	4
Trenchless Design Lead	4
Lead Geologist	4
Project Manager	5
Section 2 – Project Understanding	6
2.1 Project Understanding	6
Section 3 – Scope of Services	7
Task 1 – General Project Coordination	7
Task 2 – Trenchless Pipeline Design	7
Task 3 – Geotechnical Investigation and Reporting	7
Task 4 – Construction Management and Support	8
Section 4 – Project Schedule	9
Section 5 – Estimated Budget	10

Section 1 - Project Team Information

Brierley Associates Corporation (Brierley) and Golden Geotechnics, Inc. (GGI) serving as a subconsultant to Brierley, have compiled a team that has the capacity, experience, and skills to complete the trenchless design work requested by Layton City. The project management will be undertaken by Mr. David Kwietnewski of Brierley's Denver, Colorado office with Ms. Kyle Friedman serving as the engineer-of-record. Further engineering support will be provided out of Brierley's Colorado office and North Carolina office. Support from GGI will be provided out of their Golden, Colorado office.

Statement of Qualifications of the Brierley Team

Brierley Associates Corporation was founded in 1999 to provide tunnel, trenchless, geo-structural, geotechnical and geological engineering expertise on a variety of technically challenging projects for owners, A/E firms, and contractors. *Creating Space Underground* is our mission and our passion. Our design and consulting services focus on constructability, efficiency and practicality. We offer a keen understanding of our clients' needs, subsurface conditions, site-specific constraints, and the risks associated with the construction of underground facilities and heavy civil infrastructure projects.

Areas of Expertise

- Trenchless and Tunnel Design
- Tunnel and Pipeline Assessment and Rehab
- Support of Excavation
- Constructability Evaluations
- Geologic and Advanced Geotechnical Engineering
- Ground Modification
- Subsurface Evaluations
- Construction Engineering

Experience of Firm

Brierley Associates' staff includes engineering geologists, geotechnical engineers, geo-structural engineers, underground construction specialists, GIS and CAD/BIM specialists. These individuals deliver a wide array of services ranging from feasibility studies and conceptual design to detailed final design, construction management and claims consultation. We provide services in the selection, design, construction management, and forensic analysis of trenchless technologies. Our engineering and consulting services include new installations and pipe rehabilitation, engineering geology and site characterization, detailed geo-structural design of deep foundations and support of excavations, rock slope engineering and landslides, seismic analysis and design, 3D Finite Element Modeling, blasting design and vibration analysis.

Our ability to help our clients manage risk is illustrated by the comments made by Jonathan E. Schapekahm, PE, Project Manager on the City of Waukesha's Greenmeadow Interceptor project:

"Brierley's ability to communicate clear and concise project expectations while managing underground risks throughout design and construction was invaluable for this significant public works infrastructure project... Brierley also provided significant support during construction when a change of condition was claimed by the HDD subcontractor. Over the course of several meetings with the contractor, Brierley provided their input and expertise which led to an amiable settlement with the contractor. We are quite certain the outcome would not have been as favorable for the City had Brierley not been on our team."

Trenchless Design

Brierley Associates also provides a wide array of advanced geotechnical engineering and design services for Trenchless Technology applications of all kinds. We are consistently ranked within the Top 50 Trenchless Design Firms as reported by Trenchless Technology.

Our geologists, trenchless and underground engineers know how to deliver efficient, effective and constructable designs for:

- Horizontal Directional Drilling
- Microtunneling
- Auger Boring
- Pipe Jacking/Pipe Ramming
- Direct Pipe
- Guided Boring Method (GBM)
- Hand Mining
- Pipe Rehabilitation, Relining and Bursting

Project Management Approach

Approach to Managing Workload: Brierley Associates is committed to providing quality designs in an acceptable timeframe. We have a proven track record of delivering projects on time and within budget for our clients. We have diverse geo-structural and geotechnical engineers, and engineering geologists who have spent their careers going where the work is to participate in underground infrastructure delivery.

Brierley Associates works together seamlessly across multiple offices and time zones to provide efficient and timely design deliverables. Our technology infrastructure enables us to easily work together remotely. This feature distinguishes us from many of our competitor design firms in the ability to continue to deliver work on time and with value. In some cases, we have created “Technology Transfer” opportunities and we have been able to collaborate with our clients and help them improve their web-based work platforms and skills in the process. In addition, we have a centralized BIM/CAD production office that serves the whole company with advanced, consistent, 3D design delivery.

Project Schedule: Maintaining a planned schedule is critical to project delivery. The complex nature of underground projects requires the project team to be diligent with task completion and in recognizing early-on those elements that have the potential to cause a change in the sequence or duration of work modules. Project schedules are set and agreed upon by stakeholders early in the design and construction process. By working together with all parties, we develop solutions to mitigate the challenges the project could face before they affect the schedule.

Commitment to Pricing: Controlling costs and adhering to the project schedule are key responsibilities for Brierley Associates' Project Managers. We believe thoughtful subsurface investigations and project designs that consider permitting, environmental impacts, corridor availability, public perception, adjoining structures, existing underground facilities, constructability and worker safety, paves the way for overall project savings. Definition of project goals through continuous stakeholder involvement aims to reduce costs by maximizing efficiencies in all phases of project implementation from preliminary engineering to final design, construction and record drawing development. This approach to project planning does not require a significant increase of effort when it is an integrated philosophy from the onset and will capitalize on our collective experience in underground construction.

Constructability: Underground projects are, by their nature, complex and require a thorough understanding of the ground conditions and how that ground will behave, both during construction and during the design life of the project. Additionally, there are potential risks and activities that can result in schedule, cost and work site inefficiencies as well as

increased risk to project performance and delivery. It is incumbent on the project team to identify constructability issues early in the design phase. We understand the procurement environment, as well as contractors' bidding and execution strategies. That knowledge base can be leveraged to design a constructable and safe installation that optimizes costs and schedule. We also understand how contractors want to build a project and we incorporate that knowledge into our design deliverables to the benefit of all parties during project bidding and construction.

Environmental Impacts: Through thoughtful design development that considers environmental, historical and cultural impacts, as well as permitting issues and their relationship to constructability, Brierley Associates' staff strives to mitigate costly delays associated with potential third-party impacts and regulatory permitting. We understand the importance of effectively working with local environmental stakeholders and consultants to identify and address unique cultural, archeological, biological and other environmental and third-party issues for creation of new, potentially impactful subsurface infrastructure. Supporting your outreach programs to inform communities within a project alignment about planned construction activities and providing historical references about similar construction activities is a proven effective means of mitigating potential impacts to abutting third parties. In addition, we strive to minimize environmental impacts during construction and to beneficially reuse construction derived wastes.

Comprehensive Engineering Support Services: Project design processes must be flexible and often integrated with other ongoing or concurrent construction activities. Successful design and construction require effective coordination, not only with Layton City, but also with the existing facilities, property owners, other agencies, utility owners/operators, community representatives and the public, all of which can be affected by a project. Brierley Associates is well experienced in taking into consideration concerns expressed by impacted stakeholders and supporting our clients as they interface with those parties.

Local Utah Knowledge: The Brierley team brings a working understanding of the potential local ground conditions, appropriate methods of investigation, and a knowledge base of the local regulatory environment and permit procedures to team with Layton City in making the Secondary Water Trunk Line project a successful project delivered on time and budget. As part of that team, Brierley has engaged Applied Geotechnics (AGEC) to assist in the geotechnical investigation, leveraging AGEC's decades of local expertise in the area.

Quality Assurance Program

Brierley Associates embraces quality during the execution of our professional services and Work Products. Quality is paramount to the success of our clients and our firm. Each project team member is responsible for executing their tasks in a way that is consistent with the objectives of this plan. Tenants of our Project Quality Plan include:

- Quality will be advocated from the top down and the bottom up.
- Quality is achieved by adequate planning, scoping, communications and coordination, supervision, and technical direction.
- Quality assurance and control processes that are implemented early and throughout the development of final Work Products will ultimately save time and help to avoid potentially costly errors and/or scheduling delays.
- Quality is controlled through documented reviewing and checking procedures.

It is Brierley's policy to provide professional services and Work Products to its clients, consistent with the scope of services and the industry-recognized Standard of Care.

Innovation in Project Approach

Communication and understanding of project assignment requirements and challenges are at the forefront of our approach to interact with Layton City. About half of Brierley Associates' work is for our contractor clients, and we

understand how contractors prefer to build underground infrastructure. This results in designs and specifications that are based on real-world problems and solutions.

Our approach to project delivery for studies and investigations will be similar and framed around identification of accurate information needed to provide opinions, recommendations, and solutions to a specific issue. That approach considers: relevant existing information, identification of data gaps and how best to fill in those data gaps given the time and budgetary constraints of the assignment; actual or perceived challenges and assessment of third-party impacts. If the task assignment requires engineered designs to facilitate repair work, construction or other contractor executed work, the process of understanding the project delivery mechanism becomes our “road-map” to serve you.

Statement of Qualifications of Golden Geotechnics

Golden Geotechnics, Inc. (GGI) is a leading provider of geotechnical investigation services, specializing in delivering actionable insights for complex projects. With a strong focus on quality and accountability, GGI offer expertise in soil/rock site investigations, slope stability analysis, and geohazard assessments. GGI's senior staff bring decades of experience in leading field investigations for critical facilities worldwide. Their team focuses on accuracy and thoroughness, providing essential data that informs trenchless design, risk mitigation, and project planning. The company excels in integrating multiple techniques and unique datasets into their investigations, employing methods such as test borings, geologic mapping, desktop studies, trenches, Cone Penetration Testing (CPT), geophysical methods, and laboratory testing. Their expertise in integrating diverse data sources into detailed geologic models contributes significantly to the successful planning and execution of construction and development projects. GGI's commitment to leveraging project-appropriate techniques and their extensive experience ensures clients receive high-quality, data-driven reports that support sound engineering decisions to warrant that projects are built on a solid foundation, both literally and figuratively.

Since our company founding in 2023, GGI have continued to be a part of some of the largest trenchless projects in the SLC market, including: 1) the 1800 N Sewer Realignment with crossings under Interstate 15 and 13 parallel tracks of UPRR and UTA light rail, 2) the Hidden Valley Sewer Trunkline, and 3) crossing Interstate 15 at the Draper interchange for Draper Irrigation WaterPro.

Together, Brierley and GGI have partnered on tunnel and trenchless design projects in Colorado and Utah. Our company cultures align around technical expertise, dedication to thorough yet practical solutions, and quality service. Together our companies offer Layton City the experience to execute the trenchless designs and to manage the unique complexities of the project.

Responsible Professional Engineer

Brierley's Mr. Kyle Friedman (Denver) will serve as the project's responsible professional engineer. Kyle is a licensed professional engineer in the State of Utah. Kyle is the trenchless lead for the Rocky Mountain region and has extensive experience providing design insight to owners and contractors within various ground conditions.

Trenchless Design Lead

Mr. Brent Lindelof (Asheville, NC) will serve as the Trenchless Design Lead for the project. Brent has 32 years of experience in the underground construction industry including work as an owner, consultant, and contractor. Brent's trenchless expertise is invaluable in the design on trenchless crossings for the analysis of contractors' means and methods to properly ensure the construction process and schedule is as seamless as possible.

Lead Geologist

GGI's Mr. Sean Sundermann (Golden) will serve as the lead engineering geologist for the project overseeing the geotechnical investigation and ground characterization for the trenchless crossings. Sean has over 24 years of experience leading field investigations for critical facilities worldwide. Sean is also adjunct faculty in the Civil Engineering

Layton City Secondary Water Trunk Line – Trenchless Design Services

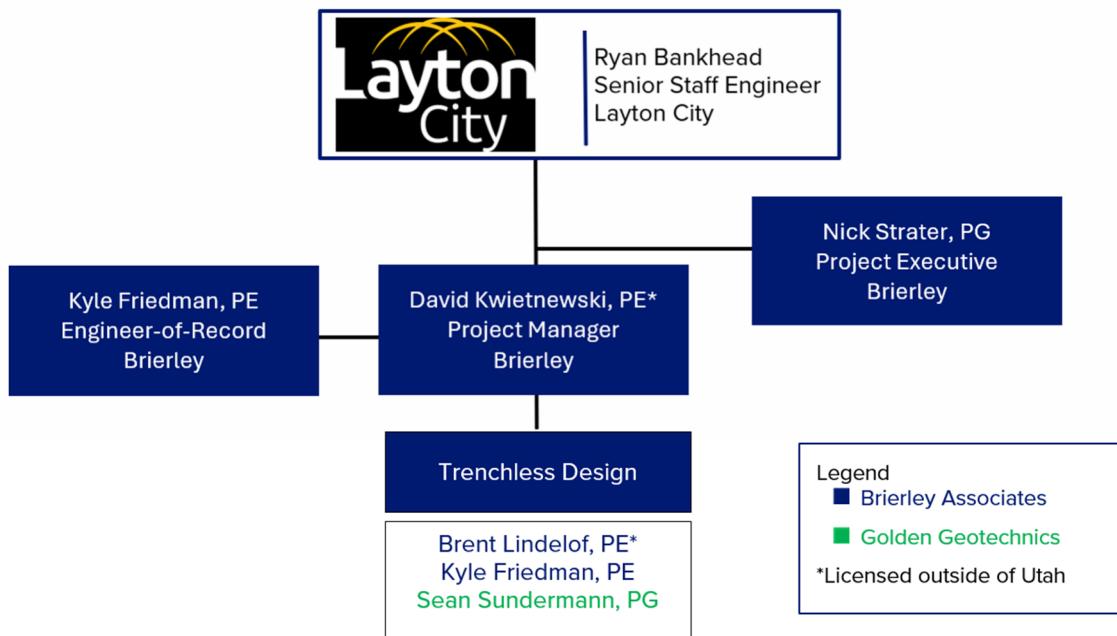
department at the University of Colorado – Boulder. Sean's knowledge of contractual documents is imperative to ensuring the project allows for an equal bidding environment while protecting the owner during construction.

Project Manager

Mr. David Kwietnewski will serve as project manager (PM) out of our Denver, Colorado office. David has 23 years of experience in the design and construction of underground infrastructure. David's brings to the table the knowledge in the management of underground construction projects totaling over \$100 million which enhances the team's ability to meet deadlines and ensure a bulletproof design.

Resumes for the team can be found at the end of this section.

A proposed organizational chart of the Brierley/GGI team is provided below.



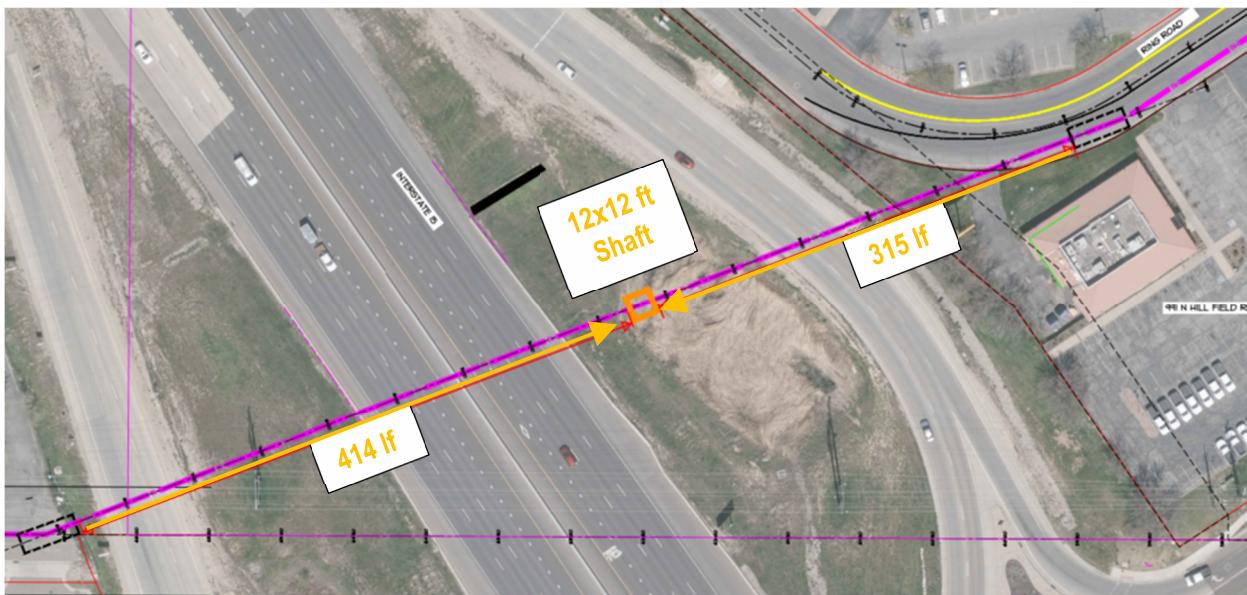
Section 2 – Project Understanding

2.1 Project Understanding

Layton City, located in Davis County, Utah, is a rapidly developing community with a current population of approximately 88,130 residents and a projected buildup population of 110,000 by 2050. With roughly 77% of the city already developed, strategic infrastructure planning is critical to support continued growth. The 2017 Layton City Water Master Plan identified the need for a secondary trunk line to expand the pressurized secondary water system. This infrastructure is essential to optimize water resource management and balance indoor and outdoor usage across the city.

The current project phase focuses on serving the West Layton area, which is experiencing significant growth. The scope includes the installation of approximately 5,800 linear feet of 36-inch ductile iron (DI) pipe using open trench construction and trenchless methods. The alignment will require four critical bore crossings: under SR-232 (~200 feet), I-15 (~740 feet), SR-126 (~175 feet), and the Union Pacific Railroad/UTA FrontRunner rights-of-way (~120 feet). These crossings will require careful coordination and execution to minimize disruption and ensure compliance with applicable permitting and safety standards.

Value Engineering. It is the Brierley team's intention to work with Layton City and UDOT to propose a reception shaft in the North-East side of the interchange, between the northbound carriageway and on-ramp. By changing the 740 lf Interstate 15 to two shorter tunnels (roughly 414 and 315 lf) launched from either side of the interstate towards a small reception shaft brings the trenchless crossings to more reasonable lengths that can be achieved within the risk profile of more reasonably priced options, such as a guided pipe ram. Based on our recent experience of trenchless crossings under UDOT's ROW, their priorities align with a safer technology that is a lesser risk to their facilities. We believe UDOT will be open to the concept of an intermediate reception shaft.



Section 3 – Scope of Services

Task 1 – General Project Coordination

This task will be used for general project coordination and reporting, contract support and budget summaries, participating in meetings with Layton City and subconsultants/subcontractors throughout the duration of the project. We anticipate that the kickoff meeting and design workshop will be held in person and all other meetings will be held via videoconference.

- **Task 1.1** – Project management and coordination. Will include invoicing, progress and schedule updates, management of project team and sub consultants, and general coordination necessary to deliver the required scope of services. Bi-weekly videoconference calls with Layton City are anticipated for project updates.
- **Task 1.2** – Attend Coordination Meetings. The appropriate members of the Brierley team will attend meetings with Layton City throughout the project to provide updates and deal with any issues that may arise. Five (5) 1.5-hour long coordination meetings via videoconference are anticipated.
- **Task 1.3** – Kickoff and Progress Meetings. The appropriate members of the Brierley team will attend meetings with Layton City throughout the project to provide updates and deal with any issues that may arise. The Kickoff meeting is anticipated to be in person and the progress meetings are anticipated to be via videoconference. During this event with Layton City and members of the Brierley Team, a brief presentation will be given outlining our planned process. We expect this will give Layton City an opportunity to provide input and highlight any concerns regarding the plan prior to starting design.

Task 2 – Trenchless Pipeline Design

Develop design documents for approximately 1,235 linear feet of trenchless pipeline crossings beneath SR-232 (200lf), I-15 (740 lf), SR-126 (175 lf), and UPRR/UTA rights-of-way (120lf). Services include plan and profile development, trenchless method evaluation, pipe material selection assistance, and submittal of 60%, 90%, and 100% design packages. Design deliverables will include full construction drawings, technical specifications, and phased cost estimates.

- **Task 2.1** – Project management and coordination. Track and update deliverables throughout the design process and coordinate with UDOT, UPRR, and UTA for crossing approvals.
- **Task 2.2** – Pipeline Boring Design. Develop trenchless designs for crossings underneath SR-232, I-15, SR-126, and UPRR/UTA while evaluating trenchless feasibility for each crossing through a 60%, 90%, and 100% design submittal process for specifications and plan sets. It is anticipated that the trenchless work package will be a separate construction contract requiring not only trenchless design elements but supporting project documents.
- **Task 2.3** – Cost Estimates. Provide detailed engineer's estimate at 60%, 90%, and 100% design phases.
- **Task 2.4** – Final Documents. Submit final bid-ready drawings and specifications.

Task 3 – Geotechnical Investigation and Reporting

Conduct subsurface investigations at all crossing locations. Deliverables include a geotechnical data report and geotechnical baseline report to support design and contractor procurement.

- **Task 3.1** – Geotechnical Study. Boring will be performed along the alignment to characterize the ground conditions along the trenchless crossings to be utilized for design. A geotechnical data report will be developed which is a Contract Document describing the raw, factual data found within the geotechnical investigation. Also,

a geotechnical engineer report will be developed which will provide recommendations for trench stability, earthwork, backfilling, and bedding requirements.

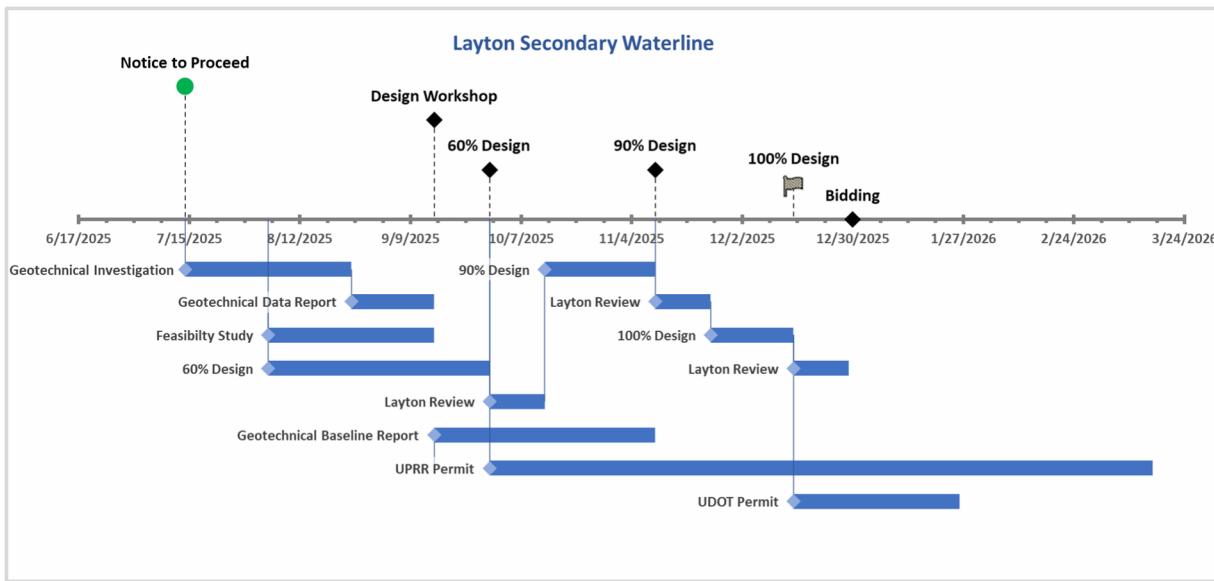
- **Task 3.2 – Feasibility Study.** A feasibility will be performed incorporating the geotechnical investigation into the design process which will ultimately become the basis for the trenchless design. The feasibility study will be presented in a design workshop to Layton City.
- **Task 3.3 – Geotechnical Baseline Report.** A GBR will be compiled for the trenchless crossings to provide a Contract Document used to define expected ground conditions, manage risk allocation, support fair and competitive bidding, and reduce disputes on claims. The GBR is anticipated to be completed at the 90% design phase.

Task 4 – Construction Management and Support

Assist Layton City through the bidding phase including contractor pre-qualification, attendance at the pre-bid meeting, response to contractor inquiries, and bid evaluation. It is anticipated a change order will be required for construction services including support through submittal reviews, change order assistance, construction oversight, and final inspection, post-construction, delivery of record drawings and close-out documentation once a construction schedule is defined. For this design phase, Brierley is not providing scope or hours past the bidding support at this time. It is the Brierley team's intent to support Layton City through construction to be responsible for our trenchless design to final close-out.

Section 4 – Project Schedule

Current schedule provided by Layton City anticipated notice to proceed July 14, 2025 and the anticipated completion of design by October 14, 2025 in order to provide bidding services in a timely manner for 2026 construction season. While we are committed to Layton City's initiative to get the project bid and built in 2026, we foresee some schedule adjustments necessary to provide a complete and well thought out design as a contract document, ultimately pushing the bid date back a few additional weeks. The Brierley team anticipates the critical path for the project will include the geotechnical investigation, UPRR permitting, and UDOT permitting. Based on these critical paths, and our prior experience with this critical paths on recent projects in this area, the Brierley team has created an anticipated schedule, shown below for the project.



The team anticipates the geotechnical investigation to be performed first. It is imperative to get temporary access permits for UDOT and drilling scheduled for the project after NTP. Based on prior experience, the team anticipates the scheduling, temporary site access permitting, drilling, and laboratory testing to take up to 6 weeks.

UPRR permitting is anticipated to be the controlling factor for the entire project. Based on current conversations with Railpros, permit review is anticipated to take 6 months. In order to meet construction scheduling for the remainder of project, the Brierley team anticipates starting the UPRR permitting process after the 60% design and scheduling delaying the construction of the UPRR crossing to being the last crossing of the project. Language describing the status of the permitting process will need to occur within the contract documents in order to provide the contractors with as much realistic information as possible for bidding.

Section 5 – Estimated Budget

The estimated budget for the proposed trenchless design is shown in the separate document. We anticipate work will be performed on a Time and Materials basis in accordance with our 2025 Fee Schedules. All outside direct costs will be billed at cost plus 15 percent.

All reports and documentation will only be provided in electronic format.

Assumptions

- Brierley assumes topographic survey and utility information is already provided for use.
- Permitting is limited to UDOT, UPRR, and UTA.
- Borings depths are limited to 35 ft below ground surface.
- Construction management after bidding will be scoped out with a change order.

Exclusions

- Subsurface Utility Engineering.
- Surveying.
- ROW and temporary or permanent easement acquisition.
- Pipeline hydraulic design.
- Pipeline tie-in design.
- Environmental engineering.



Attachment A

Proposed Project Key Personnel Form

Resumes of Key Personnel

ATTACHMENT A
PROPOSED PROJECT KEY PERSONNEL

Proposed Organization Doing Business As	Brierley Associates Corporation			
Name of Individual	Nick Strater, PG			
Years of Experience in Proposed Position	30			
Years of Experience with this organization	14			
Number of similar projects in Proposed Position	344+			
Number of similar projects in other positions	1200+			
Similar Project Experience				
Project Name and Description	Initial Contract Price	Final Contract Price	Contract Date	Actual Date
Forest Lawn Creek Inflow Removal and Outfall Storm Sewer: 13,000 linear feet of new storm sewer and 7,500 linear feet of new sanitary sewer winding through a residential area. Trenchless crossing was 96-in diameter HOBAST™ pipe.	Design phase: \$62,000 Construction phase: \$92,000	Design phase: \$62,000 Construction phase: \$92,000	June 2015	June 2023
Aurora Pipelines Project: E-470 Trenchless Crossing: 920-ft long tunnel with steel initial support to install the 36-in. diameter steel carrier pipe. The initial support will have a minimum diameter of approximately 48-in and the depth of cover will be as low as 8 ft above the tunnel crown.	Initial contract cost not available	Design Phase: \$37,800 Construction Phase: \$132,000	March 2018	July 2020
Thornton Water Project - Work Package 1- Design Phase: Geotechnical investigation for the installation of two sections of 42-in diameter pipeline totaling approximately 36,700 linear feet	Design phase: \$135,000 Brierley was not involved in the construction phase	Design phase: \$135,000	July 2018	Not available
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)				
Name	Brian Mulligan, PE	Name	Randy Parks, PE	
Title/Position	Senior Vice President	Title/Position	Project Manager	
Organization	HBK Engineering, LLC	Organization	Dewberry Engineers	
Telephone	312-545-8739	Telephone	303-951-0613	
E-mail	bmulligan@hbkengineering.com	E-mail	rparks@Dewberry.com	
Project	Numerous trenchless projects	Project	Aurora Pipelines Project	
Candidate role	Project Manager	Candidate role	Senior Consultant	
Current Project Assignments				
Name of Assignment	Percent of Time Used for this Project	Estimated Project Completion Date		
MWRA Tunnel Design	50%	2028		
ATC Cable Trenchless Design	5%	2026		
BGE Bear Creek Crossing Construction	5%	Summer 2025		



NICHOLAS H. STRATER, PG

PROJECT EXECUTIVE

Mr. Strater has served as project and construction manager for a large variety of projects. His specialties include rock and soil tunnels, horizontal directional drilling (HDD), and trenchless technologies. He serves as Brierley's Trenchless Design Sector Leader. His specialties include all forms of trenchless utility installation, including horizontal directional drilling, pilot tube guided auger boring, auger boring, microtunneling, pipe ramming, shield and utility tunneling. His career covers a broad range of service areas including geotechnical site characterization; feasibility and detailed design studies; preparation of contract documents; construction phase services; and claims analysis and evaluation. Mr. Strater is a member of the American Society of Civil Engineers Trenchless Installation of Pipelines (TIPS) Committee. He also serves on ASCE committees developing manuals of practice for pilot tube, auger boring, and the Direct Pipe™ methods. Mr. Strater is a frequent invited lecturer on the topics of trenchless method selection, design and risk management. He has authored over 20 technical papers on these topics.



Years of Experience: 30
Years with Brierley: 14

Education

MS, Geology, University of Rhode Island, 1993
BS, Geology, University of Rhode Island, 1993

Professional Registration

Licensed Professional Geologist:
NH (00094) & WA
Registered Professional Geologist:
LA & TN

Professional Societies

Society for Mining, Metallurgy and Exploration (SME)
N American Society for Trenchless Technology (NASTT)
Northeast Trenchless Association (NTA)
International Society of Explosive Engineers (ISEE)

Training

NASTT Short Course: *Pipe Bursting Good Practices* (Spring 2010)
Baroid/Halliburton HDD Drill Fluids Class (Spring 2009)
SME Short Course: *Underground Blasting Technology & Risk Management*, 2008

RELEVANT PROJECTS

22/23 Annual Water Repair and Replacement Project (Bain Street)

Role: Trenchless Specialist

Brierley provided design services and construction oversight for the FY 22/23 Annual Water R&R Project for JCSD. The project encompasses the installation of approximately 5,400 LF of 8-, and 12-inch WSP and PVC pipe within the City of Jurupa Valley, which included design and trenchless construction that tunneled beneath the SR-60 Freeway. The trenchless construction activity consists of approximately 510 LF of 42-inch steel casing and 12-inch carrier pipe, with spacers and filled with grout. Nick provided design review and QA/QC for the project.

Enwave South Branch Crossing, Chicago, IL

Role: Microtunneling Specialist

Project consisted of extending chilled water service from a central utility plant to a new customer on the other side of the river. A pair of 24-in chilled water lines and other small utilities were to be installed in a 60 inch diameter microtunneled casing under the river, which required launch and receiving shafts on each bank. Design scope included site investigation to determine existing riverwall construction and embedment. Riverwall clearance and suitable soil stratum for microtunneling required 65-ft deep excavations, located within 20-ft of the river due to site constraints. A soldier-pile-and-lagging SOE system was selected, based on soil characteristics and flexibility to accommodate the river wall tiebacks and other buried obstacles. The SOE was designed to allow the existing tiebacks to be connected to the new soldier piles, which permitted the conflicting portion within the excavation to be cut free. The modifications were designed to be permanent, eliminating the need to replace the modified tiebacks and avoiding conflicts with the new utilities in the excavation footprint. Services included assistance with the city permit application process and design review, as well as construction-phase support to accommodate field changes and unforeseen conditions.

Cleveland Clinic Trenchless Crossings, Cleveland, OH

Role: Project Manager and Trenchless Designer

Project Manager, Trenchless Designer -Provided design of six separate trenchless installations of steel casings (24- to 42-in) below busy city streets, within dense utility corridors. Casings were used for containment of 138kV electric cables. Provided trenchless concept development, trenchless design by pilot tube guided auger boring, and review of contractor's submittals.

PTAB- Multi-Drive Crossings Contract 12, Cambridge, MA

Role: Project Manager

Project Manager responsible during design of five 430-ft long pilot tube installations below the Little River and surrounding wetlands, for gas, electric, and telecommunications cables. Involved jacking and pull-type installations, ranging in diameter from 4- to 36-inches. Nick provided full-time construction monitoring and construction management assistance.

London Bridge Creek Microtunnel, Virginia Beach, VA

Role: Trenchless Design Manager

Brierley Associates served as specialty subconsultant to Kimley-Horn to evaluate optimal trenchless technology options for the proposed pipeline crossing at London Bridge Creek. The total length of the crossing was just under 700-LF. One of the options under consideration was the installation of 60-in diameter casing to facilitate the new 42-in diameter DIP. Through geotechnical investigation and subsequent analysis, microtunneling was found to be suitable for this project. Upon selecting microtunneling Brierley prepared a Geotechnical Baseline Report (GBR).

Reclaimed Water System Main to Junction 420, Austin, TX

Role: Trenchless/HDD Specialist

Mr. Strater served as Trenchless Specialist for the reclaimed water system project installed beneath downtown Austin. Overall the project consists of approximately 8,000-ft of 8-, 12-, 24- and 30-in diameter pipelines installed via conventional open cut methods and trenchless means. Approximately 1,905-ft of 30-in diameter high density polyethylene (HDPE) pipe was installed beneath the bed of Lady Bird Lake utilizing horizontal directional drilling (HDD) techniques while the remainder of the line was constructed using open cut and trenchless methods. The HDD section began south of West Riverside Drive extending north beneath Lady Bird Lake crossing under West Cesar Chaves Street and continuing along San Antonio Street and terminated just north of West 2nd Street. Due to pipe layout space requirements and after drill path was completed, the HDD rig was relocated to the exit pit location and pulled the 30-in diameter HDPE pipe from the north end of the project. Mr. Strater developed HDD designs and reviewed construction submittals.

Park Hill Storm Sewer Tunnels, Phase V, Denver, CO

Role: Project Manager and Construction Consultant

Working for the Project Engineer and City of Denver, developed design recommendations for installation of a 214-ft long, 84-in diameter RCP pipe below active Union Pacific and RTD rails. Installation completed by open-face tunneling shield. Provided consultation during contractor submittal review and placement of ground improvement (chemical grouting) to improve tunnel face stability.

ATTACHMENT A
PROPOSED PROJECT KEY PERSONNEL

Proposed Organization Doing Business As	Brierley Associates Corporation					
Name of Individual	David Kwietnewski, PE					
Years of Experience in Proposed Position	21					
Years of Experience with this organization	13					
Number of similar projects in Proposed Position	20+					
Number of similar projects in other positions	20+					
Similar Project Experience						
Project Name and Description	Initial Contract Price	Final Contract Price	Contract Date	Actual Date		
Northeast Boundary Tunnel (Washington DC): 27,000 linear feet of 23 ft diameter combined sewer with seven near surface structures that included deep shafts, 77 to 155 foot deep.		Professional Fees: \$14.5 Million	Sept. 2017	Professional Services: Sept. 2017 through 2023		
Surface Water Supply Project, Segments A & C (Houston, TX): multiple tunneled sections for 8 foot diameter water pipeline		Professional Fees: \$2.5 Million	April 2016	Professional Services: April 2016 through January 2020		
Gateway Stormwater Tunnel (El Paso, TX): Geotechnical investigation for the installation of two sections of 42-in diameter pipeline totaling approximately 36,700 linear feet		Professional Fees: \$79,000	March 2015	Professional Services: March 2015 through July 2015		
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)						
Name	Mike Keleman	Name	Nick Cioffredi			
Title/Position	Project Manager	Title/Position	Project Manager			
Organization	Colorado Dept. Transportation	Organization	Stantec			
Telephone	720-388-9588	Telephone	303-285-4577			
E-mail	Micheal.keleman@wilsonco.com	E-mail	Nick.cioffredi@stantec.com			
Project	Twin Tunnels – Veteran’s Memorial	Project	CDOT Tunnel Insp. & Asset Mgmt.			
Candidate role	Project Manager	Candidate role	Project Manager			
Current Project Assignments						
Name of Assignment	Percent of Time Used for this Project	Estimated Project Completion Date				
Salt River Pumped Storage Project	30	December 2025				
Raven Rock Tunnel Inspection	30	August 2025				
I-405, Brickyard to SR 527 – Jaunita Creek Tunnel Design	20	August 2025				

DAVID KWIETNEWSKI, PE

PROJECT MANAGER

Mr. Kwietynewski is a Professional Engineer with 19 years of experience in geotechnical and geologic engineering, emphasis in the design and construction of underground infrastructures.

Engineering design and construction experience with tunneling (Drill & Blast, SEM, NATM, TBM, microtunnels, and initial and final linings), shafts, support of excavation (soil nails, micro-piles, ground anchors, braced excavations), and geotech and geologic investigation for soil and rock. He has written geotechnical data reports and baseline reports, specifications, and other bid documents.

He has valuable experience in construction management that include, scheduling, cost estimating, construction submittals, RFI's, RFS's, change orders, systems for analysis of construction progress, resource and cost tracking, and field inspection. Also valuable is his history of working directly for the Contractor, Owner, and the design engineering team, therefore understanding how each perspective relates to the other. He values thoughtful communication and creative problem-solving skills.

RELEVANT PROJECTS

Northeast Boundary Tunnel, DC Clean Rivers Program, District of Columbia

Role: Site/Task Leader/ Engineer-of-Record and Geotechnical Instrumentation Engineer

Design team member on this Design/Build project with Salini-Impregilo-Healy JV. David was responsible for design of the geotechnical instrumentation plan across the entire project that included 27,000-ft of EPB-TBM excavated tunnel beneath parts of Washington DC. The project also includes seven shafts ranging in depth from 77- to 155-ft with diameters varying from about 19.5- to 56-feet. Associated with each shaft are near surface diversion and conveyance structures and adits at five shaft locations. The instrumentation plan included over 200 extensometers, 45 inclinometers, more than 50 vibrating wire piezometers and groundwater monitoring wells, and over 1,000 structure and ground surface monitoring points. The monitoring system included automated instrumentation and a data management system that provided real time access to instrumentation data through a web-based portal. David was responsible for the design of sheet pile SOE for a large sewer replacement (90-ft by 80-ft triangle shaped, 21-ft deep with deadman supports). David was also responsible for the design of jet grout ground improvement at the First Street Connector Tunnel site for the mined connection from the 23-ft diameter NEBT main tunnel to the existing terminus of the 20-ft diameter First Street Tunnel. David was also responsible for the assessment of existing utilities due to construction impacts from tunnel excavation.

Twin Lakes Tunnel #2 Condition Assessment, Pitkin County, CO

Role: Lead Tunnel Inspector – NHI Certified

The Twin Lakes Reservoir Tunnel #2 is a trans-mountain tunnel that begins at Lost Man Reservoir on the western slope of Independence Pass and discharges into Lincoln Gulch Connection Canal, which conveys water into Grizzly Reservoir in Pitkin County. The tunnel



Years of Experience: 22

Years with Brierley: 14

Education

BS, Civil Engineering, Colorado School of Mines, 2001

MS, Finance and Risk Management, Univ. of Colorado Denver Business School, 2023

Professional Registrations

Professional Engineer:
CO, District of Columbia

Professional Societies

American Society of Civil Engineers (ASCE)

Association of Engineering Geologists (AEG)

Colorado Association of Geotechnical Engineers (CAGE)

American Institute of Steel Construction (AISC)

was constructed sometime around 1936 and is partially unlined, and partially concrete lined. It is 9,200-ft long and has a lined cross section of about 6 ft 7 in. The tunnel carries water part of the year and runs full during the spring runoff season.

Brierley's role on this project was to provide a Tunnel Inspection and Recommendation report, which provided a geologic map of the tunnel identifying the concrete-lined and unlined tunnel sections annotated with stationing; presented geoSLAM cross-sections of the tunnel and presented the 3D model of the tunnel in its entirety; provided recommendations and suggestions for data collection during routine maintenance; Provided recommendations regarding appropriate repairs for the project based on the inspection and geologic conditions; and provided repair schemes, construction considerations, and a cost estimate.

Surface Water Supply Project, Segments A & C, Houston, TX

Role: Cost Estimator

Cost Estimator for this project to supply water from Lake Houston by way of the City of Houston's Northeast Water Purification Plant, through approximately 39 miles of an 8-ft diameter pipeline and two large pump stations. The project extends through north Houston to the City of Katy and south to the North Fort Bend Water Authority. The 39-mile alignment was separated into three Segments, being design by separate design teams. Brierley Associates was engaged by AECOM for our tunneling expertise on Segment A, and by Freese & Nichols for our tunneling expertise on Segment C. Segment A includes approximately 25 individual tunneled sections with associated construction and retrieval shafts, along with a 1.3-mile long EPB tunnel. Segment C includes approximately 22 individual tunneled segments with associated shafts.

Gateway Stormwater Tunnel, El Paso, TX

Role: Design Engineer

A Design Build project for a tunnel and shaft for storm drainage beneath Interstate 10 in El Paso, TX. The project involved several challenges: schedule, multiple contractors on-site, and constructing during the high flood season. The compressed schedule required the Southland/Brierley Team to achieve substantial construction completion by July 1, 2015, after receiving the limited notice to proceed on March 7, 2015. Mr. Kwietnewski designed the liner plate supported shaft and tunnel.

Reinforced concrete pipe was set and grouted into place as the final lining to incorporate into the final pond configuration.

Mishawaka CSO Tunnel, City of Mishawaka, IN

Role: Cost Estimator & Project Design Member

Developed first phase design concepts for a large-scale tunnel project to bring the city's sewer system up to date for Combined Sewer Overflows (CSO) as required by the Environmental Protection Agency (EPA). Mr. Kwietnewski designed a Class 4 engineer's cost estimate for nearly 7,000-LF of 14-ft diameter tunnel that will be permanently lined for long term water/sewer storage and transmission. The detailed cost estimate required preliminary planning and design for all major construction activities associated with the underground facilities. Project planning, design, and cost estimating is expected to be ongoing to bring the project to construction.

Lake Mead Intake No. 3 Surge Shaft and Connector Tunnels, Las Vegas, NV

Role: Construction Engineer

Worked for the contractor to manage the production of all project submittals. Represented the construction team at weekly Owners meetings during pre-construction planning. Managed all submittals, RFI's, RFS's, etc. Project include a 26-ft diameter, 450-ft deep tunnel access shaft and over a half mile of connector tunnels for the water intake system. All shaft and tunnel excavation is with drill and blast. Designed initial support consisting of rock bolts, shotcrete, and steel sets for tunnel and shaft construction.

ATTACHMENT A
PROPOSED PROJECT KEY PERSONNEL

Proposed Organization Doing Business As	Brierley Associates Corporation			
Name of Individual	Kyle Friedman, PE			
Years of Experience in Proposed Position	9			
Years of Experience with this organization	7			
Number of similar projects in Proposed Position	100+			
Number of similar projects in other positions	20+			
Similar Project Experience				
Project Name and Description	Initial Contract Price	Final Contract Price	Contract Date	Actual Date
Forest Lawn Creek Inflow Removal and Outfall Storm Sewer: 13,000 linear feet of new storm sewer and 7,500 linear feet of new sanitary sewer winding through a residential area. Trenchless crossing was 1,300ft of 96-in diameter HOBAST™ pipe.	Design phase: \$62,000 Construction phase: \$92,000	Design phase: \$62,000 Construction phase: \$92,000	June 2015	June 2023
Aurora Pipelines Project: E-470 Trenchless Crossing: 920-ft long tunnel with steel initial support to install the 36-in. diameter steel carrier pipe. The initial support will have a minimum diameter of approximately 48-in and the depth of cover was as low as 8 ft above the tunnel crown.	Design Phase: \$31,321	Design Phase: \$37,800 Construction Phase: \$132,000	March 2018	July 2020
Thornton Water Project: trenchless design for the installation of three sections of 42-in diameter pipeline totaling approximately 42,000 linear feet	Design phase: \$135,000	Design phase: \$324,000	July 2018	On going
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)				
Name	Heather McDowell	Name	Daniel Rice	
Title/Position	Special Projects Manager	Title/Position	Principal	
Organization	City of Fort Collins	Organization	Providence Infrastructure Consultants	
Telephone	(970)224-6065	Telephone	(303) 997-5035	
E-mail	hmcdowell@fcgov.com	E-mail	drice@providenceic.com	
Project	Oak Street Storm Water Improvements	Project	Thornton Water Project – Segment F	
Candidate role	Design Engineer	Candidate role	Trenchless designer	
Current Project Assignments				
Name of Assignment	Percent of Time Used for this Project	Estimated Project Completion Date		
CSU – Eastern Wastewater System Expansion	50%	December 2029		
Pinnacle Slope Stability	10%	November 2025		
Thornton Water Project – Segment F	10%	December 2026		



KYLE R. FRIEDMAN, PE

ENGINEER OF RECORD

Mr. Friedman is a geotechnical engineer with eight years of professional engineering and project management experience within trenchless design and construction and tunneling. Mr. Friedman's experiences in tunneling includes responsibility of trenchless tunneling observations during construction, Geotechnical Baseline Report (GBR) preparation, Geotechnical Data Report (GDR) preparation, and geotechnical investigations. Mr. Friedman's true skills come as being a knowledgeable, hands-on field project manager working with owners and Contractors on their projects in a quality control/quality assurance role. Mr. Friedman was awarded the Ralston Young Trenchless Achievement Award by the North American Society for Trenchless Technology in 2025.



RELEVANT PROJECTS

Forest lawn Inflow Removal and Outfall Project, Omaha, Nebraska

Role: Project Manager

This project is intended to remove and/or control inflow into the existing combined sewer system. This project will fully separate the stormwater and sanitary flows in the project area. Stormwater flows from Forest Lawn Creek will be directed to the Missouri River during all rain events providing additional capacity in the local collection system and reducing the potential for back-ups into basements and street flooding. The project includes 13,000 linear feet of new storm sewer and 7,500 linear feet of new sanitary sewer winding through a residential area. Along Weber Street trenchless technologies were required to install a section of the storm sewer that, due to grade requirements, would have required open cut trenches up to 40 feet deep. The open cut sections going into this area require a box structure that is 10 feet wide by 7 feet tall. For the trenchless crossing, a 96-inch nominal HOBAS pipe was required. Mr. Friedman provided construction management of the trenchless portions of the project.

Bismarck Airport Wetland Mitigation, Bismarck, ND

Role: Resident Engineer

Construction Management Team Service Award – 2022 Construction Season

The Bismarck airport project consists of 8 trenchless installations totaling 1,800 linear feet underneath multiple runways, taxiways, and roads on the Bismarck airport property to control localized flooding during spring snowmelt. Mr. Friedman served as the Project Engineer for the on-going trenchless crossings from fall of 2021 to Winter of 2022 and is working closely with the contractor and civil engineer to ensure proper installation of the crossings to critical design grade of 0.2% and 0.05% while allowing the airport to perform at its full capacity. Mr. Friedman also received the award for the top performing resident engineer on the project for the 2022 construction season.

Aurora Pipelines, Aurora, CO

Role: Field Engineer

The Aurora Pipelines project consisted of one trenchless installation underneath highway E-470 in Aurora, CO. Brierley designed the 958-ft long, 48-in microtunnel crossing. The

Years of Experience: 9

Years with Brierley: 7

Education

BS, Civil (Geotechnical) Engineering, University of Missouri-Columbia, 2016

MS, Civil (Geotechnical) Engineering, University of Missouri-Columbia, 2018

Professional Registration

Professional Engineer
UT (13891666-2202), CO, KS, MO

Professional Societies

RMNASTT – Board Member



2025

trenchless crossing is part of a new waterline project to provide redundancy for the surrounding communities. Mr. Friedman has served as the field engineer for the project performing construction oversight for the trenchless crossing.

Platte to Park Hill, Phase 6, Denver, CO

Role: On-Site Project Manager

The Park Hill Phase 6 project consisted of two trenchless installations. Brierley designed the 288-ft long, 84-in storm sewer and 30-in sanitary sewer trenchless crossings crossing under two Union Pacific Railroad tracks and two RTD commuter rail lines. The trenchless crossings were part of the design-build Platte to Park Hill flood protection project for the City and County of Denver. Brierley also performed construction oversight of the guided auger boring and excavator boring shield installations. Mr. Friedman served as the on-site project manager for the Storm sewer trenchless crossing.

North Greeley Sewer Phase 2A Construction Phase Services

Role: Field Engineer

The North Greeley sewer consisted of two trenchless installations. Brierley Associates was retained by the City of Greeley for the trenchless design portion of the project. Tunnel one is a 120-ft long, 48-in diameter steel casing tunneled underneath the Union Pacific Rail Road. Tunnel two is a 218-ft long 48-in diameter steel casing tunneled underneath 8th Avenue. The tunnels were constructed through coarse alluvium from the Cache La Poudre River less than 500 feet from both installations. During construction, Mr. Friedman was on site full-time during tunneling operations recording production rates, comparing actual versus theoretical muck removal, evaluating settlement monitoring data, and working with the client and owner to ensure the new sewer installation stayed on design line and grade.

Highpointe Second Creek Interceptor Segment 1E, Aurora, CO

Role: Field Engineer

Brierley Associates provided design-level geotechnical engineering services for Aurora Water's proposed forcemain connecting an existing lift station in Denver, Colorado northeast of Argonne Street and E 71st Avenue to an existing sanitary structure on the northwest corner of Tower Road and E 68th Avenue, for a total distance of approximately 3,400-feet. The proposed forcemain will be installed using open-cut methods at depths ranging from 7- to 10-feet. Mr. Friedman performed QA/QC during construction on the two tunnels for the project. Mr. Friedman was the full-time inspector on-site during tunneling operations for tunnel one recording production rates, comparing actual versus theoretical muck removal, evaluating settlement monitoring data, and working with the client and owner to ensure the project stayed on schedule and on budget.

Globeville Landing Outfall - Phase 3, Denver, CO

Role: Field Engineer

The Globeville Landing Outfall project provided a 100-year storm sewer outfall system to serve the Montclair Basin in Denver, Colorado. Phase 3 of the project passed under 18 Union Pacific railroad and Regional Transportation District tracks. Twin 96-in pipes were used to construct the trenchless portion using a RASA Industries DH1900 micro tunnel boring machine. The new twin tunnels are directly parallel to two existing tunnels crossing the 16 Union Pacific Railroad tracks placed back in 2013. The trenchless crossing was approximately 515-ft and went through mixed-face conditions consisting of well-graded sand with gravel zones and lean clay. Near the end of the trenchless crossing the MTBM also had to navigate an existing crushed RCP with remained within the tunnel horizon. Mr. Friedman performed QA/QC of the second tunnel drive for the owner, the City of Denver. Mr. Friedman was the full-time inspector on-site during tunneling operations recording production rates, comparing actual versus theoretical muck removal, and evaluating settlement monitoring data.

**ATTACHMENT A PROPOSED
PROJECT KEY PERSONNEL**

Proposed Organization Doing Business As		Brierley Associates Corporation		
Name of Individual		Brent Lindelof, PE		
Years of Experience in Proposed Position		32		
Years of Experience with this organization		3		
Number of similar projects in Proposed Position		69 with Brierley		
Number of similar projects in other positions		200+		
Similar Project Experience				
Project Name and Description	Initial Contract Price	Final Contract Price	Contract Date	Actual Date
Lake Macatawa Transmission Main Rehabilitation: Rehab of an existing 36-in DR 11 HDPE pipe	Design Phase: \$164,650 Construction Phase: \$ 180,000	Design Phase: \$164,650 Construction Phase: \$ 180,000	July 2023	May 2025
Greenbriar 72-inch Waterline: Project consists of the design of 11 tunnel crossings with drives as long as 950LF. Primary liner of 96-inches in saturated alluvial conditions.	\$325,670	Ongoing	March 2024	February 2024
Lockwood 84-inch Wastewater Main: As Project consists of the technical support of 8 tunnel crossings, including 108" MTBM crossings at IH69, IH610, major UPRR hub crossing with 12 tracks and 5 major intersections along the alignment.	\$328,870	Ongoing	November 2024	November 2027
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)				
Name	Nathan 'Nate' Eastway, P.E.	Name	Greg Henry, P.E.	
Title/Position	Chief Operating Officer	Title/Position	Senior Associate, Team Leader	
Organization	Gabe's Construction	Organization	LAN	
Telephone	920.889.8135	Telephone	713.266.6900	
E-mail	neastway@gabes.com	E-mail	GJHenry@lan-inc.com	
Project	Lake Macatawa	Project	Lockwood 84-inch Wastewater	
Candidate role	Technical Lead, Engineer of Record	Candidate role	Engineer of Record – Tunneling	
Current Project Assignments				
Name of Assignment	Percent of Time Used for this Project	Estimated Project Completion Date		
Rivanna Intake Tunnel Designs	10	2026		
CSU Expansion	25	2026		
Lockwood 84-inch	10	2027		

BRENT LINDELOF, PE

TRENCHLESS DESIGN

Mr. Lindelof has worked in the construction and engineering business since he was a teenager, acquiring a broad base of civil construction experience. Mr. Lindelof's interests include heavy civil work in tunnels and underground spaces, pipeline and facility rehabilitation, horizontal directional drilling, various guided and conventional boring techniques, microtunneling and conventional shield tunneling. He has been involved in design and construction of hundreds of utility tunnels and HDD crossings from 4-inch to 180-inch.

In his previous role for the Boring and Tunneling Company of America, Mr. Lindelof served as General Manager and Director of Construction and Engineering. He was responsible for all performance aspects of field work, equipment, labor force, finances, engineering, support services and safety for 4 trenchless divisions including: Tunneling and Tunnel Shaft Operations, Pilot Tube Guided Boring/Auger Boring, Horizontal Directional Drilling, and Slick Boring. He managed a field staff of 60 to 80 construction professionals and 10 to 15 office personnel. In this role he promoted a safety-first approach to construction management, resulting in zero recordables in 2020 and 2021.

RELEVANT PROJECTS

Scranton 48-inch Slipline, Scranton, PA

Role: Contractors Engineer, Technical Lead

As the Contractor's Engineer, Mr. Lindelof provided engineering and construction support for the rehabilitation of an existing 48-inch Cast Iron Pipe installed within a mountain pass. Project consisted of developing a proofing and sliplining plan and supporting calculations to install 4,200LF of 42-inch DR11 PE4710 within the existing tunnel. The installation required a cartridge loading method due to very limited space and took 7 days to complete. The anticipated installation loads would push the pullhead into the upper limit of allowable loads, and required a detailed analysis, thorough planning and precise execution.

Southfork Rivanna Reservoir Raw Water Intake Lake Intake, Charlottesville, VA

Role: Technical Lead

As Technical Lead, Mr. Lindelof is leading the engineering design for the tunnel work required for the three proposed lake intakes. The tunnels are proposed to be 66-inch steel casing installed through a granite formation, punching out on the lake bottom and connected to 3 large tee-shaped intake structures. The scope of services includes geotechnical recommendations, geotechnical baseline report, engineering plans, cost estimates, technical specifications and calculation packages to support the Prime A&E firm through the design, permitting and construction processes.

72-inch Waterline from SWPS to Greenbriar, Houston, TX

Role: Engineer of Record, Technical Lead

As Engineer of Record, Mr. Lindelof is providing engineering deliverables to support the tunnel work required for the proposed 72-inch waterline alignment. Project consists of the design of 11 tunnel crossings, including MTBM crossings at Greenbriar, within CPE easements, major intersections and IH69, with drives as long as 950LF. Primary liner of 96-



Total Years of Experience: 32

Years with Brierley: 3

Education

BS, Civil Engineering, University of Houston, 2009

Professional Registrations

Professional Engineer:

TX PE No. 117075

FLA PE No. 96181

MI PE No. 6201313582

NC PE No. 057081

Professional Societies

ASCE

UCTA

NASTT

Professional Accreditations

City of Houston Construction Inspector Certificate

OSHA 30-Hour

TWIC

inches in saturated alluvial conditions. The scope of services includes technical design for the tunnel crossings; geotechnical recommendations, design drawings, technical specifications and calculation packages to support the Prime A&E firm through the design, permitting and construction processes.

84-inch Wastewater along Lockwood, Houston, TX

Role: Engineer of Record, Technical Lead

As Engineer of Record, Mr. Lindelof is providing engineering deliverables to support the tunnel work required for the proposed alignment. Project consists of the technical support of 6-8 crossing designs, including MTBM crossings at IH69, IH610, major UPRR hub crossing with 12 tracks and major intersections along the alignment. Primary liner of 108-inches in mixed loamy conditions. The scope of services includes design reports, technical memorandums, geotechnical recommendations, technical specifications and calculation packages to support the Prime A&E firm through the design, permitting and construction processes.

36-inch Transmission Main Rehabilitation, Holland, MI

Role: Engineer of Record, Technical Lead

As Engineer of Record, Mr. Lindelof provided engineering deliverables to support the rehabilitation of an existing 36-inch HDPE transmission main installed beneath Lake Macatawa. Project consisted of developing a comprehensive rehabilitation package to include cleaning, surveying, inspecting and sliplining the existing 3,172LF of 36-inch HDPE beneath the lake with a new 20-inch PVC product pipe and reconnecting to the existing 30-inch DIP. The work was delivered using direct procurement processes in a Design-Team setting with Owner, Engineer and Contractor all working together to develop the means and methods required for the rehab work to take place in limited spaces. Mr. Lindelof also provided Construction Phase Services on behalf of the Owner.

East Bay at Dupont Bridge Subaqueous Water Main 24-inch fPVC Crossing of East Bay, Panama City, Fla

Role: Engineer of Record, Technical Lead

As Engineer of Record, Mr. Lindelof is providing engineering deliverables to support the water main crossings of the East Bay in Panama City, Florida. Project consists of the design of 1 HDD crossing, using 24-inch fPVC. The HDD alignment is approximately 4,987 feet. The scope of services includes a technical memorandum, technical specifications, HDD calculation packages including installation pull load and stress calculations, annular pressure calculations and formation pressure calculations tailored for local and USACE permitting.

Peace River Regional Integrated Loop Phase 2B Pipeline, North Port, Florida

Role: Engineer of Record, Technical Lead

As Engineer of Record, Mr. Lindelof is providing engineering deliverables to support the water main crossings of the Myakka River and Toledo Blade Blvd. Project consists of the design of 2 HDD crossings, using 42-inch HDPE. The HDD alignments are approximately 4,300 and 1,400 linear feet respectively. The scope of services includes a basis of design report, technical specifications, HDD calculation packages including installation pull load and stress calculations, annular pressure calculations and formation pressure calculations.

Krieg Fields Reclaimed Water Line – Permanent Restoration Project, Austin, Texas

Role: Engineer of Record, Technical Lead

As Engineer of Record, Mr. Lindelof is providing engineering deliverables to support the reclaimed water main crossings of a tributary creek to the Colorado River. Project consists of the design of 1 HDD crossing, using 20-inch HDPE. The HDD alignment is approximately 900 linear feet. The scope of services includes technical specifications and a HDD calculation package including installation pull load and stress calculations, annular pressure calculations and formation pressure calculations.

ATTACHMENT A
PROPOSED PROJECT KEY PERSONNEL

Proposed Organization Doing Business As	Golden Geotechnics, Inc			
Name of Individual	Sean Sundermann, PG, CEG			
Years of Experience in Proposed Position	20+			
Years of Experience with this organization	2			
Number of similar projects in Proposed Position	50+			
Number of similar projects in other positions	200+			
Similar Project Experience				
Project Name and Description	Initial Contract Price	Final Contract Price	Contract Date	Actual Date
WaterPro Recycled Water Pipeline. Technical lead for geotechnical investigation. Wrote feasibility and basis of design memo. Led trenchless design workshop. Led automated real-time displacement monitoring program.	\$45,560	\$41,060	3/2023	2/2025
1800N Sewer Replacement Phase 1. KUE project manager and ground conditions lead. Value engineering for approving dewatering plan in UPRR rail yard. Technical lead for trenchless plan and SLC approval.	\$18,000	\$18,000	7/31/2023	10/2023 Utility conflict delay
Thornton Water Pipeline. Ground conditions lead as part of design team. Oversaw site investigation for trenchless crossings including UPRR, co-wrote feasibility memo and geotechnical baseline report (GBR) with Brierley Assoc	\$22,000	\$24,300	8/29/2024	Ongoing
Reference Contact Information (listing names indicates approval to contacting the names individuals as a reference)				
Name	Nikolai Halverson, PE	Name	Jon Nix	
Title/Position	Engineer V, Project Manager	Title/Position	President	
Organization	Salt Lake City Corp. - Public Utilities	Organization	Claude H. Nix Construction	
Telephone	801-483-6848	Telephone	801-589-9015	
E-mail	nikolai.halverson@slc.gov	E-mail	jonnix@chnix.com	
Project	1800N Sewer Replacement Phase 1	Project	Draper WaterPro / SLC 1800N Sewer	
Candidate role	Trenchless Contractor Design Lead	Candidate role	Trenchless Design / Contractor Design	
Current Project Assignments				
Name of Assignment	Percent of Time Used for this Project	Estimated Project Completion Date		
Thornton Water Pipeline - Segment F	10%	Q4 of 2026		
Venice Dual Force Main	35%	Q3 of 2026		
Range Offsite Utilities	10%	Q1 of 2026		



SEAN T. SUNDERMANN, PG, CEG

PRINCIPAL GEOLOGIST – GOLDEN GEOTECHNICS, INC.

 CIVIL ENGINEERING ADJUNCT FACULTY –UNIVERSITY OF COLORADO, BOULDER

Mr. Sundermann is a certified engineering geologist (CEG) and professional geologist (PG) specializing in characterizing geologic ground conditions, and hazards for critical facilities involving trenchless pipeline construction, engineering geology studies and geohazard analysis and mitigation. He brings over two decades of experience merging a regional geologic understanding and local site explorations to create a comprehensive picture of anticipated ground conditions and behavior to maximize client risk reduction. He has completed site-specific geologic characterization and regional alignment assessment projects for critical facilities world-wide by integrating subsurface exploration, various surface and downhole geophysical methods, geologic mapping, and rock mass classification to develop state-of-art geotechnical characterization as part of the design process, delivering Geotechnical Baseline Reports (GBR), Basis of Design Memo, or Data Reports (GDR). Generally, his role extends beyond the hazard/site evaluation, and extends to presenting results to a mixed audience of technical reviewers, local and federal agencies, and media.



Years of Experience: 24

Education

CO School of Mines, Hard Rock Tunneling, 2024

MS, Structural Geology
University of Colorado, 2002

BA, Geological Sciences,
University of Colorado, 2000

RELEVANT PROJECTS - TRENCHLESS TECHNOLOGY

WaterPro Recycled Water Pipeline Project, Draper, Utah

Role: Trenchless Design Ground Conditions Lead

Project involved construction of an east to west trending recycled water pipeline that included two trenchless crossings, Interstate 15 and the Jordan & Salt Lake Canal. As part of KUE, Sean was the geotechnical lead on the trenchless design team for the two crossings. Sean oversaw the geotechnical investigation and wrote the basis of design memo as the springboard for the GBR. The BOD memo was presented by Sean in a design workshop to the client and third part stakeholders to select appropriate trenchless means & methods and identify and mitigate associated risks. Later under Golden Geotechnics, Sean was a part of the contractor's design team and performed site monitoring for potential settlement/heave along the alignment under Interstate 15. The tunnel was completed successfully under real-time displacement monitoring without a single settlement threshold triggered.

Provo Franklin Park Storm Water Detention System Pipeline, Provo, Utah

Role: Trenchless Design Lead

As part of KUE, Sean was contracted by the City of Provo after an initial design of a storm water diversion tunnel under several Union Pacific and UTA tracks was deemed high risk and unconstructable by the previously selected trenchless contractor. The original configuration was a 134 lf crossing of 54-inch casing with 6 ft of cover under the tracks. Sean performed a supplemental geotechnical investigation to evaluate the ratio, size and distribution of cobbles and boulders in the ground. Also of interest was the stability of the coarse-grained matrix that is potentially susceptible to settlement under the tracks with a shallow cover crossing. Sean worked with the City and contractors to identify the potential risks of the crossing and those risks specific to certain technologies. By understanding the ground conditions and applying appropriate ground control and construction methods, the team was able to adjust the project layout to create a constructable project that minimized

Professional Registration/Certs

Certified Engineering Geologist,
California 2695

Professional Geologist,
Utah 7270308-2250

Other States: CA, NY, WY & TX

Rope Access SPRAT Level 1

OSHA 30-Hr Construction Safety

OSHA 8-Hour Confined Space

Professional Associations

Board Member - North American Society of Trenchless Technology (NSTT)

Underground Construction Association (UCA)

Board Member – U of Colorado Geology Dept Advisory Board

Past Employers

Kilduff Underground Eng
Brierley Associates

Fugro William Lettis & Associates

third party impacts while meeting the owner's design criteria. This included revising the trenchless sequencing to accommodate the ground conditions, adjustments to alignment and changing to a one-pass crossing to minimize pipe size to increase cover.

SVSD New Bingham Highway Sanitary Sewer Pipeline, West Jordan, Utah**Role: Trenchless Lead, 2022-2023**

Project included an upgrade to 3.7 miles of existing sewer pipeline from 4000 West and 7800 South to about 6700 West New Bingham Highway. The pipeline has one 130-linear-feet trenchless crossing under Union Pacific tracks along New Bingham Highway. Sean completed a test pit supplemental to the original geotechnical investigation and completed a Geotechnical Baseline Report (GBR) describing the anticipated subsurface conditions, anticipated ground behavior, recommended construction methods, provide baseline statements for Contractors to base their bids, and allocate risks associated with the baselined ground conditions and the planned subsurface construction means and methods.

Thornton Water Pipeline Project, City of Thornton, CO**Role: Trenchless Design Ground Conditions Lead**

Project Sean is serving as the geotechnical lead on the trenchless design team for Segment F of the Thornton Water Project. The pipe alignment has multiple crossings for which Golden Geotechnics was contracted to monitor field investigations, lead the ground characterization effort and co-author the geotechnical baseline report for the project with Brierley Associates. GGI has been involved in the development of the project risk matrix for trenchless installations, mitigation measures and initial selections of appropriate technologies.

W-6 Upper Segment Tunnel; San Antonio Water System, TX**Role: Trenchless Design & Contractor Support Lead**

While at Brierley Assoc., Mr. Sundermann served as a QA-lead for the geotechnical investigation and Geotechnical Baseline Report (GBR) for a 90-inch wastewater interceptor to replace an existing 54-inch sewer for the San Antonio Water System. The project consists of an approximately 28,000 linear foot 19-ft diameter main tunnel and 9 shafts of various diameters and depths. Mr. Sundermann provided oversight of subcontracted geotechnical services both in the field and provided direction and review of the GDR. Sean later provided contractor support to the awarded contractor, SAK. Sean's experience and knowledge with the ground conditions afforded multiple value engineering solutions resulting in significant cost reduction and improved constructability.

1800 N Sewer Replacement Phase 1, Salt Lake City, Utah;**Role: Trenchless Contractor Support Lead**

Project manager and lead geologist for the installation of four parallel 36-inch diameter steel casings via trenchless methods under 13 Union Pacific and RTD railroad tracks, and two parallel crossings of Interstate 15. As part of the KUE team, Sean led a value engineering effort with the contractor to select an appropriate trenchless method given the high-risk geologic profile. Sean identified major misconceptions about the potential for localized groundwater in buried historic channels and developed and received client approval for a unique dewatering system within the UPRR railyard. In addition, Sean developed a displacement monitoring program for the 13 tracks and I-15. After starting Golden Geotechnics, Sean was again retained by Nix Construction to lead client discussions, writing RFIs and design memos and overseeing the displacement monitoring program.

Venice Dual Force Main, Venice, CA**Role: Contractor DSC Lead, 2024-present**

A 10,248 lf force main installed by MTBM trenchless technology for 69-inch RCCP and a 80-inch Permalock OD carrier pipe along the shoreline of Venice Beach. The Contractor's advancement rate was significantly slower than anticipated with a substantial difference in the amount of fines content. Contractor contracted Golden Geotechnics to perform a geologic evaluation of the contract documents, supplementary investigations performed by the contractor during tunneling to assess the possibility for a differing site condition. The evaluation was able to show that the contract documents did not accurately represent the geologic environment or the anticipated ground conditions and further was able to correlate the rate of progress to the differing conditions along the alignment.



Attachment B

Statement of Project Experience

ATTACHMENT B
STATEMENT OF PROJECT EXPERIENCE

Using the summary format included below, list and describe Proposer's history of successful completion of both similarly sized and scoped projects.

Project #1

Name of Project: Forest Lawn Creek Inflow Removal and Outfall Storm Sewer

Location: Omaha, NE

OWNER's Name and Address: City of Omaha, NE

CLIENT's Contact Person (Print): Mike Lehrburger, Burns & McDonnell

Phone/Fax No.: 303-474-2264

Initial Contract Price: \$256,020 (Brierley fee) Final Contract Price: \$216,708 (Brierley fee)

Contract Start Date: 5/22/2015 (Date of Notice to Proceed)

Contract Time: 44 months () Calendar Days () Working Days

Contract Substantial Completion Date: June 2023

Actual Substantial Completion Date: June 2023

If contract completion time extensions were added to the contract as a result of PROPOSER's responsibilities, provide a short explanation of each.

Project Description and Statement of Relevance to this Project:

The Forest Lawn Creek Inflow Removal and Outfall Storm Sewer project, located in the Minne Lusa Basin, is intended to separate the stormwater and sanitary flows in the project area and remove and/or reduce inflow into the existing combined sewer system. Stormwater flows from Forest Lawn Creek will be directed to the Missouri River during all rain events. This will provide additional capacity in the local collection system and reduce the potential for street flooding and back-ups into basements. Sanitary sewer flows will be directed to the conveyance sewers and then routed to the Missouri River Water Resource Facility for treatment. The Forest Lawn project includes 13,000 linear feet of new storm sewer and 7,500 linear feet of new sanitary sewer winding through a residential area. Within a residential neighborhood, trenchless technologies were required to install a section of the storm sewer that, due to grade requirements, would have required open cut trenches up to 40 feet deep. For the trenchless crossing, a 96-inch diameter HOBAS™ pipe was specified.

Describe substantial benefits provide to owners, such as innovated ideas or approaches to completing the work.

During the design process, a detailed risk register was created to collectively identify, analyze, and address risks associated with the trenchless crossing. During this process, it was determined that some of the greatest risks associated with this crossing were related to uncertainties in the artificial fill, and to mixed face conditions within the native soils.

Artificial fill was known to exist above the trenchless crossing from derived re-workings of the Peoria Loess and existing utility installations. The samples collected indicated the fill was undocumented and contained glass, slag, and brick fragments. The Peoria Loess is a very fine grained material which is known to vary in consistency along the alignment from weight of hammer to 20 blows per foot. These mixed face conditions could potentially cause MTBM steering issues along the alignment. Multiple strategies were implemented within the Contract Documents to address this, including baselined levels for mixed face conditions, requirements in the specifications for experienced operators, specifying survey intervals, and steering correction criteria.

Specific survey intervals were also specified to ensure the single pass installation stayed within the project tolerances of 1 inch on grade and 3 inches on line. The 1,300-ft drive presents its own challenges on the guidance system because a pipe laser could not be utilized for the entire length of the project. The pipe laser can be utilized for approximately the first 600 feet and then the guidance system was switched to a VMT theodolite system. Prior to construction, CM staff met with the MTBM operators to discuss the expected ground conditions and how the machine might behave during tunneling. This exercise proved to be a useful tool to manage expectations of ground conditions and response.

ATTACHMENT B
STATEMENT OF PROJECT EXPERIENCE

Using the summary format included below, list and describe Proposer's history of successful completion of both similarly sized and scoped projects.

Project #2

Name of Project: Lake Macatawa Transmission Main Rehabilitation

Location: Holland, MI

OWNER's Name and Address: Holland Board of Public Works, 625 Hastings, Ave, Holland, MI 49423

OWNER's Contact Person (Print): Pieter Beyer, PE Phone/Fax No.:616-355-1500

Initial Contract Price: \$344,650 (Brierley fee) Final Contract Price: \$344,650 (Brierley fee)

Contract Start Date: June 2023 (Date of Notice to Proceed)

Contract Time: 23 Months () Calendar Days () Working Days

Contract Substantial Completion Date: May 2025

Actual Substantial Completion Date: May 2025

If contract completion time extensions were added to the contract as a result of PROPOSER's responsibilities, provide a short explanation of each.

Project Description and Statement of Relevance to this Project:

After leaks were discovered in 2023 in a 36-in transmission main crossing Lake Macatawa, the City of Holland, Michigan, and the Holland Board of Public Works (HBPW) decommissioned the pipeline and conducted an inspection by a remotely operated vehicle (ROV). Brierley Associates was retained by HBPW to develop a rehabilitation strategy and solution to return the failed pipeline to use. The original pipeline was constructed between 2005 and 2008 by horizontal directional drilling.

This project was designed to rehabilitate the existing 36-in DR 11 HDPE pipe, specifically:

- Restore flow along the central North/South corridor to reduce dependence and provide redundancy to the shipping channel and River Avenue transmission crossings.
- Provide a solution utilizing the existing 36-in DR 11 HDPE pipe.
- Minimize impacts to neighboring stakeholders.

Reviewing the ROV images and the as-built data, our design team determined that major aggregate and material infiltration had occurred. It was further discovered that the pipe had been overbent vertically during installation.

Describe substantial benefits provide to owners, such as innovated ideas or approaches to completing the work.

The team determined that a design-build approach would best suit the project, enabling evidence-based, constructable solutions and bringing together a diverse team experienced with challenging rehabilitation projects. Gabe's Construction was brought in to provide pipe proofing and sliplining for the project.

Following removal of the large aggregate and asphalt by a dive crew, a high-pressure jet assembly was launched at one end of the pipe, with a venturi suction assembly at the other end. The high-pressure jet would drive the material from the pipe invert into the flow stream and the venturi assembly would pull the material into the collection basket. This proved to be a very effective method after some trial and error to get the kinks worked out of the process. Once cleaning was complete, a series of ROV inspections were conducted to confirm the cleaning process was successful and to evaluate the ovality of the HDPE.

HDD equipment was utilized to pull-back 20-in and 24-in custom designed steel mandrels in order to proof the geometry required for a successful slipline. Based on the proofing results the design team decided to proceed with 20-inch DIPS DR 21 fPVC carrier pipe. The sliplining operation required 5 intermediate fusions to accommodate limited layout space and took 3 days to accomplish. After sliplining was complete the annular space was filled with pumpable bentonite grout. This process involved batching 54,000 gallons of Baroid Bore-Grout in mixing tanks before pumping could commence and finishing with another 6,000 gallons to top off the annular space and meet the specified density. The grouting operation took approximately 2 weeks from start to finish.

After grouting operations were complete, a general civil contractor mobilized to complete the installation of manholes, combination air/vacuum valves, flush the system and make final connections. The roadway was repaired, and final topside restoration was completed in November 2024.

ATTACHMENT B
STATEMENT OF PROJECT EXPERIENCE

Using the summary format included below, list and describe Proposer's history of successful completion of both similarly sized and scoped projects.

Project #3

Name of Project: Aurora Pipelines Project: E-470 Trenchless Crossing

Location: Aurora, CO

OWNER's Name and Address: City of Aurora, CO

CLIENT's Contact Person (Print): Randy Parks, PE, Dewberry Engineers

Phone/Fax No.: 303-951-0613 /

Initial Contract Price: \$169,761 (Brierley fee) Final Contract Price: \$181,342 (Brierley fee)

Contract Start Date: 3/8/17 (Date of Notice to Proceed)

Contract Time: 52 Months () Calendar Days () Working Days

Contract Substantial Completion Date: July 2020

Actual Substantial Completion Date: July 2020

If contract completion time extensions were added to the contract as a result of PROPOSER's responsibilities, provide a short explanation of each.

Project Description and Statement of Relevance to this Project:

Aurora Water's Pipelines Program includes tunneled crossings beneath freeways and roadways. Brierley Associates was retained by Dewberry Engineers Inc. to provide background and literature review; project planning and layout; field exploration, Geotechnical Data Reports, Geotechnical Baseline Reports; contract drawings and specifications; bid support and construction phase services for one trenchless crossing.

One of the tunneled crossings is located along the southern side of 56th Avenue and beneath E-470 in Aurora, Colorado. This crossing will be a 920-ft long tunnel with steel initial support to install the proposed 36-in. diameter steel carrier pipe. The initial support will have a minimum diameter of approximately 48-in and the depth of cover will be as low as 8 ft above the tunnel crown. It is anticipated that the planned tunnel alignment will encounter sedimentary bedrock and residuum.

Brierley worked with the project team on the E-470 crossing to develop design documents to allow for several tunneling methods with the intent of attracting competitive contractor bids to reduce the project cost. Initially, HDD methods were proposed for the E-470 crossing however the owner ultimately decided against HDD methods due to concerns regarding post-construction maintenance access. Therefore, design

documents developed by Brierley allowed for tunneling via tunnel boring machine, microtunnel, and shield tunneling. The contractor selected for the project proposes using microtunneling methods to construct the crossing.

Describe substantial benefits provide to owners, such as innovated ideas or approaches to completing the work.

Microtunneling was selected by the contractor for the desired trenchless method. Brierley provided construction management services for the trenchless crossings overseeing the shaft construction and full-time oversight during the trenchless installation. Approximately 240ft from the launch shaft, the microtunnel got stuck within the open space adjacent to the pavement of E-470. Brierley worked with the contractor to be able to dig up of the machine, straighten the pipe string, and re-launch the machine from its location, and successfully reaching the receiving shaft weeks later.

ATTACHMENT B
STATEMENT OF PROJECT EXPERIENCE

Using the summary format included below, list and describe Proposer's history of successful completion of both similarly sized and scoped projects.

Project #4

Name of Project: Thornton Water Project - Work Package 1- Design Phase

Location: Johnstown and Windsor, CO

OWNER's Name and Address: Thornton Water Supply and Storage Company

OWNER's Name and Address: City of Omaha, NE

CLIENT's Contact Person (Print): Mike Lehrburger, Burns & McDonnell

Phone/Fax No.: 303-474-2264

Initial Contract Price: \$135,000 (Brierley Fee) Final Contract Price: \$135,000 (Brierley Fee)

Contract Start Date: July 2018 (Date of Notice to Proceed)

Contract Time: 24 Months () Calendar Days () Working Days

Contract Substantial Completion Date: July 2020

Actual Substantial Completion Date: July 2020

If contract completion time extensions were added to the contract as a result of PROPOSER's responsibilities, provide a short explanation of each.

Project Description and Statement of Relevance to this Project:

Once complete, the Thornton Water Project will convey water owned by Thornton Water Supply and Storage Company via pipeline for treatment and distribution to its municipal customers.

Project components include the installation of two sections of 42-in diameter pipeline totaling approximately 36,700 linear feet in Windsor and Johnstown, Colorado. Given the need to avoid known underground utilities, alignment selection was optimized to avoid conflicts and minimize relocations. The Windsor segment contains two trenchless crossings: Highway 392 and a 250-ft crossing of Cache La Poudre River. The Johnstown segment contains seven trenchless crossings: WCR 13, Home Supply Extension Ditch, State Highway 60, Great Northern Railroad, Little Thompson River, and two Hillsborough Ditch crossings. The project is mostly within a sparsely populated rural area.

Brierley was responsible for creating: the risk register for the trenchless sections; Geotechnical Baseline Report for the nine trenchless crossings, an engineer's estimate of probable cost for the trenchless crossings; the geotechnical instrumentation plan consisting of utility and surface monitoring points; trenchless

drawings and specifications.

The nine trenchless crossings were approximately 10-ft to 50-ft deep. Crossings are expected to primarily be through the weathered or intact sandstone/claystone bedrock, with one crossing designed to be installed through coarse alluvium deposits. Launch and retrieval shafts are expected to be excavated in eolian deposits, fine and coarse alluvium and bedrock.

Describe substantial benefits provide to owners, such as innovated ideas or approaches to completing the work.

At several crossing locations, the project also encountered soils that exhibited characteristics that strongly suggested the potential for liquefaction within the tunnel horizon. Further analysis of aerial photography led the Brierley design team to deepen the crossings into rock to avoid the poor construction materials and affiliated line and grade complications during construction.

The 235-ft crossing of Little Thompson River posed a challenge due to the known potential for a buried channel below the river which was could not be measured directly due to the lack of access for drilling within the waterway. Management of this challenge was accomplished by performing a geophysical survey through our project team member Collier Geophysics. Collier utilized Ground Penetrating Radar (GPR) to identify the probable depth to top of rock. Once this information was in hand, Brierley reduced project risk by lowering the alignment depth into stable bedrock and avoid potential piping of soft overburden soils into the tunnel envelope.

2000 S. Colorado Blvd., Suite A-400 | Denver, CO 80222
303-703-1405 | www.BrierleyAssociates.com

**BRIERLEY
ASSOCIATES**
Creating Space Underground

June 17, 2025

Ryan Bankhead
Senior Staff Engineer
Layton City Engineering Department
437 North Wasatch Drive
Layton, UT 84041

Re: Proposal for Secondary Water Trunk Line Trenchless Design Services
File No: 125138-970

Dear Mr Bankhead,

Brierley Associates Corporation offers this fee package specifically for Trenchless Engineering Services in response to your Request for Proposal.

Thank you for taking time to review our proposal and we welcome the opportunity to discuss this project and provide our expertise. Please feel free to contact [nstrater @brierleyassociates.com](mailto:nstrater@brierleyassociates.com) 603-918-0606.

Kindest Regards,
BRIERLEY ASSOCIATES CORPORATION



Nick Strater
Trenchless Sector Lead

FEE ESTIMATE

Layton Secondary Water Trunk Line
 6/17/2025
 125138-970

**BRIERLEY
 ASSOCIATES**
Creating Space Underground

BRIERLEY LABOR FEE

Task	Total time (hrs)																		Fee
	Senior Principal (\$/hr)	Principal / Sr. Consultant II / Nick Strater (\$/hr)	Sr. Assoc./Sr. Consultant I Brent Lindelof (\$/hr)	Associate/Sr. Project Mgr David Kwiethnawi (\$/hr)	Sr. Professional II (\$/hr)	Sr. Professional I Kyle Friedman (\$/hr)	Professional II Sean Sundermann (\$/hr)	Professional I (\$/hr)	Staff Professional II (\$/hr)	Staff Professional I (\$/hr)	VDC Director (\$/hr)	Sr. BIM-CADD (\$/hr)	BIM-CADD Professional (\$/hr)	BIM-CADD Technician (\$/hr)	GIS Analyst III (\$/hr)	GIS Analyst II (\$/hr)	GIS Analyst I (\$/hr)	Administrative (\$/hr)	
1 General Project Coordination	0	3	26	6	6	16	10	0	50	0	0	0	0	0	0	0	0	6	123 \$26,670
2 Pipeline Design	0	23	150	137	32	59	12	0	316	0	0	185	0	0	0	0	0	0	914 \$198,170
3 Geotechnical Design	0	2	9	0	6	6	104	0	32	0	0	0	0	0	0	0	0	0	159 \$32,490
4 Construction Management	0	1	24	0	0	32	0	0	52	0	0	0	0	0	0	0	0	0	109 \$23,510
na na	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0
na na	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0
na na	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0
na na	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0
na na	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0
na na	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0
na na	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	\$0
Totals	0	29	209	143	44	113	126	0	450	0	0	185	0	0	0	0	0	6	1,305 \$280,840 Total

FEE ESTIMATE
Layton Secondary Water Trunk Line
6/17/2025
125138-970

15% Subcontractor Markup

15% Other Direct Costs Markup

Travel costs vary by locale, update to GSA standard rates as applicable
<https://www.gsa.gov/travel/plan-book/per-diem-rates>

**BRIERLEY
ASSOCIATES**
Creating Space Underground

SUBCONTRACTOR COSTS AND OTHER DIRECT COSTS

Task	Task Description	SUBCONTRACTOR COSTS					OTHER DIRECT COSTS										Total												
		Sub1	Sub2	Sub3	Sub4	Sub5	Subtotal w/o markup	Markup (other than mileage)	Subtotal with markup	Airfare		Hotel		Subsistence		Rental car		Mileage		Airport Parking		Rental car gas		ODC		ODC			
										each	day	day	day	each	day	100	0.700	LS	LS	LS	LS	LS	LS	LS	LS	LS	LS		
1	General Project Coordination						0	0	0	2	2	2	4	2	260	\$120	\$25									\$ 2,127	\$ 292	\$ 2,419	\$ 2,419
2	Pipeline Design						0	0	0	1	1	1	2	2	100	\$120	\$25									\$ 1,215	\$ 172	\$ 1,387	\$ 1,387
3	Geotechnical Design	47,500					47,500	7,125	54,625	1	1	1	2	2	260	\$200	\$25									\$ 1,407	\$ 184	\$ 1,591	\$ 56,216
4	Construction Management						0	0	0	1	1	1	2	2	2	100	\$200	\$25								\$ 1,295	\$ 184	\$ 1,479	\$ 1,479
na	na						0	0	0																	\$ -	\$ -	\$ -	\$ -
na	na						0	0	0																	\$ -	\$ -	\$ -	\$ -
na	na						0	0	0																	\$ -	\$ -	\$ -	\$ -
na	na						0	0	0																	\$ -	\$ -	\$ -	\$ -
na	na						0	0	0																	\$ -	\$ -	\$ -	\$ -
na	na						0	0	0																	\$ -	\$ -	\$ -	\$ -
na	na						0	0	0																	\$ -	\$ -	\$ -	\$ -
na	na						0	0	0																	\$ -	\$ -	\$ -	\$ -
na	na						0	0	0																	\$ -	\$ -	\$ -	\$ -
Sub-total		\$ 47,500	\$ -	\$ -	\$ -	\$ -	\$ 47,500			\$ 2,500	\$ 700	\$ 800	\$ 800	\$ 504	\$ 640	\$ 100	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,044					
Markup		\$ 7,125	\$ -	\$ -	\$ -	\$ -	\$ 7,125			\$ 375	\$ 105	\$ 120	\$ 120	\$ -	\$ 96	\$ 15	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 831				
Total		\$ 54,625	\$ -	\$ -	\$ -	\$ -			\$ 54,625	\$ 2,875	\$ 805	\$ 920	\$ 504	\$ 736	\$ 115	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,875	\$ 61,500	Total	\$ -		

FEE ESTIMATE

Layton Secondary Water Trunk Line

6/17/2025

125138-970

**FEE ESTIMATE SUMMARY**

Task	Task Description	Brierley Labor Costs	Subcontractor Costs w/markup	Other Direct Costs w/markup	Lab Testing	Total
1	General Project Coordination	\$ 26,670	\$ -	\$ 2,419	\$ -	\$ 29,089
2	Pipeline Design	\$ 198,170	\$ -	\$ 1,387	\$ -	\$ 199,557
3	Geotechnical Design	\$ 32,490	\$ 54,625	\$ 1,591	\$ -	\$ 88,706
4	Construction Management	\$ 23,510	\$ -	\$ 1,479	\$ -	\$ 24,989
na	na	\$ -	\$ -	\$ -	\$ -	\$ -
na	na	\$ -	\$ -	\$ -	\$ -	\$ -
na	na	\$ -	\$ -	\$ -	\$ -	\$ -
na	na	\$ -	\$ -	\$ -	\$ -	\$ -
na	na	\$ -	\$ -	\$ -	\$ -	\$ -
na	na	\$ -	\$ -	\$ -	\$ -	\$ -
na	na	\$ -	\$ -	\$ -	\$ -	\$ -
Total		\$ 280,840	\$ 54,625	\$ 6,875	\$ -	\$ 342,340

BRIERLEY ASSOCIATES CORPORATION
STANDARD FEE SCHEDULE
January 2025

1. Fees for services will be based on the time worked on the project by staff personnel plus reimbursable expenses. The hourly fee for professional services will be charged as follows unless otherwise noted in the proposal:

Senior Principal	\$350
Principal / Sr. Consultant II	\$330
Sr. Assoc./Sr. Consultant I	\$300
Associate/Sr. Project Mgr	\$270
Sr. Professional II	\$240
Sr. Professional I	\$215
Professional II	\$200
Professional I	\$185
Staff Professional II	\$175
Staff Professional I	\$160
VDC Director	\$190
Sr. BIM-CADD Professional	\$165
BIM-CADD Professional	\$145
BIM-CADD Technician	\$130
GIS Analyst III	\$185
GIS Analyst II	\$160
GIS Analyst I	\$135
Administrative	\$105

2. Overtime hours will be charged at straight time rates.
3. The fee for direct non-salary expenses will be billed at our cost plus a fifteen (15) percent handling fee and shall include the following: a) Transportation or subsistence expenses incurred for necessary travel, such as use of personal or company vehicles at IRS allowed mileage rates; use of public carriers, airplanes, rental cars, trucks, boats or other means of transportation; b) Reproduction and printing costs for reports, drawings and other project records; c) Express deliveries such as FedEx; d) Initial and annual subscriptions for safety / security programs including ISNetWorld, Avetta, ComplyWorks, Veriforce, etc.
4. Subcontractors engaged to perform services required by the project will be billed at our cost plus fifteen (15) percent.
5. Specialized computer, equipment or software usage, separately defined in the proposal for specific client needs, will be charged as identified in the proposal.
6. Payment: Invoices are generally submitted once a month for services performed during the previous month. Payment will be due and payable upon receipt of invoice, however payment received within 20 calendar days of the invoice date will be discounted by 2%. Payment must be made by Electronic Funds Transfer. Interest may be added to accounts in arrears at the rate of one and one-half (1.50%) percent per month on the outstanding balance. In the event Brierley Associates Corp must engage counsel to enforce overdue payment, Client will reimburse Brierley Associates Corp for all reasonable attorney's fees and court costs.
7. The billing rates given above are subject to change.
8. Escalation for multi-year projects will be adjusted each January of the following year according to Brierley's annually adjusted standard fee schedule.

**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 5.D.

Subject:

Approve a Lease Agreement for the Davis Arts Council to Lease a Portion of Layton City Center – Resolution 25-40

Background:

The property formerly leased by the Davis Arts Council (DAC) was demolished to build the new dispatch center. DAC is seeking office space to lease to conduct its operations. Layton City (City) currently has space within a portion of the City Center, located at 437 North Wasatch Drive (Premises) that can be leased on a temporary basis. DAC and the City have negotiated a lease agreement setting forth the terms of a temporary lease of the Premises. DAC will use the Premises for administrative, programming, and other lawful purposes in support of its mission as a nonprofit arts organization.

Alternatives:

Alternatives are to: 1) Adopt Resolution 25-40 to approve a lease agreement for the Davis Arts Council to lease a portion of Layton City Center; 2) Adopt Resolution 25-40 with any amendments the Council deems appropriate; or 3) Not adopt Resolution 25-40 and remand to Staff with directions.

Recommendation:

Staff recommends the Council adopt Resolution 25-40 to approve a lease agreement for the Davis Arts Council to lease a portion of Layton City Center and authorize the Mayor to sign the necessary documents.

RESOLUTION 25-40

A RESOLUTION APPROVING A LEASE AGREEMENT FOR THE DAVIS ARTS COUNCIL TO LEASE A PORTION OF LAYTON CITY CENTER

WHEREAS, the property formerly leased by the Davis Arts Council (DAC) was demolished to build the new dispatch center; and

WHEREAS, DAC is seeking office space to lease to conduct its operations; and

WHEREAS, Layton City currently has space within a portion of the Layton City Center, located at 437 North Wasatch Drive, Layton, Utah (Premises) that can be leased on a temporary basis; and

WHEREAS, DAC and Layton City have negotiated a lease agreement setting forth the terms of a temporary lease of the Premises; and

WHEREAS, DAC will use the Premises for administrative, programming, and other lawful purposes in support of its mission as a nonprofit arts organization.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LAYTON, UTAH:

1. That the agreement entitled "Lease Agreement (Davis Arts Council – Layton Municipal Center)" between Layton City, Utah and the Davis Arts Council, which is attached hereto and incorporated herein by this reference, be approved.

2. That the City Manager be authorized to execute and deliver the Lease Agreement and the City Manager is authorized to approve the final terms of the Lease Agreement.

3. This Resolution shall become effective immediately upon adoption by the City Council.

PASSED AND ADOPTED by the City Council of Layton, Utah, this 17th day of July, 2025.

JOY PETRO, Mayor

ATTEST:

KIMBERLY S READ, City Recorder

APPROVED AS TO FORM:

CLINTON R. DRAKE, City Attorney

**LEASE AGREEMENT
(DAVIS ARTS COUNCIL – LAYTON MUNICIPAL CENTER)**

This Lease Agreement ("Agreement") is entered into as of the _____ day of _____, 2025, by and between LAYTON CITY ("City"), a Utah municipal corporation, and DAVIS ARTS COUNCIL ("DAC"), a Utah nonprofit corporation. The City and DAC may be referred to individually as a "Party" and collectively as the "Parties."

1. Premises. The City hereby leases to DAC a portion of the Layton City Hall (also known as the Layton Municipal Center), located at 437 North Wasatch Drive, Layton, Utah ("Premises"). The leased Premises are more particularly described in Exhibit "A" which is attached hereto and incorporated by reference.

2. Term. The term of this Agreement shall be five (5) years, commencing on the date the City provides DAC with access to the Premises (the "Commencement Date"), unless terminated earlier as provided herein.

3. Rent. DAC shall pay to the City a monthly rental fee of \$_____, due on the first day of each month during the Term. Late payments shall incur interest at the rate of ___% per month.

4. Construction and Improvements. The City will construct and build out the leased Premises at its sole cost and expense. The City shall have sole discretion and final approval over the floor plan, improvements, and any subsequent alterations to the Premises. DAC may request modifications to the layout or improvements; however, such modifications shall be subject to the City's approval, which shall be made at the City's sole discretion.

5. Use of Premises. DAC shall use the Premises for administrative, programming, and other lawful purposes in support of its mission as a nonprofit arts organization. DAC shall not use the Premises for any unlawful or inappropriate purposes and shall comply with all applicable laws and ordinances. Restrooms shall be available to DAC and its visitors. DAC may use the employee breakroom that is consistent with its purpose so long as they keep it neat and orderly. Except upon invitation, written permission, or in areas generally accessible to the public, DAC shall not access any other portions of the Layton City Hall.

6. Shared Facilities. DAC shall have the non-exclusive right to use common areas and facilities of the Layton Municipal Center, including restrooms, hallways, and other public spaces, in a manner consistent with City policies and practices.

7. Access. DAC shall have reasonable access to the Premises during regular business hours and after-hours access as necessary for its operations, subject to City security policies and procedures. The City shall issue building access credentials to DAC personnel as deemed appropriate.

8. Services and Utilities. The City shall provide access to utilities including electricity, water, and HVAC as part of the rental agreement. IT support and related services shall be made

available to DAC at the then-current City rate of \$ _____ per hour or as otherwise specified in a service agreement. Additional services may be provided at DAC's expense upon written agreement of the Parties.

9. Maintenance and Repairs. The City shall be responsible for maintaining and repairing the structure, systems, and common areas of the building. DAC shall keep the interior of the Premises in a clean and orderly condition and shall be responsible for damages caused by its employees, agents, or guests. DAC operations shall not interfere with the City's operations in any way.

10. Insurance and Liability. DAC shall maintain general liability insurance and property insurance covering the leased Premises, its personal property and equipment within the Premises and shall name the City as an additional insured.

11. Termination. Either Party may terminate this Agreement upon ninety (90) days' written notice to the other Party. Termination shall not relieve either Party of obligations incurred prior to the effective date of termination.

12. Signage. DAC shall be permitted to place reasonable signage identifying its presence and operations within the Premises, subject to the City's approval of the size, design, and placement of such signage.

13. Parking. DAC, its employees, and guests shall have the right to use the Layton City parking lot, subject to availability and City parking regulations.

14. No Partnership. Nothing in this Agreement shall be construed as creating a partnership, joint venture, agency, or employment relationship between the Parties. The Parties are independent entities and shall act as such.

15. Notices. Any notice required or permitted under this Agreement shall be in writing and shall be deemed given when delivered personally or sent by mail addressed to the Parties to the following:

City: Alex Jensen
Layton City Manager
437 North Wasatch Drive
Layton, Utah 84041

DAC: Nancy George, Chair
1530 Layton Hills Parkway, Suite 104
Layton, UT 84041

16. Entire Agreement – This Agreement constitutes the entire agreement between the Parties and supersedes all prior negotiations and understandings.

17. Amendments – This Agreement may be amended only by written agreement signed by both Parties.

18. Attorneys' Fees and Costs. In the event either Party incurs legal fees or other costs in enforcing this Agreement, the prevailing Party shall be entitled to recover reasonable attorneys' fees and costs from the other Party.

19. Governing Law – This Agreement shall be governed by the laws of the State of Utah.

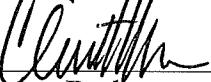
20. Assignment – DAC may not assign or sublet any portion of the Premises without the prior written consent of the City.

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

Alex Jensen
Layton City Manager

Nancy George
Chair, Davis Arts Council

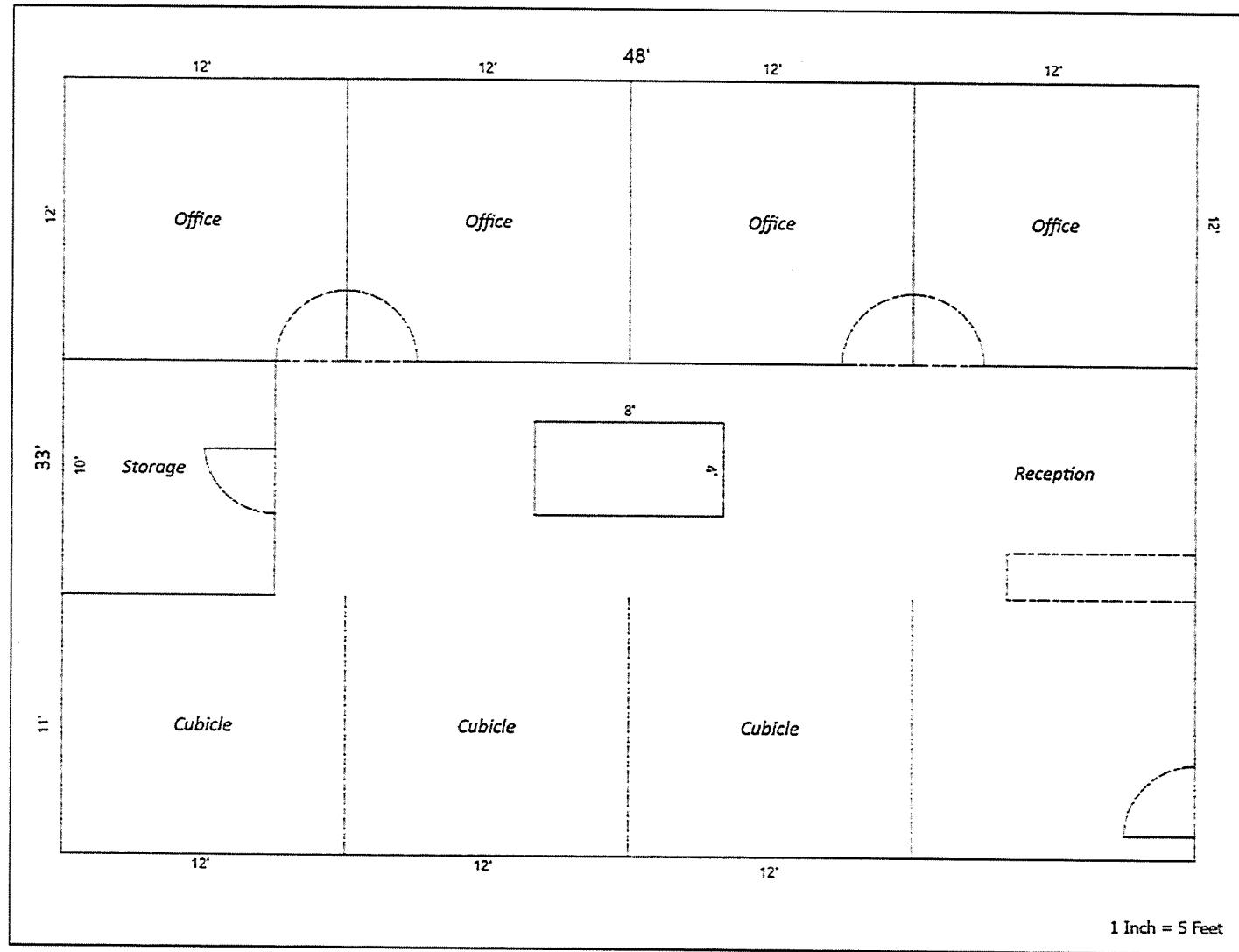
Approved to Form:



Clinton Drake
City Attorney

Exhibit A

Floor Plan



LAYTON CITY COUNCIL MEETING AGENDA ITEM COVER SHEET

Item Number: 6.A.

Subject:

Easement Vacation – Parcel 11-050-0108 and Lot 1 Tezak Subdivision (Creek Bend Estates) – Ordinance 25-17 – 876 and 942 East Rosewood Lane

Background:

On June 19, 2025, the Council tabled this item to allow Staff and Phil Holland, representing HG Rosewood, LLC, the Applicant, time to research a neighboring property owner's concern about access to the creek from Parcel 11-050-0108 and 11-050-0103 to provide measures in preventing the creek from flooding. Currently, there are no access easements on Parcel 11-050-0108 and 11-050-0103 that would give the neighboring property owner a right to maintain the creek. Staff has visited the site and found the majority of the south property line of Parcel 11-050-0108 and 11-050-0103 has a 6-foot chain link fence with no access for the neighboring property owner. The Applicant can work with the concerned neighboring property owner if the applicant wants to give future access to the creek. The neighboring property owner will need to contact Davis County Flood Control if there needs to be maintenance in the creek channel to prevent future flooding.

The easement vacations that are before the Council are the public utility and drainage easements (PU&DE), which are easements used for the installation of things such as underground utilities, which include power, fiber, telecommunication, gas, cable T.V., water, sewer, storm drains, irrigation, and sub-surface drains. The PU&DE is also used to convey surface runoff to the nearest street or storm drain structure.

The Applicant is requesting the vacation of four public utility and drainage easements on properties located at 876 and 942 East Rosewood Lane. The property at 876 East Rosewood Lane is not in a subdivision and is identified as Parcel 11-050-0108. The property at 942 East Rosewood Lane is within the Tezak Subdivision and is identified as Lot 1 of that subdivision.

The request is to vacate:

- Two 7' Public Utility and Drainage Easements (PU&DE) in the center of Parcel 11-050-0108;
- A 10' PU&DE along the east property line of Lot 1 of the Tezak Subdivision; and
- A 5' PU&DE along the west property line of Lot 1 of the Tezak Subdivision.

If this easement vacation request is approved, a 10' existing easement will remain in effect on Lot 1 of the Tezak Subdivision along the front (north) property line.

The purpose of vacating the PU&DE easements is due to future development of both properties to a single-family private subdivision that will contain six lots. With the platting of the private subdivision, new PU&DE easements will be recorded on each of the six lots.

Utility providers have reviewed the request to vacate the aforementioned PU&DE easements by submitting letters giving approval to vacate the PU&DE easements.

Alternatives:

Alternatives are to: 1) Adopt Ordinance 25-17 to vacate certain public utility and drainage easements located at 876 and 942 East Rosewood Lane; or 2) Deny Ordinance 25-17, finding the proposed easement vacation is not compliant with the Municipal Code and Development Standards.

Recommendation:

Staff recommends that the Council adopt Ordinance 25-17 to vacate certain public utility and drainage easements located at 876 and 942 East Rosewood Lane subject to meeting all City requirements and conditions as outlined in Staff memorandums.

ORDINANCE 25-17
(Easement Vacation)

**AN ORDINANCE VACATING CERTAIN PUBLIC UTILITY AND DRAINAGE
EASEMENTS LOCATED AT 876 EAST AND 942 EAST ROSEWOOD LANE
(PARCEL 11-050-0108 AND LOT 1, TEZAK SUBDIVISION)**

WHEREAS, the property owner has submitted a request to vacate certain public utility and drainage easements located on the property at 876 East and 942 East Rosewood Lane, also identified as Parcel 11-050-0108 and Lot 1 of the Tezak Subdivision respectively; and

WHEREAS, the request includes the vacation of two 7' Public Utility and Drainage Easements (PU&DE) in the center of Parcel 11-050-0108 running north and south, a 10' PU&DE along the east property line of Lot 1 of the Tezak Subdivision, and a 5' PU&DE along the west property line of Lot 1 of the Tezak Subdivision (hereafter referred to as the "Subject Easements"); and

WHEREAS, all necessary service and utility providers and applicable City departments have reviewed this request and have no objections to the proposed vacation; and

WHEREAS, a 10' PU&DE along the north (front) property line of Lot 1 of the Tezak Subdivision will remain in effect; and

WHEREAS, the City has determined that the Subject Easements are no longer necessary for public purposes; and

WHEREAS, pursuant to Utah Code Annotated §10-9a-609.5, the City Council of Layton City, Utah, has determined that there is good cause for vacating the Subject Easements, that doing so serves the public interest, and that it will not be detrimental to any person or property;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF LAYTON, UTAH:

SECTION 1. Findings. The City Council finds that:

1. Good cause exists for the vacation of the Subject Easements.
2. The public interest, or the interest of any person, will not be materially injured by the easement vacation.

SECTION 2. Easement Vacation. The following Public Utility and Drainage Easements are hereby vacated and declared no longer necessary for public use:

1. Two 7' PU&DEs in the center of Parcel 11-050-0108;
2. A 10' PU&DE along the east property line of Lot 1 of the Tezak Subdivision;
3. A 5' PU&DE along the west property line of Lot 1 of the Tezak Subdivision.

SECTION 3. Reservation of Rights. This vacation expressly excludes a 10' PU&DE along the north property line of Lot 1 of the Tezak Subdivision, and any other public or private utility easement that may exist at the date hereto and expressly reserves a perpetual easement for such utilities.

SECTION 4. Legal Description. Except as otherwise provided by this Ordinance, the Subject Easements are hereby vacated and declared no longer necessary for public purposes as described in the following legal description:

BEG AT A PT ON AN EXIST FENCE LINE, SD PT BEING S 00°02'50" E 1697.78 FT ALG THE SEC LINE & N 89°57'10" E 389.72 FT & N 00°02'50" W 62.17 FT FR THE NW COR OF SEC 27-T4N-R1 W, SLB&M; & RUN TH N 26°32'26"W 301.40 FT ALG THE E LINE OF THE TEZAK SUB TO THE S LINE OF ROSEWOOD LANE; TH N 62°50'00" E 230.81 FT ALG THE S LINE OF ROSEWOOD LANE TO A PT ON BNDRY LINE AGMT RECORDED 08/20/2009 AS E# 2476658 BK 4843 PG 561; TH ALG SD LINE THE FOLLOWING COURSE: S 23°23'55" E 238.33 FT TO THE NW COR OF LOT 4, WILLOW WOOD SUB NO 1 BEING THE END PT; TH S 05°05'13" W 49.74 FT ALG THE W LINE OF LOT 4, WILLOW WOOD SUB NO 1; TH S 51°08'30" W 91.98 FT ALG THEN LINE OF LOT 5, WILLOW WOOD SUB NO 1; TH S 53°19'01" W 43.65 FT ALG SD N LINE OF LOT 5, WILLOW WOOD SUB NO 1 TO A PT ON THEN LINE OF LOT 72, WILLOW WOOD SUB NO 4; TH S 62°28'09" W 47.04 FT ALG SD N LINE OF LOT 72, WILLOW WOOD SUB NO 4 TO THE POB.

LOT 1, TEZAK SUBDIVISION

VACATING ALL FIVE FOOT (5') AND TEN FOOT (10') PUBLIC UTILITY AND DRAINGE EASEMENTS THAT ARE LOCATED WITHIN LOT 1, TEZAK SUBDIVISION, RECORDED AS ENTRY NO. 1984300 IN BOOK 3533 IN PAGE 1097, ACCORDING TO THE OFFICIAL PLAT THEREOF AND ON FILE IN THE DAVIS COUNTY RECORDER'S OFFICE, WITHIN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, WITH THE FIVE FOOT (5') P.U.&D.E. LOCATED OFFSET TOWARDS THE INSIDE OF THE SOUTHWESTERLY AND SOUTHEASTERLY SIDES AND THE TEN FOOT (10') P.U.&D.E. LOCATED OFFSET TOWARDS THE INSIDE OF THE WEST, NORTH AND EASTERLY SIDES OF SAID LOT 1, WHICH LOT 1 BEING DESCRIBED MORE PARTICULARLY IN A METES AND BOUNDS FASHION AS FOLLOWS:

BEGINNING AT THE NORTHERLY CORNER OF LOT 2, TEZAK SUBDIVISION, WHICH IS ALSO ON THE EASTERLY RIGHT-OF-WAY LINE OF ROSEWOOD LANE, AS SHOWN IN THE OFFICAL SUBDIVISION PLAT RECORDED ON MAY 5, 2004 AS ENTRY NO. 1984300 IN THE DAVIS COUNTY RECORDER'S OFFICE, SAID POINT BEING SOUTH 00°02'50" EAST ALONG THE SECTION LINE 1539.03 FEET AND EAST 204.60 FEET FROM THE NORTHWEST CORNER OF SECTION 27, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE ALONG THE EASTERLY AND SOUTHERLY RIGHT-OF-WAY LINES OF ROSEWOOD LANE THE FOLLOWING SEVEN (7) COURSES: (1) THENCE NORTHWESTERLY 38.50 FEET ALONG THE ARC OF A 215.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 10°15'37" (WHICH LONG CHORD BEARS NORTH 04°03'23" WEST 38.45 FEET); (2) THENCE NORTH 09°10'45" WEST 13.80 FEET TO A POINT ON A 20.50 FOOT RADIUS CURVE; (3) THENCE NORTHEASTERLY 18.70 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 52°16'12" (WHICH LONG CHORD BEARS NORTH 16°56'58" EAST 18.06 FEET) TO A POINT ON A 62.00 FOOT RADIUS REVERSE CURVE; (4) THENCE NORTHEASTERLY 48.72 FEET ALONG THE ARC OF SAID REVERSE CURVE TO THE LEFT THROUGH A ADD CENTRAL ANGLE OF 45°01'38" (WHICH LONG CHORD BEARS NORTH 20°33'56" EAST 47.48 FEET) TO A POINT ON A 50.50 FOOT RADIUS REVERSE CURVE; (5) THENCE NORTHEASTERLY 39.06 FEET ALONG THE ARC OF SAID REVERSE CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 44°18'43" (WHICH LONG CHORD BEARS NORTH 20°12'32" EAST 38.09 FEET); (6) THENCE NORTH 42°21'52" EAST 9.88 FEET TO A POINT ON A 170.00 FOOT RADIUS CURVE; (7) THENCE NORTHEASTERLY 20.86 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 07°01'44" (WHICH LONG CHORD BEARS NORTH 44°25'05" EAST 20.84 FEET); THENCE SOUTH 26°32'26" EAST 186.22 FEET; THENCE SOUTH 17°46'48" WEST 41.09 FEET; THENCE NORTH 74°22'18" WEST 126.78 FEET TO THE POINT OF BEGINNNING

SECTION 5. Severability. If any part of this ordinance is found to be invalid by a court of competent jurisdiction, the remaining language shall remain in full force and effect.

SECTION 6. Effective Date. This ordinance shall become effective immediately upon posting.

PASSED AND ADOPTED BY THE LAYTON CITY COUNCIL this 17th day of July, 2025.

	AYE	NAY	ABSENT	ABSTAIN
Joy Petro	_____	_____	_____	_____
Zach Bloxham	_____	_____	_____	_____
Clint Morris	_____	_____	_____	_____
Tyson Roberts	_____	_____	_____	_____
Bettina Smith Edmondson	_____	_____	_____	_____
Dave Thomas	_____	_____	_____	_____

JOY PETRO, Mayor

ATTEST

KIMBERLY S READ, City Recorder

For: Clinton R. Drake

CLINTON R. DRAKE, City Attorney


WESTON APPLONIE, Community &
Economic Development Director



Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 15 business days of a submittal of a preliminary plan and within 20 business days of a submittal of a final plan. Thank you.

MEMORANDUM

TO: Phil Holland; phil@hgroupventures.com
Trek Loveridge; trek@hgroupventures.com
Scott McFarland; spmcf@yahoo.com

CC: CED Department; Legal Department

FROM: Shannon Hansen; Assistant City Engineer - Development

DATE: May 19, 2025

SUBJECT: Creek Bend Estates PU&DE Vacation
898 East 225 South

I have reviewed the legal description received on May 15, 2025 for the Creek Bend Estates Vacation of Easements. The following comments will need to be corrected on the legal descriptions presented to City Council for PU&DE vacation.

Items that have been addressed have strikethroughs and new comments based on changes to the descriptions are in red.

1. The legal descriptions for Exceptions 22 (Entry 2991817) and 23 (Entry 2991818) will need to be included with the next submission for consideration for vacation. The descriptions from the recorded easements will need to be incorporated into a new document for inclusion in the easement vacation packet to be presented to the City Council for approval and recording with the County.
1. In the legal description for Exception 22, the length of the 12th call after point of beginning has a colon rather than a decimal and an apostrophe after feet rather than a semicolon.

I hence North 23°12'49" West 39.90 feet;
Thence North 13°08'10" East 2.78 feet;
Thence North 20°09'54" West 62:61 feet'
Thence South 62°26'08" West 92.17 feet to the east line
Thence North 26°32'26" West 7.00 feet along the east line

2. In the legal description for Exception 23, the length of the 5th call after point of beginning has a colon rather than a decimal.

Thence South 62°26'08" West 117.69 feet;
Thence South 20°09'25" East 66.90 feet;
Thence South 13°08'10" West 2:48 feet;
Thence South 23°12'49" East 30.97 feet;
Thence South 82°09'03" East 4.33 feet;



Community • Prosperity • Choice

Mayor • Joy Petro
City Manager • Alex R. Jensen

• Fire Department •
Kevin Ward • Fire Chief
Telephone: (801) 336-3940
Fax: (801) 546-0901

Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 15 business days of a submittal of a preliminary plan and within 20 business days of a submittal of a final plan. Thank you.

M E M O R A N D U M

TO: Community Development

FROM: Gavin Moffat, Deputy Fire Marshal 

RE: Creek Bend Estates Subdivision

CC: 1) Engineering
2) Phil Holland, phil@hgroupventures.com
3) Trek Loveridge, trek@hgroupventures.com
4) Scott Mcfarland, spmcf@yahoo.com

DATE: May 27, 2025

I have reviewed the easement vacation submitted on May 6, 2025 for the above referenced project. The Fire Prevention Division of this department has no comments/concerns.

These plans have been reviewed for Fire Department requirements only. Other departments must review these plans and will have their requirements. This review by the Fire Department must not be construed as final approval from Layton City.

GM#1 subdivision site plan:sh
Plan #S25-051 District #31
Project Tracker #LAY2505063450



Parks & Recreation Department
JoEllen Grandy • City Landscape Architect
Telephone: 801.336.3926
Email: jgrandy@laytoncity.org

Memorandum

To: Phil Holland, Scott McFarland, Trek Loveridge
CC: Community Development, Fire, & Engineering
From: JoEllen Grandy, City Landscape Architect – Parks & Recreation
Date: May 16, 2025
Re: Creek Bend Estates Vacation of Easement – 898 E. 225 S.
Review: Review 1

Creek Bend Estates located at 898 East 225 South lies within the existing service area of Chapel Street Park.

The Parks & Recreation Department has reviewed the plans submitted on May 6th and has no comments or concerns regarding the Creek Bend Estates Vacation of Easement.

Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 15 business days of a preliminary submittal and within 20 business days of a final submittal. Thank you.



Layton City

CREEK BEND
ESTATES

876 EAST AND
942 EAST
ROSEWOOD
LANE

EASEMENT
VACATION

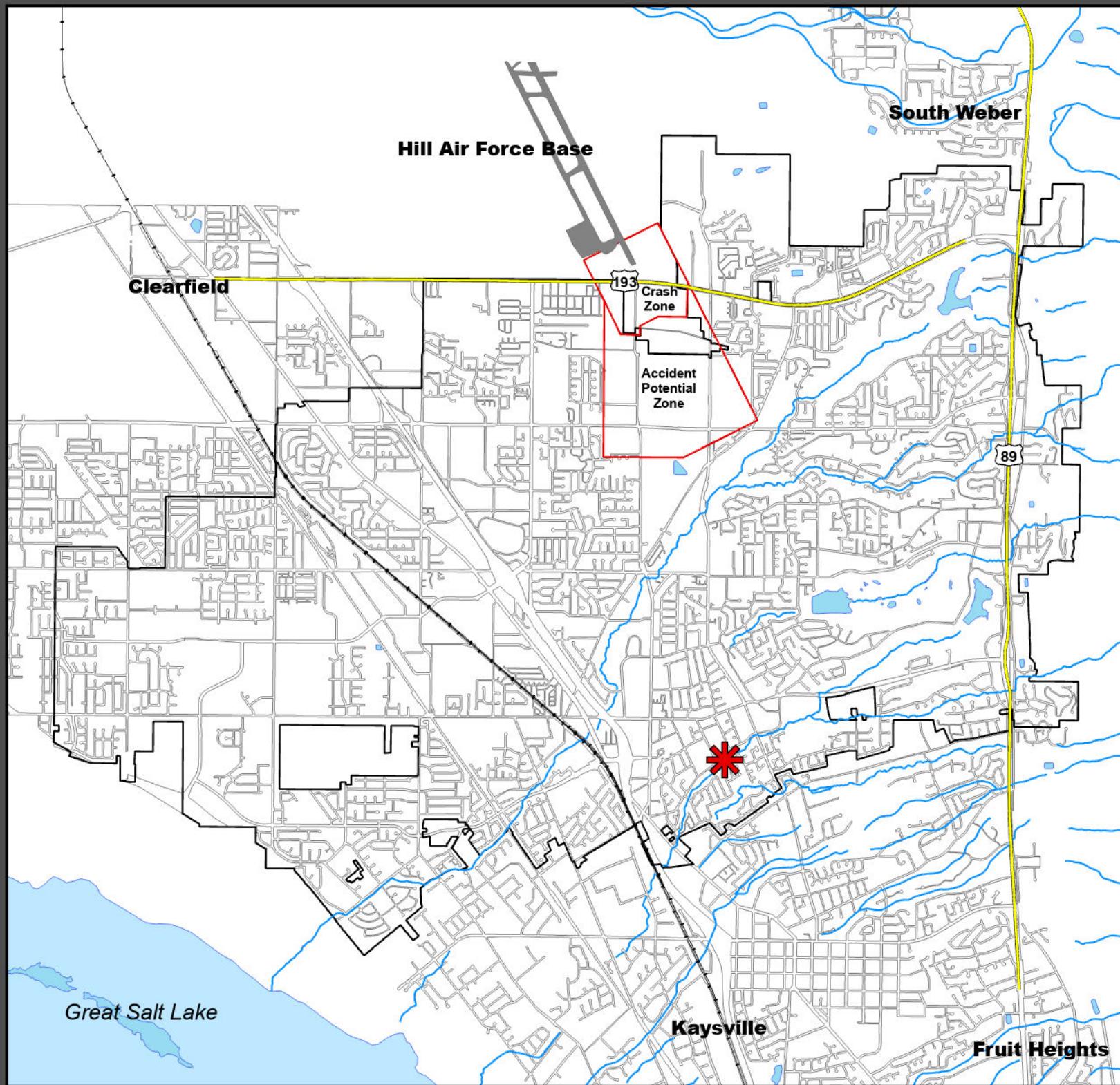
Legend

- City Boundary
- Rail Lines
- APZ
- Interstate 15
- Lakes
- Streams

 - Project Site



Map 1



Layton City

CREEK BEND ESTATES

876 EAST AND
942 EAST
ROSEWOOD
LANE

EASEMENT
VACATION

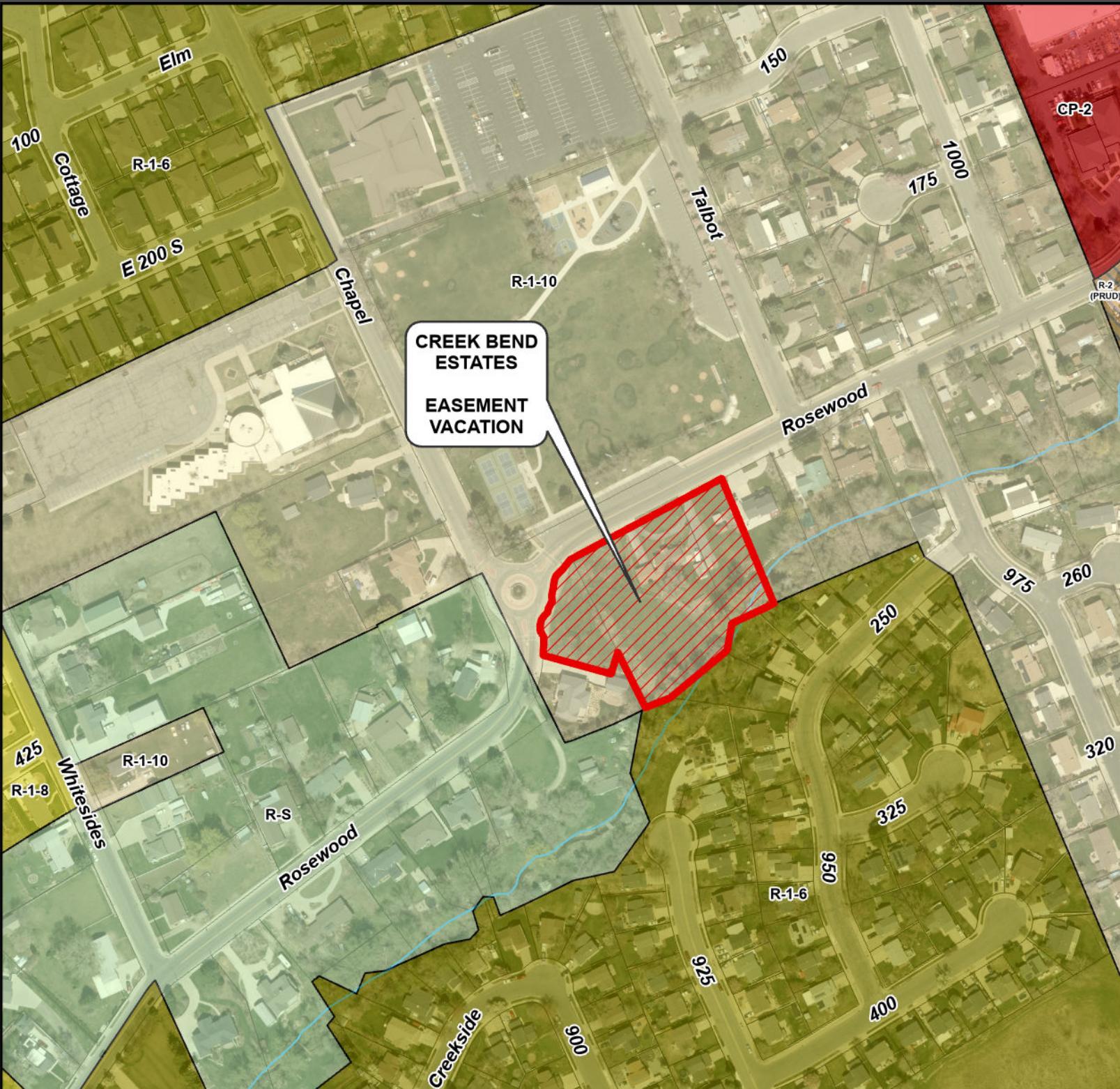
Legend

- Interstate Highways
- City Boundary
- Highways
- Lakes
- Streams

 - Project Area



Map 2





CREEK BEND ESTATES

876 EAST AND
942 EAST
ROSEWOOD
LANE

EASEMENT
VACATION

Legend

- Interstate Highways
- City Boundary
- Highways
- Lakes
- Streams

 - Project Area



Map 3

