



HIGHLAND CITY

HIGHLAND CITY COUNCIL AGENDA

TUESDAY, SEPTEMBER 16, 2025

Highland City Council Chambers, 5400 West Civic Center Drive, Highland Utah 84003

VIRTUAL PARTICIPATION



YouTube Live: <http://bit.ly/HC-youtube>



Email comments prior to meeting: council@highlandut.gov

6:00 PM REGULAR SESSION

Call to Order: Mayor Kurt Ostler

Invocation: Council Member Brittney P. Bills

Pledge of Allegiance: Mayor Kurt Ostler

1. UNSCHEDULED PUBLIC APPEARANCES

Please limit comments to three minutes per person. Please state your name.

2. PRESENTATIONS

a. Constitution Week Proclamation *Kurt Ostler, Mayor*

The Mayor will present to the City Council a proclamation designating September 17-September 23, 2025 as Constitution Week.

b. Highland Fling *Cristina Medina, Civic Events Coordinator*

Cristina Medina, Civic Events Coordinator, will present a brief review of the 2025 Highland Fling.

3. CONSENT ITEMS

Items on the consent agenda are of a routine nature. They are intended to be acted upon in one motion. Items on the consent agenda may be pulled for separate consideration.

a. Approval of Meeting Minutes *General City Management*

Stephannie Cottle, City Recorder

July 15, 2025

b. Approval of Meeting Minutes *General City Management*

Stephannie Cottle, City Recorder

August 26, 2025

c. Approval or Ratification of Large Purchases *General City Management*

David Mortensen, Finance Director

The City Council will consider and review large purchases made by the City during August 2025.

d. CDBG Contract Amendment *General City Management*

Rob Patterson, City Attorney/Planning & Zoning Administrator

The City Council will consider approving slightly amending the previously approved contract with Utah County regarding Highland City's participation in the CDBG program.

- e. **Planning Commission Appointment** *General City Management*
Kurt Ostler, Mayor
The City Council will consider the Mayor's request to ratify the appointment of Sherry Kramer as a Planning Commissioner.

4. ACTION ITEMS

- a. **ACTION: 11200 North Connection and General Plan Classification** *General City Management*
General Plan Amendment (Legislative)
Rob Patterson, City Attorney/Planning & Zoning Administrator, Chris Trusty, City Engineer/Public Works Director
The City Council will consider connectivity and road classification options for 11200 North.
- b. **ACTION: Interlocal Agreement with Utah County - 4800 West Project** *General City Management*
Chris Trusty, City Engineer/Public Works Director
The City Council will consider approving an interlocal agreement between Utah County and Highland City to fund improvements to 4800 West through Highland and Alpine.
- c. **ACTION: Interlocal Agreement with Alpine - 4800 West MAG Project Management** *General City Management*
Chris Trusty, City Engineer/Public Works Director
The City Council will consider approving an interlocal agreement between Highland City and Alpine City outlining the individual responsibilities of both cities related to the improvements on 4800 West through Highland and Alpine.

5. COMMUNICATION ITEMS

Communication items are informational only. No final action will be taken.

- a. **Review of the City's Bonds and Payment Sources** *David Mortensen, Finance Director*
- b. **Grass Field Rental Policy** *General City Management*
Jay Baughman, Assistant City Administrator/Community Development Director
The City Council will discuss the edits to the Field Use Policy presented in the packet and give direction to staff regarding the final policy document.
- c. **Business Licensing - Renting Parts of Private Property in Residential Zones** *Rob Patterson, City Attorney/Planning & Zoning Administrator*
- d. **Elections Update** *Stephannie Cottle, City Recorder*
- e. **Community Development Update** ([Current Projects List](#)) *Jay Baughman, Assistant City Administrator/Community Development Director, Rob Patterson, City Attorney/Planning & Zoning Administrator*

6. CLOSED MEETING

The City Council may recess to convene in a closed meeting to discuss items, as provided by Utah Code Annotated §52-4-205.

ADJOURNMENT

In accordance with Americans with Disabilities Act, Highland City will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the City Recorder at (801) 772-4505 at least three days in advance of the meeting.

ELECTRONIC PARTICIPATION

Members of the City Council may participate electronically during this meeting.

CERTIFICATE OF POSTING

I, Stephannie Cottle, the duly appointed City Recorder, certify that the foregoing agenda was posted at the principal office of the public body, on the Utah State website (<http://pmn.utah.gov>), and on Highland City’s website (www.highlandut.gov).

Please note the order of agenda items are subject to change in order to accommodate the needs of the City Council, staff and the public.

Posted and dated this agenda on the 11th day of September 2025

Stephannie Cottle, CMC |UCC, City Recorder

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.



HIGHLAND CITY COUNCIL MINUTES

Tuesday, July 15, 2025

Waiting Formal Approval

Highland City Council Chambers, 5400 West Civic Center Drive, Highland Utah 84003

6:00 PM REGULAR SESSION

Call to Order: Mayor Kurt Ostler

Invocation: Council Member Ron Campbell

Pledge of Allegiance: Council Member Brittney P. Bills

The meeting was called to order by Mayor Kurt Ostler as a regular session at 6:06 pm. The meeting agenda was posted on the Utah State Public Meeting Website at least 24 hours prior to the meeting. The prayer was offered by Council Member Ron Campbell and those in attendance were led in the Pledge of Allegiance by Council Member Brittney P. Bills.

PRESIDING: Mayor Kurt Ostler

COUNCIL MEMBERS:

Brittney P. Bills	Present
Ron Campbell	Present
Doug Cortney	Present
Kim Rodela	Present
Scott L. Smith	Present

CITY STAFF PRESENT: City Administrator Erin Wells, City Attorney/Planning & Zoning Administrator Rob Patterson, City Recorder Stephannie Cottle, Finance Director David Mortensen, City Engineer/Public Works Director Chris Trusty, Police Chief Brian Gwilliam, Fire Chief Brian Patten

OTHERS PRESENT: Jon Hart, Liz Rice, Wesley Warren, Kristin Richey, Debra Maughan, Ben Sehy, Ernie John, Brock Bean, Corey Freeze

1. UNSCHEDULED PUBLIC APPEARANCES

Please limit comments to three minutes per person. Please state your name.

Brock Bean stated he has several issues; he has lived in the Dry Creek area for about four years and his home backs up to Highland Boulevard. The City's irrigation system is causing water to run directly on his property and has prevented him from building a retaining wall in his backyard. In addition, there is currently a drought, and he is frustrated that he is following water restrictions, but the City seems not to be doing that. This is not a good use of City resources. Second, the truck traffic on Highland Boulevard is using truck or jake brakes very early in the morning, even though there are laws prohibiting that practice. It does the City no good to have laws that are not being enforced. He noted the City of Draper has a regulation requiring any truck exceeding 18,000 pounds that goes up East Traverse Ridge must come down the Highland side. In the four years he has lived in Highland, he has seen truck traffic increase exponentially; the trucks are loud, they are tearing up City roads,

and the City is not receiving any revenue from the activities they are involved in. Because of the size and frequency of the trucks, the water that is constantly running on the street is speeding up the degradation. Where Highland Boulevard meets State Road (SR) 92, there is a condition known as ‘asphalt push’ where heavy trucks push the asphalt softened by the heat in a different direction. He emphasized the City needs to address the water problem and the heavy truck problem.

Council Member Smith asked City Engineer/Public Works Director Trusty to look into the watering issue raised by Mr. Bean. He also asked Mr. Trusty to follow up with Draper City to determine if they are forcing traffic into Highland rather than coming back down a road in Draper that has a steep grade. The Council discussed options for combating the issues presented by the heavy truck traffic and Mayor Ostler thanked Mr. Bean for bringing these matters to the Council’s attention.

Liz Rice stated that she has some new neighbors who came to Highland from out of state and they are struggling to operate their irrigation system; she asked if someone from City staff can advise them. She then stated that she knows the City has received grant funding for xeriscaping on newer construction, but she would love to see some funding to assist people with installing xeriscape at an existing home because it can be very costly to convert landscape. She has been very conscious about when she waters her lawn, but it is dying and that is concerning to her. As she drove to tonight’s meeting, she noticed three residences that are watering right now during 90-degree conditions. She knows the City has advertised watering times and water restrictions, but perhaps more needs to be done.

Council Member Cortney referenced Ms. Rice’s comments about landscape conversion and asked if Administration is still planning to bring an ordinance to the Council to give the opportunity to participate in the State of Utah ‘flip your strip’ program, which will give private property owners access to some financial assistance for landscape conversion. Council Member Campbell stated he is interested in participating in the program. Council Member Rodela stated that the Council considered participating in the program a few years ago and decided not to; however, drought conditions persist, and it may be appropriate to revisit the matter in order to give residents access to some grant funding for the purpose. Mayor Ostler stated that Administration has been investigating what other cities are doing and will plan to bring the matter before the Council again in the future.

2. PRESENTATIONS

a. Update on Canyon Water Sources

Ernie John, North Utah County Water Coordinator, will update the Council on the state of water resources from American Fork Canyon.

Mr. John stated he is President of American Fork Irrigation, but his title is North Utah County Water Coordinator. Highland City owns 25 percent of American Fork Irrigation water. He then discussed current water conditions in Utah County; the winter months of 2024-2025 were fairly good in terms of precipitation, but after about March 25 there was very little rain and snow and then it got very warm, and the snow melted quickly. At the beginning of the irrigation season, the reservoirs were at 100 percent, but water availability has since decreased to 65 percent of the amount of water in a typical year. Reservoirs are being used at an unprecedented rate, and the State is now experiencing drought. He engaged in a discussion with the Mayor and Council about conditions that are contributing to the drought, such as political pressure to fill the Great Salt Lake, population growth, and reduced precipitation. They also discussed the need to increase water at some City parks and athletic facilities, while other open space can survive with less water. Discussion shifted to the concept and importance of ground water recharging, various water sources in the area, and water rights used in Highland City, after which Mr. John concluded the discussion by encouraging the City to continue to promote conservation with Highland residents. The Mayor and Council expressed their appreciation to Mr. John for his service to the community and for his flexibility in responding to varied flooding and drought conditions from year to year.

b. City Investment Policy and Practices - Ben Sehy with Meeder Investments

The City Council will hear a presentation from Meeder Investments about an investment option available to the City with the funds normally stored in the Public Treasurer's Investment Fund.

Finance Director Mortensen indicated Administration has been discussing an investment option with Meeder Investments and Ben Sehy of Meeder Investments has been invited to discuss the option with the Mayor and Council. The goal of the option is to ensure the City receives an acceptable return on investment for a longer period of time with reduced volatility. He stressed that the financial data included in Mr. Sehy's presentation represents all funds in the City, not just the general fund.

Mr. Sehy used the aid of a PowerPoint presentation to provide information about Meeder Investments, which was founded in 1974 and has over \$165 billion in public funds assets under advisement as of December 31, 2024. He discussed Highland City's portfolio as of June 30, 2024 and presented a graph illustrating a historical cash flow analysis for the Public Treasurer's Investment Fund (PTIF) balances. He discussed the City's opportunity to create longer-term certainty for the City as well as five-year treasury yields and average annual yields. He provided a hypothetical portfolio illustration for Highland City as of July 14, 2025 and highlighted the sample maturity distribution for the City. He discussed the process he and City staff would follow to move forward with the investment option and presented the fee structure for Meeder Investments.

Discussion among the Council and Mr. Sehy centered in investment options accessed by Meeder Investments; success Meeder Investments has seen through investing for other cities; past investing practices of Highland City; comparison of the fees for investing through PTIF versus Meeder Investments; and the need to develop a policy that would regulate investment activities. The Council directed staff to look into other investment options and check the PTIF investment fees before making a formal recommendation to the Council.

3. CONSENT ITEMS

Items on the consent agenda are of a routine nature. They are intended to be acted upon in one motion. Items on the consent agenda may be pulled for separate consideration.

- a. Approval of Meeting Minutes General City Management**
Stephannie Cottle, City Recorder
May 20, 2025
- b. Approval of Meeting Minutes General City Management**
Stephannie Cottle, City Recorder
June 3, 2025
- c. Approval or Ratification of Large Purchases General City Management**
David Mortensen, Finance Director
The City Council will consider approval or ratification of large purchases.

Council Member Doug Cortney pull 3a from consent.

Council Member Scott L. Smith MOVED that the Highland City Council approve consent items 3b and 3c, as annotated in the agenda.

Council Member Kim Rodela SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Doug Cortney</i>	<i>Yes</i>

Council Member Kim Rodela Yes
Council Member Scott L. Smith Yes

The motion carried 5:0

Council Member Cortney offered two changes to the minutes of the May 20 meeting; under agenda item 2c, the minutes report Finance Director Mortensen as having said the sewer treatment fees were paid in March rather than February; however, according to the video of the meeting, Mr. Mortensen actually said that the staff memo cited February when it should have said March. He proposed amending the minutes to strike out the text 'spent in February and that it should be changed to March' and replacing it with the text 'said February 2025, where it should have said March 2025'. He then noted that under agenda item 5e, there is a reference to City Attorney Wells, which should be changed to City Administrator Wells.

Council Member Doug Cortney MOVED to adopt the May 20, 2025 minutes from the Highland City Council with those two changes.

Council Member Scott SECONDED the motion.

The vote was recorded as follows:

Council Member Brittney P. Bills Yes
Council Member Ron Campbell Yes
Council Member Doug Cortney Yes
Council Member Kim Rodela Yes
Council Member Scott L. Smith Yes

The motion carried 5:0

4. ACTION ITEMS

a. RESOLUTION: Interlocal Agreement with Utah County for Grant to Fund Road Improvements

General City Management

Chris Trusty, City Engineer/Public Works Director

The City Council will consider a resolution to approve an Interlocal Agreement between Utah County and Highland City to fund improvements of 10400 North and 6000 West and the reconstruction of 6800 West.

City Engineer/Public Works Director Trusty explained on May 6, 2025, Council approved a bid award for Black Forest Paving which included \$337,900 for the pulverizing and repaving of 6800 West Street. On June 15, 2025, City Council approved the FY 2025-2026 budget which included funds for improvements to the intersection of 10400 North and 6000 West. Additionally, Council directed staff to seek grants to install as many pedestrian safety improvements as possible in the area. Staff have sought grants to complete pedestrian improvements in the area of 10400 North and 6000 West. Staff worked with the City's consultant, David Stewart, on this effort. Mr. Stewart was able to help the City identify this available grant funding through Utah County from the one-fifth transportation tax. Mr. Stewart petitioned Utah County on Highland's behalf for our road projects and was successful in obtaining the grant funding. The agreement has been reviewed and approved as to form by the city attorney. The 10400 North 6000 West project will improve a previously unimproved section of roadway. It consists of installing approximately 1,650 feet of curb and gutter and asphalt along the north side of 10400 North from 5788 West to 6000 West and along 6000 West from 10400 North to 10485 North. It will also include installing storm inlets and sumps to provide necessary storm water collection. This will tie the curb and gutter into the existing curb and gutter along both streets. The approximate cost for this project is \$750,000. Because the total funding available from Utah County is for \$1,000,000, it is anticipated that any portion of the funding not used on the 10400 North 6000 West improvement project would be put towards funds expended by Highland

for the 6800 West pulverize and repave project. Unfortunately, the grant funds can only be used for street improvements and cannot be used to install sidewalks along 6000 West. However, the approved FY2025-2026 City budget did include \$430,000 for improvements along 10400 North and 6000 West which, because of the grant, could then be used to fund the sidewalk portion of this project. Additionally, any funds that are reimbursed for the 6800 West project could also be put toward pedestrian improvements. Mr. Trusty concluded the FY2025-2026 Budget included \$430,000 to be used on improvements to 10400 North and 6000 West from 41-40-70 in the Road Capital Fund. Because of this additional funding from Utah County of \$1,000,000, a budget adjustment will be necessary to show the additional revenue and expenses for this project. Staff recommends Council considers approving a resolution to sign the Interlocal Agreement between Utah County and Highland City to fund road improvement projects.

Council Member Smith stated he thought the money that was appropriated for the corner of 10400 North, and 6000 West were eliminated in order to fund public safety. Mr. Trusty stated he thought that as well, but the funding was actually just decreased from \$550,000 to \$430,000. Council Member Cortney stated that only \$250,000 was intended to be used at the intersection. Mr. Trusty stated he thought that was the case as well.

Council Member Scott L. Smith MOVED that the Highland City Council pass a resolution approving the Interlocal Agreement between Utah County and Highland City to fund improvements to 10400 North and 6000 West and the reconstruction of 6800 West, as discussed in the agenda.

Council Member Ron Campbell SECONDED the motion.

Council Member Cortney stated that in the past, the City has included language allowing staff to make non-substantive changes to contracts, but he did not see that in the resolution regarding this item. He asked if that means that the final review has been completed. City Attorney Patterson stated that some minor changes may be made to this agreement, and he agreed that it would be beneficial to include a clause in each resolution in the future authorizing Administration to make minor, non-substantive changes to agreements after they are approved by the Council.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Doug Cortney</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion carried 5:0

b. ORDINANCE: Regulating Materials and Vegetation in Public Ways Municipal Code Update (Legislative)

Rob Patterson, City Attorney/Planning & Zoning Administrator

The City Council will consider amending the municipal code to provide clearer regulations to keep streets, sidewalks, and trails clear of obstructions.

City Attorney/Planning & Zoning Administrator Patterson explained City staff have recently been working with residents to trim trees growing over and obstructing sidewalks and the Council has expressed concerns regarding trees and shrubbery growing across trails. The City's current ordinance is vague, and the goal of the proposed code amendment is to provide clearer standards for clearing of vegetation and obstructions from public ways. The proposed amendments to the ordinance are intended to do the following:

- Cleans up redundant language;

- Make penalty an infraction, not a misdemeanor;
- Make all parties owning, controlling, or occupying property responsible for compliance;
- Clarify that city can collect costs of correction from any permit bond;
- Clarify these regulations do not supersede SWPPP;
- At the request of the Fire Chief, include additional changes to protect fire hydrants;
- Clarify that the property owner, occupier, or controller is responsible for clearing snow from public sidewalks and fire hydrants, and not the city;
- Snow to be removed when causes dangerous conditions or within 24 hours of snowfall end;
- Remove language that snow cannot be dumped on public sidewalk, trail, street, or on or within 3 feet of hydrant;
- No material or structure within 3 feet of hydrant;
- Specify that vegetation cannot have roots that encroach upon and damage city infrastructure;
- Require vegetation and structures be kept clear of sidewalks, trails, parking areas, and streets;
- 7-foot clearance for pedestrian areas;
- 15-foot clearance for driving areas; and
- Identify sight triangle clearance.

The Council engaged in discussion with Mr. Patterson regarding responsibility for clearing certain sidewalk areas along City or State roadways, with Mr. Patterson noting that if a residential property fronts a street, they are responsible to clear the sidewalk. There was also discussion about who is responsible to repair any sidewalk damage caused by a variety of reasons. City Administrator Wells indicated City staff has a sidewalk maintenance plan and keeps a list of damaged sidewalks that are repaired in priority order.

In conclusion there was brief discussion about whether bikes and e-bikes should be ridden on the street or on a sidewalk.

Council Member Doug Cortney MOVED that City Council ADOPT the proposed amendments to title 12, chapter 4 of the municipal code, as updated by City staff on July 14, 2025.

Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Doug Cortney</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion carried 5:0

5. EXPEDITED ITEMS

Items in this section are to be acted upon by City Council. These items have been brought before Council previously. The report and presentation may be abbreviated.

a. ACTION: FY26 Truck Purchase General City Management
Chris Trusty, City Engineer/Public Works Director

The City Council will consider approving the purchase of three trucks as part of the City's vehicle replacement program.

City Engineer/Public Works Director Trusty indicated that the Fiscal Year (FY) 2026 budget includes funding to purchase three vehicles for the Public Works Department. The vehicles are 2025 F-250 crew cab XLTs at a cost of \$53,919 each. Funding for the trucks is included in GL 52-40-59, Sewer Capital Equipment Purchase and 54-40-59 Storm Sewer Capital Equipment Purchase. The purchase will be split evenly from these two GL accounts. The vehicles that are being replaced will be reassigned to the Parks Department or surplused.

Council Member Smith asked how old the vehicles are that are being replaced, to which Mr. Trusty stated he is unsure but can report back.

Mayor Ostler asked why the City is purchasing F-250s rather than F-150s. Mr. Trusty stated he asked that same question of the City's Fleet Manager and he indicated that the bigger trucks are needed in order to tow heavier equipment.

Council discussion centered on the frequency with which the City is purchasing vehicles and the age of the vehicles that are being replaced. Mr. Trusty stated he and City Administrator Wells have discussed the concept of developing an overall fleet plan that provides more structure in terms of how old a vehicle should be before it is replaced. Council Member Smith stated he would appreciate that because it would be helpful to him in responding to questions from residents. Mayor Ostler stated he understands that the work that the trucks are used for is hard on the vehicles; he understands the need to replace vehicles while they still have some value and can be resold.

Ms. Wells reviewed the fleet list and indicated the City has 41 vehicles; the oldest three are a 1997, 1998, and 2002 trucks used in the Parks Department. Mr. Trusty stated these three new trucks will replace newer vehicles, but those newer vehicles will be handed down to the Parks Department and the oldest vehicles in the Parks Department will be surplused.

Council Member Ron Campbell MOVED that City Council approve the purchase of three new trucks in the total amount of \$161,757.

Council Member Doug Cortney SECONDED the motion.

Council Member Cortney asked if it would be appropriate to include language in the motion regarding the vendor of the vehicles. Mayor Ostler stated that the trucks are being purchased using the State contract. Ms. Wells stated that language regarding utilization of the State contract could be included in the motion.

The City Council gave unanimous consent to amend the motion to the following:

The City Council approve the purchase of three new trucks in the total amount of \$161,757, as approved by the State contract.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Doug Cortney</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>No</i>

The motion carried 4:1

6. DISCUSSION ITEMS

Items in this section are for discussion and direction to staff only. No final action will be taken.

a. Fence Code Clarification Land Use (Administrative)

Rob Patterson, City Attorney/Planning & Zoning Administrator

The City Council will give direction on the intent of the fence code relating to privacy fences near trail corridors where no trail facility is built or planned to be built in the near future.

City Attorney/Planning and Zoning Administrator Patterson stated this item was briefly discussed during the July 1, 2025, City Council meeting, but no direction was given, and the item was continued to this meeting. In July and August 2024, the City Council reviewed and adopted several amendments to the City's fence code. As part of those amendments, the Council loosened the requirement that fences along narrow trail corridors have the top two feet be open. Now, so long as the trail corridor is visible from public areas within 300 feet, residents can have privacy fences along the trail corridor. The new owner of lot 19 within the Foxwood Estates subdivision has constructed a privacy fence along their western property line. That property line borders a city trail corridor. There is no trail path/paving within the corridor on the west of lot 19, nor is there any current plan to build a trail facility because the trail would dead-end without connecting to any public park or other trail.

The City Council also approved maintenance agreements on July 1 with two of the property owners adjacent to the trail corridor to allow them to maintain that corridor. The fence code requires that the fence along lot 19 in Foxwood Estates have the top 2 feet open because it is "adjacent to a trail or open space" that is not visible from public areas within 300 feet. However, there is no trail facility nor any current plans to build a trail in that corridor. As discussed in the July 1 meeting, there is a possibility for a trail to be constructed to connect to the Murdock Canal Trail near Dry Creek Lake, depending on whether the City is able to acquire trail access across private property. In addition, Highland City maintains utility facilities in the area, and as such staff recommended and Council agreed that they did not want to sell the trail corridor property in question. The corridor will be used by staff, on occasion, for access to the ravine and sewer facilities.

The code does not distinguish between trail corridors that actually have trails and trail corridors that are simply reserved for potential future trails. Staff would like direction from the Council as to whether the Council intended the privacy fence limitations to apply to trail corridors where no trail is constructed and no trail is to be constructed in the near future. Staff can support allowing the privacy fence to remain, subject to a condition that if a trail is built in that corridor, any new or reconstructed fence would need to meet the fence code's openness requirements. If Council supports this approach, staff would apply the approach to any other, similarly situated trail corridors (e.g., trail corridor in Beacon Hills near Perry property). Mr. Patterson provided a marked-up aerial image to orient the Council to the location of the subject property where the privacy fence is located. He asked for feedback from the Council regarding whether to allow the fence to remain in place.

The Council discussed the fact that the fence was installed without a permit, future trail plans and the timing of a possible installation of a trail in the area, and preservation of an easement for the trail. Council Member Campbell stated that if the property owner had come to the City to get a permit for the fence, they would have been informed of the fence code; he is not inclined to grant 'forgiveness' in this case because the property owner did not follow the City's rules. Council Member Smith stated that no easement has been preserved for the trail, and he is unsure whether a trail will ever be built in the area; he has a hard time requiring the property owner to tear the fence down or replace it with something allowed by the City if there is uncertainty about whether the trail will be built. He suggested staff be given some flexibility to deal with this issue. Council Member Rodela agreed. The Mayor and Council then discussed and debated the two suggestions offered by Council Members Campbell and Smith and ultimately agreed there is no excuse for the property owner not obtaining a fence permit for the project and perhaps the City Code should be amended to provide a penalty for failing to obtain a permit, but that City staff should be given some flexibility to address the situation. They also indicated they would like to revisit the fence ordinance to determine regulations for areas in which a trail may be constructed in the future.

Mr. Patterson stated his interpretation of the Council's feedback was to allow the fence with some conditions, and revisiting the City Code to consider a text amendment that provides a distinction between trail corridors and open space.

7. COMMUNICATION ITEMS

Communication items are informational only. No final action will be taken.

a. **Update on Sprinkler and Park Maintenance** *Chris Trusty, City Engineer/Public Works Director*

City Engineer/Public Works Director Trusty used the aid of a PowerPoint presentation to provide information regarding sprinkler and park maintenance issues; he noted the City has had to access Deer Creek water for irrigation this year, which typically leads to clogged filters in the irrigation system. He provided photos of plugged irrigation filters at Heritage Park that have since been cleaned. The City has received many calls this year from residents who found their filters were clogged as well. Council Member Smith asked if there are better filters at the pump station at 6000 West since that is where the water comes out of the canal. Mr. Trusty answered yes. Council Member Smith stated he is required to clean his filter every few weeks to ensure it is operating properly.

Mr. Trusty then stated Heritage Park has been top dressed, overseeded, fertilized, and 80 sprinkler heads were dug up and adjusted. He also provided photos of open space to illustrate their current condition, noting the following for specific locations:

Alpine Highway

- Mainline filters cleaned and replaced
- 50 spray head screens cleaned and replaced
- One additional day added to sprinkler timers (now watering 4 days/ week)

SR-92

- Fertilized
- Mainline filter cleaned and replaced twice
- 100 spray heads cleaned and replaced

Community Center

- Provided power to temporary sprinkler clock

He added that 28 pallets of fertilizer have been broadcast at open space locations. No painting has been done yet due to equipment issues and staff have been focused on permanent fixes for now. Staff expects to deploy painting this week, starting in smaller areas as a trial. The Mayor and Council discussed current conditions of specific locations throughout the City and thanked Mr. Trusty and his staff for responding to the concerns that were expressed in recent meetings; they noted they were somewhat embarrassed by conditions at some public spaces and are pleased to see the conditions have been improved. Council Member Rodela stated she would appreciate staff being proactive in the future rather than waiting for complaints from the residents coming to the Council before taking action. She expects City employees to take pride in their work and fix problems as they arise. Council Member Smith and Mayor Ostler agreed. Council Member Cortney added that the top priority should be ensuring proper watering of trees because it is concerning to lose mature trees in public spaces; however, he noted that one of the pictures provided by Mr. Trusty of one of the park spaces with some yellow spaces is appropriate given current drought/heat conditions in the State.

b. **Highland Boulevard Roundabout** *Chris Trusty, City Engineer/Public Works Director, Rob Patterson, City Attorney/Planning & Zoning Administrator*

City Engineer/Public Works Director Trusty presented the draft design for the Highland Boulevard Roundabout; the costs for the project are to be divided between Highland, Lehi, and DR Horton, with the Highland portion being \$1 million funded through a Mountainland Association of Government (MAG) grant obtained by the City's lobbyist, David Stewart. Highland City will split the median costs with DR Horton and construction is anticipated this year.

The Council engaged in discussion with Mr. Trusty about other road improvement projects planned for the area, the expectation that the roundabout will help with school traffic, and the danger of some intersections in close

proximity to the subject location.

Council Member Cortney stated he is concerned that the hot crossing will not be used in this location and that there will be pedestrians in the intersections; as Administration is preparing the request for proposals (RFP) package, he would like them to include landscaping on the inside of the mountable curb that would still allow a car to come through, but would prevent kids from taking a short cut through that area. This led to discussion of the behavior of school children who cross through roundabouts as they walk to and from school.

Mr. Trusty stated that he will continue working with DR Horton to finalize the design of the roundabout in order to proceed with requesting proposals for the project.

c. Potential Change Order to Sewer Lining Project *Chris Trusty, City Engineer/Public Works Director*

City Engineer/Public Works Director Trusty reported that a few weeks ago, the Council approved phase two of the sewer lining project; phase one has been completed and the \$55,000 for top hats was not spent because it was determined the top hats were not needed on the lateral lines. Additionally, no contingency funding was used on the project, resulting in a savings of \$77,000. He thinks the same will be likely for phase two of the project as well, and he suggested adding around \$80,000 to \$100,000 additional sewer lining work to phase two to get additional work done while costs are low.

Council Member Cortney asked why the top hats were not needed on the laterals. Mr. Trusty stated that the condition of the laterals and their connection points on the sewer main were good and the top hats were not needed.

Council Members Campbell and Smith stated they support the proposal to add funding to phase two in order to get more work done. Council Member Smith inquired as to the number of years added to the life of a sewer line due to this type of work. Mr. Trusty answered approximately 20 years.

Mayor Ostler stated it sounds as if the Council would be supportive of increasing the funding for phase two. Mr. Trusty stated he will bring a formal change order to the Council for consideration.

d. Community Development Update ([Current Projects List](#)) *Jay Baughman, Assistant City Administrator/Community Development Director, Rob Patterson, City Attorney/Planning & Zoning Administrator*

City Attorney/Planning & Zoning Administrator Patterson reported on the calendar of upcoming applications to be presented to the Planning Commission and next to the City Council.

Council Member Smith asked if Patterson Development will be installing median strips on the south end of Highland Boulevard; he has received many complaints about that issue. Mr. Patterson stated those improvements are part of the daycare development project being managed by Patterson; additionally, they will not receive a certificate of occupancy for the most recent building they built until they install landscaping improvements.

e. Election Update *Stephannie Cottle, City Recorder*

City Recorder Cottle announced the Meet the Candidates night scheduled for Thursday, July 17 from 6:00 to 8:00 p.m.; ballots will be placed in the mail starting July 22 and a vote center will be hosted at Highland City Hall from 7:00 a.m. to 8:00 p.m. on August 12. Campaign finance statements for candidates are due August 5 at 5:00 p.m.

Council Member Smith asked if candidates could place signs in front of City Hall on the night of the Meet the

Candidates event. Ms. Cottle answered no; Administration does not want to give the impression that campaign signs are allowed on City properties. Each candidate will have a table inside City Hall that they can decorate as they choose, and they can use campaign signs as part of those decorations. Council Member Cortney added that the rules Ms. Cottle is citing are included in the City’s signage ordinance, which prohibits campaign signs on public property and within 150 feet of a polling location.

Mayor Ostler allowed input from election candidates who were in attendance.

Liz Rice stated that a republican convention was held at Skyridge High School and campaign signs were allowed at the building; they were in place for about two hours during the event and were not left overnight. Usage of the signs was viewed as an advertisement of where the event was being held. She believes the City’s campaign sign rules are a bit restrictive. Council Member Smith agreed; some of the rules make campaigning very hard for candidates and this may discourage people from running for office.

f. Highland Fling Update *Kurt Ostler, Mayor*

Mayor Ostler provided the Council with an update regarding the planning efforts for the Highland Fling. The Council discussed the manner in which they would participate in the Fling parade.

Council Member Bills briefly revisited agenda item six dealing with the fence that was installed without a permit; if the Council decides they want to have the same regulations for fencing along open space, would the City be committing to allowing the fence in question remaining indefinitely. City Attorney Patterson stated that if the decision is to allow the fence to stay, he was planning to require the owner to get a fence permit, which will receive conditional approval requiring the fence to be modified if a trail is eventually built in the area.

8. CLOSED MEETING

The City Council may recess to convene in a closed meeting to discuss items, as provided by Utah Code Annotated §52-4-205.

At 10:05 pm Council Member Ron Campbell MOVED that the City Council recess the regular meeting to convene in a closed meeting in the Executive Conference Room to discuss pending or reasonably imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205.

Council Member Kim Rodela SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Ron Campbell</i>	<i>Yes</i>
<i>Council Member Doug Cortney</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion carried 5:0

Council Member Scott L. Smith MOVED to adjourn the CLOSED SESSION and Council Member Ron Campbell SECONDED the motion. All voted in favor and the motion passed unanimously.

The CLOSED SESSION adjourned at 11:59 pm.

ADJOURNMENT

Council Member Ron Campbell MOVED to adjourn the regular meeting and Council Member Doug Cortney SECONDED the motion. All voted in favor and the motion passed unanimously.

The meeting adjourned at 12:00 am.

I, Stephannie Cottle, City Recorder of Highland City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on July 15, 2025. This document constitutes the official minutes for the Highland City Council Meeting.

Stephannie Cottle, CMC, UCC
City Recorder

DRAFT



HIGHLAND CITY

HIGHLAND CITY COUNCIL MINUTES

Tuesday, August 26, 2025

Waiting Formal Approval

Board of Canvassers

Highland City Council Chambers, 5400 West Civic Center Drive, Highland Utah 84003

6:00 PM BOARD OF CANVASSERS MEETING

Call to Order: Chair Kurt Ostler

The meeting was called to order by Mayor Kurt Ostler at 6:03 pm. The meeting agenda was posted on the Utah State Public Meeting Website at least 24 hours prior to the meeting.

PRESIDING: Chair Kurt Ostler (via Zoom)

BOARD OF CANVASSERS:

Brittney P. Bills	Present
Ron Campbell	Present
Doug Cortney	Present
Kim Rodela	Present
Scott L. Smith	Present

CITY STAFF PRESENT: City Administrator Erin Wells, City Attorney/Planning & Zoning Administrator Rob Patterson, City Recorder Stephannie Cottle

OTHERS PRESENT: Jon Hart, Wes Warren, Liz Rice

1. ACTION ITEMS

- a. **ACTION: Canvass of the 2026 Municipal Primary Election** *General City Management*
Stephannie Cottle, City Recorder

The City Council, acting as the Board of Canvassers, will consider certifying the results of the 2026 Municipal Primary Election.

City Recorder Stephannie Cottle reviewed the results of the 2025 Municipal Primary Election held on Tuesday, August 12, 2025. The final results of the Primary Election are as follows:

SCOTT L. SMITH	1,490	24.41%
LIZ RICE	1,200	19.66%
RON CAMPBELL	1,012	16.58%
WES WARREN	794	13.01%
KRISTIN RICHEY	763	12.50%
MCKAIDEN CARRUTH	467	7.65%
COREY FREEZE	377	6.18%
Total Votes Cast	6,103	100.00%

Board Member Ron Campbell *MOVED* that the Highland City Council, acting as Board of Canvassers, certify and approve the Election Canvass Returns from the 2025 Municipal Primary Election and declare Scott L. Smith, Liz Rice, Ron Campbell, and Wes Warren as nominated to proceed to the 2025 Municipal General Election.

Board Member Kim Rodela *SECONDED* the motion.

The vote was recorded as follows:

Board Member Brittney P. Bills	Yes
Board Member Ron Campbell	Yes
Board Member Doug Cortney	Yes
Board Member Kurt Ostler	Yes
Board Member Kim Rodela	Yes
Board Member Scott L. Smith	Yes

The motion carried 6:0

ADJOURNMENT

Board Member Scott L. Smith *MOVED* to adjourn the Canvass meeting and Board Member Doug Cortney *SECONDED* the motion. All voted in favor and the motion passed unanimously.

The meeting adjourned at 6:09 pm.

I, Stephannie Cottle, City Recorder of Highland City, hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on August 26, 2025. This document constitutes the official minutes for the Highland City Board of Canvassers meeting.

Stephannie Cottle, CMC, UCC
City Recorder

Highland City Large Purchases Tracking (\$25,000+)

Fiscal Year: 2025-2026

Month: August 2025

Date	Vendor	Check #	GL Account	Amount	Description
8/12/2025	Rocky Mountain Power	3962	53-40-27	\$ 27,387.50	Culinary Wells & Booster Power
8/29/2025	Rocky Mountain Power	3973	53-40-27	\$ 66,457.26	PI Booster Station Power
8/5/2025	North Pointe Solid Waste District	37102	10-73-49	\$ 34,421.90	Solid Waste Tipping Fees
8/5/2025	Timpanogos Special Service District	37112	52-2132	\$ 53,379.00	July 2025 Impact Fees
8/12/2025	Lone Peak Public Safety District	37137	10-54-31, 10-57-11, 10-57-31	\$ 519,939.74	August 2025 Public Safety Assessments
8/12/2025	WM Corporate Services, Inc	37146	10-73-50	\$ 86,191.46	Solid Waste Hauling Contract
8/19/2025	Complete Contracting Co.	37158	42-40-67	\$ 94,241.17	Parks Maintenance Bldg
8/19/2025	Complete Contracting Co.	37181	42-40-67	\$ 350,562.96	Parks Maintenance Bldg
8/26/2025	Stratton & Bratt Landscapes, LLC	37188	40-40-78	\$ 65,565.42	Highland Fam Park Phase 2 Payment 11 & 12
8/26/2025	Nelson Brothers Construction	37225	53-40-60	\$ 321,805.85	6000 W Irrigation Payment 10
8/26/2025	Timpanogos Special Service District	37237	52-40-42	\$ 157,294.53	July 2025 Sewer Treatment User Fees



CITY COUNCIL AGENDA REPORT

ITEM #3d

DATE: September 16, 2025
TO: Honorable Mayor and Members of the City Council
FROM: Rob Patterson, City Attorney/Planning & Zoning Administrator
SUBJECT: CDBG Contract Amendment
TYPE: General City Management

PURPOSE:

The City Council will consider approving slightly amending the previously approved contract with Utah County regarding Highland City's participation in the CDBG program.

STAFF RECOMMENDATION:

Staff recommends that the City Council adopt the resolution amending the previously approved Utah County CDBG interlocal agreement.

PRIOR COUNCIL DIRECTION:

On August 5, 2025, the Council approved an interlocal agreement with Utah County relating to the City's potential participation in the Community Development Block Grant (CDBG) program.

BACKGROUND:

Utah County has requested that the City add a single sentence to the previously approved contract. That sentence will be added in Section 1 and is: "This Agreement covers the CDBG and HOME programs." According to the County, this addition has been requested and required by HUD's legal department. The agreement as-approved already covers and provides for the City and County's participation in the CDBG and HOME programs. It appears, however, that HUD needs an express statement to that effect in the agreement.

As a refresher, the CDBG program is a federal grant program that provides assistance that helps communities provide services to disadvantaged populations (low-income, senior, disabled, etc.). The HOME program is an investment grant program that helps provide affordable housing for low-income families. These programs are complimentary and both handled by HUD. The interlocal agreement provides the legal framework for the City and County to apply for funding both programs, though whether the City applies for funding depends on the project and Highland's eligibility. Nothing in the Agreement binds the City to undertake any specific program, and any future grant or program the City desires will be first reviewed and approved by the Council.

Staff does not believe adding the sentence is a substantive change to the agreement. It does not impose any new obligations or change any of the existing terms of the agreement. However, because the original resolution approving the contract did not include the language about staff being authorized to make minor, non-substantive changes, staff felt we needed City Council approval. As previously directed by the Council, staff is working to ensure future resolutions approving contracts incorporate that language

to avoid this issue.

FISCAL IMPACT:

No new fiscal impact.

MOTION:

I move that City Council adopt the resolution approving the amendment to the interlocal cooperation agreement with Utah County regarding participation in the CDBG program.

ATTACHMENTS:

1. Resolution CDBG Interlocal Agreement Amendment
2. Resolution Ex A CDBG Interlocal Agreement Amendment

RESOLUTION NO: R-2025-XX

A RESOLUTION OF THE HIGHLAND CITY COUNCIL, HIGHLAND CITY, UTAH APPROVING AN AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND HIGHLAND CITY RELATED TO THE CONDUCT OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR FEDERAL FISCAL YEARS 2026 THROUGH 2028

WHEREAS, Highland City desires to be able to apply for CDBG money for certain projects within Highland City; and

WHEREAS, cities with a population less than 50,000 are eligible to receive CDBG money through their county if they enter into an agreement with the county; and

WHEREAS, Highland City Council previously approved entering into an interlocal agreement with Utah County regarding participation in the CDBG program; and

WHEREAS, Highland City and Utah County desire to amend the previously approved interlocal agreement to comply with HUD's regulations and requirements.

NOW THEREFORE, BE IT RESOLVED by the Highland City Council as follows:

1. The mayor is authorized to enter into and execute the amendment to the interlocal agreement attached hereto as Exhibit A.
2. The City Recorder, under the supervision of the City Administrator and City Attorney, may make non-substantive corrections to any portion of this resolution and to the agreement referenced herein for grammatical, typographical, numbering, and consistency purposes in accordance with the expressed intent of the City Council.
3. This resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by Highland City Council this 16th day of September, 2025.

HIGHLAND CITY, UTAH

Kurt Ostler, Mayor

ATTESTED:

Stephannie Cottle, City Recorder

AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND HIGHLAND CITY

THIS AMENDMENT is made and entered into by and between Utah County (“County”), a political subdivision of the State of Utah, and the Highland City (“City”), a municipal corporation of the State of Utah.

RECITALS

WHEREAS, the above parties previously entered into Interlocal Agreement No. 2025-733 and Resolution No. 25025-703 relating to the Community Development Block Grant Program (“CDBG”); and

WHEREAS, the COUNTY and CITY desire to amend Agreement No. 2025-733 to maintain compliance with Housing and Urban Development (“HUD”) requirements and to continue CDBG efforts; and

NOW, THEREFORE, in consideration of the foregoing, the mutual covenants made herein, and other good and valuable consideration, the receipt and sufficiency are hereby acknowledged, the COUNTY and CITY amend Interlocal Agreement No. 2025-733 to read as follows:

Section 1 will include the following sentence: “This Agreement covers the CDBG and HOME Programs.”

IN WITNESS WHEREOF, the parties have signed and executed this Agreement, after resolutions duly and lawfully passed, on the dates listed below:

DATED this ____ day of _____ 2025.

BOARD OF COUNTY COMMISSIONERS
UTAH COUNTY, UTAH

By: _____
BRANDON B. GORDON, Chair

ATTEST:
AARON R. DAVIDSON
Utah County Clerk

By: _____
Deputy Clerk

APPROVED AS TO FORM AND COMPLIANCE
WITH THE LAWS OF THE STATE OF UTAH:
JEFFREY S. GRAY
Utah County Attorney

By: _____
Deputy Utah County Attorney

DATED this _____ day of _____, 2025.

HIGHLAND CITY

By: _____
Mayor

ATTEST:

By: _____
City Recorder

REVIEWED AS TO FORM AND COMPLIANCE
WITH THE LAWS OF THE STATE OF UTAH:

By: _____
City Attorney



CITY COUNCIL AGENDA REPORT

ITEM #3e

DATE: September 16, 2025
TO: Honorable Mayor and Members of the City Council
FROM: Kurt Ostler, Mayor
SUBJECT: Planning Commission Appointment
TYPE: General City Management

PURPOSE:

The City Council will consider the Mayor’s request to ratify the appointment of Sherry Kramer as a Planning Commissioner.

STAFF RECOMMENDATION:

Staff recommends the City Council approve the Mayor's appointment of Sherry Kramer as a Planning Commissioner.

PRIOR COUNCIL DIRECTION:

N/A

BACKGROUND:

The Planning Commission is made of seven members appointed by the Mayor with the advice and consent of the City Council. Commissioners serve four-year terms beginning February first of each year, or as necessary to fill vacated seats. The Commission provides recommendations to the City Council on land use matters.

Claude Jones resigned his appointment on September 1, 2025, vacating his seat (#4) with a remaining term until February 2027. Sherry Kramer has served as an Alternate Commissioner since 2022 and has been very diligent in her attendance. The Mayor is recommending Sherry Kramer to be appointed to fill the vacated seat until February 2027. Below is a summary of the Planning Commission seats and appointees, with the recommended appointment highlighted.

Seat	Name	Term Expiration	Notes
1	Jerry Abbott	2028	
2	Trent Thayne	2028	Vice Chair - 2025
3	Audrey Moore	2027	
4	Sherry Kramer	2027	
5	Tracy Hill	2026	

6	Christopher Howden	2029	Chair - 2025
7	Debra Maughan	2029	
Alternate	TBD	2026	
Alternate	Wesley Warren	2026	

FISCAL IMPACT:

N/A

MOTION:

I move that City Council ratify the Mayor’s appointment of Sherry Kramer to serve as a Planning Commissioner to fill the seat vacated by Claude Jones until February 2027.

ATTACHMENTS:

1. Sherry Kramer - Volunteer Statement of Interest_Redacted



Highland City Volunteer Statement of Interest

The residents of Highland have great pride in their City. The City utilizes many volunteers in numerous capacities to improve the overall quality of life in our town. In order to encourage this participation, the Mayor is requesting statement of interests from those who are willing to serve. As vacancies or needs arise within the City, the Mayor will review the statements, conduct interviews and make selections. If you are interested in serving as a volunteer within Highland City, please submit this statement of interest to the City Offices.

Name: Sherry Kramer Date: Jan 15 2024
Residence address: [REDACTED]
Phone number: [REDACTED] Email: [REDACTED]

Please fill out the following or attach a resume listing expertise, experience, interests, etc.

How long have you resided in Highland City? 12 years
Occupation: Office Assistant Kramer Law Group
Education: Bachelor's Degree in Education from Brigham Young University
Are you able to meet in the evenings? yes Semi-monthly: yes Monthly: yes

List any background and experience you have that you think would be helpful to the Committee or Commission you would like to serve: I served on the American Fork City Board of Adjustments, The American Fork City Council, TSSD Board and worked with MAG and UDOT on local and regional projects. I also have served as the Mtn Ridge Jr High PTA President and have been elected to serve on the Highland Elementary and Mtn Ridge Jr High Community Councils as well as being appointed to the District Community Council.
Please state why you would like to serve: I very much enjoy serving in the community. I also love seeing the good things that can be brought about in a community when people work together.

If not selected for an immediate opening, do you wish to be considered for the next opening? yes

Additional comments: Please see prior resume that was emailed in Sept 2023 to the Mayor and council for more specific information on experience.

Please select which committee(s) you are interested in serving on: *(submission of this form does not guarantee an appointment)*

Standing Committees

- Arts Council
- Friends of the Library
- Highland Fling
- Historical Society
- Library
- Library Board
- Parks, Trails & Tree Commission
- Planning Commission
- Youth Council

Ad Hoc Committees

- Beautification Committee



CITY COUNCIL AGENDA REPORT

ITEM #4a

DATE: September 16, 2025
TO: Honorable Mayor and Members of the City Council
FROM: Rob Patterson, City Attorney/Planning & Zoning Administrator, Chris Trusty, City Engineer/Public Works Director
SUBJECT: 11200 North Connection and General Plan Classification
TYPE: General City Management
General Plan Amendment (Legislative)

PURPOSE:

The City Council will consider connectivity and road classification options for 11200 North.

STAFF RECOMMENDATION:

Staff recommends that the City Council determine what improvements, if any, should be made to the unbuilt connection area of 11200 North and what road classification should be applied to that area.

PRIOR COUNCIL DIRECTION:

On April 8, 2025, the City Council held a joint workshop with the Planning Commission regarding updating the transportation element of the City's general plan. The informal direction staff understood from a majority of the Council and Commission present was that 11200 North should not serve as a minor collector and should instead be classified as a local road, and that the City should strive to complete the connection between the east and west portions of 11200 North.

On June 3, 2025, the City Council considered a general plan amendment to reclassify 11200 North from a minor collector to a local street. The Council unanimously voted to reclassify the majority of 11200 N as a local street, but not change the classification of the unbuilt connection area of 11200 North. That issue was continued, with the Council directing staff to bring back options regarding what could be built in that corridor and how that portion of 11200 North could be classified.

BACKGROUND:

The roadway known as 11200 North, between 5710 West and 5650 West, has previously been included in the City's Master Transportation Plan. At different times, 11200 North has been classified as a local residential street and as a 2-lane residential collector. However, this roadway was never completed under any street designation, and past city decisions allowed for a portion of this property to be sold to the property owners to the north of the right of way, reducing the city-owned property to less than the typical 56-foot street cross-section for a local street.

CONNECTIVITY OPTIONS

Generally, additional connectivity is seen as beneficial to a city's transportation network, especially as it relates to providing emergency services. The general plan provides, "If the City has the opportunity to connect streets for the purpose of providing better traffic circulation, more efficient and prudent

maintenance costs, and more efficient access for public safety purposes, then streets should be connected and cul-de-sacs should be avoided." However, the decision of when or whether to make specific new street connections is generally within the Council's discretion, based on the needs of the City and adjacent property owners.

With the 11200 North connection, City staff and the Mayor met with the Mortensen family living on the south side of the 11200 right of way to inquire about purchasing property from him that would allow the city to shift the sidewalk and accommodate a residential road. Unfortunately, Mr Mortenson was not inclined to sell any additional property and so that option is no longer viable without pursuing eminent domain.

Other options that the City Council may consider include:

1. Installing a trail through this corridor (could not be funded with impact fees);
2. Installing an emergency egress roadway with a sidewalk (picture examples will be provided during the Council meeting);
3. Installing a 20-foot wide street with no sidewalk (such as the connection from Burning Oaks Drive to Highland Boulevard).

For options 2 and 3, the roadways could be installed with either collapsible or removable bollards. Collapsible bollards would have issues with snow removal by public works staff as the blades would need to be raised when crossing the bollards. Collapsible bollards would also discourage access and use of the road, including access by emergency vehicles. With bollards, the road would only be used in the event of a significant emergency event that prevents vehicular access along other roads. A road with bollards may not be able to be funded with impact fees.

CLASSIFICATION OPTIONS

Somewhat separate from the decision of what to install in 11200 N is the decision as to what that corridor should be classified as. Currently, most of 11200 North, at the recent direction of the Council, has been designated as a local residential street. The portion of 11200 North between 5710 West and 5650 West, however, remains classified as a 2-lane residential collector, as the Council has not yet determined what classification to apply to that section of right-of-way. Options include:

- A. Classify the corridor as a local residential street
- B. Create a new road classification for "emergency access." This designation could be further defined in the general plan and City code along these lines: Right-of-ways that are intended solely for limited use as emergency egress and ingress. Improvement and design of emergency access roads will be at least to the minimum standards for fire apparatus access roads, but emergency access roads may not have full right-of-way improvements or widths. Access to emergency access roads will generally be restricted by traffic and access control devices, such as signage, gates, and bollards. Emergency access roads may not serve as public street frontage or access for development purposes.

Either of these designations would allow either of the roadway construction options described above. Staff recommends classifying the corridor as a local residential street, even if the connection is not built as a complete or even partial roadway, as that retains the possibility for the property owner to the south, currently the Mortensen family, to subdivide their property if they desire. Designating the corridor as an emergency access would eliminate their right to subdivide their property. In addition, classifying the corridor as a local residential street also allows impact fees to be used to construct any road right-of-way improvements.

Designating the corridor as a local residential road does not require the Council to build the road to the normal City standard and width. As adopted by the City Council on June 3, 2025, the City's general plan allows the City Council to approve alternative and lesser right-of-way standards where there are significant obstacles (e.g., ownership, topography) to constructing the road to the typical standard. Accordingly, the Council could designate the corridor as a local residential street and still direct that the road be built narrowly and/or without sidewalk or other standard right-of-way improvements.

FISCAL IMPACT:

Estimated cost for a full road section is \$250,000. The City has collected impact fees for this project. Should the city decide not to build a road in this location, these impact fees would need to be returned to the builders who paid this fee if another roadway project could not be added to an updated transportation impact fee facilities plan. A trail connection, without a road, could not be funded with the road impact fees.

MOTION:

I move that City Council direct staff to implement Option [1, 2, or 3] regarding the construction of the 11200 North connection and to classify the 11200 North connection area as a [local residential street OR emergency access].

Council may specify different or additional improvements to be constructed or a different classification for that section of 11200 North.

ATTACHMENTS:

1. 11200 North 20 ft paved
2. Collapsible Bollard Example
3. Collapsible Bollard Example2
4. 20-foot wide Street Example
5. 20-foot wide Street Example2
6. 20-foot wide Street Example3















CITY COUNCIL AGENDA REPORT

ITEM #4b

DATE: September 16, 2025
TO: Honorable Mayor and Members of the City Council
FROM: Chris Trusty, City Engineer/Public Works Director
SUBJECT: Interlocal Agreement with Utah County - 4800 West Project
TYPE: General City Management

PURPOSE:

The City Council will consider approving an interlocal agreement between Utah County and Highland City to fund improvements to 4800 West through Highland and Alpine.

STAFF RECOMMENDATION:

Staff recommends approving the interlocal agreement between Utah County and Highland City for the funding of improvements to 4800 West through Highland and Alpine.

PRIOR COUNCIL DIRECTION:

In conjunction with the biannual Mountainland Association of Governments (MAG) Transportation Improvement Plan (TIP) project cycle, the City Council approved submitting a request for improvements along 4800 West between Highland City and Alpine City on April 19, 2022 (minutes attached). On March 12, 2024, Council revisited the project at this intersection and opted to submit to MAG for additional improvements, including adding another lane. Ultimately, the 2024 project did not receive MAG funding. As such, the 2022 Council approved project is what is moving forward. On June 16, 2025, the Council approved the City budget which included the revenue sources and city expenditures for this project.

BACKGROUND:

Per the 2022 Council direction, the project focuses on addressing safety concerns at the intersection including lane alignment and pedestrian safety. Improvements generally consist of road widening to provide a 5-foot shoulder, a striped center median, and a 10-foot trail along the east side of 4800 West. The project improvements will be between SR 92 and the roundabout in Alpine. Council also has the option of continuing the trail from SR92 south to Canyon View Drive. Attached to this report are preliminary drawings of the project. Once this agreement is approved, work can begin on construction drawings that will provide additional detail. Those drawings will come back to Council when approving the construction contract.

Staff has received some inquiries from Council about altering the design to reduce the need to purchase property from residents, including making the shoulder along the west side of 4800 West consistently 5-foot. Staff believes that should not be a problem and would welcome a motion that included specific direction to minimize the need to purchase private property.

Funding for TIP projects typically comes either through the state or the county, depending on the scope

and nature of the projects funded. In this instance, funding will be through Utah County, and Highland City will be the recipient of the funds. Total funding for this project is \$5,461,250 with \$5,091,523 from Utah County, and a 6.77% match between Highland and Alpine of \$369,726. Highland will need to enter into another ILA with Alpine to clarify how that required match is met by each entity which is planned to be based on the total project cost within each city boundary.

Utah County requires the City to enter into an ILA to receive the funds from them. The agreement has been reviewed and approved as to form by the city attorney.

The interlocal agreements outline funding rather than detailed project scope. Ultimately, Highland City will be responsible and oversee the project, not MAG or Alpine City.

FISCAL IMPACT:

City Council approved the FY26 budget which included funding for this project in GL# 41-40-79 in the Road Capital Fund. The revenue sources from both Utah County and Alpine were also included in the approved budget in the Road Capital Fund.

MOTION:

I move that City Council approve the Interlocal Agreement between Utah County and Highland City for the funding of improvements along 4800 West.

ATTACHMENTS:

1. April 19, 2022 Meeting Minutes
2. MAG Application and Preliminary Drawings
3. Proposed Interlocal Agreement
4. Resolution - Utah County 4800 W ILA 2025

6. ACTION: SAFETY IMPROVEMENT PROJECT AT THE INTERSECTION OF NORTH COUNTY BOULEVARD AND TIMPANOGOS HIGHWAY

Administrative – Andy Spencer, Public Works Director/City Engineer

The City Council will consider proceeding with a funding application with Mountainland Association of Governments for an intersection safety improvement project at North County Boulevard and Timpanogos Highway.

Public Works Director/City Engineer Spencer stated that per the discussion in the April 12, 2022 City Council work session, the project that has been recently discussed at the corner of North County Boulevard and Timpanogos Highway has been revised to focus the design on those elements necessary to address safety concerns at the intersection. He presented an updated conceptual drawing of the intersection improvements, identifying the following adjustments aimed at improving safety:

- Lanes align through intersection for safety.
- Roadway shoulders for safe driveway exits and bicycle lanes.
- Completing center two-way left turn lane for safe turning movements.
- Multi-use trail on the east side to allow for safe pedestrian passage to City border.
- Safe pedestrian crossings.

Council Member Smith stated that last week the Council heard from a representative of the Utah Department of Transportation (UDOT), and he indicated there could be one north bound and one south bound lane, but he asked if the updated drawing represents that. Mr. Spencer stated that in that meeting, there was discussion of the north and south bound lanes and aligning the lanes through the intersection. Council Member Smith asked if the drawing includes a center turn lane. Mr. Spencer stated there is presently a center turn lane. Council Member Smith asked if the width of the road will be increased. Mr. Spencer stated that the width will not be increased beyond what has already been envisioned; improvements will include the trail and pedestrian facilities on the east side and aligning the lanes through the intersection. Council Member Smith inquired as to the amount of land the City will need to acquire on the east side to facilitate those improvements. Mr. Spencer stated he is not sure, but he does not expect it will be necessary to acquire much more than 15 feet. He stated that this concept could be submitted to the Mountainland Association of Governments (MAG) for a funding decision and once that decision is made, the City will have time to determine design details for the project.

Council Member Bills asked if there will be an impact to properties on the west side of the road. Mr. Spencer answered no, all improvements within Highland City will take place on the east side of the road. Council Member Bills thanked staff for the amount of work they have done to adjust the plans for this project responsive to citizen feedback the Council has received.

Mayor Ostler then discussed the timing of the application for MAG funding; UDOT has identified this area as one of the top 20 most dangerous intersections in Utah County and he made the decision to add this item to the agenda to give the Council the opportunity to provide direction on proceeding with application for MAG funding. He discussed his understanding of the improvements at the intersection and noted they primary reason for the improvements is to improve safety at the intersection. Mr. Spencer stated that is correct.

Council Member Rodela stated it is important to communicate to residents that this is not the final concept plan for the project; rather, this is draft plan that can be provided to MAG to accompany an application for funding. Once funding is awarded, the City will have the opportunity to proceed with final design of the project. Council Member Smith stated that the only concern would be for MAG to respond to the City's application with a directive that five-lane road be constructed. Mr. Spencer stated that UDOT has indicated they will not force a solution on a community that the community does not desire; MAG is in the same position and if the local entity does not want to proceed with a project, MAG can not require such a project. Mayor Ostler added that the City's

transportation plan does not include a five-lane road project; MAG has indicated they cannot and will not make recommendations on a project that is not included in that plan.

Mayor Ostler then invited public input at 9:17 p.m.

Stephen Stowe stated he is concerned about the potential for changes to the scope of the project once it is submitted to MAG for consideration. He stated he is concerned about the lack of notification the residents who live on the roadway have received regarding this agenda item. He acknowledged that the intersection does not align properly and there have been efforts to address that issue in the past. He addressed Police Chief Gwilliam's comments earlier about the lack of room on the roadway for patrol officers to park for enforcement purposes. He stated there is sufficient room because people gather on the road shoulder to panhandle. He offered his property as a space for police officers to park. He then noted that last week, UDOT indicated that the problems with the road are structural, not safety related. He stated that he and his family want the road to be safe, but he is not sure how the Council can take a vote based on the information that has been presented tonight; it seems that this issue has been rushed. After the meeting last week, he asked the UDOT representative which project option he supported, and that individual did not have an answer. He stated that he feels that the current concept plan is a step in the right direction, but he is concerned that it is not set in stone before being sent to MAG for consideration. He stated that he is concerned that the City is turning this matter over to another entity that could take control and make a decision that does not benefit the City.

Rochelle Broadhead stated that when residents are working on a project, they must have a firm plan that they submit to the City before being issued a permit. He stated that the same should be true for the City and MAG funding; Cottonwood Heights lost control of a project in their City because MAG has taken over. She stated that she will send a media article to the City Council regarding that matter. She stated that she feels there are alternate solutions for the Council to consider, including automatic traffic cameras and distracted driving cameras. Increasing enforcement of these issues could increase revenue for the City. She then added that in Alpine, the speed limit is 35 miles per hour, and she suggested that the speed limit be lowered in Highland as well. She stated she is concerned about the potential for future development along the roadway and she feels that it is necessary to consider another entrance/exit point in Alpine to accommodate growth.

Spencer Robison thanked the Mayor and Council for listening to residents' concerns and supporting a three-lane road rather than a five-lane road.

Tatiana Lindsley stated she is an Alpine resident and she also thanked Highland City for their efforts on this project. She stated that decisions have been made too quickly in Alpine City. Residents understood that the deadline for applying for MAG funding had passed and that they had a year to 18 months to research other solutions to the issues both Highland and Alpine are dealing with. However, the City is still able to proceed with applying for funding and it still feels rushed. She understands there is a safety issue on the roadway, but she would prefer that residents have a clearer understanding of what is being considered before another entity is given control of the project.

There were no additional persons appearing to be heard and the Mayor closed the public comment period at 9:28 p.m.

Mayor Ostler asked Mr. Spencer to respond to the concerns about the ability for MAG to take control of the project. Mr. Spencer stated that MAG is not the administer of the project; they fund projects at a city's request and after funding is awarded, the respective city hires a designer and administers the project. The City will be in the driver's seat on this project and MAG and UDOT will not drive projects that are not supported by communities. Mayor Ostler then summarized the manner in which the subject project has changed over the last several months; he asked if the Council wants to proceed with applying for funding to help address safety concerns or if they want to wait two years to finalize the concept plan for the project and reapply for MAG funding.

Council Member Smith referenced the Canal Boulevard project; it was designed by the City and UDOT built it using MAG funds. He is confident the City will be in charge of design of this subject project, not MAG. But MAG will have some input on the design as has been in the case in past projects. Mr. Spencer stated that is correct; the City will take all comments from the public and the Council and use that information to inform the design. MAG will have some input, but the City will be in the driver's seat. He stated he feels this project identifies a core need in the City and he does not believe the Council will lose control of the design. City attorney Patterson added that the City will be in control of the process to acquire property needed to facilitate the project.

Council Member Rodela stated she is in favor of proceeding with applying for funding, especially after hearing from UDOT that the intersection is in the 20 most dangerous in Utah County. Council Member Bills agreed and noted that she appreciates the concern about government changing its mind frequently; she acknowledged that government revisits certain items frequently, but she feels this project has come full circle and it is important to proceed based upon the desire to improve safety of the intersection. She feels that the road is currently very dangerous for drivers and pedestrians, and she does not want to make a decision that will result in the City waiting for two years to apply for MAG funding again.

Council Member Kim Rodela MOVED that the City Council APPROVE the updated intersection concept drawings presented and proceed with the Mountainland Association of Governments application for funding of necessary safety improvements at the intersection of North County Boulevard and Timpanogos Highway.

Council Member Scott L. Smith SECONDED the motion.

The vote was recorded as follows:

<i>Council Member Timothy A. Ball</i>	<i>Yes</i>
<i>Council Member Brittney P. Bills</i>	<i>Yes</i>
<i>Council Member Sarah D. Petersen</i>	<i>Yes</i>
<i>Council Member Kim Rodela</i>	<i>Yes</i>
<i>Council Member Scott L. Smith</i>	<i>Yes</i>

The motion passed 5:0.

7. CONSTRUCTION CONTRACT: MOUNTAIN RIDGE PARK – PHASE 1 IMPROVEMENT PROJECT *Administrative - Andy Spencer, Public Works Director/City Engineer*

The City Council will consider entering into a construction contract with Stratton and Bratt Landscapes, LLC for the construction of Mountain Ridge Park – Phase 1, including the two bid alternates. The Council will take appropriate action.

Public Works Director/City Engineer Spencer stated that as directed by the Council, staff has obtained bids for the first phase of Mountain Ridge Park. This project includes the construction of the primary parking lot and utility infrastructure along 10400 North in preparation for the forthcoming phases of the Mountain Ridge Park construction. The base bid includes the center portion of the parking lot, the primary utilities, and the 10400 North improvements. The parking lots to the east and west were included as bid alternates. The bids also include the associated landscaping between the parking lots and 10400 North for each portion. At the April 12, 2021, Council meeting, the Council directed staff to prepare the bid award for three portions of phase one. Bids for the remainder of the park improvements will be solicited in the future. Staff recommends that the City Council approve the contract with Stratton and Bratt Landscapes, LLC for \$1,904,932.58 allocating a 5% project contingency of

MAG Transportation Funding Concept Report

This application is used to supply MAG and committee members with information pertaining to projects requesting MAG transportation funding. Answers should have enough technical detail as warranted to aid in the decision-making process. Always enter "NA" rather than leave an answer blank.

Code to Unlock Form

This document is locked in MS Word to allow for filling out the form only. If you need to make adjustments, to unlock the protected sheet, in MS Word go to the "Review" tab, click "Restrict Editing," click "Stop Protection," enter code 0000

Supplemental Information

As part of this report, submit supporting documentation including maps, diagrams, charts, cost estimates, etc. to allow MPO staff and committee members to make an informed decision regarding the proposed project. **Keep Supplemental Information submittals to 8 pages total.**

Concept Report Submittal

To facilitate the distribution of the Concept Reports and any supplemental information, **all Concept Reports shall be combined with any supplemental information and saved in PDF format as one document.** Please note that this might create a large data file that might be too large to email. Plan accordingly to submit your report in electronic format by the required due date.

Deadlines to Remember

Essential dates for concept submittal are as follows:

- **Draft Concept Report is due February 10, 2022, 5pm.**
- Sponsor/MAG staff review meetings February 21-24.
- The final Concept Report is due March 17, 2022, 5pm.

Questions, contact Bob Allen | o.801/229-3813 | c.801/836-2823 | rallen@mountainland.org

Table of Contents

- 1.0 | Project Summary Information
- 2.0 | Project Scope and Ranking
- 3.0 | Air Quality Report
- 4.0 | Project Cost Estimate

1.0 | Project Summary Information

<p>Project Name Keep it short 35 letters max</p> <p>Project Type</p> <p>Limits Intersections, place names, landmarks, etc.</p>	<p>North County Blvd. Extended</p> <p>Road - Widen</p> <p>Caddie Lane (Highland) to Main Street (Alpine)</p> <p>The North County Boulevard Extended, Phase 1 project is a combined project addressing intersection and bicycle safety improvements and providing a new active transportation route via a regional trail.</p>
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<p>MPO Funding Request</p>	<p>\$6,425,000</p>
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<p>Project Description Give details of work to be done</p>	<p>The project results from the findings of a recent MAG/UDOT study of the SR-92 Corridor. The project provides intersection safety improvements at the Timpanogos Highway (SR-92)/North Canyon Boulevard (SR-129) Intersection, widening of the roadway north of SR-92 to ensure that a consistent combination shoulder/bike lane is present, and connection of a new multi-use trail to the existing regional trail network. The multi-use trail will extend from the northly project limit (Alpine Roundabout) to the existing American Fork River roadway crossing structure, which then leads to the regional trail system which connects to Murdock Trail.</p>
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<p>Project Purpose and Regional Objective Give details of problem to address and how it is regional in nature</p>	<p>The project will significantly improve safety at the intersection and on the North County Blvd corridor and provide significant facility availability enhancements for active transportation users.</p>
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<p>Sponsor Jurisdiction, agency name</p> <p>Project Manager</p> <p>Phone</p> <p>Email</p>	<p>Highland City/Alpine City</p> <p>Andy Spencer/Jed Muhlestein (801) 772-4508, (801) 756-6347 aspencer@highlandcity.org/jed@alpinecity.org</p>
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managed routes. This intersection is a key destination convergence point to distribute traffic to Alpine, Highland, Lehi, Cedar Hills, American Fork, American Fork Canyon. The safety enhancements at this intersection will increase reliability of the intersection and improve driver understanding of lane assignments. Additionally, the multi-use trail provides an extension of the regional active transportation network that connects to the Murdock trail system.

- What is the highway's state functional class designation? | **Major Collector**

- e) If an intersection project, describe any improvements to a congested intersection. | **The project corrects the northbound lane offset and improves the westbound to northbound lane alignments and approach.**

2.2 Mode Choice | Transit, Active Transportation, ITS Projects (25 points)

Answer these questions for transit and active transportation projects. Highway projects that have major transit or active transportation elements can also answer applicable questions.

- a) Describe how the project benefits multiple transportation systems (complete streets design, first mile/last mile, intermodal/transit center, transit to highway, transit to AT, etc.). | **The project includes a multi-use trail that allows for a dedicated active transportation mode choice through the intersection and provides connectivity to the regional trail network for northeastern Highland and Alpine residents and for those biking from American Fork Canyon. There is currently a gap in the regional active transportation network. This project fills the gap.**
- b) Explain how the project manages or reduces Single Occupancy Vehicle (SOV) trips in the peak hour. | **By providing a dedicated travel alternative in the form of the new trail, a comfortable (and thereby used) alternative will be available to vehicular trips.**
- c) How does the project add capacity to non-highway facilities? | **It provides a trail where one has not existed previously.**

Answer the following if applicable:

- Current transit ridership: | **data n/a** 10-years out ridership: | **data n/a**
- Current active trans. count: | **data n/a** 10-years out count: | **data n/a**
- Current Park and Ride usage: **NA** 10-years out usage: | **NA**

- d) What amenities and elements are in the project to attract users (separation from traffic, serves disadvantaged or underserved populations, adds informational services, user amenities, etc.)? | **The project provides for an underserved need in providing a continuous trail corridor where no trail facilities exist today. Additionally by creating full bicycle lanes to the roundabout, those comfortable with riding on the road will have increased safety. Users currently have to ride bicycles in the travel lanes for portions of the roadway. Those who are not advanced**

riders are not comfortable in those conditions. As such, those who would use active transportation in this area are not currently using that mode choice.

- What services are provided in the operating of this project? | **NA**
- Describe any equipment to be purchased (buses, ITS, etc.). | **NA**

- e) How does the project aid to complete the regional transit, AT, or ITS system? | **The project provides connectivity to the existing system and extends the active transportation regional network.**

2.3 Environmental Quality (15 points)

Answer for all projects.

- a) What is the level of emission reduction (CMAQ eligible project, answer from section 3)? | **Low | 0-0.1 kg/day**
- b) Explain how the project incorporates environmental impact mitigation strategies (i.e., wetland bank, sound walls, natural environment avoidance, significantly reduces pollution, etc.).
- c) Explain how the project incorporates mitigation strategies to minimize or avoid existing neighborhoods/commercial areas (minimal relocations). | **Impacts to the existing properties have been minimized by reducing the design cross-section to the minimum necessary sections for each element.**
- d) What type of environmental work will most likely be needed? | **Categorical Exclusion**

2.4 Safety (15 points)

Answer for all projects.

- a) Explain how the project corrects/improves a verified or potential safety or accident problem (use statewide safety data to answer). | **Moderate Severity**
- Describe any safety improvements for vehicular, transit, and pedestrian traffic. (i.e., raised median, channelization of turn movements, barriers, parkway strips, etc.) | **Pedestrians using the new trail will be encouraged to remain on the east side of the road by the presence of the continuous trail. The east route directs them to an existing underpass to cross under North County Boulevard (SR-129). Focusing pedestrian travel on the trail will allow for signal timing to be set to encourage this pedestrian route.**
- b) Describe how the project improves information/communications for traffic operations and emergency responders. | **Traffic operations are significantly enhanced by the lane configurations. Opticom will be in place for all movements to ensure emergency vehicle priority.**
- c) Describe how the project enhances safe movement of pedestrian, bicycle traffic. | **The project includes a multi-use trail available for bicycles that allows for a dedicated active**

transportation mode choice through the intersection and provides connectivity to the regional trail network for northeastern Highland and Alpine residents. This is currently a gap in the active transportation network. Users today must use the travel lanes in portions of the corridor. Additionally, North County Boulevard contains bicycle lane striping south of Timpanogos Highway. The project facilitates their continuance.

2.5 Other Considerations (20 points)

Answer for all projects.

- a) How is the project cost-effective for the benefit being proposed? | **Project is making every attempt to be within the existing right-of-way where possible and minimize the right-of-way needed where acquisition is unavoidable.**
 - If a phased or segmented project, describe how the phase has logical termini and what future phases will consist of. | **The project terminates at the roundabout in Alpine, which is a logical terminus.**
 - What right-of-way is already secured, what is needed? | **Some right-of-way will be needed on the roadway corridor extending northward from the Timpanogos Highway (SR-92)/North County Boulevard (SR-129) intersection. It is anticipated that all other improvements (East, West, and South) will be within the existing right-of-way.**
 - Describe utility work to be performed and indicate who will do the work. | **There may need to be power pole relocation. This will need to be completed by Rocky Mountain Power. There are also other utilities that are collocated on the Rocky Mountain Power Poles.**
- b) What amount of additional funding above the required match is pledged toward the project (including any soft match, excluding betterments)? | **none**
- c) Explain if and how the project traverses between major regional activity centers. | **The project provides solutions for one of the critical convergence intersections in Northeast Utah County. This intersection is the primary path from the Pleasant Grove I-15 Interchange to the Lehi/Alpine I-15 Interchange and the associated retail, employment, and governmental centers that are accessed from this route.**
- d) Is the project a numbered project within the current regional transportation plan TransPlan50? | **Not in Plan**
 - Describe how the project is consistent with local or agency plans. | **The project lane configuration (three-lanes north of SR-92) is consistent with each City's transportation master plan.**



MAG Transportation Funding Concept Report

3.0 | Air Quality Report

All projects eligible for CM/AQ and CM/AQ-PM2.5 funds must complete this report. Generally, all non-highway single occupancy projects should complete this section. These funds are eligible for projects and programs countywide. Contact Shauna Mecham at Mountainland AOG if you need help completing 3.4 Quantitative Analysis below, 801/229-3838 or smecham@mountainland.org.

3.1 Eligibility

CM/AQ funds can only be used for projects and programs that can directly benefit air quality. Highway expansion, such as new single-occupancy vehicle lanes, is not eligible. **Turn lanes at congested intersections, transit programs, pedestrian and trail projects, signal modernization, ITS, and IM programs are typical eligible CM/AQ projects.**

3.2 CM/AQ Program

The purpose of the CM/AQ program is to fund transportation projects or programs that will contribute to attainment or maintenance of the National Ambient Air Quality Standards (NAAQS) in Ozone (O₃), Carbon monoxide (CO), Particulate Matter (PM₁₀), and PM_{2.5} non-attainment and maintenance areas. Provo is a maintenance area for CO, Utah County is a maintenance area for PM₁₀ and is in the process of becoming a maintenance area for PM_{2.5}. Utah County is also designated marginal non-attainment for Ozone.

3.3 Completing this Report

All projects eligible for CM/AQ funds must complete this report. Completing this report can be quite technical. Shauna Mecham at MAG can help with filling out this report. Contact her at 801/229-3838 or smecham@mountainland.org

3.4 Quantitative Analyses

A quantitative assessment of how a proposed project or program is expected to reduce emissions is important to assist in selecting the most effective use of this fund. List below all travel benefits directly related to this project. Air quality benefit calculations must utilize the latest EPA-approved emission model. The air quality analysis should include assessing emission reductions of transit, traffic flow improvements, ITS projects and programs, ridesharing, bicycle, and pedestrian improvements. Complete at least one of the sections below. If quantitative analyses cannot be done, do a qualitative assessment in 3.5.

a) Vehicle Miles Traveled

Number of Vehicle Miles Traveled reduced (VMT): | **NA**

Average distance of trips reduced: | **NA**

Emission reduction per average weekday: | **NA**

b) Idling Time

Average idling time per vehicle reduced: | **NA**

Number of vehicles with reduced idling time: | **NA**

Emission reduction per average weekday: | **NA**

C) Vehicle Speed

Average change in vehicle speed (speed before and after): | **NA**

Number of vehicles affected: | **NA**

Emission reduction per average workday: | **NA**

3.5 Qualitative Assessment

Although quantitative analysis of air quality impacts is required whenever possible, some improvements may not lend themselves to rigorous quantitative analysis because of the project's characteristics or because practical experience is lacking for analyzing the project adequately. In these cases, a qualitative assessment is appropriate, based on a reason and logical examination of how the project or program will decrease emissions and contribute to the attainment or maintenance of a NAAQS. Please explain your analysis. | **enter text**

4.0 | Project Cost Estimate

To develop a project cost estimate, please supply a detailed cost breakdown of your unit costs, inflation, equipment, right-of-way, contingency, etc. Use the Concept Costs Estimate Excel form provided by UDOT (available on Mountainland.org website). Projects that do not lend well to the estimating tool, such as non-construction projects (equipment purchases, operations, administration programs, studies, etc.), can use other methods to develop estimated costs. All sheets or methods used should be submitted as part of the Supplemental Information accompanying the Concept Report.

Please note, all MAG funds have a matching funds requirement from the sponsor. The match rate is 93.23 MAG / 6.77% local match. The project sponsor must provide 6.77% of the total MPO funded amount if awarded funding. If the total amount awarded is \$1,000,000, MAG will pay \$9,323,300, the sponsor will pay \$67,700.

4.1 Cost Summary

Summarize the information from the Costs Estimate Excel form or another method. Enter NA for items that do not apply to the project.

All costs should be inflated to 2026 dollars

All costs should be in total dollars, including the required 6.77% local matching funds.

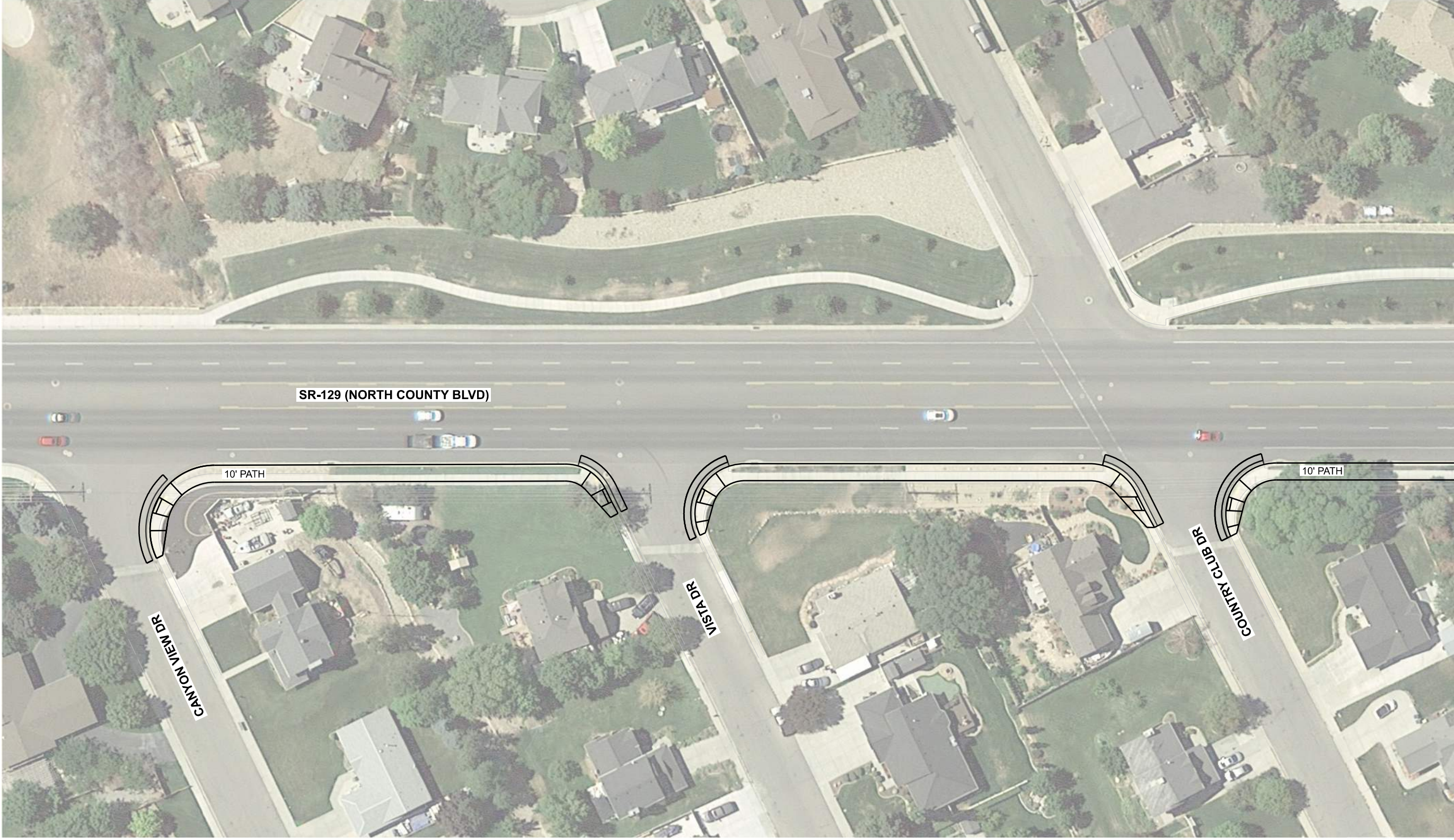
- a) Total Project Cost | **\$6,425,000**

- b) Total MPO Funding Request | 6,425,000**

- c) Additional Funds Pledged to Project **\$0**
- d) Preliminary Engineering Cost **\$405,000**
- e) Environmental Cost **\$15,000**
- f) Construction Engineering Cost **\$338,000**
- g) Right of Way Cost \$730,000**
- h) **Utility Costs \$390,000**
- i) Other Costs **\$0**

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SR-129 (NORTH COUNTY BLVD)

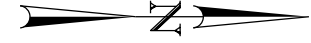
10' PATH

10' PATH

CANYON VIEW DR

VISTA DR

COUNTRY CLUB DR



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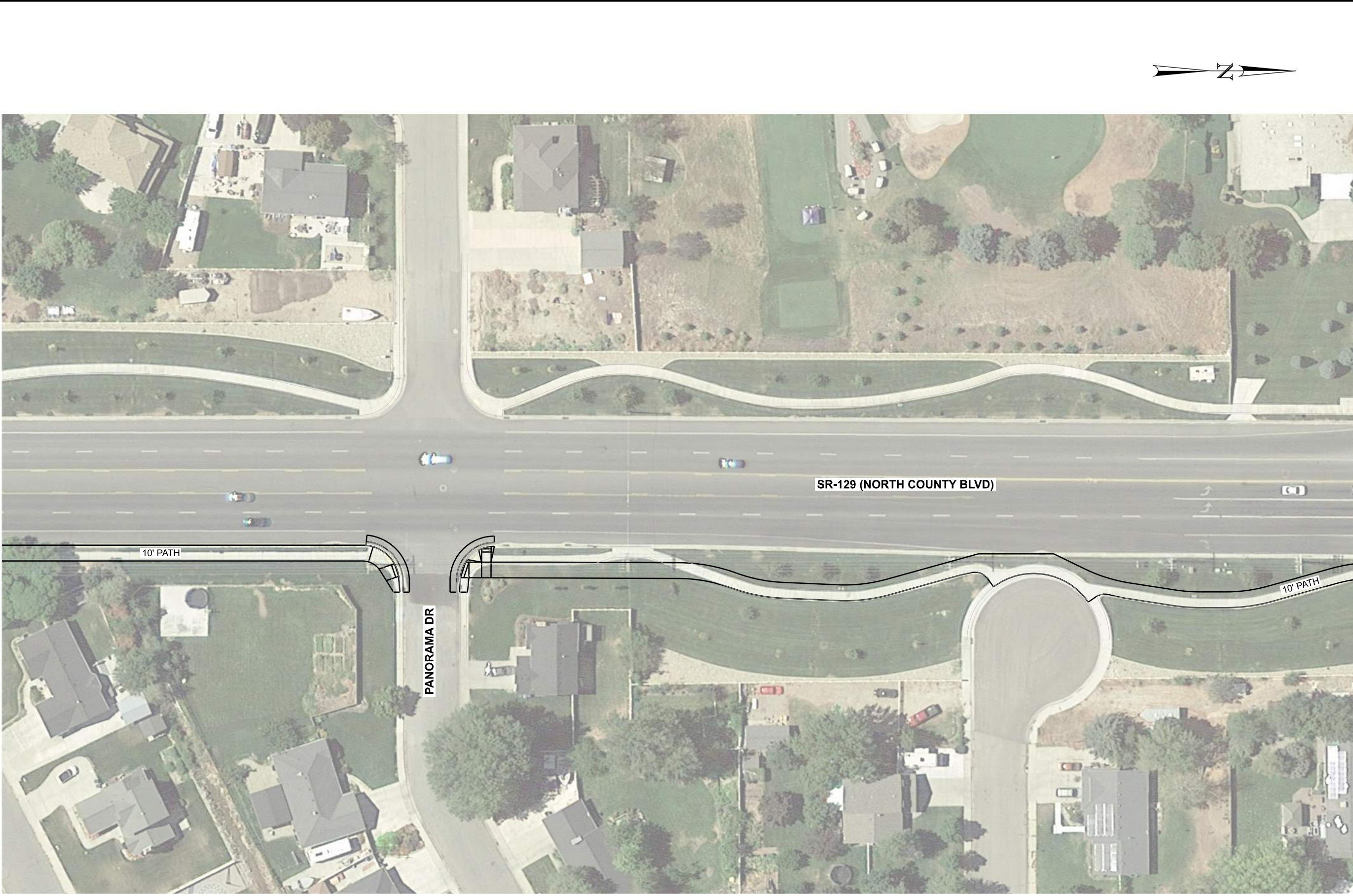
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QC CHECKED BY	

UTAH DEPARTMENT OF TRANSPORTATION	
ROADWAY - MINIMUM	

REVISIONS			
NO.	DATE	APPROVED BY	REMARKS

SHEET NO. RD-01

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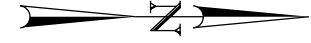
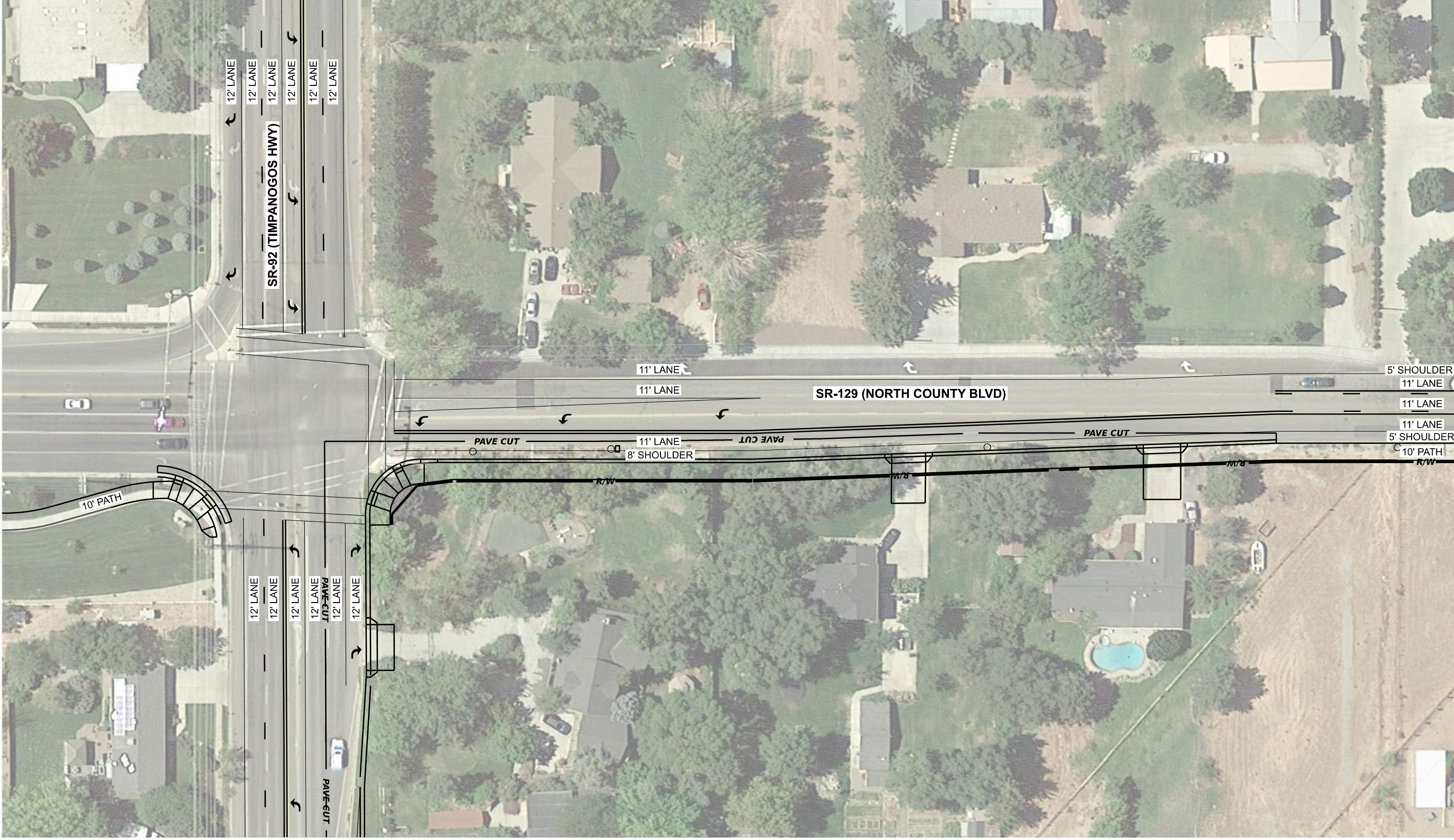


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SHEET NO. RD-02		NO.		DATE	APPROVED BY
					REMARKS

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 4/20/2022



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APPROVED _____ MM/DD/YY DATE
 PROFESSIONAL ENGINEER _____

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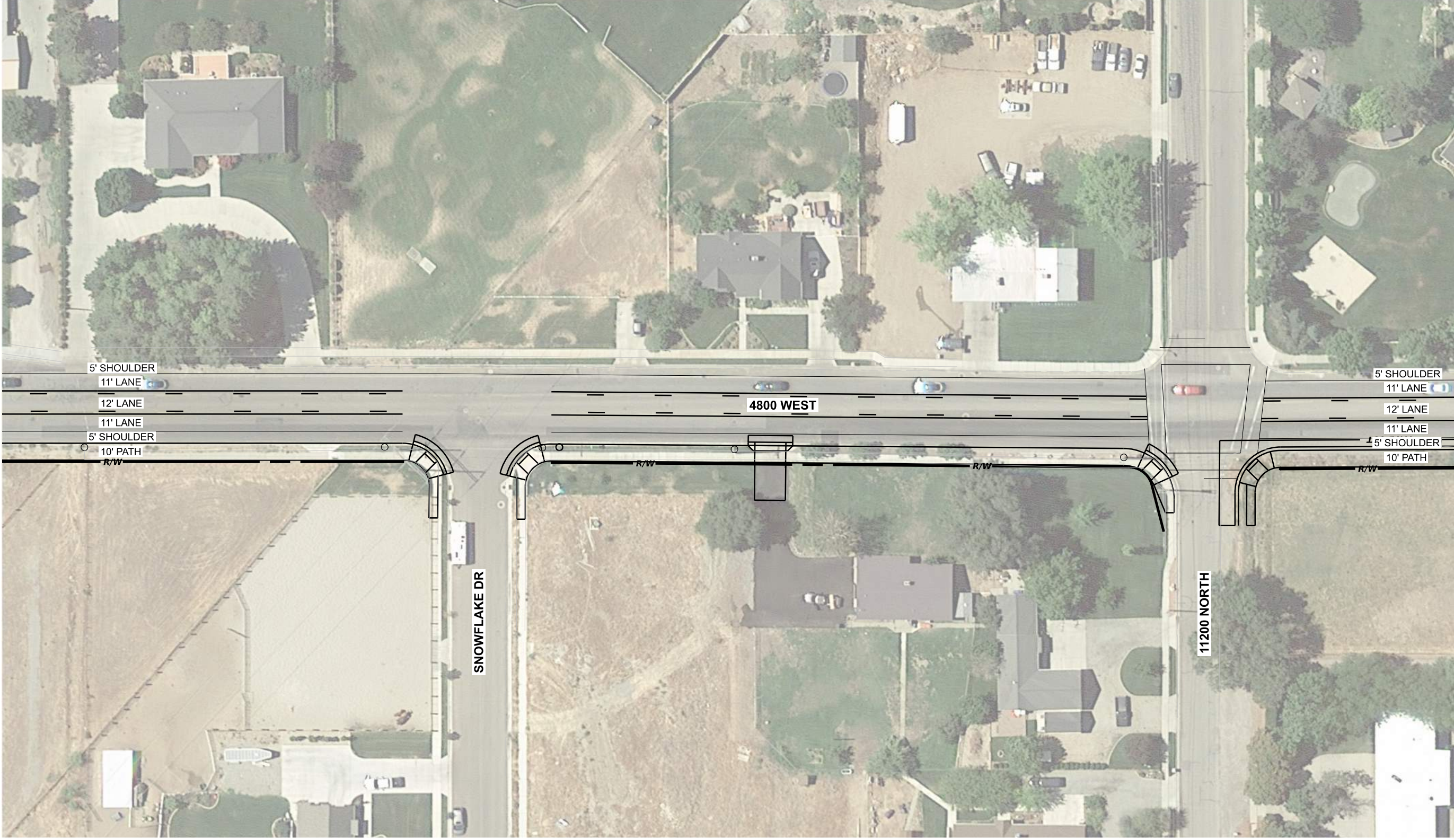
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ROADWAY - MINIMUM

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4/20/2022



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 PROFESSIONAL ENGINEER _____
 ROADWAY - MINIMUM

UTAH DEPARTMENT OF TRANSPORTATION

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REVISIONS			
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4/20/2022



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 SHEET NO. **RD-05**

APPROVED _____
 PROFESSIONAL ENGINEER _____
 ROADWAY - MINIMUM

UTAH DEPARTMENT OF TRANSPORTATION

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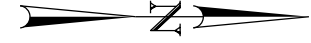
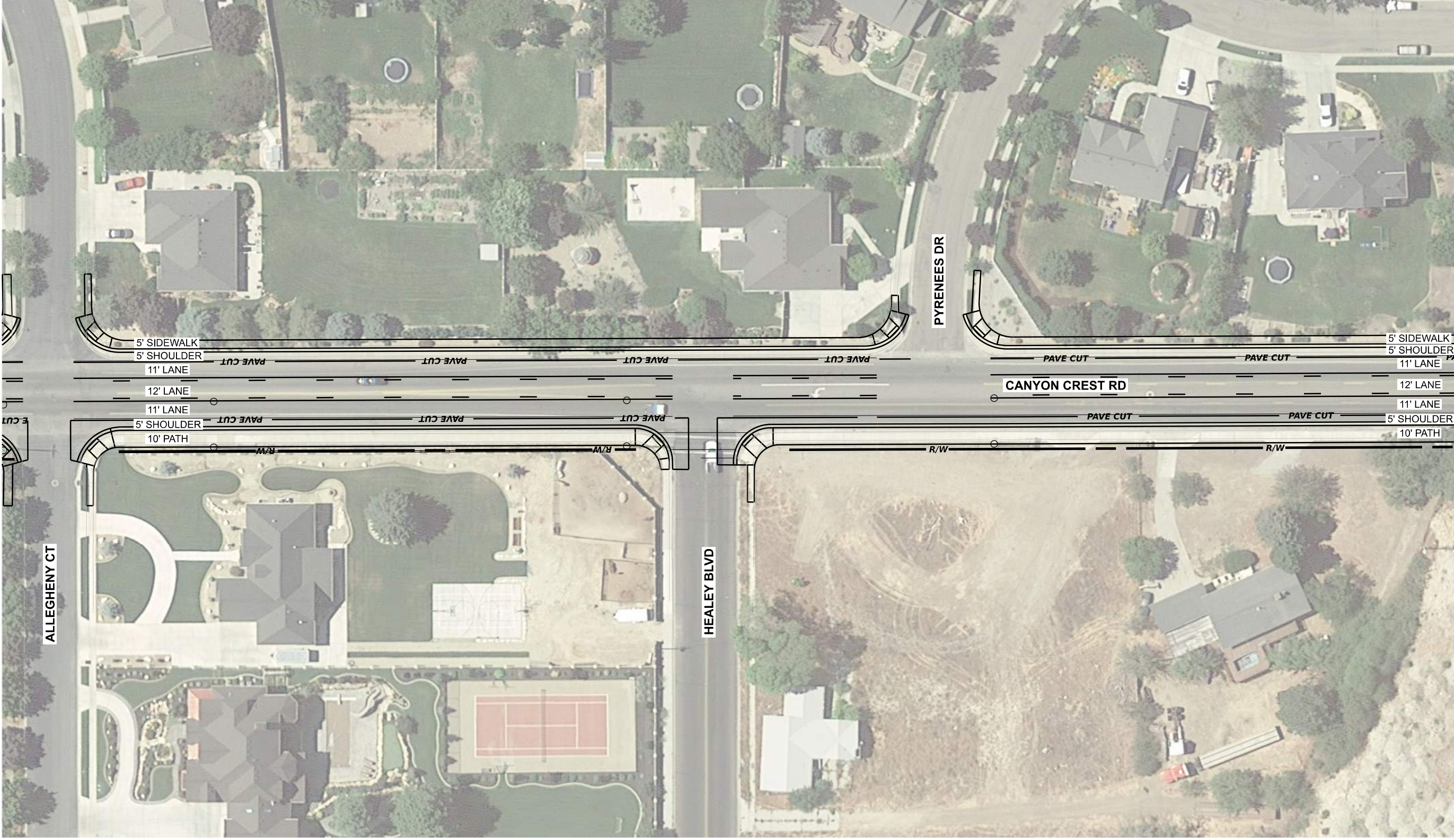
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PROJECT		APPROVED		UTAH DEPARTMENT OF TRANSPORTATION		REVISIONS	
PROJECT NUMBER	PIN	PROFESSIONAL ENGINEER	MM/DD/YY	DATE	DATE	APPROVED BY	REMARKS
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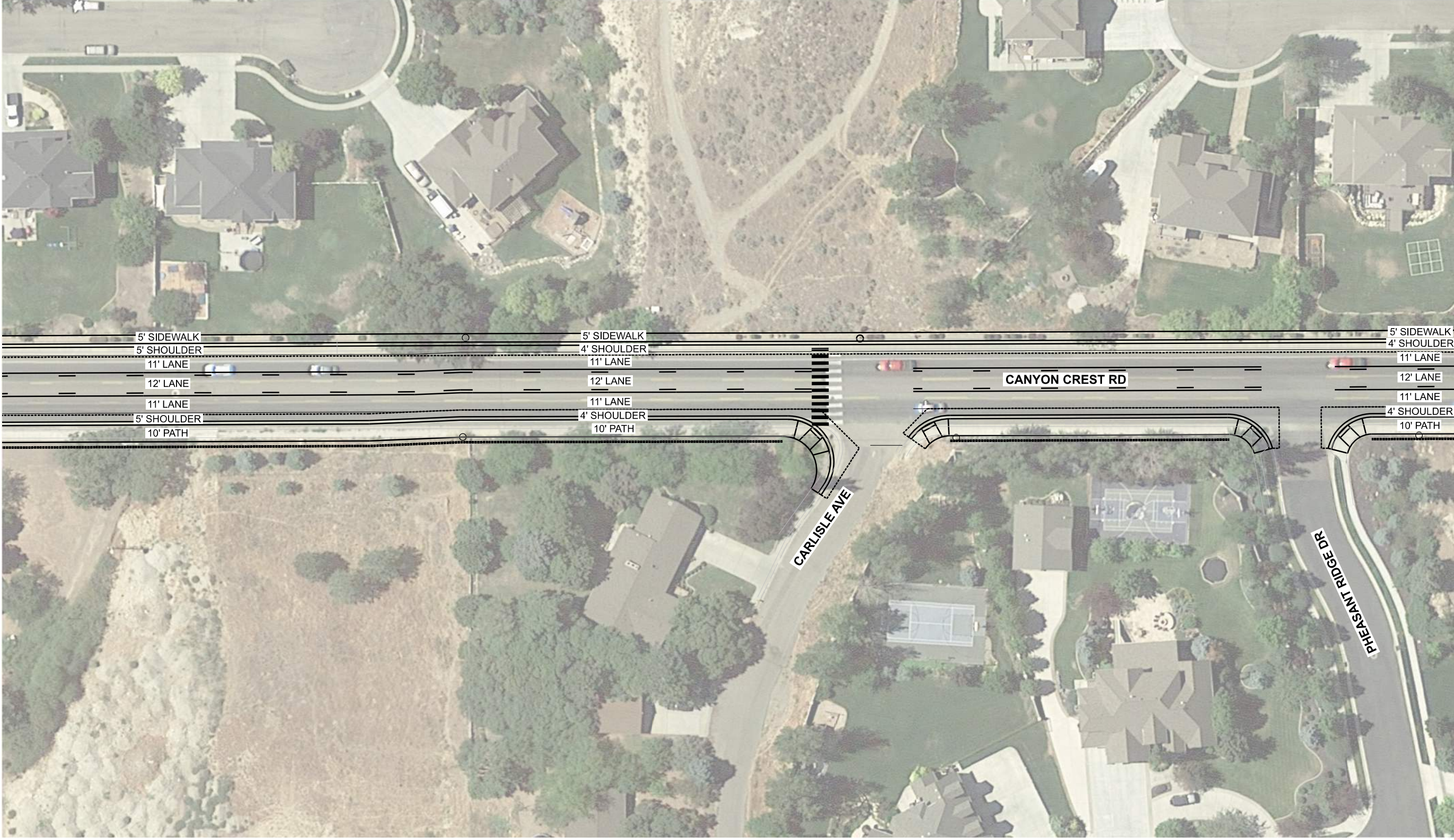
NO.	DATE	APPROVED BY	REMARKS

UTAH DEPARTMENT OF TRANSPORTATION

PROJECT	APPROVED	MM/DD/YY	DATE
PROJECT NUMBER	PROFESSIONAL ENGINEER	MM/DD/YY	DATE
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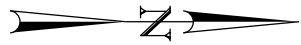
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PROJECT		APPROVED		UTAH DEPARTMENT OF TRANSPORTATION		REVISIONS	
PROJECT NUMBER	PIN	PROFESSIONAL ENGINEER	MM/DD/YY	DRAWN BY	QC CHECKED BY	NO.	DATE
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SHEET NO. RD-08							

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 4/20/2022

REVISIONS

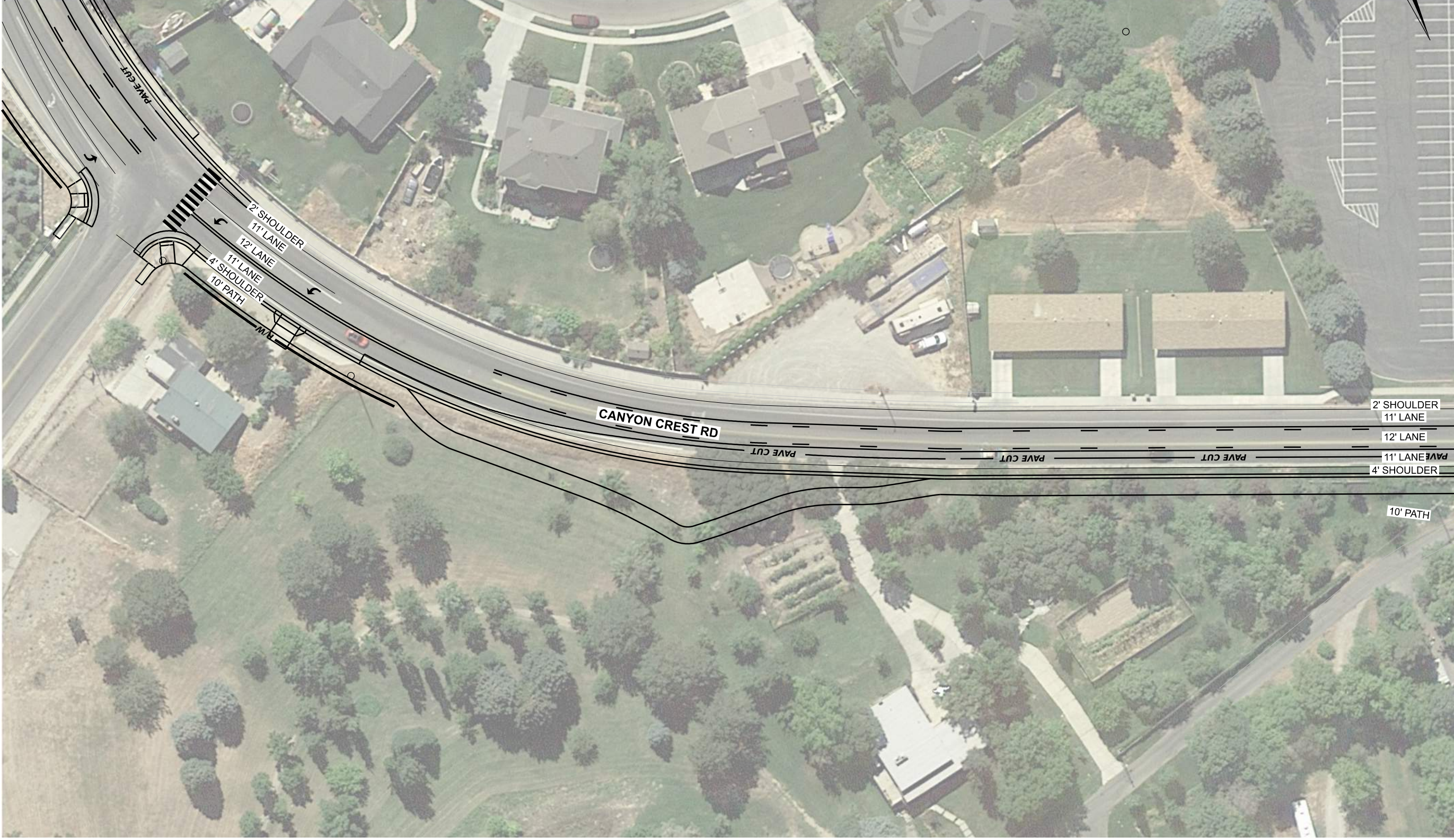
NO.	DATE	APPROVED BY	REMARKS

UTAH DEPARTMENT OF TRANSPORTATION

PROJECT	APPROVED	DRAWN BY
PROJECT NUMBER	PROFESSIONAL ENGINEER	QC CHECKED BY
PIN	MM/DD/YY	DATE
ROADWAY - MINIMUM		

SHEET NO. RD-09

4/20/2022 Exhibit_20-045 Design - Minimum Sheet Outside.dgn



PRELIMINARY
 NOT FOR CONSTRUCTION
 4/20/2022

REVISIONS			
NO.	DATE	APPROVED BY	REMARKS

UTAH DEPARTMENT OF TRANSPORTATION

APPROVED _____

PROFESSIONAL ENGINEER _____

DATE MM/DD/YY _____

QC CHECKED BY _____

DRAWN BY _____

PROJECT _____

PROJECT NUMBER _____

PIN | _____

ROADWAY - MINIMUM

SHEET NO. RD-10

4/20/2022 Exhibit_20-045 Design - Minimum Sheet Outside



PRELIMINARY
NOT FOR CONSTRUCTION
4/20/2022

REVISIONS			
NO.	DATE	APPROVED BY	REMARKS

UTAH DEPARTMENT OF TRANSPORTATION

APPROVED _____

PROFESSIONAL ENGINEER _____

DATE MM/DD/YY _____

QC CHECKED BY _____

DRAWN BY _____

PROJECT _____

PROJECT NUMBER _____

PIN | _____

ROADWAY - MINIMUM

SHEET NO. RD-11

**PIN: 16992 PROJECT # S-0092(39)1 PROJECT NAME: SR-92 North Regional Traffic Study
SR-92 & 4800 West
Cost Estimate - Concept Level**

Prepared By: David Webb

Date 4/20/2022

Proposed Project Scope: Align NB through lane at SR-92 & 4800 W, Along 4800 West: add curb and gutter in missing sections and add 10-multi-use path on west side

Approximate Route Reference Mile Post (BEGIN) =		(END) =	
Project Length =	0.000	miles	ft
Current FY Year (July-June) =	2022		
Assumed Construction FY Year =	2026		
Construction Items Inflation Factor =	1.40	4 yrs for inflation	
Assumed Yearly Inflation for Engineering Services (PE and CE) (%/yr) =	3.25%		
Assumed Yearly Inflation for Right of Way (%/yr) =	4.0%		
Items not Estimated (% of Construction) =	30.0%		
Preliminary Engineering (% of Construction + Incentives) =	12.0%		
Construction Engineering (% of Construction + Incentives) =	10.0%		

Construction Items	Cost	Remarks
Public Information Services	\$7,000	
Roadway and Drainage	\$1,955,024	
Traffic and Safety	\$260,502	
Structures	\$0	
Environmental Mitigation	\$15,000	
ITS	\$0	
	Subtotal	
	\$2,237,526	
	Items not Estimated (30%)	
	\$671,258	
	Construction Subtotal	
	\$2,908,784	
P.E. Cost	P.E. Subtotal	12%
	\$356,014	
C.E. Cost	C.E. Subtotal	10%
	\$296,678	
Right of Way	Right of Way Subtotal	
	\$623,980	
Utilities	Utilities Subtotal	
	\$278,000	
Incentives	Incentives Subtotal	
	\$58,000	
Miscellaneous	Miscellaneous Subtotal	
	\$0	

Cost Estimate (ePM screen 505)	2022	2026
P.E.	\$356,000	\$405,000
Right of Way	\$624,000	\$730,000
Utilities	\$278,000	\$390,000
Construction	\$2,909,000	\$4,080,000
C.E.	\$297,000	\$338,000
Incentives	\$58,000	\$81,000
Aesthetics	0.75% \$22,000	\$31,000
Change Order Contingency	9.00% \$264,000	\$370,000
UDOT Oversight	\$0	\$0
Miscellaneous	\$0	\$0
TOTAL	\$4,808,000	\$6,425,000

PROPOSED COMMISSION REQUEST	TOTAL \$4,808,000	TOTAL \$6,425,000
------------------------------------	--------------------------	--------------------------

Project Assumptions/Risks

1 Pavement design: 8" HMA, 6" UTBC, 12" GB	8	_____
2 No ITS will be installed or impacted with the project.	9	_____
3 No vertical survey or design completed at this stage	10	_____
4	11	_____
5	12	_____
6	13	_____
7	14	_____

Roadway and Drainage

PIN: 16992 PROJECT # S-0092(39)1 PROJECT NAME: SR-92 North Regional Traffic Study
SR-92 & 4800 West

Item #	Item	Quantity	Units	Price	Cost	Remarks
Roadway						
015017010	Mobilization	1	lump	\$204,000.00	\$204,000.00	Usually 7-10% of construction
015547005	Traffic Control	1	lump	\$87,000.00	\$87,000.00	Usually 3-5% of construction
01557001*	Maintenance of Traffic	1	lump	\$29,000.00	\$29,000.00	Usually 1% of construction
020567015	Granular Borrow (Plan Quantity)	2,145	cubic yard	\$40.00	\$85,800.00	
022217125	Remove Concrete Curb and Gutter	5,935	foot	\$5.00	\$29,674.66	
022217115	Remove Concrete Driveway	331	square yard	\$15.00	\$4,964.37	
022217110	Remove Concrete Sidewalk	5,033	square yard	\$10.00	\$50,330.14	
	Remove Brick Wall	222	foot	\$20.00	\$4,438.92	
022317010	Clearing and Grubbing	1	lump	\$50,000.00	\$50,000.00	
023167020	Roadway Excavation (Plan Quantity)	4,653	cubic yard	\$25.00	\$116,325.00	
027217020	Untreated Base Course (Plan Quantity)	1,073	cubic yard	\$55.00	\$59,015.00	
027357010	Micro-Surfacing	45,842	square yard	\$3.00	\$137,526.00	
027417050	HMA - 1/2 Inch	2,964	ton	\$85.00	\$251,940.00	
027487040	Emulsified Asphalt CSS-1	6	ton	\$800.00	\$4,800.00	Tack Coat
027767025	Concrete Curb and Gutter Type B1	7,544	foot	\$25.00	\$188,599.83	
027767038	Concrete Driveway Flared, 6 inch thick	3,751	square foot	\$10.00	\$37,513.17	
027767010	Concrete Sidewalk	81,699	square foot	\$5.50	\$449,347.10	
027717059	Perpendicular/Parallel Pedestrian Access Ramp	34	each	\$3,000.00	\$102,000.00	
Roadway Subtotal					\$1,892,274	
Drainage						
026107386	Drainage Pipe - 18 inch, Smooth, Leak-Resistant	45	foot	\$150.00	\$6,750.00	
026337130	Concrete Drainage Structure 5 ft to 7 ft deep - CB 9	3	each	\$4,000.00	\$12,000.00	
	Drainage (1.5% of Construction)	1	lump	\$44,000.00	\$44,000.00	
Drainage Subtotal					\$62,750	
PI						
015407010	Public Information Services	1	lump	\$7,000.00	\$7,000	Usually 0.25% of construction

Traffic, Safety & ITS

PIN: 16992 PROJECT # S-0092(39)1 PROJECT NAME: SR-92 North Regional Traffic Study
SR-92 & 4800 West

Item #	Item	Quantity	Units	Price	Cost	Remarks
Traffic						
027657050	Pavement Marking Paint	326	gallon	\$100.00	\$32,600.00	
027687105	Pavement Message (Preformed Thermoplastic)	35	each	\$200.00	\$7,000.00	
027687110	Pavement Message (Preformed Thermoplastic Stop Line, Crosswalks - 12 inch)	1,159	each	\$12.00	\$13,902.47	
	Signs (0.25% of Construction)	1	Lump	\$7,000.00	\$7,000.00	
Signals						
02892701D	Traffic Signal System	1	lump	\$200,000.00	\$200,000.00	
Lighting						
Traffic and Safety Subtotal					\$260,502	
ITS						
	ATMS (0% of Construction)	1	Lump	\$0.00	\$0.00	
ITS Subtotal					\$0	

Environmental and Landscaping

PIN: 16992 PROJECT # S-0092(39)1 PROJECT NAME: SR-92 North Regional Traffic Study
SR-92 & 4800 West

Item #	Item	Quantity	Units	Price	Cost	Remarks
Environmental						
Temporary Erosion Control						
Landscaping						
	Erosion Control and Landscaping (0.5% of Construction	1	Lump	\$15,000.00	\$15,000.00	
Environmental Mitigation Subtotal					\$15,000	

Utilities, Right of Way, and Incentives

PIN: 16992 PROJECT # S-0092(39)1 PROJECT NAME: SR-92 North Regional Traffic Study
SR-92 & 4800 West

Item #	Item	Quantity	Units	Price	Cost	Remarks
Utilities						
	Relocate Power Pole (Distribution)	22	Each	\$10,000.00	\$220,000.00	
	Utility (2% of Construction)	1	Lump	\$58,000.00	\$58,000.00	
Utilities Subtotal					\$278,000	
Right-of-way						
	Urban/Suburban Residential	29,423	sq ft	\$20.00	\$588,460.00	
	Cost to Cure (Brick Wall)	888	sq ft	\$40.00	\$35,520.00	222' long by 4' high
Right-of-Way Subtotal					\$623,980	
Incentives						
	Incentive (2% of Construction)	1	Lump	\$58,000.00	\$58,000.00	
Incentives Subtotal					\$58,000	

Cost Estimate Summary of Assumptions

PIN: 16992 PROJECT # S-0092(39)1 PROJECT NAME: SR-92 North Regional Traffic Study
SR-92 & 4800 West

Material Assumptions

Material	Unit Weights	Application Rates
Borrow	130 lb/cf	
Granular Backfill Borrow	130 lb/cf	
Granular Borrow	142 lb/cf	
UTBC	138 lb/cf	
HMA	153 lb/cf	
OGSC	155 lb/cf	
Asphalt Binder	6.20% OGSC	
Prime Coat	249 gal/ton	0.50 gal/sy
Tack Coat	240 gal/ton	0.07 gal/sy
Emulsified Asphalt LMCRS-2	250 gal/ton	0.40 gal/sy
Flush Coat	245 gal/ton	0.11 gal/sy
Water		42 gal/cy GB 51 gal/cy UTBC 45 gal/cy Borrow/Embankment

Oil

Roadway	Prime Coat		Tack Coat		OGSC Tack Coat		Chip Seal Emulsion		Flush Coat	
	Area sy	Tons	Lift in	# of apps	Area sy	Tons	Area sy	Tons	Area sy	Tons
Full Depth	6,434.92	12.92	3	3	6,434.92	5.63	6,434.92	10.30	6,434.92	2.89
HMA only (Driveway)			3	2	44.89	0.03		44.89	44.89	0.02
Micro only							39,361.44	62.98	39,361.44	17.67
TOTALS		13				6		74		21

Pavements

Area sq ft	Roadway	Length ft	Top Width ft	No. of Sides with Wedge Pavement	Side Slope	Granular Borrow				Untreated Base Course				HMA			SMA			OGSC		Asphalt Binder Tons	Chip Seal, Micro-Surfacing, or Bonded Wearing Course sy	PCCP		Rotomilling													
						Depth in	Width ft	Vol cy	Tons	Depth in	Width ft	Vol cy	Tons	Depth in	# of Joints	Width ft	Tons	Depth in	Width ft	Tons	Depth in			Area sy	Depth in	Area sy													
57914	Full Depth	57,914	1.0	0	1	12.00	1.00	2,144.97	4,111.91	6.00	1.00	1,072.49	1,998.04	8.00	1	1.00	2,953.63																						
404	HMA only (Driveway)	404	1.0	0	1									4.00	2	1.00	10.30																						
354253	Micro only	354,253	1.0	0	1																																		
	TOTALS							2,145	4,112			1,073	1,999				2,964			0		0			0														

Earthwork

Roadway	Roadway Excavation				Borrow				Granular Backfill Borrow/Embankment					
	Length ft	Depth in	Width ft	Vol cy	Length ft	Depth in	Width ft	Vol cy	Tons	Length ft	Depth in	Width ft	Vol cy	Tons
Full Depth	57,914.26	26.00	1.00	4,647.44										
HMA only (Driveway)	404.00	4.00	1.00	4.99										
Micro only														
TOTALS				4,653				0	0				0	0

Water

Material	Vol cy	gal	1,000 gal
Granular Borrow	2,145	90,090	90
Untreated Base Course	1,073	54,723	55
Borrow	0	0	0
Granular Backfill Borrow/Embankment	0	0	0
TOTALS			145

Pavement Marking Paint

Roadway	rate ft/gal	Edges to be Striped	No. Travel Lane Separation Lines	Median Striping	Inter-section Adjustment	Length ft	Pavement Marking Paint gal
Full Depth							
HMA only (Driveway)							
Micro only							
1/4 - 4" Broken Line or Dotted	760					2246	3
1 - 4" Solid Line	190					8300	44
2 - Double 4" Line	95					1874	20
1.25" Solid & Broken Line	152					9839	65
8" Solid Line	95					3008	32
8" LDL	380					0	0
TOTALS						25,268	326

Pavement Marking Application Rates

Striping Type	ft/gal
Solid	190
Broken	760
Median	95
Intersection	190

Misc. Area Calculator

Area Location	Length	Width	Total Area	Notes

Misc. Volume Calculator

Volume Location	Length	Width	Depth	Total Volume	Notes

Project Assumptions/Risks

- 1 Pavement design: 8" HMA, 6" UTBC, 12" GB
- 2
- 3
- 4
- 5
- 6
- 7

- 8
- 9
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- 11
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- 14

INTER-LOCAL COOPERATION AGREEMENT
between
UTAH COUNTY and
HIGHLAND CITY

For A Project Known As

North County Blvd – 4800 West – Road Widening

THIS AGREEMENT, made and entered into **this (chose day) day of August 2025**, by and between **UTAH COUNTY (Program Manager)**, a political subdivision of the State of Utah, with principle offices located at 100 East Center ST, Suite 2300, Provo, Utah 84606 and **HIGHLAND CITY (Project Sponsor)**, a political subdivision of the State of Utah, with principle offices located at 5400 West Civic Center Drive, Highland, Utah 84003.

RECITALS:

WHEREAS, the Utah Interlocal Co-operation Act, Title 11, Chapter 13, Utah Code Annotated (1953), as amended, permits local governmental units including cities, counties, inter-local agencies and political subdivisions of the State of Utah to make the most efficient use of their powers by enabling them to cooperate with other public entities on the basis of mutual advantage and to exercise joint cooperative action for the benefit of their respective citizens; and

WHEREAS, pursuant to Utah Code Ann. § 59-12-1903 (2008) (now Utah Code Ann. § 59-12-2218), the County adopted Ordinance No. 2008-26 to enact a sales and use tax (“3rd Quarter Tax”) of 0.25% upon certain transactions described therein; and

WHEREAS, the Program Manager and the Project Sponsor desire to facilitate the construction of a roadway project known as **North County Blvd – 4800 West – Road Widening (Approved Project)** which consists of intersection safety improvements at SR-92 and North County Blvd, widening of 4800 West from SR-92 to Main Street, and a multi-use trail along the corridor; and

WHEREAS, the Mountainland Metropolitan Planning Organization (“MPO”) Regional Planning Committee determined that the Approved Project should receive a portion of the revenues

of the 3rd Quarter Tax not to exceed \$5,461,250 in 2026 and

WHEREAS, the Program Manager and the Project Sponsor held duly noticed public meetings wherein this Agreement was considered and an Authorizing Resolution was presented for approval by the respective legislative bodies.

NOW THEREFORE, in consideration of the covenants and agreements contained herein and other valuable consideration, the sufficiency of which is hereby acknowledged, the Program Manager and the Project Sponsor hereby agree as follows:

Section 1. PURPOSES.

This Agreement has been established and entered into between the Program Manager and the Project Sponsor for the purpose of outlining the respective rights and responsibilities of the Program Manager and the Project Sponsor in the construction of the Approved Project.

Section 2. ADMINISTRATION OF AGREEMENT.

The parties hereto agree that, pursuant to Section 11-13-207, Utah Code Annotated, 1953 as amended, the Utah County Public Works Director shall act as the administrator responsible for the administration of this Agreement. The parties further agree that this Agreement does not anticipate nor provide for any organizational changes in the parties. The administrator agrees to keep all books and records in such form and manner as the Utah County Auditor shall specify and further agrees that said books shall be open for examination by the parties hereto at all reasonable times.

Section 3. MULTIPLE JURISDICTIONS.

If a project is within multiple jurisdictions and/or agencies, one jurisdiction or agency will enter in to this interlocal agreement and interface with the Program Manager as the Project Sponsor. Multiple jurisdictions and/or agencies interactions will be outlined within a separate interlocal agreement between said jurisdictions and/or agencies. This agreement shall be referenced in this agreement as an Exhibit.

Section 4. EFFECTIVE DATE; DURATION.

This Agreement shall become effective and shall enter into force within the meaning of the Interlocal Cooperation Act, upon the submission of this Agreement to, and the approval and execution hereof by the governing bodies of the Program Manager and the Project Sponsor. The

term of this Agreement shall be from the date of execution hereof until the terms and obligations identified herein are completed, but in no event, longer than 3 years from the execution date.

Section 5. NO SEPARATE LEGAL ENTITY.

The Program Manager and the Project Sponsor do not contemplate nor intend to establish a separate legal or administrative entity under the terms of this Agreement.

Section 6. TERMS.

- 1) **Project Scope** – Intersection safety improvements at SR-92 and North County Blvd, widening 4800 West from SR-92 to Main Street, and a multi-use trail along the corridor.
- 2) **Project Initiation** - The Project Sponsor will designate a qualified project engineer from its staff or hire a project engineer from the Project Sponsors consultant pool or the prequalified UDOT pool, who will be responsible for project delivery. The designated project engineer will be responsible for the completion of the project.
- 3) **Project Development** - The Project Sponsor and the designated project engineer, will design, acquire the necessary Right of Way (“ROW”), bid out and manage the construction of the Approved Project.
 - a) **Design Standard** - The design and construction of the Approved Project will meet or exceed Highland City standards.
 - b) **Environmental Work** - The Project Sponsor will acquire the appropriate clearances and permits through the design process. The Project Sponsor can follow its own adopted environmental process or follow the Recommended Environmental Guidance / Mountainland & Utah County Programmed Projects document (including designating with the Program Manager the type of environmental work to be completed). The Project Sponser must also follow any National Environmental Policy Act (NEPA) requirements required (Endangered Species Act, Clean Water Act, etc.).
 - c) **Design Work** - The Project Sponsor will involve the Program Manager at the following design milestones:
 - (1) Kickoff Meeting,

- (2) 30% Scope and Schedule Review,
 - (3) 60% On Site Plan Review, and
 - (4) 90% Plans, Specifications and Estimate.
- d) **Final Design Approval** - Once project design is complete the Project Sponsor will review the final design with the Program Manager. Both parties shall agree that the project is ready for the construction phase.
 - e) **ROW Acquisition** - The Project Sponsor will be responsible to acquire all necessary ROW adhering to state and local laws. The Project Sponsor can follow their own adopted ROW acquisition process or follow the Recommended Right of Way Acquisition Guidance / Mountainland & Utah County Programmed Projects guidance document.
 - f) **Procurement** - Advertising of the Approved Project will follow the Project Sponsors established procurement policies. All construction bids will include a 10% construction contingency. The Project Sponsor will provide a copy of the notice of award to the Program Manager.
- 4) **Project Signage/Contact Info** - It is recommended that the Project Sponsor install signage informing the public of the following:
- a) Project name.
 - b) Project description.
 - c) Start and completion dates (general).
 - d) Contact name, phone number, website address, email.
 - e) Use the sentence “This project funded with Mountainland Transportation Funding”.
 - f) List project sponsors and their logos (Project Sponsor, Mountainland, Utah County).
 - g) Generally, one sign at each access point to the project shall be installed.
 - h) Signs should be at least 4’ x 6’, or large enough for passing motorists to read.
 - i) Signs should be installed prior to construction and stay in place through construction.
- 5) **Construction Process** - The Project Sponsor will manage the construction process.
- a) The Program Manager will be notified of any changes that affect the scope of the project or costs that exceed the construction contingency.
- 6) **Project Completion** - Program Manager staff will be notified and allowed to attend the final inspection of the completed project.

- 7) **Project Hold** - The Program Manager has the authority to place a project on hold during the Project Development process or withhold reimbursement of invoices during the Construction Process if the Program Manager deems that the project is not within the Approved Project scope or budget. The Program Manager shall notify the Project Sponsor of the hold in writing and will work with the Project Sponsor to rectify the issues promptly. If the Project Sponsor and Program Manager cannot bring the Approved Project back into scope or if additional funding is needed above what the Program Manager or the Project Sponsor can provide, the issues will be brought to the Mountainland MPO committees for their review, recommendations, and approvals.
- 8) **Total Project Cost** - Both the Program Manager and Project Sponsor acknowledge that the Approved Project has been authorized by the Mountainland MPO Regional Planning Committee (Utah County Commission must also approve if county funds are used) to be funded at an amount not to exceed \$5,461,250.00 (Total Project Cost) for the direct costs of the Approved Project.
- a) **Matching Funds** - The Project Sponsor is required to pay a match or portion of the Total Project Cost. This amount is 6.77% of the Total Project Cost. The use of Project Sponsor equipment and/or Project Sponsor employee time for the project shall not be reimbursable, but can be claimed by the Project Sponsor as a soft match toward the required 6.77% matching funds required from the Project Sponsor. The Project Sponsor is required to pay the difference between the required match and the value of the soft match, if any.
- b) **Multi-Year Funding** - Some projects require funding across multiple fiscal years. Reimbursement for Approved Project activities can only be made up to the available amount identified in a single fiscal year. Any balance from a prior year where available funds have not been expended for the Approved Project are then advanced to the next fiscal year and are added to the funds available that fiscal year. Fiscal years for County Transportation Sales Tax Funds begin on January 1st. The Approved Project has been approved for \$5,461,250 in 2026.
- c) **Reimbursement** - The Project Sponsor, if desiring reimbursement for the direct costs of the Approved Project, will provide the Program Manager with quarterly or bi-annual itemized invoices detailing actual costs for the ROW acquisition, design, utility relocation, construction, or other approved elements of the project. Appropriate backup materials shall also be supplied. The Program Manager agrees to reimburse the Project Sponsor within 30 days of receiving acceptable itemized invoices establishing the

validity of the direct costs of the Approved Project. The maximum amount of reimbursement from the Program Manager to the Project Sponsor shall not exceed \$5,091,523.00 (Total Project Cost less Matching Funds). Any costs which exceed \$5,091,523.00 shall be the sole responsibility of the Project Sponsor. The Program Manager will review and approve monthly each itemized invoice and will reimburse the total invoice amount less the required matching funds.

- d) **Cost Overruns** - The Program Manager maintains an account for cost overruns. The Project Sponsor may request additional funds above the approved Total Project Cost with supporting documentation demonstrating the need for additional funds. The Program Manager may approve up to 10% of the Total Project Cost up to a maximum of \$500,000. The MPO Regional Planning Committee can approve higher amounts (Utah County Commission must also approve if county funds are used). The addition of these contingency funds would require a modification to this agreement. If no additional funds are awarded or the project still requires additional funds, the Project Sponsor will be responsible to fund the overrun.
 - e) **Surplus Funds** - Any surplus funds remaining after the completion of the Approved Project will be returned to the Mountainland or Utah County fund balance to be reallocated to other projects selected through the MPO project selection process. Note that Mountainland and Utah County selects and funds projects, not sponsors. Surplus funds cannot be moved to a new project not already approved through the MPO project selection process. Any surplus funds paid by the Project Sponsor shall be returned to the Project Sponsor.
- 9) **Ownership and Maintenance of Approved Project** - The Project Sponsor shall own and be responsible for maintenance, repair and replacement of the completed project.
- 10) **Inspection of Approved Project** - The Program Manager and its designees, upon reasonable notice, reserve the right to enter upon the Approved Project to inspect the same to verify compliance with this Agreement.
- 11) **Other Expenses** - Except as otherwise expressly stated herein, all expenses not identified as a part of the Approved Project or executed prior to the Agreement shall be the sole responsibility of the Project Sponsor.
- 12) **No Third-Party Rights** - The obligations of the parties set forth in this Agreement shall not create any rights in or obligations to any persons or parties other than to the Project Sponsor

and Program Manager. This Agreement is not intended to nor shall it be construed to benefit any third party.

13) **Recitals** - The Recitals portion of this Agreement constitutes a part of this Agreement.

Section 7. FILING OF INTERLOCAL COOPERATION AGREEMENT.

Executed copies of this Agreement shall be placed on file with the official keeper of records of the Program Manager and the Project Sponsor, and shall remain on file for public inspection during the term of this Agreement.

Section 8. AMENDMENTS.

- 1) **Amending this Agreement** - This Agreement may not be amended, changed, modified or altered except by an instrument in writing which shall be: (a) approved by Resolution of the governing body of each of the parties, (b) executed by a duly authorized official of each of the parties, and (c) filed in the official records of each party.
- 2) **Change Orders** - Changes can occur throughout a project. Changes that are outside the scope outlined in this contract must be amended as stated above. Minor changes and adjustments that fall within the original project scope can be addressed with a change order. A change order does not require amending this agreement. A change order is defined as that additional effort necessary by reason of changed conditions which are radical, unforeseen, and completely beyond the control of the Project Sponsor. The Project Sponsor shall create the change order and keep records of them. Any additional costs incurred can be covered by the construction contingency or by added local funding and should be addressed in the change order. If additional costs are more than the construction contingency and available local funds, the Project Sponsor shall contact the Program Manager to review funding options.

Section 9. EXTRA WORK

Extra work shall be undertaken only when previously authorized in writing by the Program Manager, and is defined as additional work which is neither shown nor defined in this Agreement. Extra work includes additional improvements adjacent to the Approved Project or in other locations that the Project Sponsor desires to complete as a package of projects. Extra work can be for utility projects, facilities that tie into the Approved Project, project betterments, or other work desired by the Project Sponsor. No costs incurred by extra work can be billed to the Approved

Project. Any invoices submitted by the Project Sponsor shall clearly detail costs incurred by the Approved Project and list separately costs incurred by the extra work. This agreement shall be referenced in this agreement as an Exhibit.

Section 10. SEVERABILITY.

If any term or provision of this Agreement or the application thereof shall to any extent be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to circumstances other than those with respect to which it is invalid or unenforceable, shall not be affected thereby, and shall be enforced to the extent permitted by law. To the extent permitted by applicable law, the parties hereby waive any provision of law, which would render any of the terms of this Agreement unenforceable.

Section 11. GOVERNING LAW.

All questions with respect to the construction of this Agreement, and the rights and liability of the parties hereto, shall be governed by the laws of the State of Utah.

Section 12. INDEMNIFICATION.

The Project Sponsor shall indemnify and hold the Program Manager harmless from any and all claims of liability for any injury or damage to any person or property whatsoever occurring in, on or about the Approved Project or any part thereof. The Project Sponsor shall further indemnify and hold the Program Manager harmless from and against any and all claims arising from any breach or default in the performance of any obligation on the Project Sponsor's part to be performed under the terms of this Agreement, or arising from any act or negligence of the Project Sponsor, or any of the Project Sponsor's agents, employees, contractors, subcontractors, or invitees and from and against all costs, reasonable attorney's fees, expenses and liabilities incurred in the defense of any such claim or any action or proceeding brought thereon. Both the Project Sponsor and Program Manager agree that the terms of this Agreement are subject to, and not a waiver of, the protections, immunities and liability limits of the Governmental Immunity Act, U.C.A. 63G-1-101, *et. seq.* The Project Sponsor's obligations under this provision shall survive the expiration or other termination of this Agreement.

Section 13. ENTIRE AGREEMENT

This Agreement shall constitute the entire agreement between the parties and any prior understanding or representation of any kind preceding the date of this Agreement shall not be binding upon either party except to the extent incorporated in this Agreement.

IN WITNESS WHEREOF, the parties have signed and executed this Agreement, after resolutions duly and lawfully passed, on the dates listed below:

UTAH COUNTY

Authorized and passed on this (chose day) day of August 2025,

Board of Commissioners
UTAH COUNTY, UTAH

Brandon B. Gordon, Commission Chair

ATTEST:
Aaron Davidson
Utah County Clerk

Deputy Clerk/ Auditor

REVIEWED AS TO FORM AND
COMPATIBILITY WITH APPLICABLE LAW:
Jeff Gray
Utah County Attorney

By: _____
Deputy Utah County Attorney

HIGHLAND CITY

Authorized by Resolution No. _____ ,
this (chose day) day of August 2025,

HIGHLAND CITY
UTAH COUNTY, UTAH

Mayor

ATTEST:

City Recorder

REVIEWED AS TO FORM AND
COMPATIBILITY WITH APPLICABLE
LAW:

By: _____
City Attorney

RESOLUTION NO. 2025-_____

**A RESOLUTION APPROVING AN INTERLOCAL COOPERATION AGREEMENT
FOR THE NORTH COUNTY BLVD 4800 WEST ROAD WIDENING PROJECT
BETWEEN UTAH COUNTY AND HIGHLAND CITY**

WHEREAS, Highland City, as a Utah Municipality, is authorized to enter into contracts for the benefit and welfare of Highland City and its residents, including pursuant to Utah Code § 10-1-202.

WHEREAS, the Utah Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code, as amended, (“Act”) permits local governmental units including cities, counties, interlocal agencies, and other political subdivision of the State of Utah to enter into agreements for mutual advantage and to exercise joint cooperative action;

WHEREAS, Utah County and Highland City desire to establish the terms and conditions by which the parties would cooperate in the facilitation of a road safety improvement project for a road known as North County Boulevard - 4800 West Road in Highland and Alpine;

WHEREAS, Utah County will fund \$5,091,523 toward the completion of this projects;

WHEREAS, Highland City desires to facilitate additional improvements to 4800 West consisting of road safety improvement to 4800 West from SR-92 to Main Street and a multi-use trail;

WHEREAS, Utah County desires to support and participate in the costs of the road improvement projects;

WHEREAS, the parties desire to establish the terms and conditions by which Utah County will participate in the costs of the described road projects by reimbursing Highland City the costs of the projects;

NOW THEREFORE, BE IT RESOLVED by the Highland City Council as follows:

1. The City Council approves of the Interlocal Cooperation Agreement BETWEEN Utah County and Highland City for Road Projects with Highland City, which agreement is attached hereto as Exhibit A.
2. The City Council authorizes the Mayor and City Staff, as necessary, to execute and carry out the Interlocal Agreement according to the terms set forth therein.
3. The City Recorder, under the supervision of the City Administrator and City Attorney, may make non-substantive corrections to any portion of this resolution and to the agreement referenced herein for grammatical, typographical, numbering, and consistency purposes in accordance with the expressed intent of the City Council.
4. This resolution shall take effect immediately upon adoption.

RESOLVED AND PASSED BY THE CITY COUNCIL OF HIGHLAND CITY, UTAH, this
_____ day of _____, 2025.

Mayor

ATTESTED:

City Recorder

EXHIBIT A
Form of Interlocal Cooperation Agreement



CITY COUNCIL AGENDA REPORT

ITEM #4c

DATE: September 16, 2025
TO: Honorable Mayor and Members of the City Council
FROM: Chris Trusty, City Engineer/Public Works Director
SUBJECT: Interlocal Agreement with Alpine - 4800 West MAG Project Management
TYPE: General City Management

PURPOSE:

The City Council will consider approving an interlocal agreement between Highland City and Alpine City outlining the individual responsibilities of both cities related to the improvements on 4800 West through Highland and Alpine.

STAFF RECOMMENDATION:

Staff recommends approving the interlocal agreement between Highland City and the city of Alpine for the funding of improvements to 4800 West through Highland and Alpine.

PRIOR COUNCIL DIRECTION:

In conjunction with the biannual Mountainland Association of Governments (MAG) Transportation Improvement Plan (TIP) project cycle, Highland City, along with the city of Alpine, co-submitted a request for improvements along 4800 West between Highland City and Alpine City (scope attached). These plans within each City were approved by the respective City Councils. Highland Council approval was on April 19, 2022. On June 16, 2025, the Council approved the City budget which included the revenue sources and city expenditures for this project. Earlier in this meeting, Council will consider an interlocal agreement with Utah County for the funding of the project.

BACKGROUND:

Per the 2022 Council direction, the project focuses on addressing safety concerns at the intersection including lane alignment and pedestrian safety. Improvements generally consist of road widening to provide a 5-foot shoulder, a striped center median, and a 10-foot trail along the east side of 4800 West. The project improvements will be between SR 92 and the roundabout in Alpine. Council also has the option of continuing the trail from SR92 south to Canyon View Drive.

Funding for TIP projects typically comes either through the state or the county, depending on the scope and nature of the projects funded. In this instance, funding will be through Utah County, and Highland City will be the recipient of the funds. Total funding for this project is \$5,461,250 with \$5,091,523 from Utah County, and a 6.77% match between Highland and Alpine of \$369,726. This interlocal clarifies with Alpine how the required match is met by each entity - total project cost within each city boundary. The agreement has been reviewed and approved as to form by the city attorney.

FISCAL IMPACT:

City Council approved the FY26 budget which included funding for this project in GL# 41-40-79 in the

Road Capital Fund. The revenue sources from both Utah County and Alpine were also included in the approved budget in the Road Capital Fund.

MOTION:

I move that City Council approve the Interlocal Agreement between Highland City and the City of Alpine for the funding of improvements along 4800 West.

ATTACHMENTS:

1. Resolution - Alpine City 4800 W ILA 2025
2. Interlocal on 4800 West between Highland and Alpine_08.21.2025_Final

RESOLUTION NO. 2025-_____

**A RESOLUTION APPROVING AN INTERLOCAL COOPERATION AGREEMENT
FOR THE NORTH COUNTY BLVD 4800 WEST ROAD WIDENING PROJECT
BETWEEN ALPINE CITY AND HIGHLAND CITY**

WHEREAS, Highland City, as a Utah Municipality, is authorized to enter into contracts for the benefit and welfare of Highland City and its residents, including pursuant to Utah Code § 10-1-202.

WHEREAS, the Utah Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code, as amended, (“Act”) permits local governmental units including cities, counties, interlocal agencies, and other political subdivision of the State of Utah to enter into agreements for mutual advantage and to exercise joint cooperative action;

WHEREAS, The City of Alpine and Highland City desire to establish the terms and conditions by which the parties would cooperate in the facilitation of a road safety improvement project for a road known as North County Boulevard - 4800 West Road in Highland and Alpine;

WHEREAS, Utah County will fund \$5,091,523 toward the completion of this projects;

WHEREAS, Highland City desires to facilitate additional improvements to 4800 West consisting of road safety improvements to 4800 West from SR-92 to Alpine Main Street and a multi-use trail;

WHEREAS, the City of Alpine desires to support and participate in the costs of the road improvement projects;

WHEREAS, the parties desire to establish the terms and conditions by which Utah County will participate in the costs of the described road projects by reimbursing Highland City the costs of the projects;

NOW THEREFORE, BE IT RESOLVED by the Highland City Council as follows:

1. The City Council approves of the Interlocal Cooperation Agreement BETWEEN the City of Alpine and Highland City for Road Projects with Highland City, which agreement is attached hereto as Exhibit A.
2. The City Council authorizes the Mayor and City Staff, as necessary, to execute and carry out the Interlocal Agreement according to the terms set forth therein.
3. The City Recorder, under the supervision of the City Administrator and City Attorney, may make non-substantive corrections to any portion of this resolution and to the agreement herein for grammatical, typographical, numbering, and consistency purposes in accordance with the expressed intent of the City Council.
4. This resolution shall take effect immediately upon adoption.

RESOLVED AND PASSED BY THE CITY COUNCIL OF HIGHLAND CITY, UTAH, this
_____ day of _____, 2025.

Mayor

ATTESTED:

City Recorder

EXHIBIT A
Form of Interlocal Cooperation Agreement

INTERLOCAL COOPERATION AGREEMENT BETWEEN HIGHLAND CITY AND ALPINE CITY RELATED TO THE 4800 WEST/CANYON CREST ROAD IMPROVEMENTS

THIS IS AN INTERLOCAL COOPERATION AGREEMENT (“Agreement”) made and entered into the ____ day of _____, 2025 by and between **HIGHLAND CITY**, a political subdivision of the State of Utah (“Highland”), and **ALPINE CITY**, a political subdivision of the State of Utah, (“Alpine”) (each, a “Party,” and collectively, the “Parties”).

WITNESSETH:

WHEREAS, pursuant to the provisions of the Interlocal Cooperation Act (“Act”), Title 11, Chapter 13, Utah Code Annotated, 1953 as amended, public agencies, including political subdivisions of the State of Utah as therein defined, are authorized to enter into written agreements with one another for joint or cooperative action; and

WHEREAS, pursuant to the Act, the Parties desire to work together through joint and cooperative action that will benefit the residents of **Highland** and **Alpine**; and

WHEREAS, the Parties to this Agreement are public agencies as defined in the Act;

NOW, THEREFORE, the Parties do mutually agree, pursuant to the terms and provisions of the Act, as follows:

SECTION 1. EFFECTIVE DATE; DURATION

This Agreement shall become effective and shall enter into force, within the meaning of the Act, upon the submission of this Agreement to, and the approval and execution thereof by resolution of the governing bodies of each of the Parties to this Agreement. The term of this Agreement shall be from the effective date hereof until terminated, but no longer than 10 years from the effective date of this Agreement. This Agreement shall not become effective until it has been reviewed and approved as to form and compatibility by the attorneys for each of the Parties to this Agreement. Prior to becoming effective, this Agreement shall be filed with the person who keeps the records of each of the Parties hereto.

SECTION 2. PURPOSES

This Agreement has been established and entered into between Highland and Alpine for the construction of a roadway project known as the 4800 WEST/CANYON CREST ROAD WIDENING IMPROVEMENTS (“Project”), which Project consists of improvements to 4800 West Street/Canyon Crest Road from SR 92 (Timpanogos Highway) on the South to SR 74 (Alpine Highway) on the North to two travel lanes with a continuous center turn lane, shoulders, sidewalk, asphalt trail, curb and gutter, and appurtenant items.

“Project Additions, as that term is used herein, shall be defined as any improvement not included or incidental to the Project improvements listed above. Project Additions shall not be approved,

designed, or constructed unless the Parties mutually agree in writing that Project funding is sufficient to cover the additional improvements or the Party in whose jurisdiction the Project Addition is or will be located pays for such Project Addition. Examples of potential Project Additions include but are not limited to the installation, modification, relocation, and betterment of conduit, utilities (other than power lines), landscaping, sidewalks, parkstrips, street lights, signage, fencing, etc.

SECTION 3. ADMINISTRATION OF AGREEMENT

The Parties to this Agreement do not contemplate nor intend to establish a separate legal entity under the terms of this Interlocal Cooperation Agreement. The Parties further agree that this Agreement does not anticipate nor provide for any organizational changes in the Parties. The Parties agree to keep all books and records related to the Project for the period of time required by the Utah Division of Archives and Record Service following the completion of the Project and further agree that said books and records shall be open for examination by the Parties hereto at all reasonable times.

SECTION 4. PARTIES' RESPONSIBILITIES

Highland and Alpine hereby agree that the following enumerates the anticipated responsibilities both Parties shall incur during the administration of the Project. Unless otherwise noted, the following items shall be completed in a collaborative manner with neither Party being solely responsible.

1. **Project Initiation.** Highland and Alpine intend to hire a "Project Engineer" from the prequalified UDOT pool, from the prequalified pool of either City, or a mutually agreed-upon engineer. The Project Engineer will be responsible to prepare conceptual right-of-way design plans and environment plans for review and approval. These conceptual plans will be prepared based upon the evaluation of the Project scope presented as part of the Project Prioritization Concept Report submitted to the Metropolitan Planning Organization (MPO) as part of the Project funding, along with design-related guidance provided by Highland and Alpine, Utah County, and the MPO.
2. **Project Development.** Based upon the conceptual design and plans prepared during the Project Initiation phase, Highland and Alpine, and the designated consulting firms, will design and prepare the necessary Project plans and construction documents, bid out the Project, and manage the construction of the Project.
3. **Design.** The design and construction standards for the Project will be split into two sections. Improvements constructed north of the Highland-Alpine boundary will be designed and constructed to meet or exceed current Alpine City Standards and Specifications, whereas improvements constructed south of the Highland-Alpine city boundary will be designed and constructed to meet or exceed current Highland City Design Standards and Public Improvement Specifications. Notwithstanding, the design and construction of the Approved Project will also need to meet or exceed AASHTO standards, unless the Parties mutually agree otherwise in writing. Once the Project design is complete,

Highland and Alpine shall review the final design with the MPO Program Manager. The Project shall not be bid out until all Parties and the MPO agree that the Project is ready for the construction phase.

4. **Permits.** Highland and Alpine (in conjunction with the Project Engineer) will acquire the appropriate clearances and permits through the design process (UDOT approval, Endangered Species Act, Clean Water Act, Division of Forestry Fire and State Lands, etc.). Each Party shall be primarily responsible for acquiring necessary clearances and permits for the portion of the Project within the respective Party's jurisdiction.
5. **ROW Acquisition.** Highland and Alpine intend to hire a ROW agent who will be responsible to acquire any necessary ROW in adherence to the Party's established ROW acquisition process. ROW acquisition north of the Highland-Alpine city boundary shall be the responsibility of Alpine, while ROW acquisition south of the Highland-Alpine city boundary shall be the responsibility of Highland. Parties may choose to hire the same ROW agent for both municipalities or may choose to hire separate ROW agents. Nothing herein shall make a Party liable or otherwise financially responsible for costs associated with the acquisition of ROW outside of the Party's jurisdiction. Acquired ROW shall be owned by the Party in whose jurisdiction the property is located.
6. **Procurement.** Advertising of the Project will follow Highland's and Alpine's established procurement policies as well as all state law requirements in Utah Code § 11-39-101 et seq. All construction bids will include at least a 10% construction contingency. In the event of a conflict, the Parties shall meet to discuss a resolution that will, to the maximum extent possible, meet the procurement policies of each entity and state law. Highland and Alpine will mutually issue a notice of award and shall provide a copy of the notice of award to the MPO/Utah County.
7. **Construction Process.** Highland and Alpine intend to hire a Construction Manager/Engineer who will be responsible for daily inspections as well as managing the construction of the Project and the contractor. Each Party shall be primarily responsible and entitled to supervise and coordinate with the Construction Manager/Engineer in connection with the portion of the Project within the respective Party's jurisdiction. The Parties agree to notify each other during construction of any changes that affect the scope or cost of the Project.
8. **Project Completion.** Highland and Alpine will collaborate on the final inspection of the completed Project, provided that each Party shall retain final decision-making authority to inspect and accept Project improvements for the portion of the Project located within the respective Party's jurisdiction, unless otherwise agreed to in writing.
9. **Responsibility of Payment for direct costs, and reimbursement to Local Jurisdiction for Approved Project Costs.** The Parties agree that Highland shall enter into an agreement with MPO/Utah County and be responsible for payment of invoices and for requesting reimbursement for said payments from MPO/Utah County. Parties also agree that Highland shall enter into professional service agreements with all consulting firms including the

Project Engineer, ROW acquisition agent (if the Parties use the same ROW acquisition agent, otherwise each Party shall have a separate professional service agreement), and the Construction Manager/Engineer and be responsible for payment of invoices and for requesting reimbursement for said payments to consultants from Alpine. Both Highland and Alpine acknowledge that the Project has been recommended by the Mountainland Metropolitan Planning Organization Regional Planning Committee to be funded at an amount not to exceed \$ 5,461,250.

- a. Highland and Alpine shall contribute to the 6.77% match for the funding of this Project, pro-rated based on the respective cost of the Project in each city.
 - b. Project Additions not approved for Project funding or included within the Project scope, that are north of the Highland-Alpine city limit line shall be the sole responsibility of Alpine.
 - c. Project Additions not approved for Project funding or included within the Project scope, that are south of the Highland-Alpine city limit line shall be the sole responsibility of Highland.
 - d. Invoices from Project Additions that are the responsibility of Highland shall be paid directly by Highland. Invoices from Project Additions that are the responsibility of Alpine shall first be paid from Alpine to Highland with Highland making payment for the said invoice after Highland receives the payment from Alpine.
 - e. Any surplus MPO/Utah County funds remaining after the completion of the Project and completion of any Project Additions approved for Project funding or included within the Project scope, will be returned to MPO/Utah County to be reallocated to other projects selected through the MPO project selection process. Any other surplus funds shall be returned to Highland and Alpine with funds being returned to the jurisdiction from which they originated. Funds whose origin cannot be identified shall be split equally between Highland and Alpine.
10. **Ownership and Maintenance of Highway.** Highland and Alpine shall separately own and be responsible for maintenance, repair, and replacement of the portion of the completed Project and any associated public improvement, facility, or ROW located within their respective jurisdictions. All other property, real or personal, shall remain under the ownership and control of the Party that previously owned, acquired, and/or controlled such property.
11. **Inspection.** Parties, and their assignees and designees have the right to enter upon all Project improvements and associated public property to inspect the same and to verify compliance with this Agreement.
12. **Fiscal Procedures.** Each Party shall be separately responsible for the financing and budgeting of their respective obligations under this Agreement according to the Parties' respective policies and budgetary practices and procedures.

SECTION 5. DISPUTE RESOLUTION.

In the event of a dispute as to the interpretation or application of this Agreement, the Parties shall first meet to discuss the dispute with the Project Engineer and/or Construction Manager/Engineer present as necessary. If the Parties cannot resolve the dispute, the MPO Program Manager shall resolve the dispute after receiving written comments from each of the Parties. The MPO Program Manager shall issue a written decision within 10 days of receiving written comments from the Parties. If either Party believes the MPO Program Manager's decision was arbitrary, capricious, or illegal, either party may—within 30 days of the written decision—request binding arbitration. If the MPO Program Manager refuses to resolve the dispute or fails to issue a written decision, either Party may—within 30 days of the MPO Program Manager's refusal or the deadline for the MPO Program Manager's written decision—request binding arbitration. The Parties shall mutually choose an arbitrator. The arbitrator's decision shall be final and neither Party may appeal the decision.

SECTION 6. METHOD OF TERMINATION

This Agreement will automatically terminate at the end of its term, pursuant to the provisions of Section 1 of this Agreement. Prior to the automatic termination at the end of the term of this Agreement, any Party to this Agreement may terminate the Agreement sixty (60) days after providing written notice of termination to the other Parties. The Parties of this Agreement agree to bring current, prior to termination, any financial obligation contained herein. If construction of the Project has begun, such financial obligations shall include any incremental or additional costs reasonably incurred by the non-terminating Party to complete or safely abandon, as elected by the non-terminating Party, the portion of the Project within its jurisdiction. The Parties' obligations hereunder to indemnify each other shall survive termination of this Agreement.

SECTION 7. INDEMNIFICATION

The Parties are governmental entities and subject to the Governmental Immunity Act of Utah, Utah Code Ann. §§ 63G-7-101, et seq. ("GIAU"). Subject to the provisions of the GIAU, each Party agrees to indemnify and hold harmless the other Party, its agents, officers and employees from and against any and all actions, claims, lawsuits, proceedings, liability, damages, losses and expenses (including attorney's fees and costs) arising out of or resulting from the Party's performance of this Agreement to the extent the same are caused by any negligent or wrongful act or omission of that Party, its officers, agents or employees. Nothing in this Agreement shall be deemed a waiver of any rights, statutory limitations on liability, or defenses applicable to either Party under the GIAU.

SECTION 8. FILING OF INTERLOCAL COOPERATION AGREEMENT

Executed copies of this Agreement shall be placed on file in the office of the official keeper of records of Parties and shall remain on file for public inspection during the term of this Agreement.

SECTION 9. ADOPTION REQUIREMENTS

This Agreement shall be (a) approved by Resolution of the governing body of each of the Parties, (b) executed by a duly authorized official of each of the Parties (c) submitted to and approved by an authorized attorney of each of the Parties, as required by the Act, and (d) filed in the official records of each Party.

SECTION 10. AMENDMENTS.

Except as otherwise provided herein, this Agreement may not be amended, changed, modified or altered except by an instrument in writing that has been prepared, approved, and executed with the same formality as this Agreement and in compliance with the Act.

SECTION 11. SEVERABILITY

If any term or provision of the Agreement or the application thereof shall to any extent be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to circumstances other than those with respect to which it is invalid or unenforceable, shall not be affected thereby, and shall be enforced to the extent permitted by law. To the extent permitted by applicable law, the Parties hereby waive any provision of law which would render any of the terms of this Agreement unenforceable.

SECTION 12. NO PRESUMPTION

Should any provision of this Agreement require judicial interpretation, the Court interpreting or construing the same shall not apply a presumption that the terms hereof shall be more strictly construed against the Party, by reason of the rule of construction that a document is to be construed more strictly against the person who himself or through his agents prepared the same, it being acknowledged that each of the Parties have participated in the preparation hereof.

SECTION 13. HEADINGS

Headings herein are for convenience of reference only and shall not be considered any interpretation of the Agreement.

SECTION 14. BINDING AGREEMENT

This Agreement shall be binding upon the heirs, successors, administrators, and assigns of each of the parties hereto. The person executing this Agreement on behalf of each Party warrants and represents that they are duly authorized to execute this Agreement and bind the Party thereto and that all acts, steps, and procedures required to approve this Agreement have heretofore been completed.

SECTION 15. NOTICES

All notices, demands and other communications required or permitted to be given hereunder related to a dispute regarding or the enforcement of this Agreement shall be in writing and shall be deemed to have been properly given if delivered by hand or by certified mail, return receipt

requested, postage paid, to the Parties, or at such other addresses as may be designated by notice given hereunder. Written notices and approvals required or permitted to be given by a Party to another Party related to the Project may be given by email or other form acceptable to both parties.

SECTION 16. ASSIGNMENT

The Parties to this Agreement shall not assign this Agreement, or any part hereof, without the prior written consent of all other Parties to this Agreement. No assignment shall relieve the original Parties from any liability hereunder.

SECTION 17. GOVERNING LAW

All questions with respect to the construction of this Agreement, and the rights and liability of the Parties hereto, shall be governed by the laws of the State of Utah.

ATTEST:

HIGHLAND CITY

By: _____
City Recorder

City Mayor

Approved as to Form: _____
City Attorney

ATTEST:

ALPINE CITY

By: _____
City Recorder

City Mayor

Approved as to Form: _____
City Attorney