



*****AMENDED*****
BLUFFDALE CITY COUNCIL
MEETING AGENDA
Wednesday, February 10, 2016

Notice is hereby given that the Bluffdale City Council will hold a meeting Wednesday, February 10, 2016 at the Bluffdale City Fire Station, 14350 South 2200 West, Bluffdale, Utah scheduled to begin promptly at **6:30 p.m.** or as soon thereafter as possible. Notice is further given that access to this meeting by the Mayor and or City Council may be by electronic means via telephonic conference call.

BLUFFDALE CITY COUNCIL REGULAR BUSINESS MEETING 6:30 P.M.

1. Roll Call, Invocation, Pledge of Allegiance*
2. ***Consideration and vote on a resolution adopting a Style Guide for the City of Bluffdale, staff presenter, Natalie Hall.
3. **PUBLIC FORUM** – (4 minute maximum per person to bring items not already on the agenda before the Council. Participants are encouraged to submit a written statement (1 copy) for items that are complex or that may require more than 4 minutes to present).
4. **CONSENT AGENDA** –
 - 4.1 Approval of the January 13, 2016 and January 19, 2016 meeting minutes.
 - 4.2 Preliminary acceptance of Independence at the Point, Plat D-5 Park, and beginning the warranty period.
 - 4.3 Acceptance of Independence at the Point, Plat D-1, ending the warranty period.
 - 4.4 Acceptance of Independence at the Point, Plat H-1, ending the warranty period.
 - 4.5 Approve a resolution authorizing the City Manager to enter into an agreement with Acme Construction, Inc., for the Wood Hollow ULDC Canal Liner Bid.
5. Presentation and discussion regarding the Police Department Quarterly Statistical Report, staff presenter, Sergeant Shane Taylor.
6. Consideration and vote on a resolution to amend the Salt Lake County Officer Involved Critical Incident Task Force Interlocal Agreement, staff presenter, Police Chief Andrew Burton.
7. Consideration and vote on a resolution amending the Water Conservation Plan, staff presenter, Blain Dietrich.
8. Mayor's Report
9. City Manager's Report and Discussion

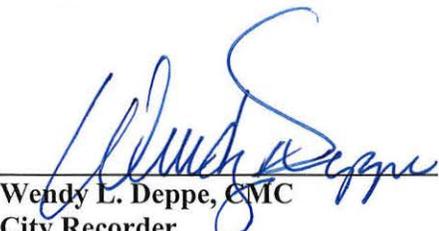
PLANNING SESSION

Please Note: The planning session is for identifying future items and other council discussion in accordance with Utah Code § 52-4-201(2)(a). While the meeting may be open to the public, there will not be any opportunity for public input during the planning session.

10. Discussion of potential Commercial Development between PRB and Pony Express Road, south of 14600 South, Sean Dickson, Ridgemark Development, LLC, presenter.
11. Closed meeting pursuant to Utah Code § 52-4-205(1) to discuss the character, professional competence, or health of an individual, collective bargaining, pending or imminent litigation, strategies to discuss real property acquisition, including any form of a water right or water shares, security issues, or any alleged criminal misconduct (if needed).
12. Adjournment

Dated this 8th day of February, 2016

I HEREBY CERTIFY THAT THE FOREGOING NOTICE AND AGENDA WAS FAXED TO THE SOUTH VALLEY JOURNAL, THE SALT LAKE TRIBUNE, AND THE DESERET MORNING NEWS; POSTED AT THE BLUFFDALE CITY HALL, BLUFFDALE CITY FIRE STATION, AND THE COMMUNITY BULLETIN BOARD AT THE BLUFFS APARTMENTS; EMAILED OR DELIVERED TO EACH MEMBER OF THE BLUFFDALE CITY COUNCIL; ON THE CITY'S WEBSITE AT WWW.BLUFFDALE.COM AND ON THE PUBLIC MEETING NOTICE WEBSITE, WWW.PMN.UTAH.GOV


Wendy L. Deppe, CMC
City Recorder

Note: The Bluffdale City Council will take a recess at approximately 9:30 p.m. and will evaluate the time needed to complete items not yet heard on the evening's agenda. Items the Council determines may take the meeting past 10:00 p.m. may be removed from the agenda and re-scheduled for the next regularly scheduled meeting. In compliance with the American with Disabilities Act, individuals needing assistance or other services or accommodation for this meeting should contact Bluffdale City Hall at least 24 hours in advance of this meeting at 801-254-2200. TTY 7-1-1. *Contact the City Recorder if you desire to give the Invocation.

Agenda Item 2

Agenda Item 4.1



**BLUFFDALE CITY COUNCIL
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD COMBINED
MEETING AGENDA
Wednesday, January 13, 2016**

Notice is hereby given that the Bluffdale City Council will hold a meeting Wednesday, January 13, 2016 at the Bluffdale City Fire Station, 14350 South 2200 West, Bluffdale, Utah scheduled to begin promptly at **6:30 p.m.** or as soon thereafter as possible. Notice is further given that access to this meeting by the Mayor and or City Council may be by electronic means via telephonic conference call.

BLUFFDALE CITY COUNCIL REGULAR BUSINESS MEETING 6:30 P.M.

1. Roll Call, Invocation, Pledge of Allegiance*
2. **PUBLIC FORUM** – (4 minute maximum per person to bring items not already on the agenda before the Council. Participants are encouraged to submit a written statement (1 copy) for items that are complex or that may require more than 4 minutes to present).
3. **CONSENT AGENDA** –
 - 3.1 Approval of the December 9, 2015 and January 4, 2016 meeting minutes.
 - 3.2 Conditional Preliminary Acceptance of Sage Estates Phase 1 (A & B), beginning the warranty period for completed City Improvements.
4. Report on sale of Lease Revenue Bonds, Matt Dugdale, George K. Baum & Company.
5. **PUBLIC HEARING** – Consideration and vote on a Site Plan Application for Summit Academy K-8 Bluffdale Campus Charter School, located at approximately 1930 West 14400 South, Pace CM, applicants, staff presenter, Jennifer Robison.
6. **HEARING** – Consideration and vote on a resolution authorizing Eminent Domain to acquire property for Noell Nelson Drive (1000 West), staff presenter, Vaughn Pickell.
7. **PUBLIC HEARING** – Consideration and vote on amending the allowed uses found in Table 11-35-2 and Section 11-2-2 of the Bluffdale City Code to allow additional land uses in the I-1 Light Industrial Zone, Derek Blaylock, applicant, staff presenter, Paul Douglass.
8. **PUBLIC HEARING** – Consideration and vote on a Site Plan Application for a proposed Equestrian Facility and Caretaker's dwelling to be located at 14000 South Loumis Parkway, Lyle and Sammy Barbour, applicants, staff presenter, Paul Douglass.
9. Consideration and vote on Preliminary and Final Subdivision Plat Application for Plat Q-2A for 32 Townhomes including common areas and associated streets, located at approximately 15200 South Heritage Crest Way within the Independence Master Planned Community, Edge Homes, applicant, staff presenter, Jennifer Robison.

LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD MEETING

1. Roll Call
2. **CONSENT AGENDA –**
 - 2.1 Approval of the December 9, 2015 meeting minutes.
3. Training on Open and Public Meeting Laws, staff presenter, Vaughn Pickell. **(LBA Training held in conjunction with the Open and Public Meeting Laws Training)**
4. Adjournment

BLUFFDALE CITY REDEVELOPMENT AGENCY BOARD MEETING

1. Roll Call
2. **CONSENT AGENDA –**
 - 2.1 Approval of the December 9, 2015 meeting minutes.
3. Training on Open and Public Meeting Laws, staff presenter, Vaughn Pickell. **(RDA Training held in conjunction with the Open and Public Meeting Laws Training)**
4. Consideration and vote on a resolution appointing and designating officers of the Redevelopment Agency Board, staff presenter, Vaughn Pickell.
5. Adjournment

CONTINUATION OF BUSINESS MEETING

10. Consideration and vote on a resolution designating the appointment of a Mayor Pro Tempore for 2016, Mayor Derk Timothy.
11. Consideration and vote on a resolution confirming the appointment of Alternate Representatives for the COG Committee, Mayor Derk Timothy.
12. Consideration and vote on a resolution appointing an individual to represent the City of Bluffdale on the South Salt Lake Valley Mosquito Abatement District Board, Mayor Derk Timothy.
13. Consideration and vote on a resolution appointing statutory officers, City Treasurer and City Recorder, Mayor Derk Timothy.
14. Consideration and vote on a resolution amending the Bluffdale Employee Policies and Procedures Manual related to appointed positions, staff presenter, Vaughn Pickell.
15. Training on Open and Public Meeting Laws, staff presenter, Vaughn Pickell. **(LBA and RDA Open and Public Meeting Laws Training held in conjunction)**
16. Mayor's Report
17. City Manager's Report and Discussion

PLANNING SESSION

Please Note: The planning session is for identifying future items and other council discussion in accordance with Utah Code § 52-4-201(2)(a). While the meeting may be open to the public, there will not be any opportunity for public input during the planning session.

18. Discussion of 14-acre site, located at 550 West 14600 South, Brian Christensen, Simple Products Corporation, Jason Hagblom and Jaden Malan, Industrial Properties.
19. Closed meeting pursuant to Utah Code § 52-4-205(1) to discuss the character, professional competence, or health of an individual, collective bargaining, pending or imminent litigation, strategies to discuss real property acquisition, including any form of a water right or water shares, security issues, or any alleged criminal misconduct (if needed).
20. Adjournment

Dated this 8th day of January, 2016

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**BLUFFDALE CITY COUNCIL,
LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD AND
REDEVELOPMENT AGENCY BOARD
COMBINED MEETING MINUTES
Wednesday, January 13, 2015**

1 **Present:** Mayor Derk Timothy
2 Alan Jackson
3 Ty Nielsen
4 Justin Westwood
5 James Wingate (arrived at 6:33 p.m.)
6 Boyd Preece
7

8 **Staff:** Mark Reid, City Manager
9 Vaughn Pickell, City Attorney
10 Grant Crowell, City Planner/Economic Development Director
11 Jennifer Robison, Associate City Planner
12 Paul Douglass, Associate City Planner
13 Wendy Deppe, City Recorder
14

15 **Others:** Matt Dugdale, George K. Baum
16 Derek Blaylock
17 Steve Crandall, Summit Academy President
18 Brian Christensen, Simple Products Corporation
19 Jason Hagblom, Industrial Properties
20 Jaden Malan, Industrial Properties
21 Parametrix Personnel
22 Tyler Bodrero, Academica West
23 Jeremy Searle, Hales Engineering
24 Josh Jensen, Silverpeak Engineering
25

26 **BLUFFDALE CITY COUNCIL REGULAR BUSINESS MEETING**
27

28 Mayor Derk Timothy called the meeting to order at 6:30 p.m.
29

30 **1. Roll Call, Invocation, and Pledge.**
31

32 All Members of the City Council were present with the exception of James Wingate who arrived
33 shortly thereafter.

34
35 Josh Jensen offered the invocation.
36

37 Emily Swanson led the Pledge of Allegiance.
38

39 **2. PUBLIC FORUM:**
40

41 There were no members of the public wishing to speak.

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1
2 **3. CONSENT AGENDA:**
3

4 **3.1 Approval of the December 9, 2015, and January 4, 2016, Meeting Minutes.**
5

6 Justin Westwood pulled consent agenda item 3.1 from the agenda. He stated that he was not present
7 at the January 4 meeting and asked that his name be removed from the minutes.

8
9 **Justin Westwood moved to approve the minutes of December 9, 2015, and January 4, 2016. Ty
10 Nielsen seconded the motion. The motion passed with the unanimous consent of the Council.**

11
12 **3.2 Conditional Preliminary Acceptance of Sage Estates Phase 1 (A&B), Beginning**
13 **the Warranty Period for Completed City Improvements.**
14

15 **Ty Nielsen moved to approve consent agenda item number 3.2, conditional preliminary**
16 **acceptance of Sage Estates Phase 1 A and B and beginning the warranty period for completed**
17 **City improvements. Justin Westwood seconded the motion. The motion passed with the**
18 **unanimous consent of the Council.**

19
20 **4. Report on Sale of Lease Revenue Bonds, Matt Dugdale, George K. Baum & Company.**
21

22 Matt Dugdale from George K. Baum & Company, reviewed the successful bond process. He
23 reported that the City went through a very intense process and had its credit assessed by rating
24 analysts. The outcome was successful with the City receiving an A-1 rating. The process is very
25 detailed and involves analysts reviewing the City's financial statements and interviewing staff. The
26 rating was based on the City's healthy underlying credit qualities, a growing tax base, strong socio-
27 economic measures, a strong financial position, substantial reserves, manageable debt, pension
28 liabilities, and the structure of the bonds. The final amount of bonds issued was \$6,705,000 with
29 Tuesday being the scheduled closing date after which money will be deposited in the City's account.
30 The interest rate is very low at 3.57% for 30 years.

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1 **5. PUBLIC HEARING – Consideration and Vote on a Site Plan Application for Summit**
2 **Academy K-8 Bluffdale Campus Charter School, located at approximately 1930 West**
3 **14400 South, Pace CM, Applicants, Staff Presenter, Jennifer Robison.**
4

5 Associate City Planner, Jennifer Robison, presented the staff report and stated that the ordinance
6 specifies that site plans for any building that is 15,000 square feet or larger requires a public hearing
7 before the City Council. The Planning Commission held their public hearing the previous week. The
8 application is for a charter school with the applicants being Pace Management who is represented by
9 Tyler Bodrero. Mrs. Robison explained that staff’s responsibility is to prepare and present
10 information that is factual, technical, and in compliance with State law and City ordinances. Their
11 job is to give the best direction possible and help the City Council make an informed decision.

12
13 Mrs. Robison reported that the previous week the Planning Commission met and a public hearing
14 was held at which time numerous public comments were received. Since then, additional meetings
15 have been held. There was discussion that additional right-of-way needs to be purchased by the
16 Lions Club along 14400 South. A meeting was held to discuss the matter. A meeting was also held
17 the previous Friday with the Mayor and two engineering firms. Hales Engineering was hired by the
18 applicant to perform a traffic analysis. The City also engaged Parametrix Engineering to look at the
19 City’s overall transportation plan knowing that a road is coming forward and that the widening of
20 14400 South is already on the Capital Facilities Plan. It was noted that the area will be important as
21 increased traffic comes to the City. Mrs. Robison reported that Parametrix also performed a peer
22 review of the Hales Engineering study. One of the concerns expressed by the Planning Commission
23 was that representatives from the two engineering firms were not present at that meeting. Both were
24 present tonight. City Engineer, Michael Fazio, was unable to be in attendance.

25
26 Mrs. Robison identified the location of the property purchased for the Summit Academy Charter
27 School on a map displayed. State law requires that charter schools coordinate with the City the siting
28 of the school. There are, however, some things the City cannot enforce such as site plans,
29 landscaping, fencing, aesthetic considerations, and construction methods. Mrs. Robison stated that
30 they obtain their building permit from the state and have their own independent inspector who gives

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1 reports to the City as the inspections are completed. The City, however, has no jurisdiction. The
2 City may impose and coordinate on setbacks, height, bulk and massing, off-street parking, traffic
3 circulation, construction staging, and traffic and public safety concerns.

4
5 A rendering of the proposed building was displayed. Areas were shown for future phases as well.
6 The applicants were asked to identify the future locations of the additions to avoid having to go
7 through a similar process when they come into build. Concerns expressed by the citizens and the
8 Planning Commission pertained to traffic issues and road design. The portion shown in orange was
9 to be purchased or acquired from the Lions Club. Another portion was identified that may need to be
10 acquired for the sidewalk to facilitate the crosswalk.

11
12 Mrs. Robison reported that the traffic analysis provided by Hales Engineering suggested that the
13 crosswalk be moved to Frost Court, however, there would have to be an extension of the sidewalk to
14 make that functional. The recommendation from the DRC and the City Engineer was that it be
15 moved either to Frost Court or another appropriate location to be determined by the City Engineer.

16
17 The Planning Commission recommended the application be denied based on the following findings:

- 18
19 1. That the traffic flow and stoppage of the traffic during drop off and pickup times is unsafe.
20
21 2. The traffic will clog the City street at 14400 South specifically during pickup times.
22

23 The staff report contained a lengthy list of conditions of approval considered by the Planning
24 Commission. At a minimum, the east and west bound right turn lanes need to be improved.
25 Adequate signage was also recommended as well as the crosswalk and a fire lane. There were also
26 issues with the culinary water designs that were of concern. In addition, no parking was to be
27 allowed on 14400 South.

28
29 Jeremy Searle from Hales Engineering described the Traffic Impact Study (TIS) and stated that they
30 looked at several things including the existing conditions, an initial build condition with 700 students,
31 and a full buildout condition with 1,000 students. In performing the TIS they looked at the level of

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1 service for intersections, which is measured on an A through F scale. Anything that is a level of
2 service D or above is considered to function adequately. They also look at queuing and on-site
3 circulation. The intersections looked at as part of the study included 2200 West, Frost Court, the
4 access to the school, the Maverik access, and the intersection at Redwood Road.

5
6 Mr. Searle reported that currently 14400 South is functioning fairly well during peak hours. A
7 concern was identified with the Maverik access, which is very close to the Redwood Road
8 intersection. It was noted that there are safety concerns with left turns both in and out. The report
9 indicated that a possible mitigation measure was identified but Mr. Searle later found out that
10 Maverik is planning to redevelop their site and potentially move the access further back. The
11 potential change will help alleviate the safety concerns identified.

12
13 Mr. Searle stated that they next looked at the school and the number of trips that will be generated.
14 Traffic counts were taken at three different charter schools to determine how many trips they are
15 generating. It was determined that during the peak hour they expect roughly 358 cars to enter and
16 exit the site. At the time the study was conducted they did not realize that the City had hired another
17 consultant, Parametrix, to review the study. They developed their own rate and the number of cars
18 they estimated was within five vehicles of what Mr. Searle's firm had predicted. He noted that a
19 school shuttle is planned for the site that will provide an alternative way for students to get to school.
20 The figures provided did not contain that option.

21
22 In response to a question raised, Mr. Searle stated that they determine the number of students and
23 then develop a rate. The study found that the schools are very busy 15 minutes before school starts
24 and the 15 minutes after school is dismissed. When exiting it is very difficult for cars to make left
25 turns. The proposed access is advantageous in that it allows cars to turn right in and left in but when
26 exiting they are only allowed to turn right out. He noted that right turns are much easier and faster
27 than left turns. The City is contemplating a roundabout at 2200 West that would work perfectly with
28 what is being proposed for the school. Cars that are turning right out of the school can come to the
29 roundabout and easily go where they need to.

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1
2 Mr. Searle reported that there are three stacking lanes. He stated that the pickup area is
3 approximately 651 feet and can hold roughly 76 vehicles. There is also a drop off area that includes
4 two lanes consisting of a bypass lane and a drop off lane. The drop off lane can hold about 18
5 vehicles and another 10 to 18 in the bypass lane that can get around. The exit lane can handle up to
6 26 vehicles. There are also another 40 pickup/drop off parking spaces. In all, up to 170 vehicles can
7 be accommodated on the site in the stacking area in addition to the teacher parking stalls.

8
9 Mr. Searle indicated that they looked at the level of service for various intersections with the full
10 build out of the school at 1,000 students. Redwood Road still functions at a level of service D or
11 better. The school access with the right out only currently functions at a level of service C.
12 Recommended mitigation measures were described. At the egress a gray center median was
13 recommended to enforce the right out only.

14
15 The study also looked at pedestrian safety. Mr. Searle stated that there are also several sidewalks
16 already constructed in the area. The applicants are proposing to put a sidewalk across their frontage
17 and across the Lions Club to connect to the existing sidewalk. That will allow students to cross
18 Redwood Road at the signal. Traffic circulation issues were discussed. The average was 2.5 to 5
19 minutes to get through the line. Other options were recommended such as staggering drop off times.

20
21 Tyler Bodrero stated that at the Planning Commission Meeting there was discussion about Plans B
22 and C to provide assurances that traffic can be controlled. Possible solutions were discussed such as
23 building a future outbuilding that could have a combination community use. The proposal would be
24 to add an additional 10 feet of asphalt to the lane near the playground to provide an alternate
25 pickup/drop off lane that would provide a lot of additional stacking. Alan Jackson was concerned
26 that 14400 South will become a drop off lane, since he has seen it at other charter schools.

27
28 Mayor Timothy thought it would be more beneficial for people who have already picked up their
29 student to come around and exit before going all the way around and utilize the exit out. If that were
30 the case, the emergency lane could do the same and allow additional queuing lanes. Mr. Searle stated

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1 that either could potentially be done but it would be a coordination effort between the City Engineer
2 and the Fire Marshall in terms of how that will work. Ways to prevent cars from making left hand
3 turns were discussed such as a concrete median that would enforce a right out only. Mr. Searle added
4 that the pickup/drop off lanes could function as additional parking for nighttime and event parking.

5
6 Josh Jenson identified himself as the Civil Engineer/Site Planner and stated that when they initially
7 looked at the site they ensured that the site was in compliance in terms of fire access because all sites
8 are required to have two accesses for emergency vehicles. Because there was such a narrow area
9 they were concerned that it may not be compliant. They also met with staff to review their
10 requirements to ensure that they could meet them. Mr. Jenson stated that originally the accesses were
11 proposed at a width of 24 feet. All three were ultimately increased to 26 feet because there was some
12 debate between the Fire Marshall's Office and the City Engineer and they weren't sure what the
13 outcome would be. Increasing the width would make them interchangeable. He noted that one could
14 be reduced to 20 feet to make it a fire lane. If that is done, he recommended the westernmost lane be
15 reduced in width.

16
17 In terms of snow removal, Mr. Jenson stated that they try to do landscape islands to the extent
18 possible so that they have places to store the snow. They also try to create areas that are off the curb
19 so that it can be pushed all the way to the edge of the parking. Alan Jackson asked if the traffic study
20 took into account the buildup prior to pick up and drop off. He stated that while 170 vehicles will fit
21 on the site, that leaves 183 that are not accounted for. From experience he had seen that cars stack up
22 before and after school. Mr. Searle stated that the study focused on the peak hour when there will be
23 the most cars. It was noted that there are more cars in the morning because people are going to work
24 at the same time.

25
26 Mr. Searle commented that of the 40 charter schools they have done, this was in the top three in terms
27 of the number of people they can queue up on site and the number of available parking stalls. He
28 commented that it probably has more queuing and stacking than most district schools because they
29 have buses. Mr. Searle reminded the Council that Summit Academy is committed to doing a shuttle

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1 that holds 60 students. He remarked that it would not be feasible for any school to provide enough
2 queuing and stacking on site for all of the students that would come at the same time. Mr. Jackson
3 understood that but stated that they have to account for all 358 cars in one hour.

4
5 Mayor Timothy described the law in relation to this situation. He read from Title 10-9a-305 of the
6 Utah Code, which specifies that a school district or charter school is subject to a municipality's land
7 use ordinance. A municipality may subject a charter school to standards within each zone pertaining
8 to setback, height, bulk and massing regulations, off-site parking, curb cut, traffic circulation,
9 construction staging, and impose regulations upon the location of a project that are necessary to avoid
10 unreasonable risks to health or safety. The standards to which a municipality may subject a charter
11 school to limits the City in terms of what they can require. In this case, traffic circulation and safety
12 can be regulated by the City. The standards that a municipality may subject a charter school to must
13 be objective only and may not be subjective. Mayor Timothy explained that the traffic study that was
14 conducted is considered to be objective and even though the outcome is known, it cannot be used as a
15 City to deny the request.

16
17 Mayor Timothy stated that when the application was presented and staff was told that a traffic study
18 was done, the City questioned it because the numbers seemed low. As a result, the City hired its own
19 firm to confirm the school's traffic study or show that it was in error. In the end, the two traffic
20 studies were very similar. Whatever the study shows as acceptable will be the City's responsibility.
21 That concerned him as the Mayor because it creates a burden to the City. Having dealt with the State
22 Legislature, he knows that their opinion is that regulations are in place to restrict cities since schools
23 would have a very difficult time locating in any city in an area that is already built out because there
24 would be a lot of opposition due to schools naturally generate a lot of traffic. The Legislature's belief
25 is that a school solves more problems than it creates.

26
27 Mayor Timothy reported that he spoke to three mayors the previous week. He attended the Planning
28 Commission where questions were raised that concerned him. For example, he did not believe that
29 2.2 students per car is realistic even though that is the objective number. He felt that a lot of

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1 enforcement will have to be done up front and make the inconvenience of parking in the queue better
2 than the ticket they will get if they do not. He then explained the process for the Public Hearing of
3 public comments would be limited to three minutes with each person being able to speak once. More
4 time would be given to someone representing a group. He asked that those speaking be as objective
5 as possible and share new thoughts rather than repeat points that have already been made.

6
7 Mayor Timothy opened the public hearing.

8
9 Jay Bertoch gave his address as 2558 West Perschon Circle and expressed appreciation to the
10 Council. His concern was not with the school itself but with the ingress and entrance to the school
11 and the traffic problem it will create. He asked if the applicants had looked at the church given the
12 access to Redwood Road and 2200 West. The barriers they plan to put on 14400 South will create
13 additional problems. Mr. Bertoch suggested that the school be forced to change the site to
14 accommodate the demand that will be created.

15
16 Scott Pavlakis gave his address as 14469 South Frost Court and stated that while he is not opposed to
17 the school, he was concerned about safety and traffic flow. He stated that in his experience picking
18 up and dropping off at charter schools he has found that the pickup is the problem and not the drop
19 off. He commented that he has five years of experience at three different schools. He demonstrated
20 the scenario using dominos to represent cars.

21
22 Connie Pavlakis gave her address as 14469 South Frost Court and identified herself as a member of
23 the Planning Commission. As a resident of Frost Court she is not happy about what the City is trying
24 to do to her one-acre quiet cul-de-sac. She stated that cars will come down her street to park because
25 they will not want to wait in the queue. She was concerned about the safety of children there when
26 the queuing doesn't work. Mrs. Pavlakis visited other charter schools and has seen what happens.
27 She considered that to be factual and not subjective. She stated that backups will extend to Redwood
28 Road and beyond. She felt that adding 40 parking stalls in the middle of a moving staging queue is
29 unsafe and not a reasonable addition. The applicants claim there will be 2.19 students per car yet
30 nothing on their study shows what that means per car. She stated that it equates to over 450 cars at

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1 capacity of 1,000 students. In addition, the applicants have no idea where the traffic will be coming
2 from. They claim that they will provide shuttles from Independence back and forth but the parents
3 are forced to pay for it. As a result, it will not get used or will create a hardship on those families.

4
5 Mrs. Pavlakis stated that putting cars westbound on 14400 South will eventually turn around and go
6 east bound, which will result in a double impact on the queue. The cars ultimately need to get to
7 14400 South and turn left. Currently that left turn lane has an F rating and it will only get worse.
8 The left hand turn lane coming from the opposite side of Redwood Road has an F rating as well that
9 will get worse. She prepared a graphic to count the number of cars that fit there to scale. She stated
10 that 10 will fit in the right turn pocket. The left turn pocket will hold approximately 12. After those
11 turn pockets have reached capacity, oncoming traffic will be impeded and create a safety issue. Mrs.
12 Pavlakis was glad to hear the Traffic Engineer who prepared the traffic study, admit that stopping to
13 turn left into the Maverik creates a dangerous situation and causes backup onto Redwood Road.

14
15 Mrs. Pavlakis objected to the proposed roundabout and stated that doing so will impede pedestrians.
16 She stated that a traffic light is needed and not a roundabout. The result will be to block 14400 South
17 from Redwood Road to 2200 West, which is a main access for emergency responders. Mrs. Pavlakis
18 could see no positive outcome and stated that the ingress on 14400 South is impossible to mitigate
19 and the City by law is required to do what is reasonable. She urged the Council to do what is right
20 for the City. She was not opposed to charter schools but did not think this was the location that
21 works best for the safety of citizens. She regretted that they were not being better neighbors to the
22 City for coming forward with the request.

23
24 Mrs. Pavlakis stated that many charter schools have a no walking policy. This is not a safe place for
25 students to be walking to their cars. She was worried that ultimately children will have to cross
26 Redwood Road to be picked up by their parents. Mrs. Pavlakis referenced Bluffdale Elementary and
27 has been in City meetings where it has been discussed in terms of the problem it creates on 2700
28 West. Bluffdale Elementary has 958 students enrolled and they serve only 700 at any given time
29 because they are year round. They are bussing 592 students, which leaves just over 100 students and

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1 there is still a significant traffic problem. They have nine school buses coming to the school every
2 day, two kindergarten buses, and nine special education buses. In total there are 20 buses coming to
3 and from the school every day and all use 14400 South. Ultimately, the charter school will impact
4 every other school in the area. She stated that traffic cannot be mitigated to allow for that. Next year
5 Bluffdale Elementary will go to a traditional schedule and have two start times. Mrs. Pavlakis stated
6 that this is proof that the City's infrastructure is not set up to handle the impact. She urged the
7 Council to do what is right for the citizens.

8
9 Emily Swanson gave her address as 751 West Star Spangled Drive in Independence. She has three
10 children at Summit Academy and currently children from 10 families walk to school. She expected
11 this to continue after the new school is built. She stated that most of the families that are moving in
12 have children under five years of age and will need schools in the very near future. She expected
13 both Summit Academy and Bluffdale Elementary to be over capacity in the near future. For that
14 reason, another school is needed. Ms. Swanson considered Summit Academy to be a great
15 educational model and they have been very happy with their children's education. She noted that the
16 administration works closely with the community. She lives on a street where she is definitely
17 impacted by the traffic during school hours and from experience she stated that there is a 20-minute
18 window when it is difficult for her to get out of her driveway. Ms. Swanson stated that she notices
19 the impact in the afternoon much more than in the morning. She remarked that the City lacks sports
20 facilities and the gymnasium at Bluffdale Elementary is fully booked for team practices and other
21 events. Another facility would be used and needed. She asked if parking could be added to the upper
22 portion where there is no grass. She also commented that she has seen instances where roundabouts
23 work. She thought bringing Summit Academy to Bluffdale was the right thing to do.

24
25 Amanda Pay gave her address as 1382 West Black Wulff Drive in Sage Estates and stated that a
26 comment was made earlier that the area is mostly comprised of retired people. She disagreed and
27 stated that in Sage Estates, most of the families are very young and there are a lot of children.
28 Ms. Pay has a child who attends Summit Academy and expressed support for the proposed charter
29 school. She felt that building an elementary in the proposed location will help reduce traffic that

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1 would otherwise go to Bluffdale Elementary. In her experience driving her child to and from the
2 charter school she has discovered that there is a 20 to 30-minute window with pickup and drop off
3 and should not have a significant impact. She stated that if it becomes a problem they could possibly
4 consider staggering start times, which will cut the impact in half. With regard to the shuttle that is
5 provided, she appreciates it because it is voluntary and does not put a burden on parents. It costs \$10
6 per student and is beneficial. She also felt that a significant number of students walk, which has not
7 been taken into consideration.

8
9 Connie Robbins gave her address as 14455 South 2585 West and stated that Summit Academy is a
10 lottery so no one knows where students will go unless it is a predetermined lottery. She asked if
11 more policemen will be hired to patrol the traffic around the school, which will involve more money
12 out of the City budget. She did not feel it was the City's job to solve the problem and she
13 recommended the request be denied. Ms. Robbins stated that the previous afternoon she visited
14 Hawthorne Academy on 11400 South and 1400 West where school dismisses at 3:15 p.m. She was
15 there at 2:45 p.m. and cars were parked all the way down 11400 South from 1300 West to 1576 West
16 on the street. The parking lot was full with three lanes of queues going into two lanes rather than the
17 one proposed. The traffic was on the south side of 11400 South all the way down the street. She was
18 certain that the same thing will happen here.

19
20 Jeremy Brown gave his address as 14619 South 2400 West and pointed out that the traffic study did
21 not include the school or the traffic from the other side of Redwood Road. He stated that he leaves
22 his home at 8:00 a.m. every morning and there is a problem with cars coming into 14400 South from
23 across Redwood Road and with people trying to get out of 14400 South onto Redwood Road. He
24 drives past Hawthorne Academy every morning and he typically has someone make a U-turn in front
25 of him as he is trying to pass. Parents are parked along the road and he observes people having
26 problems getting in and out of the school. School faculty tries to make the situation better but it
27 doesn't. Mr. Brown also asked how much it will cost to widen the road and do what is necessary. He
28 stated that he would like to have the school in Bluffdale but suggested it be in a different location.
29 He remarked that it is one of the worst intersections in the City and regardless of what is done the

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1 impact will be the same. He requested more information on impacts beyond the limited areas that
2 were considered.

3

4 Diana Brantley gave her address as 1877 West City Village Way and identified herself as the
5 Assistant Principal at the Bluffdale Summit Academy site. It is her opportunity to direct traffic each
6 day. She has a timer and helps those who don't know the procedure to get through. She is highly
7 motivated to move cars through quickly, efficiently, and safely. She has been very pleased with their
8 loading procedure in the morning and there is no back up. They unload 16 cars at a time each
9 morning and there are never any more than 16 cars waiting their turn. She agreed that afternoons are
10 busier and require six additional teachers who stand on the curb. She uses a microphone to call the
11 children so that they are queued up by the time their car reaches the curb. Teachers are there to help
12 get them in the car safely. Their number one concern is safety. Because of that, they stagger their
13 release time and send the first group of students out the door at 3:01 p.m. The next group goes at
14 3:04 p.m. and the last group leaves at 3:10 p.m. The longest she has ever loaded cars was until 3:30
15 p.m. They have around 700 students currently.

16

17 Mayor Timothy commented that Ms. Brantley makes it sound like the queuing flows smoothly. He
18 asked how delays are handled. Ms. Brantley stated that when a car shows up and no child is there
19 waiting, they send the car to the overload area in front of the cars that are waiting. She explained that
20 loading occurs on the curb and children do not walk through the parking area.

21

22 During a 20-minute period Ms. Brantley estimated that she directed no more than five cars to the
23 overload area. She stated that they hold a new parent information night where they instruct the
24 parents on the pickup and drop off procedures. Cars have signs in the windows with the name of
25 their students. Teachers are also present to help load the children. If cars come early to wait, they are
26 off the street. Ms. Brantley stated that she had never had more than 40 cars waiting prior to 3:10 p.m.
27 Other parents come at 3:17 p.m. when all of the traffic is gone and there is no waiting. Ms. Brantley
28 stated that the parking lot never actually fills up. In response to a question raised, Ms. Brantley stated
29 the time between her calling a student's name to the time the car pulls out is less than 60 seconds.

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1 She stated that when parents arrive, children are waiting at the curb with teachers ready to load. She
2 stated that lines need to move quickly.

3
4 Denny Neilson gave his address as 1761 West 14200 South and asked if the Council can deny the
5 application according to Utah Code. Mayor Timothy stated that the City can deny the request.

6
7 Steve Crandall gave his address as 1935 Rock Hollow Road and identified himself as the Executive
8 Director of Summit Academy. He had been involved in the planning of the new school as well as the
9 other three schools. When he first came to Summit Academy nine years ago they had a situation
10 similar to what was witnessed at Hawthorne Academy. He made it his mission to ensure that the
11 neighborhood was not negatively impacted. Extensive renovations were done at the school so that
12 the stacking and loading areas were all on site. That had been their goal ever since. Mr. Crandall
13 stated that it is very important to them to impact the roads and neighborhoods as little as possible.

14
15 Dave Anderson gave his address as 14465 Frost Court and was torn in that he has students at Summit
16 Academy, which he considers to be a great school. When they take their son to Summit Academy in
17 Draper there is often a long wait. He takes them to school 20 minutes early to avoid waiting. He
18 agreed that there will be a bottleneck on 14400 South.

19
20 Judy Dudley gave her address as 2590 West 14400 South and did not think they were comparing
21 apples to apples as far as location. She stated that she has a difficult time accessing the freeway and
22 was frustrated with traffic in the City. She commented that the proposed school site has an entirely
23 different demographic than the other schools. She was concerned with the proposed school and how
24 it will impact the City financially. Ms. Dudley noted that the City has one officer on duty at a time,
25 which is problematic.

26
27 Leisha Thorne gave her address as 1319 Vera Lane and stated that her children go to Summit
28 Academy in Bluffdale and they have been very happy there. She responded to comments made about
29 the roundabout and the construction that will have to take place on 14400 South in order to mitigate

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1 the building of the school. Her understanding was that it was something that was planned before the
2 school request came forward.

3
4 City Manager, Mark Reid, stated that when the New City Hall was contemplated 1 ½ years ago, they
5 decided that a roundabout would be a good idea at the proposed corner. They have looked at it with
6 the fire apparatus in mind and stated that the fire apparatus in Riverton goes through the roundabout
7 nearly every day with no problem. It was felt that coming through a roundabout in the proposed
8 location will actually help emergency responders get out onto 14400 South more safely and quickly.
9 The roundabout has nothing to do with the school because it was contemplated before the proposal
10 for the school was made. 14400 South has been on the Capital Facilities Plan to be widened for
11 years. In 2013, it was scheduled for 2020 and one year ago it was set for 2018. The City has
12 budgeted \$1.2 million for the widening using impact fees, which are not personal property taxes. The
13 proposed widening will include the installation of curb, gutter, and sidewalk where it doesn't exist,
14 storm drain facilities where they don't exist, and two travel lanes and a turn lane in the middle. The
15 City has sufficient right-of-way to accomplish this without buying property.

16
17 Ms. Thorne commented that if the school doesn't go in something else will, and traffic will be
18 affected. Her preference was to have a school there that the whole community can use.

19
20 Bill Petty gave his address as 14509 Frost Court and stated that on January 28 there will be an awards
21 ceremony at North Star Academy who has a large parking lot with access on both sides of the road.
22 They will be completely filled going down and around that road. He questioned where cars will park
23 when the proposed school has similar types of programs. He recommended South Jordan be
24 contacted to find out about the traffic statistics with Hawthorne Academy. He was concerned that the
25 proposed location will be an unsafe place for a school. He was concerned that problems will also
26 result from having a crosswalk and a roundabout.

27
28 Karen Sonntag gave her address as 14473 Frost Court and stated that she is the mother of two
29 children with special needs, which makes bussing an issue. To get them in and out when there is

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1 snow will require the children to be picked up at the end of Frost Court because the bus cannot get in.
2 She was concerned about the number of buses going back and forth and how that will impact the
3 children, and particularly special needs children. Mayor Timothy commented that typically the City
4 does not plow circles early in the process after a storm. Normally they are lower on the list of
5 priorities. He suggested Mrs. Sonntag contact the City to let them know of the special need for the
6 plow. He stated that that cannot be done with every circle but it can in this case because there is a
7 special need.

8
9 Odila Conica gave her address as 814 West Star Spangled Drive and voiced support for a new high
10 quality school in the neighborhood. She thought this was a great opportunity for the City to become
11 partners with the school administration. She felt that having a good school in the area will increase
12 home values. Ms. Conica observed that Summit Academy is willing to be a good neighbor. She
13 commented that her children attend the school and it is very well run.

14
15 Gary Yates gave his address as 2395 West 14541 South and felt the real issue was safety and not
16 whether a school is needed or desired. He reported that children are discouraged from walking to
17 charter schools but several still do. He expressed concerns with safety.

18
19 Charles Ingram gave his address as 2603 West 14400 South and stated that while he is not opposed to
20 the school, he felt that this particular site was problematic because of its location. Traffic problems
21 already exist and this will only make things worse. He did not feel that as planned the situation will
22 be safe.

23
24 Phyllis Adams considered this to be the perfect example of putting the cart before the horse. While
25 she did not think the school was a bad idea, she felt it was proposed in the wrong place and will
26 negatively impact the center of Bluffdale. She works at Bluffdale Elementary and has seen what
27 happens when it snows. Buses can be one hour late getting special needs students home from school.
28 She thought the applicants should have purchased more property than proposed that is off the main
29 thoroughfare.

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1
2 Ken Milne a Riverton resident, was not opposed to the school but objected to the 1,000 students. He
3 owns property to the west of the school and suggested that the front parking area be better planned to
4 absorb the traffic. He compared the proposed site to that of Oquirrh Hills Middle School, which has
5 a massive parking lot. It has an in and out section for buses and two sections on the north and south
6 for cars with four lanes and still backs up. He recommended the matter be tabled to allow for better
7 planning to occur.

8
9 Mrs. Pavlakis requested that the public hearing remain open to address changes to the site plan. She
10 stated that the ingress on 14400 South is where the major problem lies. If the ingress was off of
11 Redwood Road, some of the major safety and traffic hazards may be able to be mitigated.

12
13 Mayor Timothy stated that closing the public hearing tonight does not prevent him from reopening it
14 in the future.

15
16 Mark Reid gave his address as 15683 Thunder Dust Drive and stated that his biggest safety concern is
17 the crosswalk because it is so close to the school exit. Those who are forced to turn right will be
18 looking in the opposite direction and driving through the crosswalk. He suggested there be an
19 assurance that the engineers are comfortable with the crosswalk to make sure that it is in a safe place.

20
21 There were no further public comments. The public hearing was closed.

22
23 Alan Jackson asked for input from City Attorney, Vaughn Pickell, to determine what the City's
24 options are. If the Council denies the request he asked on what grounds that must be done.

25 Mr. Pickell stated that the Council would have to make a finding that there are unreasonable risks to
26 health and safety that cannot be mitigated by objective standards.

27
28 James Wingate commented that he met earlier in the evening with the principal of Channing Hall, a
29 charter school in Draper that is comparable to the one proposed with 720 students. He stated that the
30 other Summit Academy school in Bluffdale is in a residential area that is not on a main arterial road.
31 A map of Channing Hall was displayed which showed that 150 East is a one-lane road in each

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1 direction with no middle turn lane. The drop off and pickup procedure was described. The principal
2 informed Council Member Wingate that she comes out personally with a stop sign to stop traffic as a
3 crossing guard to let cars come out because traffic gets so backed up. In the morning, there is a
4 backup near the traffic light. The principal stated that several parents park around the corner and
5 walk to the school or wait for their children at a nearby park. They estimate that 200 cars come
6 through the official channels every day and the rest do it through the park and neighborhood streets.
7 Council Member Wingate felt that the traffic plan as described sounds very efficient but the reality is
8 that parents will do whatever they can to get in and out without waiting.

9
10 Janie Philly, an Alpine resident, stated that the two school's parking lots cannot be compared and are
11 completely different. She stated that Channing Hall has no parking whereas Summit Academy
12 allows for parking and staging.

13
14 Ryan Hales from Hales Engineering commented on the crosswalk and stated that the City Engineer
15 requested that it be moved. He indicated that it can be moved various places. Certain items are
16 required for a crosswalk to be built. There has to be a certain number of students that will use it and
17 it ultimately has to be approved and permitted by the City. He stated that it would be more efficient
18 to not have a crosswalk and have students on the south side walk two blocks to the east and cross at
19 the light with the crossing guard and then walk back on an improved sidewalk on the north side. Mr.
20 Hales stated that charter schools routinely locate on parcels smaller than the one proposed. He did
21 not believe that the comparison to Channing Hall was fair.

22
23 Mr. Hales stated that the property has been held for some time by the school district with the intent of
24 building a school. The engineers have worked together to best address the traffic impacts. It was
25 believed by the school district and Summit Academy that the proposed use is best for the parcel.
26 Traffic count issues were discussed. It was noted that the boundaries of the traffic study were from
27 Redwood Road to 2200 West near the proposed roundabout. A question was raised about whether
28 ingress and egress could be through the LDS Church property. It was determined that that was not

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1 likely. With regard to fencing, it was reported that there will be fencing all the way around the
2 property.

3
4 Staff recommended approval with conditions. To respond to the concerns expressed by the Planning
5 Commission, Mr. Bodrero reported that he met with the school and the engineers who indicated that
6 the traffic study was approved by the City Engineer and verified by an independent contractor. The
7 data shows that it works but the citizenry wants assurances in the event it doesn't. Alternate plans
8 were discussed. It was noted that there is a possibility to address traffic down the road that the
9 current study does not show needing to be addressed.

10
11 Mayor Timothy did not want to put the total burden of widening the road on the school because it
12 was planned previously. To be fair, however, he acknowledged taxpayer dollars are being used to
13 help solve the traffic problem.

14
15 Mr. Crandall described the lottery process used by charter schools and stated that under state law the
16 school is allowed to give a geographical preference of up to a two-mile radius of the school. Because
17 it is a public school they have to take first come first serve. If they have more applications than they
18 have spaces available, they run a lottery. The projected number of students the first year was
19 estimated at 450 to 600. He clarified that the school start time had not been determined and the first
20 few days of school will typically be the most critical. The potential of staggering the school's start
21 and dismissal times with Bluffdale Elementary would be helpful.

22
23 The issue of parking on Frost Court was discussed and will take effort to restrict. Safety was
24 described as being of utmost importance. Mayor Timothy stated that the issue of parking on Frost
25 Court would be discussed by the City Council. Mr. Crandall stated that the school has committed to
26 do all it can to promote safety. The Mayor could see the potential for motorists to use Frost Court.

27
28 Mayor Timothy asked if there are ever activities that the entire school participates in. Mr. Crandall
29 stated that activities tend to be more grade specific rather than involve the entire student body.

30

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1 The Mayor referred to a statement made about the trestle, which is a major corridor through the City
2 and on a one-lane road. The City struggled to get a traffic light there, which helps with priority
3 depending on what direction traffic is going. The City is trying to do a jurisdictional transfer so that
4 it will be under their control. The trestle is a problem and will continue to be. The City was working
5 to make it less of a problem. Mayor Timothy stated that the trestle is a \$5.5 million problem that will
6 not be solved easily. It was noted that crossing guards cost the City \$8,000 each per year and are the
7 responsibility of the City to provide.

8
9 Alan Jackson was hesitant about the traffic studies and felt that they should have gone further east
10 and west. He also wanted to see information about prestaging to prevent traffic problems from
11 occurring. There is only room to pre-stage 76 vehicles since all others are accounted for afterwards.
12 Jay Bertoch clarified that the Parametrix study addressed those issues.

13
14 Charles Allen from Parametrix reported that they were hired by the City to conduct an overall study
15 and were asked to look at long and short-term conditions. Part of the study was to consider the
16 impact of the charter school and focus on the a.m. and p.m. peak hours. The study identified two
17 points of concern. First, that the school's entrance and exit driveways are too close. Those can be
18 mitigated to some extent by restricting the exit driveway to right only. Second, the walk and bike
19 access is not ideal for a school location. The school has plans to add a sidewalk in front of their
20 property but the situation is tricky because other landowners are involved. In response to a question
21 raised, Mr. Allen stated that 14400 South is a collector but is not projected to have a significant
22 amount of growth to make it an arterial, which would be the next step.

23
24 James Wingate was most concerned about cars that are traveling westbound on 14400 South and
25 turning right in. He questioned how they will get back onto Redwood Road, especially during the
26 afternoon pickup. He recommended that the applicant speak with the Lions Club and see if they
27 would be willing to sell some property on the far west end of the park for an additional stacking lane.
28 Mayor Timothy stated that the City is in discussions with the Lions Club to purchase that parcel. It
29 was purchased previously from the Jordan School District for use as a future parking lot. If they were

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1 willing to provide an easement, the school would build the parking lot and use it for additional
2 parking/staging. For the purpose of tonight’s meeting he could not say for sure that that will happen.

3
4 Alan Jackson did not feel that the traffic study had adequately addressed the safety concerns
5 identified. It was stated that Frost Court needs to be protected and signage is necessary. It was
6 suggested that perhaps an officer should be assigned patrol to the school the first week of school at
7 the entrance. It was thought that a certain amount of training needs to occur. Mayor Timothy stated
8 that if approved, it will likely require one officer during the day.

9
10 Alan Jackson commented on cost and felt that bringing a school into the City is worth the cost. He
11 asked about the status of the roundabout. Mr. Reid stated that it is being designed currently. The
12 decision of whether to install it was up to the Council. The plan was to do it in conjunction with City
13 Hall. The traffic study identifies concerns with motorists making U-turns when forced to turn right.
14 Council Member Jackson was not sure that problem had been solved to his satisfaction.

15
16 Alan Jackson stated that developers have proposed uses in the area that would generate much less
17 traffic than the proposed school and have been turned away because of safety concerns.

18
19 Boyd Preece felt that safety must be the number one priority. He thought it was difficult for the
20 Council to deny the request without identifying the specific concerns. A citizen stated that an
21 animation would illustrate the concerns more accurately.

22
23 Mr. Petty asked if anyone had ever spoken to the Police Department about the issue and whether they
24 have concerns with safety issues. Officer Shane Taylor stated that the school will pose a problem in
25 terms of public safety. He acknowledged, however, that schools are a good thing for the community.
26 He commented that the volume will be double through the crosswalk, which will pose a major
27 problem. He estimated that two to three additional officers will be needed. He stated that these types
28 of things need to be considered. If there is a major accident, other resources will also be impacted.
29 The location of the intersection will severely impact the situation because of the proximity of the

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1 entrance and exit. Officer Taylor stated that he fields complaints on a daily basis and tries to resolve
2 traffic issues with the speed trailers and talking to people.

3
4 **Ty Nielsen moved to deny the request from the Summit Academy K-8, Bluffdale Campus**
5 **Charter School, based on safety issues involving the location of the crosswalks, the closeness of**
6 **the ingress and egress, and the impact to the intersection at 14400 South and Redwood Road.**
7 **Alan Jackson seconded the motion. Vote on motion: Alan Jackson-Aye, Ty Nielsen-Aye, Justin**
8 **Westwood-Nay, James Wingate-Aye, Boyd Preece-Nay. The motion passed 3-to-2.**

9
10 The following motion was made at the conclusion of the Closed Meeting held at the end of the
11 meeting.

12
13 **Ty Nielsen moved to reconsider the vote on the site plan application for Summit Academy K-8,**
14 **Bluffdale Campus Charter School, located at approximately 1930 West 14400 South at the next**
15 **City Council Meeting or as soon as possible on an as-needed basis. Alan Jackson seconded the**
16 **motion. Vote on motion: Alan Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, James**
17 **Wingate-Aye, Boyd Preece-Aye. The motion passed unanimously.**

18
19 **6. PUBLIC HEARING – Consideration and Vote on a Resolution Authorizing Eminent**
20 **Domain to Acquire Property for Noell Nelson Drive (1000 West), Staff Presenter,**
21 **Vaughn Pickell.**

22
23 Mr. Pickell reported that staff had been working on the Noell Nelson Drive project for some time in
24 an effort to purchase the property. Offers were extended last July but the City had not received a
25 signed offer. State law allows the City to exercise eminent domain for an authorized purpose, such as
26 building a road, and that just compensation be paid. To accomplish that, a notice of hearing must be
27 sent to the property owners and provide them with the required documentation from the property
28 rights, which has been provided to the property owners and their counsel.

29
30 Mr. Pickell had been in discussions with the owners and their counsel on several occasions and felt
31 they were very close with at least one of them. To date, however, they have no signed purchase

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1 agreement with any of the three property owners. The statute requires a hearing be held to allow the
2 property owners from whom they are seeking the property to be heard. It does not require a public
3 hearing but rather a hearing for the owners. The owners were identified as William J. Newman, Ron
4 Osborne Trucking, Inc., and Ronald G. Osborne. None of the owners were present.

5
6 Mayor Timothy opened the hearing for the property owners to give them an opportunity to speak on
7 the matter of eminent domain for the applicable properties. No one was present on behalf of the
8 property owners. Mayor Timothy closed the hearing.

9
10 Mr. Pickell described the process and explained that if the resolution is passed, the City is authorizing
11 the filing of an action of eminent domain against the property owners. The City would then become a
12 plaintiff and file a complaint in district court and deposit the appraised value after which the City can
13 make a motion for immediate occupancy and have an occupancy hearing soon thereafter. If the judge
14 grants occupancy, it would be determined to be a permissible use necessary under certain
15 preconditions for granting occupancy. The only remaining item at that time for trial would be the
16 valuation.

17
18 Mr. Pickell stated that the reasons an agreement could not be reached between the City and the
19 property owners was not related to money. He explained that if the property owners and the City
20 reach an agreement after the matter goes to court, the legal proceedings will be dropped.

21
22 **Ty Nielsen moved to approve a resolution authorizing Eminent Domain to acquire the**
23 **property necessary for Noell Nelson Drive (1000 West). Alan Jackson seconded the motion.**

24
25 Mr. Pickell stated that proceeding in this manner was not something he desired and he put it off
26 longer than perhaps he should have. It was noted that eminent domain is not something the City
27 takes lightly. To Mr. Reid's knowledge, this was the first time it has ever been done in Bluffdale.

28
29 **Vote on motion: Alan Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, James Wingate-**
30 **Aye, Boyd Preece-Aye. The motion passed unanimously.**

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1
2 **7. PUBLIC HEARING – Consideration and Vote on Amending the Allowed Uses Found in**
3 **Table 11-35-2 and Section 11-2-2 of the Bluffdale City Code to Allow Additional Land**
4 **Uses in the I-1 Light Industrial Zone, Derek Blaylock, Applicant, Staff Presenter, Paul**
5 **Douglass.**
6

7 Associate Planner, Paul Douglass, presented the staff report and stated that the applicant is the owner
8 of several properties in the I-1 zone. During a recent discussion with staff about business licensing
9 and potential tenants, staff became aware of the table’s omission of four uses. They include
10 automotive services, recreating and entertainment (indoor), personal instruction service, and printing
11 shops. Mr. Douglass noted that there are current non-conforming uses so amending the text would
12 help bring some of them into conformance and help with potential vacancies that exist. Staff did not
13 believe there was a specific reason for the uses to be excluded from the land use table and felt they
14 would be a good fit for the zone. Mayor Timothy commended staff for the creation of the table.

15
16 Mayor Timothy opened the public hearing. There were none who desired to speak. The public
17 hearing was closed.

18
19 **Justin Westwood moved to amend the allowed uses found in Table 11-35-2 and Section 11-2-2**
20 **of the Bluffdale City Code to allow additional land uses in the I-1 Light Industrial Zone, based**
21 **on the following:**

22
23 **Findings:**
24

- 25 **1. That the proposed amendments will allow for the efficient development of existing and**
26 **future industrially zoned property and will potentially decrease vacancy rates.**
- 27
28 **2. That the proposed amendments will bring any existing non-conforming automotive**
29 **service, printing shops, personal instruction service, or recreation and entertainment**
30 **(indoor) into zoning compliance.**
31

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1 **3. That the proposed amendments preserve the intent of the zoning ordinance for the I-1**
2 **Zone.**

3
4 **4. That the proposed amendments will not be detrimental to the health, safety, or general**
5 **welfare of persons or property within the community.**

6
7 **Ty Nielsen seconded the motion. Vote on motion: Alan Jackson-Aye, Ty Nielsen-Aye, Justin**
8 **Westwood-Aye, James Wingate-Aye, Boyd Preece-Aye. The motion passed unanimously.**

9
10 **8. PUBLIC HEARING – Consideration and Vote on a Site Plan Application for a**
11 **Proposed Equestrian Facility and Caretaker’s Dwelling to be Located at 14000 South**
12 **Loumis Parkway, Lyle and Sammy Barbour, Applicants, Staff Presenter, Paul Douglass.**

13
14 Mr. Douglass presented the staff report and stated that the applicant appeared before the Planning
15 Commission the previous week at which time they unanimously recommended approval. The parcel
16 was identified on a site map displayed. Mr. Douglass reported that currently there is an existing
17 home on the site. The proposed site plan includes a veterinary office, an indoor riding arena, horse
18 barn, and outdoor riding arena. The facility was proposed to be built in phases over the next few
19 years. It was noted that the caretaker dwelling was limited to 1,000 square feet in size.

20
21 Mayor Timothy opened the public hearing. There were no members of the public wishing to speak.
22 The public hearing was closed.

23
24 **Ty Nielsen moved to approve a site plan application for a proposed equestrian facility and**
25 **caretaker’s dwelling to be located at 14000 South Loumis Parkway subject to the following:**

26
27 **Conditions:**

28
29 **1. That the applicant submits a lighting plan for the site.**
30

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- 1 **2. That all plats comply with the Bluffdale City Engineering Standards and Specifications**
2 **and recommendations by the City Engineer and Public Works Department for all**
3 **relevant construction and plat drawings prior to the final plat recording of each phase.**
4
5 **3. That for each building permit submittal, the City requires a certification in the form of a**
6 **grading and drainage plan for each lot, stamped and certified by a professional**
7 **engineer. This should be submitted with the site plan and building permit. No building**
8 **permit shall be issued without this.**
9
10 **4. That after construction, before a Certificate of Occupancy is issued, the building shall**
11 **submit a certification by a Professional Civil Engineer that the lot was actually graded**
12 **according to the initial engineered plan and that no construction has interfered with that**
13 **plan.**
14
15 **5. That the single water share be continued as is for a R-1-43 as determined by the City**
16 **Attorney.**

17
18 **Justin Westwood seconded the motion. Vote on motion: Alan Jackson-Aye, Ty Nielsen-Aye,**
19 **Justin Westwood-Aye, James Wingate-Aye, Boyd Preece-Aye. The motion passed**
20 **unanimously.**

- 21
22 **9. Consideration and Vote on Preliminary and Final Subdivision Plat Application for Plat**
23 **Q-2A for 32 Townhomes including Common Areas and Associated Streets, located at**
24 **approximately 15200 South Heritage Crest Way, within the Independence Master**
25 **Planned Community, Edge Homes, Applicant, Staff Presenter, Jennifer Robison.**
26

27 Mrs. Robison presented the staff report and stated that since the original plat was presented, the
28 applicant changed the name of the subdivision to Iron Horse. The location of the site was shown on
29 the plat map displayed. Iron Horse Plat A consists of 32 units of the overall project of 97 total
30 townhome units within the Independence at the Point project. The Planning Commission reviewed
31 the site plan and recommended approval subject to the conditions set forth in the staff report. Parking

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1 issues were discussed. Mrs. Robison stated that adequate parking was provided throughout the
2 project.

3

4 **Ty Nielsen moved to approve the Iron Horse Preliminary and Final Subdivision Plat A subject**
5 **to the following:**

6

7 **Conditions:**

8

9 **Plat A**

10

11 **1. That all requirements of the City Code and adopted ordinances are met and adhered to**
12 **for each proposed plat.**

13

14 **2. That all plats comply with the Bluffdale City Engineering Standards and Specifications**
15 **and recommendations by the City Engineer and Public Works Department for all**
16 **relevant construction and plat drawings prior to the plat recording.**

17

18 **3. That the project adheres to all requirements of the International Fire Code.**

19

20 **4. That the plat specific CC&Rs, if applicable, are recorded with the final plats at the**
21 **County Recorder's Office for Iron Horse Plat A.**

22

23 **5. That all building permit submittals for homes have written or stamped approval from**
24 **the Independence Development Review Committee (IDRC), pursuant to the**
25 **requirements of the DA prior to being submitted to the City.**

26

27 **6. That all public park strips, landscaping, irrigation, and maintenance adjacent to the**
28 **project is the responsibility of the homeowner's association (HOA). Street trees are**
29 **required to be installed in the park strip adjacent to Heritage Crest Way in accordance**
30 **with the approved Independence Project Street Tree Plan.**

31

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1 **Site Plan**

- 2
- 3 1. That all requirements of the City Code, adopted ordinances, adopted building and fire
- 4 codes and DA requirements are met and adhered to for this subdivision.
- 5
- 6 2. That the plat specific CC&Rs are recorded with the Iron Horse Plat A final plat, prior
- 7 to the issuance of building permits for any dwelling unit within this site plan.
- 8
- 9 3. That all site plan features, building architecture and elevations, color scheme, fencing
- 10 detail, and landscaping shall adhere to the approved site plan and the conditions of the
- 11 IDRC approval.
- 12
- 13 4. That all landscaping, irrigation, and private open space maintenance is the
- 14 responsibility of the HOA.
- 15
- 16 5. That each applicant submits a landscaping phasing plan that illustrates minimum
- 17 landscaping installation around each constructed building and associated park strip
- 18 landscaping, prior to the final inspection for any constructed building or dwelling in the
- 19 project. The City Planner shall approve the landscaping phase plan and no Certificates
- 20 of Occupancy for any structure shall be issued unless all landscaping is installed
- 21 pursuant to the approved landscaping and phasing plan.
- 22
- 23 6. That any construction or land disturbance adjacent to Porter Rockwell Boulevard be
- 24 approved by the City Engineer prior to commencing any construction activities.
- 25
- 26 7. That if the developer desires to connect the City secondary water system within the
- 27 Independence Project, the developer shall provide adequate water shares to the City and
- 28 pay all required connection fees.

29

30 Alan Jackson seconded the motion. Vote on motion: Alan Jackson-Aye, Ty Nielsen-Aye, Justin

31 Westwood-Aye, James Wingate-Aye, Boyd Preece-Aye. The motion passed unanimously.

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1
2 **LOCAL BUILDING AUTHORITY OF THE CITY OF BLUFFDALE BOARD MEETING**
3

4 **1. Roll Call.**
5

6 All Members of the LBA Board were present.
7

8 **2. CONSENT AGENDA:**
9

10 **2.1 Approval of the December 9, 2015 Meeting Minutes.**
11

12 **Boyd Preece moved to approve the consent agenda. Ty Nielsen seconded the motion. The**
13 **motion passed with the unanimous consent of the LBA Board.**

14
15 **3. Training on Open and Public Meeting Laws, Staff Presenter, Vaughn Pickell. (LBA**
16 **Training held in conjunction with the Open and Public Meeting Laws Training).**
17

18 Mr. Pickell presented a training on Open and Public Meeting laws and stated that it is required
19 annually for every public body. He reported that the Open and Public Meetings Act defines a
20 meeting as the convening of a quorum of members to conduct any sort of business or to discuss any
21 matter. That includes workshops, field trips, and strategy and planning sessions.
22

23 Alan Jackson asked about a situation where a developer might invite the Council to a meeting when
24 they don't know who will be present. Mr. Pickell stated that that can be an issue because they could
25 conceivably do City business without proper notice or in the proper forum. Mayor Timothy stated
26 that it is the party's responsibility to know not to invite a Council Member to such a meeting and it is
27 the Council Member's job to walk away if a situation is inappropriate. Mr. Pickell explained that
28 public notices are provided for things that might not actually be meetings, such as parties.
29

30 Mr. Pickell reported that meetings include electronic meetings although accommodation must be
31 given for those who want to attend in person. The required notice is 24 hours, which has to be
32 written, and the date, time, and place of the meeting must be specified. The notice must also be
33 posted on a public meeting website and in the body's principal office and delivered to the newspaper.
34 Written minutes are required to be kept that include the date, time, and place of the meeting, who is

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1 present, and the substance of the matters discussed. Audio recordings are required except for off-site
2 visits and where a vote is required. Minutes must contain the voting record, the name of each person
3 who provided comment, and any other information that any member of the body asks to be included.

4
5 Written minutes are the official record of meetings and a procedure must be in place for approving
6 them. Mr. Pickell stated that that will be done at the next meeting. Minutes must be made available
7 to the public within a reasonable time and the audio recording must be available within three business
8 days. For closed meetings, a quorum must be present and two-third of the quorum must vote to go
9 into a closed meeting. A reason must be specified for the closed meeting. The reasons are specified
10 in the statute and include litigation strategies, real property acquisition, collective bargaining, and
11 security measures. A record must be kept of the reason for the closed meeting, the location, and the
12 record of those who voted to go into closed meeting. Another reason for a closed meeting is a
13 person’s character, professional competence, or health of an individual. For closed meetings, audio
14 recordings are required while minutes are not.

15
16 Mr. Pickell described violations of the Open and Public Meetings Act and stated that they can include
17 the ability of the court to void any of the actions taken. If the Act is knowingly or intentionally
18 violated, it is a criminal offense and can include prosecution.

19
20 **4. Adjournment.**

21
22 The LBA Meeting was adjourned.

23
24 **Ty Nielsen moved to next address the Planning Session. Alan Jackson seconded the motion.**

25 **The motion passed with the unanimous consent of the Council.**

26
27 The Council next address agenda item number 18 after which they addressed the agenda items as
28 printed.

29
30 **BLUFFDALE CITY REDEVELOPMENT AGENCY BOARD MEETING**

31
32 RDA Vice Chair, Ty Nielsen, assumed the Chair and called the meeting to order.

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1
2 **1. Roll Call.**

3
4 All Members of the RDA Board were present.
5

6 **2. CONSENT AGENDA:**

7
8 **2.1 Approval of the December 9, 2015, Meeting Minutes.**

9
10 Mayor Derk Timothy moved to approve the consent agenda. Justin Westwood seconded the
11 motion. The motion passed with the unanimous consent of the RDA Board.
12

13 **3. Training on Open and Public Meeting Laws, Staff Presenter, Vaughn Pickell, (RDA**
14 **Training held in conjunction with the Open and Public Meeting Laws Training).**

15
16 The above matter was addressed previously in the meeting.
17

18 **4. Consideration and Vote on a Resolution Appointing and Designating Officers of the**
19 **Redevelopment Agency Board, Staff Presenter, Vaughn Pickell.**

20
21 Mr. Pickell described the process of appointing and designating officers of the Redevelopment
22 Agency. The RDA consists of six members of the City Council who should select the Chair and Vice
23 Chair.
24

25 Mayor Derk Timothy moved to adopt RDA Resolution 2016-01 with Ty Nielsen serving as
26 Chair, Alan Jackson as Vice Chair, and Mark Reid as Secretary/Treasurer. Ty Nielsen
27 seconded the motion. The motion passed with the unanimous consent of the RDA Board.
28

29 **5. Adjournment.**

30
31 The RDA Meeting adjourned.
32

33 **CONTINUATION OF BUSINESS MEETING**

34
35 Mayor Timothy resumed the Chair.
36

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1 **10. Consideration and Vote on a Resolution Designating the Appointment of a Mayor Pro**
2 **Tempore for 2016, Mayor Derk Timothy.**
3

4 Mayor Timothy explained that the position of Mayor Pro Tempore fills the Mayor's position when he
5 is unavailable or refuses to act. He suggested that whoever is designated be appointed as his
6 Alternate COG Representative, which must be done by ordinance. That would allow the person
7 elected to vote in the Mayor's place in the Public Utilities Committee, the RGC, Trans Com, and the
8 Wasatch Front Regional Council. Bruce Kartchner served in that capacity for the last six years
9 during which time he only filled in for the Mayor on three occasions. Mr. Reid pointed out that most
10 of the meetings are held during the day in downtown Salt Lake City.

11
12 **Justin Westwood moved to pass a resolution appointing Alan Jackson as Mayor Pro Tempore**
13 **for 2016. Ty Nielsen seconded the motion. Vote on motion: Alan Jackson-Aye, Ty Nielsen-**
14 **Aye, Justin Westwood-Aye, James Wingate-Aye, Boyd Preece-Aye. The motion passed**
15 **unanimously.**

16
17 **11. Consideration and Vote on a Resolution Confirming the Appointment of Alternate**
18 **Representatives for the COG Committee, Mayor Derk Timothy.**
19

20 **Ty Nielsen moved to approve a resolution confirming the appointment of Alan Jackson as the**
21 **Alternate Representative on the COG Committee. Boyd Preece seconded the motion. Vote on**
22 **motion: Alan Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, James Wingate-Aye, Boyd**
23 **Preece-Aye. The motion passed unanimously.**

24
25 **12. Consideration and Vote on a Resolution Appointing an Individual to Represent the City**
26 **of Bluffdale on the South Salt Lake Valley Mosquito Abatement District Board, Mayor**
27 **Derk Timothy.**
28

29 Mayor Timothy reported that Heather Pehrson served previously as the City's representative. He
30 noted that there was a very little time between her resignation on the Council and her term ending
31 with the South Salt Lake Valley Mosquito Abatement District Board. As a result, the decision was

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1 made to wait until the new City Council is seated so that everyone has a say in who is selected. It
2 was reported that meetings are held quarterly during the day.

3
4 **Ty Nielsen moved to approve a resolution appointing James Wingate as Bluffdale’s**
5 **Representative on the South Salt Lake Valley Mosquito Abatement District Board. Boyd**
6 **Preece seconded the motion. Vote on motion: Alan Jackson-Aye, Ty Nielsen-Aye, Justin**
7 **Westwood-Aye, James Wingate-Aye, Boyd Preece-Aye. The motion passed unanimously.**

8
9 **13. Consideration and Vote on a Resolution Appointing Statutory Officers, City Treasurer**
10 **and City Recorder, Mayor Derk Timothy.**

11
12 Mayor Timothy stated that the above officers are appointed every municipal election cycle. He
13 recommended that Bruce Kartchner continue as City Treasurer and Wendy Deppe continue as the
14 City Recorder.

15
16 **Ty Nielsen moved to approve a resolution appointing statutory officers Bruce Kartchner as**
17 **City Treasurer and Wendy Deppe as City Recorder as stated in the resolution. Boyd Preece**
18 **seconded the motion. Vote on motion: Alan Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-**
19 **Aye, James Wingate-Aye, Boyd Preece-Aye. The motion passed unanimously.**

20
21 With regard to the City Treasurer position, Mayor Timothy’s thought was that eventually the City
22 Treasurer will become the Finance Director. Mr. Reid commented that it was probably a position the
23 City should have filled a few years ago. The City continues to utilize the services of Contract
24 Accountant, Dave Sanderson, but eventually he will have to be phased out and someone hired full-
25 time. Mayor Timothy commented on success the City has had by bringing on a City Engineer and a
26 City Attorney. He felt that being proactive is extremely important. Having a Finance Director in
27 house would mean having someone looking after the City’s financial position and being involved in
28 the daily operations. He envisioned the Finance Director helping the City Manager as well. The
29 Mayor recommended the City bring on a Finance Director as soon as possible.

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1 **14. Consideration and Vote on a Resolution Amending the Bluffdale Employee Policies and**
2 **Procedures Manual Related to Appointed Positions, Staff Presenter, Vaughn Pickell.**
3

4 Mr. Pickell reported that the Policies and Procedures Manual was proposed to be amended so that the
5 Treasurer is classified as a Tier 2 full-time eligible employee. Mr. Reid clarified that full-time
6 eligible is a definition in the State Retirement policy. The Treasurer would be a part-time employee
7 but eligible for retirement. Mr. Pickell explained that the policy is drafted so that all appointed
8 officials in the City are in that category. One other change was proposed to the list of exempt
9 positions. Because there was no City Attorney when the manual was drafted, it was listed as an
10 exempt employee.

11
12 **Ty Nielsen moved to approve a resolution amending the Bluffdale Employee Policies and**
13 **Procedures Manual related to appointed positions. Alan Jackson seconded the motion. Vote**
14 **on motion: Alan Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, James Wingate-Aye,**
15 **Boyd Preece-Aye. The motion passed unanimously.**

16
17 **15. Training on Open and Public Meeting Laws, Staff Presenter, Vaughn Pickell. (LBA and**
18 **RDA Open and Public Meeting Laws Training held in conjunction).**
19

20 The above matter was addressed previously.
21

22 **16. Mayor's Report.**
23

24 Mayor Timothy commented on a recent discussion with UDOT and stated that another meeting is
25 scheduled for the following Tuesday. The Mayor and the City's Lobbyist, Greg Curtis, spoke to
26 UDOT and characterized it as the most effective discussion they have had thus far with regard to the
27 jurisdictional transfer. Because the bridge to cross the Jordan River is so expensive, there is no way
28 the City can pay for it alone or with Wasatch Front Regional Council. As a result, the City needs
29 federal or state help. The City has been in discussions with its U.S. Representative but being that she
30 ran on a campaign of not being in favor of earmarks, he had not had a favorable response. The
31 Mayor thought the most viable option was to do the jurisdictional transfer with the state and get on
32 the state system and the Transportation Committee's radar and get on the priority list for funding.

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1 The Mayor was concerned that the City won't make the best deal possible in which case they would
2 lose future capital in their discussions. He agreed to update the Council on the details of the
3 discussion that takes place and get their feedback on how to proceed.

4
5 The Mayor reported that he has been working for the past six years to get on the Public Utilities
6 Committee, which votes on Corridor Preservation Funds. He commended the other mayors for
7 seeing the vision of Porter Rockwell Boulevard and expressing that in their voting. Mayor Timothy
8 serves on the Regional Growth Committee, which provides long-term financing for transportation.
9 He explained that every four years the long-term transportation plan is updated and voted on. It was
10 most recently done in May of 2015. He wanted to make sure that Porter Rockwell Boulevard stays
11 where it is going forward. Being on Phase 1 does not mean that financing will be received within the
12 next four years but it does mean that funding can be applied for. Short-term funding is also available
13 in the amount of \$40 million per year for transportation. The Mayor stated that that is a difficult list
14 to get on to. He noted that he is now on that committee, which will be advantageous. He also serves
15 on the Salt Lake Valley Conference of Mayors (COM), which is an informal meeting just for mayors.
16 There is no agenda and nothing official is voted on.

17
18 The Mayor next addressed the Council of Government, which is an official body where members
19 vote. All of the different committees that go through COG take action on the recommendations made
20 by the various committees. He also serves on the Military Installation Development Authority
21 (MIDA), which is an appointment by the governor. Meetings are held in Kaysville and are the way
22 local governments interface with the military. Mr. Reid remarked that it is a difficult committee to
23 influence because most of the mayors are from up north. With regard to regional transportation, the
24 Wasatch Front Regional Council Board covers five counties so there are many people who want to
25 serve there. Mayor Timothy serves on that board as well.

26
27 **17. City Manager's Report and Discussion.**

28
29 Mr. Reid reported that the Legislature will soon be in session and accordingly, the Legislative Policy
30 Committee (LPC) had its first meeting the previous Monday. It was noted that the LPC highlights

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1 the issues that are addressed. One of the issues that is getting a lot of attention is body cams for
2 police. The City’s representative is putting forth a bill that many are not happy about. Mayor
3 Timothy stated that there are three bills proposed so far. Mr. Reid indicated that the League of Cities
4 and Towns has not decided which one to support, if any. The police chiefs feel this is something they
5 should regulate themselves and not deal with control from the Legislature. Mr. Reid reported that the
6 City has three votes on the LPC. Currently, Mr. Reid is the only City representative who attends
7 those meetings. He stated that others could also attend. Meetings are held every Monday while the
8 Legislature is in session at the Capitol at 11:30 a.m.

9
10 Mr. Reid reported that the three large pine trees out in front of the fire station that used to be across
11 the street in the park had been moved. Many of the healthier smaller trees had also been moved.

12
13 Mr. Reid reported that the site plan for the New City Hall will be presented at the next meeting along
14 with the rezoning for the footprint. The branding questionnaire is currently available. With regard to
15 electronic devices, Mr. Reid stated that each Council Member was given an allowance of \$2,000 to
16 be used toward the purchase of a desired device that is expected to last for the next four years.

17
18 With regard to the Fire Station, Mr. Reid stated that funding is available that comes via impact fees.
19 The current Fire Station continues to be paid off using impact fees. When a new one is built, the City
20 will likely bond and commit sales tax to it and pay it off with impact fees as they are received.

21
22 **PLANNING SESSION**

23
24 **18. Discussion of 14-Acre Site, located at 550 West 14600 South, Brian Christensen, Simple**
25 **Products Corporation, Jason Hagblom and Jaden Malan, Industrial Properties.**

26
27 Brian Christensen from Simple Products gave an overview of their proposal. He explained that
28 Simple Products is a manufacturer and distributor of LED lighting projects, primarily flashlights.
29 They are looking to relocate from Sandy to Bluffdale and have researched the areas and looked at
30 properties both north and south of the Point of the Mountain. They are interested in the subject
31 property in Bluffdale and thought it was a good place for the type of structure they are proposing to

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1 be built. They are interested in acquiring additional property adjoining the subject parcel. The
2 applicants met with UDOT and the DRC, conducted a market study, completed Phase 1 of their
3 environmental site assessment, and prepared the plans based on the acquisition of adjacent property.
4 Plan B shows an alternative in the event they cannot acquire the additional property.

5
6 Mayor Timothy reported that originally when the City determined that they wanted to reserve the
7 corner, it was because they wanted the property for the turn onto the freeway and make it the primary
8 U-turn. He noted that that was before they knew the prison was relocating. Because the prison will
9 be gone within five years, he was confident that it will go straight through because a new interchange
10 is being built at 600 West and Bangerter and this road points right to it. The traffic counts off of
11 Porter Rockwell Boulevard will be so high that the interchange at 14600 South will eventually not be
12 able to accommodate the traffic. The 2040 Transportation Plan with the Wasatch Front Regional
13 Council contemplates fly overs at the interchange between Bangerter and I-15, which will better
14 handle the traffic. In his mind, everything pointed to this road going straight through. If they decide
15 to plan for the curve in case they will build a shoddy corner that would have been good if they would
16 have known. For the City, to pursue the road going straight is a better option. Mayor Timothy stated
17 that when the property is sold, the money will go back to COG through the Public Utilities
18 Committee because they paid for the City to buy the property.

19
20 Mr. Christensen commented that they are considering Option A because it is a much better option. In
21 looking at the property the City owns, there are slivers that start at the bottom and another at the top.
22 He stated that the majority of the property is not usable unless it is attached to the subject property.
23 The City owns 3.4 acres and the actual usable portion is 1 ½ to 2 acres. If they acquire it, they can
24 use the entire parcel. Mr. Christensen explained that the type of facility they are looking to construct
25 is in an area that is mixed use and commercial mixed use. They are proposing to change the area
26 shown in red and amend the text for the project plan to allow the intended uses. He noted that they
27 are ready to build as soon as they can get the plan approved. The type of property they are looking to
28 build is well suited for the area as it grows and can become more retail oriented.

29

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1 Mr. Crowell agreed with the Mayor that the plans are pointing toward a road going north, however,
2 there is a six-month old record of decision from the Highway Administration that has it going another
3 way. That would need to be codified through UDOT's own processes. It would be difficult for the
4 City to predict what kind of right-of-way should be preserved for a road and drainage.

5 Mr. Christensen stated that their timing is short because they are consolidating five locations into one.
6 They have leases to deal with and a 1 ½ year time frame. They hope to get some resolution. He
7 commented that if the road curves with Plan B he would be happy to move forward with it as soon as
8 possible. His concern was if the road goes straight and they have a parcel that is built out.

9
10 Mr. Crowell stated that realistically the City is a few years away from knowing what the property
11 needs will be. There had been a lot of discussion about scenarios involving what might go to the
12 north but it was not evaluated. The Mayor stated that there was some discussion of extending the
13 Environmental Impact Study through Draper but he did not know if it would be straight or curved and
14 the study stopped at the City boundary. Both options, however, were still included. Mr. Crowell
15 stated that the area was planned as retail because the Independence project as a whole over time has
16 pushed retail to the periphery and less was available for future residents. If staff knows what
17 direction the Council wants to go in terms of land uses, they can work with their attorney to prepare a
18 draft.

19
20 Justin Westwood liked what they had planned with the road going straight with the condition that it is
21 their road. If the applicants are on board with it going straight, he would support it. Mayor
22 Timothy's recollection was that the next meeting with Carlos was scheduled for January 19 at which
23 time they will discuss the jurisdictional transfer. Mayor Walker was given a deadline to let him know
24 which option Draper City prefers. His deadline was prior to Mayor Timothy's meeting with Carlos.
25 He expected to know more by noon on Tuesday.

26
27 Jason Hablom from New Market Commercial Real Estate stated that he specializes in industrial flex.
28 He was asked to look at the property and give his opinion on it eventually becoming a grocery

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1 store/gas station/restaurant. He was told that it was at least 10 years out. If that type of development
2 could be supported, it would have already occurred east of I-15.

3
4 Mr. Reid stated that in looking at the site, Porter Rockwell and 14600 South have four good corners,
5 assuming that Porter Rockwell goes up to 600 North. They have three and Draper has one. Two of
6 the City's other sites have a canal running through the prime area. As a result, this is their only
7 corner on Porter Rockwell and it is the only site with the potential for what is being considered.

8 Mr. Crowell stated that it is also in the EDA, which includes a retail project.

9
10 Mr. Christensen stated that the original designs were more suited to light industrial. They actually
11 shrunk the size of the buildings to encourage retail and to occupy them more quickly. They
12 accomplished that by adding smaller parcels. A question was raised about what would encourage the
13 future owner to allow the area to be retail. Mr. Christensen noted that retail rents are much higher.
14 He stated that filling the space up was not an issue. He explained that rates have increased
15 significantly in Draper and Sandy with up to a 20% increase. They feel that this is the type of retail
16 that is popular now and will grow over time. Mr. Christensen reported that they are only under
17 contract to purchase the property and if they cannot move on this property they will have to go
18 elsewhere. Mr. Christensen hoped to locate in Bluffdale and for the project to go forward.

19
20 Mayor Timothy acknowledged that the applicants have a timeline and if the City is not interested in
21 Plan A, he would not want to approach UDOT about it. All of the Council Members, with the
22 exception of Boyd Preece, expressed support for Plan A. If there is a curve, all of the Council
23 Members agreed with Plan B with a decision to be given to Mr. Christensen by January 19.

24
25 James Wingate commented that in conjunction with his job at Blue Stakes, excavators contact them
26 to request that sites be marked for utility digging. A call was received recently from a contractor who
27 gave a road name in Heritage Crest. They did not have the street on the map data so he searched
28 through the plats he had received from the Planning Commission without success. It was ultimately
29 determined to be a different road and the road names had changed. Council Member Wingate

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1 suggested that a mechanism be put in place to ensure that road name changes are disseminated
2 properly. He proposed that Mr. Reid direct Mr. Fazio’s team to update the map data used by VECC
3 for 911 as soon as the plat records. He felt it was a liability issue for the City to have a plat that has
4 been recorded for several weeks and still not have the map data available for 911 responders.

5
6 Boyd Preece addressed possible solutions for the mink farm. Mayor Timothy stated that the matter
7 has been discussed in the past but it has not been something the City Council was willing to do.

8
9 Justin Westwood commended the Public Works Department for their snow plowing efforts. He did,
10 however, receive complaints from a few citizens about Rock Hollow Drive and the newer part of the
11 City. A homeowner on two occasions had his sod and sprinklers damaged. It was recommended that
12 a solution be reached to prevent damage in the future. Mr. Reid asked for specifics on the location of
13 the damage.

14
15 Mayor Timothy commented on the future 911/CAD/record keeping and stated that cities within the
16 County have come together and agreed to go to one system. All either use Versaterm or Spillman
17 with the exception of Draper who is on Fatpot. The County put out an RFP thinking that one of the
18 major companies would get the low bid, which was not the case. The County narrowed it down to
19 two systems, which are much more advanced than what is currently being used. Details of the
20 proposed systems were described. Mr. Reid asked that when the conversion takes place that
21 Bluffdale City be allowed to go last since about the same time the City will have its own police force
22 in place and will want the dispatch system set up.

23
24 With regard to police services, Mr. Reid reported that there are three officers on duty during the day.
25 There is also a detective and a sergeant on staff. Alan Jackson was glad to see the City move quickly
26 toward self-providing. Mayor Timothy agreed and stated that the City’s relationship with Saratoga
27 Springs has been a good one that will be maintained to provide back up in the future.

28

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1 19. **Closed Meeting Pursuant to Utah Code §52-4-205(1) to Discuss the Character,**
2 **Professional Competence, or Health of an Individual, Collective Bargaining, Pending or**
3 **Imminent Litigation, Strategies to Discuss Real Property Acquisition, Including Any**
4 **Form of a Water Right or Water Shares, Security Issues, or any Alleged Criminal**
5 **Misconduct.**
6

7 James Wingate moved to go into Closed Session pursuant to Utah Code §52-4-205(1) in regard
8 to pending or imminent litigation. Alan Jackson seconded the motion. Vote on motion: Alan
9 Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, James Wingate-Aye, Boyd Preece-Aye.

10 The motion passed unanimously.

11
12 The City Council was in closed session from 12:41 a.m. to 1:25 a.m.

13
14 20. **Adjournment.**
15

16 The City Council Meeting adjourned at 1:25 a.m.
17
18
19

20
21 _____
22 Wendy L. Deppe, CMC

23 City Recorder:

24 Approved: _____

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**BLUFFDALE CITY COUNCIL
CLOSED MEETING MINUTES
Wednesday, January 13, 2016**

1 **Present:** Mayor Derk Timothy
2 Alan Jackson
3 Ty Nielsen
4 Justin Westwood
5 James Wingate
6 Boyd Preece
7

8 **Staff:** Mark Reid, City Manager
9 Vaughn Pickell, City Attorney
10 Grant Crowell, City Planner/Economic Development Director
11 Wendy Deppe, City Recorder
12

13 At approximately 12:41 a.m. Mayor Derk Timothy called the meeting to order.
14

15 **Motion:** James Wingate moved to go into Closed Meeting pursuant to Utah Code §52-4-205(1) to
16 discuss pending or imminent litigation.
17

18 **Second:** Alan Jackson seconded the motion.
19

20 **Vote on Motion:** Alan Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, James Wingate-
21 Aye, Boyd Preece-Aye. The motion passed unanimously.
22

23 Pending or imminent litigation issues were discussed.
24

25 The City Council returned to the City Council chambers to resume the open portion of the meeting
26 at 1:25 a.m.
27
28
29
30

31 _____
32 Wendy L. Deppe, CMC
33 City Recorder

34 Approved: _____



**SPECIAL BLUFFDALE CITY COUNCIL
MEETING AGENDA
Tuesday, January 19, 2016**

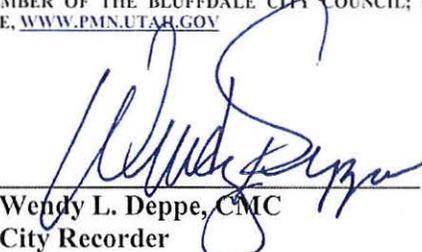
Notice is hereby given that the Bluffdale City Council will hold a meeting Tuesday, January 19, 2016 at the Bluffdale City Fire Station, 14350 South 2200 West, Bluffdale, Utah scheduled to begin promptly at **6:30 p.m.** or as soon thereafter as possible. Notice is further given that access to this meeting by the Mayor and or City Council may be by electronic means via telephonic conference call.

BLUFFDALE CITY COUNCIL BUSINESS MEETING 6:30 P.M.

1. Roll Call, Invocation, Pledge of Allegiance*
2. Reconsideration of the following application – Site Plan Application for Summit Academy K-8 Bluffdale Campus Charter School, located at approximately 1930 West 14400 South, Pace CM, applicants.
3. Closed meeting pursuant to Utah Code § 52-4-205(1) to discuss the character, professional competence, or health of an individual, collective bargaining, pending or imminent litigation, strategies to discuss real property acquisition, including any form of a water right or water shares, security issues, or any alleged criminal misconduct (if needed).
4. Adjournment

Dated this 14th day of January, 2016

I HEREBY CERTIFY THAT THE FOREGOING NOTICE AND AGENDA WAS FAXED TO THE SOUTH VALLEY JOURNAL, THE SALT LAKE TRIBUNE, AND THE DESERET MORNING NEWS; POSTED AT THE BLUFFDALE CITY HALL, BLUFFDALE CITY FIRE STATION, AND THE COMMUNITY BULLETIN BOARD AT THE BLUFFS APARTMENTS; EMAILED OR DELIVERED TO EACH MEMBER OF THE BLUFFDALE CITY COUNCIL; ON THE CITY'S WEBSITE AT WWW.BLUFFDALE.COM AND ON THE PUBLIC MEETING NOTICE WEBSITE, WWW.PMN.UTAH.GOV


Wendy L. Deppe, CMC
City Recorder

In compliance with the American with Disabilities Act, individuals needing assistance or other services or accommodation for this meeting should contact Bluffdale City Hall at least 24 hours in advance of this meeting at 801-254-2200. TTY 7-1-1. *Contact the City Recorder if you desire to give the Invocation.

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**SPECIAL BLUFFDALE CITY COUNCIL
MEETING MINUTES
Tuesday, January 19, 2015**

1 **Present:** Mayor Derk Timothy
2 Alan Jackson
3 Ty Nielsen
4 Justin Westwood (Via Teleconference)
5 James Wingate
6 Boyd Preece
7

8 **Staff:** Mark Reid, City Manager
9 Vaughn Pickell, City Attorney
10 Blain Dietrich, Public Works Operations Manager
11 Michael Fazio, City Engineer
12 Grant Crowell, City Planner/Economic Development Director
13 Jennifer Robison, Associate City Planner
14 Paul Douglass, Associate City Planner
15 Wendy Deppe, City Recorder
16

17 **Others:** Jeremy Searle, Hales Engineering
18 Ryan Hales, Hales Engineering
19 Tyler Bodrero, Academica West
20 Josh Jensen, Silver Peak Engineering
21 Derek Blaylock
22 Steve Crandall, Summit Academy President
23 Scott L. Sackett, Young Hoffman, LLC
24 Connie Pavlakis, Planning Commission Member and Resident
25

26 **BLUFFDALE CITY COUNCIL BUSINESS MEETING**
27

28 Mayor Derk Timothy called the meeting to order at 6:30 p.m.
29

30 **1. Roll Call, Invocation, and Pledge.**
31

32 All Members of the City Council were present.
33

34 Michael Fazio offered the invocation.
35

36 Randy Wall led the Pledge of Allegiance.
37

38 **2. Reconsideration of the Following Application – Site Plan Application for Summit**
39 **Academy K-8 Bluffdale Campus Charter School, Located at Approximately 1930**
40 **West 14400 South, Pace CM, Applications.**
41

42 Tyler Bodrero from Academica West presented changes made to the site plan that was previously
43 considered at the January 13, 2016 meeting. At that meeting there was extensive discussion of the

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1 studies that were conducted and mitigation efforts that were incorporated into the site plan to
2 address traffic concerns. After discussing the issues in greater detail, changes were made to the
3 site plan. The changes consisted of the following:

- 4
- 5 • Moving the entire footprint of the school to the north. The shift allowed for additional on-
6 site stacking and an additional fourth lane in the pickup/drop off area. This was done in an
7 effort to accommodate additional on-site vehicular traffic. Although multiple studies were
8 conducted, looking long term at the maximum number of students at build out, the addition
9 was added to ensure that there is additional on-site stacking.
- 10
- 11 • The right hand out only movement was modified to include additional signage that would
12 be more conducive to the flow of traffic.

13

14 With the proposed changes, Mr. Bodrero stated that the site can accommodate an additional 45
15 cars. He noted that it does not include parking or school children that will be bussed or walk to
16 school.

17

18 Mayor Timothy opened the public hearing.

19

20 Connie Pavlakis gave her address as 14469 South Frost Court and clarified that she is not opposed
21 to the school but commented on public safety and traffic issues. She felt that staff had not
22 protected the citizens and like the applicants, the citizens have rights too. She focused on the
23 following:

- 24
- 25 1. Off-site parking. She asked to be provided with the Off-Site Parking Plan.
- 26
- 27 2. Traffic flow. She commented that the study was incomplete and does not address the
28 afternoon pick up.
- 29
- 30 3. Public Safety Analysis. She felt it was in the best interest of the citizens to obtain a Public
31 Safety Analysis from the City's Public Safety officials to determine what the impact will
32 be.

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1
2 Mrs. Pavlakis considered the above to be the three key components yet no information was
3 provided. She stated that there are many options that can be explored and commented that
4 concerned citizens had very little time to prepare for tonight’s meeting. Mrs. Pavlakis informed
5 the Council that Representative Dan McKay indicated that he would be happy to speak to UDOT
6 to help with an access to Redwood Road. She stated that great effort was put into compiling
7 information to present to the Council and a group of citizens used their own funds to hire an expert
8 to look at the issues that they believe have been overlooked.

9
10 Scott Sackett from the law firm of Young & Hoffman, LLC, was asked by a group of residents to
11 address the Council. The citizens hired Engineer, Bruce Reading, who briefly reviewed the
12 Traffic Impact Study. Revisions were made to the numbers that had not yet been reviewed due to
13 lack of time. Mr. Sackett referenced a letter from his firm describing the City’s legal ability to
14 impose standards on the school. With regard to safety and traffic circulation, the Utah Legislature
15 determined that municipalities are allowed to impose standards. As a general rule, schools are
16 subject to land use ordinances but there are specific limitations.

17
18 Mr. Reading’s memo identified a number of areas in the traffic study that he believed to be
19 inconsistent or deficient. Mr. Sackett stated that the traffic study from the outset has relied on
20 inconsistencies. A trip generation number of 0.65 was identified yet there was nothing in the
21 manual used to obtain those numbers or anything directly relating to charter schools. The engineer
22 indicated that a figure more in line with a private school would be more appropriate. A 2.19
23 student per vehicle ratio was calculated that specifically identifies charter schools in the state. If
24 that number is applied to the proposed 1,000 students, the result is 456 vehicles. Mr. Sackett
25 stated that that should have been the number upon which the study was based from the beginning,
26 which it was not. As a result, the numbers set forth in the traffic study, regardless of additional
27 on-site parking, do not take into account the 456 vehicles.

28
29 Mr. Sackett next addressed queuing and stated that the nature of a charter school is unique in that
30 parents arrive early, park, and wait for students. The proposed school will exclusively use the
31 queue since it will primarily be commuter based. Mr. Reading recommended in his memo that at

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1 the very least, additional study be done. Mr. Sackett stated that that is something the City is
2 allowed to ask for based on the more accurate figures not provided previously. Mr. Reading
3 offered to meet with the Council the following Thursday evening to fully address the issues
4 presented in his memo. At a very minimum, the traffic study was based on improper figures and
5 should be remanded.

6
7 Mr. Sackett displayed photos of another charter school in the area that can accommodate
8 approximately 60 vehicles in their queue, which is less than Summit Academy. The pickup,
9 however, is only 400 students, while Summit is planning for 2 ½ times as many students. In the
10 photo cars are backed up 0.3 miles. The line starts at 2:40 p.m. in the roadway and remains until
11 3:25 p.m. Mr. Sackett pointed out that they have a very good flow. There are 15 teachers assisting
12 with pickups and drop offs. He used this as an example of what a school of only 400 students can
13 do in terms of backup. The same was true for several other charter schools in the area.

14
15 Scott Pavlakis gave his address as 14469 South Frost Court and explained that he has five years of
16 experience picking up students at different schools and has seen how traffic backs up. He stated
17 that it is the City Council's job to keep Bluffdale safe. He suggested that the school be forced to
18 resolve the problem and he expressed concern with safety if approval is granted.

19
20 Connie Robbins gave her address as 14455 South 2585 West and stated that last Friday she filled
21 out a GRAMA request for reports and information from the City. She asked for information on
22 police calls near Summit Academy in Bluffdale and the number of times the police have been
23 called there. She stated that the police have indicated that they go there five times a day to address
24 various traffic issues. She was informed by a member of City staff that it would take a long time
25 to compile the information requested and that it would be available prior to tonight's meeting.
26 Ms. Robbins was also informed that she would be charged for time and materials involved in
27 obtaining the requested information. She expressed concern with taxpayer money being spent on
28 the request.

29
30 Mont Robbins gave his address as 14455 South 2585 West and turned his allotted time to
31 Mr. Sackett. Mr. Sackett reported that a peer review was conducted by Parametrix who said that

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1 the school will create a safety issue. That was compounded by the fact that 14400 South is a
2 single lane roadway in each direction with very narrow shoulders. As motorists stack up in the
3 queues, they often get impatient and do things to avoid delay. This can include dropping children
4 off in unsafe situations and making illegal U-turns. None of that was analyzed by the City.
5 Mr. Sackett further stated that the traffic recommendations contained on page 17 were never
6 included in the Council packet.

7
8 Carey Palmer gave his address as 2432 West Bridle Meadow Circle asked if an environmental
9 study was taken into account that analyzed the impact of 700 idling cars while waiting to pick up
10 students. He also noted that students will come from other areas to attend the charter school.

11
12 Nate Cottle gave his address as 941 West Grizzly Wulff Drive. He reported that he moved to
13 Bluffdale from Oklahoma where there was a school similar to the one proposed with one way in
14 and one way out. The road that the school was on was five lanes wide with two lanes in either
15 direction plus a turn lane in the middle. He picked his children up for four years from the school
16 and traffic was blocked in both directions. He characterized it as a terrible experience to go
17 through every day. He stated that those who are turning right will go down the street and make a
18 U-turn to head the other direction. Other schools also get out at similar times which will further
19 exacerbate the situation. The Summit Academy campus on the opposite side of the City causes a
20 lot of traffic east and west and creates issues. He did not think Bluffdale should become home to
21 all charter schools in the valley. He recommended the request comply with the City's guidelines
22 and safety issues. Mr. Cottle asked that the Council consider that there will be children walking to
23 other schools in the same area and recommended that all of the points raised be considered.

24
25 Richard Wilcox gave his address as 2004 West 14200 South and voiced his support for
26 Mrs. Pavlakis and others who have warned about potential problems.

27
28 Becky Parry gave her address as 1972 West 14400 South, next door to the proposed school. She
29 did not want to have to wait for cars to get in and out of her property. She did not support the
30 proposal and did not want traffic in front of her home.

31

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1 Wendy Cottle gave her address as 941 West Grizzly Wulff Drive and commented on the proposed
2 site of the New City Hall Building, which will create even more traffic.

3
4 Ulises Flynn gave his address as 15192 South Skyfall Drive and felt that traffic issues need to be
5 addressed in greater detail. He expressed concern with adding additional travel to 14400 South.
6 He also suggested that the City look at an alternate location for the school.

7
8 Judy Dudley gave her address as 2590 West 14400 South and stated that when she left the last
9 meeting, the plan had been denied. She did not see any of the details being disseminated to the
10 public. Many citizens she had spoken to were astounded by what was taking place. As a citizen
11 she wanted to know what was going on. She stated that the citizens voted the Council in to office
12 and they are supposed to represent the community. None were opposed to the school but have
13 concerns about safety and how their way of life will be impacted. Ms. Dudley was of the opinion
14 that the proposed school will negatively impact every citizen because it is on a major
15 thoroughfare. She urged the Council to not make a vote behind doors again but to vote in public
16 so that the citizens know what is going on in the City.

17
18 Steve Crandall gave his address as 1935 Rock Hollow Road and identified himself as the Director
19 of Summit Academy Charter Schools. He stressed that safety is of utmost importance to them as
20 is the impact on the neighborhood and the City. They do what they can to be good neighbors and
21 good citizens. Mr. Crandall reported that the traffic study was done for 1,000 students and did not
22 include statistics on bussing, which will serve approximately 120 students.

23
24 Louis Jones gave his address as 2888 West 15250 South and observed that all of the comments
25 have been negative. He stated that typically the public takes the worst charter school in the valley
26 and uses it as a model from which to make their assessments. He stated that currently his children
27 attend a charter school that is very well run and the wait is minimal. He expressed support for
28 charter schools overall. He preferred the proposed school rather than another overcrowded
29 district-run school. Mr. Jones acknowledged that the community is growing and schools will be
30 needed. He suggested that the City give a little and allow the school to proceed.

31

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1 Amanda Pay gave her address as 1382 West Black Wulff Circle and reiterated what she had heard.
2 She stated that the existing Summit Academy did a lot to accommodate the desires of citizens.
3 Her children currently attend Summit Academy and she sees how well they address safety every
4 day. Recently the principal sent letters out to parents urging them to not park on the street because
5 it is not safe. She stated that Summit does its part to address issues and problems. Ms. Pay stated
6 that several families that she knows would love for the school to locate in Bluffdale.

7
8 Don Rosenkrantz gave his address as 3526 West 14400 South and suspected that the school has
9 done a good job of obtaining as much parking as they can in the area. He, however, did not
10 believe that was the most significant issue since most of the traffic is drop and go. He stated that
11 parking concerns will most likely arise during events at the school at which times cars will park on
12 the street. He recommended the applicants work with the church that is nearby and make
13 arrangements for parents to park there during events rather than on the street.

14
15 Erik Swanson gave his address as 751 West Star Spangled Drive and pointed out that the two most
16 important things that a growing community like Bluffdale needs are schools and roads. He
17 acknowledged that there is a critical need for schools in the City. His children all go to Summit
18 Academy and he urged the Council to put the need for schools on the same level as traffic
19 mitigation. He urged both parties to reach a compromise.

20
21 Mark Hales gave his address as 1651 West 14600 South identified himself as an Attorney and
22 Land Use Planner. His child attends Summit Academy, which prolongs his commute each
23 morning. He noted that the railroad trestle is a hassle. He felt that the proposed school is needed
24 and noted that he has never had a problem picking up or dropping off at Summit Academy.

25
26 Randy Wall gave his address as 1973 West 14400 South and felt that the additional solutions are
27 beneficial but more options need to be considered. He thanked the Council for all they do and
28 urged both parties to continue working to reach a solution.

29
30 Roger Cottle gave his address as 963 West White Wulff Drive and stated that location is the most
31 important issue. He had nothing against the proposed school but was concerned about it being on

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1 a main thoroughfare that ties together both sides of the City. He recommended the school be built
2 in a different location.

3
4 Kimberly Graham gave her address as 2075 Oak Point Drive and was concerned about the safety
5 of children who walk to school. She stated that the sidewalks are small, mailboxes obstruct the
6 walkway, and there are no crossing guards.

7
8 Jack Asay gave his address as 2039 West 14400 South and stated that he has lived in Bluffdale for
9 31 years. Traffic has gotten bad on 14400 South and he asked when it will be widened. City
10 Manager, Mark Reid, stated that it is scheduled for 2018. Mr. Asay turned the remainder of his
11 time over to Scott Sackett. Mr. Sackett pointed out that the photos were not the worst-case
12 scenario and were taken at a very good charter school. Traffic and safety were identified as the
13 most important issues. He emphasized that it would be unacceptable for traffic to impact
14 Redwood Road. With regard to parking in the church parking lot, Mr. Sackett stated that private
15 property owners cannot secure parking for the school and the fact that it is available is irrelevant.

16
17 Mrs. Pavlakis relayed a conversation she and Kimberly Graham had with a crossing guard who
18 crossed on Redwood Road. She reported that she had three children to cross but she never crossed
19 them all together. She was happy about that because the light barely gave her enough time. If that
20 is the case, Mrs. Pavlakis suggested that the length of time at the traffic lights be increased.

21 Mayor Timothy had heard the same complaint and spoke to UDOT about it. He clarified that if
22 the button is pushed, more time is allotted to cross. Mrs. Pavlakis hoped the Council would table
23 the matter to give the professionals retained by the citizens more time to review the issue.

24
25 Stephanie Tuttle gave her address as 2179 West Oak Point Drive and was very concerned about
26 the impact the school will have on the City. She cares about the rural character of the City and
27 enjoyed her one-acre lot. She wanted the residents' voices to be heard and for information to be
28 disseminated to all.

29
30 Mr. Robbins felt like the City was being manipulated. He had heard that equipment had been
31 ordered to do the dirt work next week. He recommended the Council slow down and do the right

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1 thing. He did not want to rush the school through and then leave the City to resolve the issues at
2 taxpayer expense.

3
4 Lisa Childers gave her address as 14776 South Sage Crest Drive and asked for clarification on
5 whether traffic will be routed through her neighborhood. She did not feel that the comparisons to
6 other schools were realistic.

7
8 Karen Sonntag gave her address as 14473 Frost Court and reiterated that most of the busses for
9 Bluffdale school children use 14400 South as their main route. She stressed the importance of
10 them being able to get through during school start and end times. She questioned whether the
11 Police Department has given their input on public safety.

12
13 Amy Stewart gave her address as 14744 Sage Crest Drive and stated that she is a supporter of
14 charter schools. She noted that her daughter has attended Summit Academy for several years.
15 They do a wonderful job, have excellent programs, and smaller class sizes. That said, she stated
16 that she also lives in Bluffdale and where traffic will be routed was of concern to her. She
17 recommended that all of the issues be considered.

18
19 Emily Swanson gave her address as 751 West Star Spangled Drive and stated that she did not
20 make it clear at the last meeting that the school administration does a good job of working with
21 parents. She was confident that they will do their best to get the parents to conform to the desired
22 traffic pattern. She stressed that the problem is primarily between 3:00 p.m. and 3:30 p.m. She
23 stated that the City is growing and more schools are needed. The increased population will also
24 add to the traffic whether their children attend school in Bluffdale or not. She agreed that the
25 traffic problems need to be resolved but thought the school would be an asset to the community.

26
27 There were no further public comments. The public hearing was closed.

28
29 It was noted that Mayor Timothy received an anonymous letter from a citizen, which he would not
30 read aloud or have it entered into the record.

31

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1 Mr. Bodrero commented that much had been said about the City growing and stated that there are
2 planned improvements in relation to the projected growth. Plans are in place to work to
3 accommodate it. Mr. Bodrero commented that Mrs. Pavlakis misrepresented a conversation that
4 took place at the conclusion of the last meeting. She claimed that he said that money is not an
5 issue and that there is viable property for sale to provide access to Redwood Road. His comment
6 was that *if* money was not an issue and *if* there were some access or property to be sold that still
7 would not solve her problem, which is the proposed location. He stated that the word
8 “reasonable” comes into play. State Code was referenced with regard to what is reasonable to
9 require. A gentleman spoke about parking in terms of stacking and traffic that is circulated
10 through for pickup and drop off and stacking for night time or event parking.

11
12 Mr. Bodrero stated that State Code is specific in Section 10-9a-305-7(c), which states that parking
13 requirements for a charter school may not exceed the minimum parking requirements for schools
14 or other institutional public uses throughout the municipality. He stated that the Code specifies
15 what the minimum is. For the proposed school with 1,000 students 53 parking stalls are required.
16 Mayor Timothy did not consider parking to be the issue and felt it was queuing and traffic. Mr.
17 Bodrero stated that the school has appropriated additional acreage on site for hardscaping and
18 parking to accommodate that concern. There is not a requirement in the City ordinance dealing
19 with queuing or stacking for pickup and drop off. The question was how many cars will show up
20 at once.

21
22 State Code specifies that the City can ask for a traffic study, which was provided and addressed.
23 The study was questioned and verified by the City’s third-party group and additional information
24 was incorporated based on the City’s overall view of the planned growth and anticipation for the
25 roadway. Mr. Bodrero stated that additional improvements can be made to address the concerns
26 and additional impact. Section 10-9a-305-3(b) states that the school district or charter school shall
27 participate in the cost of any roadway or sidewalk or a study of the impact of a school on a
28 roadway or sidewalk that is not reasonably necessary for the safety of school children and not
29 located on or contiguous to school property.

30

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1 With regard to the impression that the school is trying to rush things, Mr. Bodrero stated that that
2 is not the case and they have taken measures beyond an initial site plan application. As Summit
3 County’s representative, engineers and designers have met with City staff in DRC meetings since
4 last summer and made corrections and addressed issues to mitigate traffic and safety concerns.
5 Those efforts were compiled into a full set of plans that were submitted to staff in October. Upon
6 further review there were other comments forwarded back that were reviewed and addressed. The
7 purpose of the traffic study was to assess what is reasonably necessary for the safety of school
8 children. It was determined that the measures shown have mitigated the impact created by the
9 school. Beyond that there is nothing in State Code that states that the school should take into
10 account queuing and stacking.

11
12 Mr. Bodrero stated that Summit Academy intends to come into the community and continue to be
13 a good neighbor and resource. Stacking issues were discussed. Within school property, signage
14 will be posted along with specifics about how pickups and drop offs should take place. Summit
15 Academy will continue to work with the City as additional data presents itself in the future that
16 will allow a change in the recommended traffic flow and the ability to provide more queuing or
17 parking on site.

18
19 Mr. Bodrero read from the Code and stated that the only basis on which a municipality may deny
20 or withhold approval of a charter school’s land use application is the school’s failure to comply
21 with standards imposed under the subsection. He stated that they have met and complied with
22 every item and Code standard they have been asked to. They also met early and often in the
23 process. They have been patient with staff’s requests to check and double check the process.
24 Staff was confident that what is proposed will work. The City Council has an opportunity approve
25 Phase 1 with a limited number of students and vehicular traffic and impose additional conditions
26 prior to Phase 2 coming online.

27
28 Ryan Hales from Hales Engineering described his background and stated that he earned his
29 Bachelor’s Degree in Civil Engineering and has a Master’s in Traffic Engineering. He served on a
30 planning commission and understands the growing pains the City faces. Mr. Hales reported that

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1 the Institute of Transportation Engineers is a professional organization that uses materials from
2 across the country. He is one of 15 reviewers in the U.S. that review the data. Within the manual
3 there are private and public schools that are not charter schools. They conducted studies at charter
4 schools to see what the trip generation would be. A claim was made tonight that their numbers are
5 incorrect, which is a fallacy. Mr. Hales stated that they performed the counts along with the City's
6 Traffic Engineer and both came up with the same results.

7
8 Mr. Hales read from a paragraph in the study dealing with trip generation. Because there are no
9 trip generation rates for charter schools, it was calculated based on data created by Hales
10 Engineering while working on similar charter schools in Utah. The overall expected trip
11 generation rate for a K-8 charter school is 0.65 average trips per student during the peak hour.
12 Mr. Hales reported that this is lower than the private school K-8 rate of 0.9 but slightly higher than
13 rates for public elementary schools and middle schools, which are 0.45 and 0.54, respectively.
14 The rate of 0.65 is near the average of private and public schools. Based on previous experience
15 with charter schools in Utah, Hales Engineering believes that the rate of 0.65 trips per K-8 student
16 will generate a reasonable estimate of trips during the peak hour.

17
18 Mr. Hales reiterated that the trip generation data and study were accurate. To pay someone else to
19 review it would be a waste of money, in his opinion, because they will come back with the same
20 trip generation rate. Mr. Hales stated that he has visited the Summit Academy Charter School in
21 Bluffdale and has seen how they operate. He considers it to be a very efficient system. He noted
22 that the system is very precise and at 3:01 p.m. the first group of students leaves to get on the
23 shuttle, which then goes off site to their respective drop off points. At about 3:05 p.m. the
24 students that are walking come out of the school. At 3:10 p.m. the remaining students are
25 released. They are gathered in a common area where they are put in their carpool groups and wait
26 for their number to be called. They are then escorted outside to their carpool. The time it takes for
27 a carpool to leave the school site and start moving again is about 1.5 minutes. That was the
28 longest he observed. The shortest duration was 30 seconds. Mr. Hales stated that multiple cars
29 are being loaded at the same time and school officials are doing everything they can to keep the
30 cars moving. From a Traffic Engineering standpoint, Mr. Hales believed the site will also

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1 circulate efficiently. With regard to the number of students, Mr. Hales stated that 1,000 students
2 were evaluated on the site.

3
4 Boyd Preece asked City Attorney, Vaughn Pickell, his opinion on the direction of the two
5 proposed studies. Mr. Pickell recommended the Council weigh both and decide which one seems
6 more credible. Ty Nielsen commented that the study was geared toward the morning drop off and
7 less about the afternoon pickup. Mr. Hales stated that they focused primarily on the a.m. drop off
8 because it was of most concern.

9
10 Mr. Hales reported that UDOT has guidelines that apply to each of the four classifications for
11 traffic impact studies. He explained that charter schools only require evaluation of existing and
12 post project traffic conditions. The City's consultant looked at the entire corridor and evaluated
13 the future conditions of 14400 South.

14
15 Jeremy Searle, from Hales Engineering, referred to page 17 of the Parametrix study, which
16 contained their recommendations, and stated that it was not included in the Council Members'
17 packets. It was noted that the recommendations included concern about how close the ingress and
18 egress are to one other. One way to mitigate that is to make the exit right only. City Engineer,
19 Michael Fazio, reported that he had seen the full report prepared by Parametrix and made
20 recommendations to them.

21
22 James Wingate asked for expert opinions from City Planner/Economic Development Director,
23 Grant Crowell, Mr. Reid, Mr. Pickell, and Mr. Fazio. He asked that Mr. Fazio and Mr. Crowell
24 comment from an engineering and planning point of view about how comfortable they are with the
25 proposed plan. He asked that Mr. Reid comment on whether staff has done their due diligence.

26
27 Ty Nielsen stated that they have been as open as possible and have not made any decisions behind
28 closed doors. The last meeting was very long and the decision to revisit the matter was made late
29 in the meeting. He indicated that the Council Members appreciate being elected and it was
30 difficult for them to have their friends look at them with disdain. The Council was weighing all of
31 the information in order to make a fair decision. He reiterated that the Council is not being sneaky

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1 and they have done nothing behind closed doors. They are considering both sides and trying to be
2 as open minded as possible.

3
4 In response to a question raised by Alan Jackson, Mr. Bodrero confirmed that currently queuing is
5 done curbside.

6
7 Mr. Reid pointed out that the site has been projected as a school site since 1950 by the Jordan
8 School District. He was glad to hear that Summit Academy had selected Hales Engineering to
9 perform their traffic study. Staff considers them to be professional and has seen their work on
10 many different projects. Parametrix has also been hired and used for multiple projects. The City
11 has studied 14400 South for a number of years in an effort to widen it and make it a safer road.
12 That was mitigated by their desire not to have it appear to be a large road so that the projected
13 135,000 Herriman residents think it is their route to Redwood Road. They have looked at the
14 right-of-way the City already owns and budgeted and set aside enough money to install curb,
15 gutter, sidewalk, and a middle turning lane into 14400 South. This was done long before Summit
16 Academy purchased the property.

17
18 With City Hall coming forward, the poor east and west circulation would make another four-way
19 stop a detraction. As a result, they planned to construct a roundabout at 2200 West and 14400
20 South. That was planned a number of years ago, before the school was planned. When the school
21 made their proposal, staff realized the proposed roundabout would help mitigate traffic on 14400
22 South. Mr. Reid stated that the trust of the City was turned over to professionals in City staff. He
23 was bothered greatly that citizens would think that the City Council would do anything behind
24 closed doors. He stressed that that would never happen. He explained that the road has been on
25 the Master Transportation Plan and they have held multiple public hearings about it for years. The
26 fact that most citizens do not come to public hearings shows that there is trust in staff until
27 something happens that is unpopular.

28
29 Mr. Crowell informed the Council that his opinion was stated in the Planning Commission
30 recommendation. Mr. Pickell stated that the Council's decision must be based on objective
31 standards only. These include ordinances, the adopted engineering standards, and industry

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1 standards. The statute specifies that the only basis upon which a municipality may deny or
2 withhold approval of a charter school’s land use application is the school’s failure to comply with
3 the standard. He stated that the crux of the Council’s decision is whether the applicants have met
4 the City’s adopted standards. He noted that the City does not have a standard for traffic
5 circulation. To his knowledge, they have met every other adopted standard.

6
7 Mr. Fazio reiterated that 14400 South was important to staff and they had been studying the issue
8 in combination with the Traffic Engineer’s study. He stated that the applicants have been very
9 cooperative and willing to work with the City and made various changes. The turn lane did not
10 exist when the original request was submitted and they were willing to purchase more land to
11 provide it. They also moved the egress to the west and agreed to additional changes as
12 recommended.

13
14 Mr. Pickell stated that staff’s opinion is based on the law and objective standards. Mr. Reid was
15 confident in the professionals who reviewed the request. Mr. Crowell explained that the review is
16 based on objective standards that he believed had been satisfied.

17
18 Alan Jackson reported that earlier in the day he counted cars at Hawthorne Academy, which is
19 considered to be one of the worst charter schools in terms of traffic. What he observed was very
20 educational. He stated that there was a lot of parking on the street but the queuing area was not
21 even half full. He got to the school about 20 minutes before school dismissed and there were 15
22 cars parked on the road. There was a pocket right turn and “no parking” signs. No cars were
23 parked between the “no parking” signs. When the queuing started to move there were 117 cars
24 parked either in the queue or on the street. He noted that Hawthorne has 640 students and
25 concluded that with 700 students, it would be necessary to queue 128 cars prior to traffic flowing.
26 Currently, if they are queuing curbside and count both pocket lanes, 157 cars can be
27 accommodated. With 1,000 students they would need to park or queue 182 cars on site to get
28 everyone off the road. He noted that when traffic started to move it seemed to flow well. Council
29 Member Jackson reported that he stayed until 3:25 p.m.

30

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1 Justin Westwood commented that everyone is an advocate for public safety and should be good
2 neighbors. Two traffic studies were conducted and both found that the level of service with the
3 school is adequate with service measures in place. He said that 14400 South will be widened
4 before the school reaches its capacity, which will help with traffic flow through the area. He did
5 not question whether Summit Academy will mitigate any issues going forward. He considered
6 them to be good neighbors who will help when, where, and however, they can. Bluffdale as a
7 whole will benefit from the school even though it will impact traffic. Council Member Westwood
8 had no objection to the school going in, as presented, based on the traffic studies conducted.

9
10 Alan Jackson added that the responsibility to control off-site parking rests on the City and not the
11 applicant. It is the City’s responsibility to provide a school for the children that will come to
12 Bluffdale and those who are already here. He had a difficult time coming up with a better use of
13 the City’s money than providing for education for Bluffdale children. He noted that if the school
14 isn’t built, Bluffdale Elementary will be further impacted and the traffic will still exist. Adding a
15 school and having control over the traffic will help mitigate some of the problems. He
16 recommended the City not allow off-street parking. Council Member Jackson suggested posting
17 “no school traffic” signs on Frost Court. In the beginning, police officers may need to patrol the
18 area and issue tickets. He reported that representatives from Parametrix were present at the last
19 meeting and expressed no additional concerns.

20
21 Boyd Preece referenced the attorney letter presented by Mr. Sackett and suggested that the
22 proposed school be K-6 now and allow for additional traffic studies. Alan Jackson wanted to see a
23 traffic study conducted while the school is in operation before any expansions are approved.
24 Mayor Timothy stated that a traffic study can be required prior to allowing the expansion to add an
25 additional grade. If it is questioned, another study could be conducted by the City.

26
27 With regard to police and fire protection, Mr. Reid stated that Fire Chief, John Roberts, attends
28 every DRC Meeting and has met with Summit Academy representatives many times and has given
29 input on multiple occasions. Mr. Reid also meets with representatives from the Police and Fire
30 Departments every Monday morning and was not aware of any issues that they have not

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1 addressed. Alan Jackson stated that the Police Chief spoke at the last meeting and stated that
2 regardless of where the school is located, it will present a public safety issue and generate a lot of
3 traffic.

4
5 Mr. Reid stated that the Police Chief consistently asks for more officers. When Saratoga Springs
6 began providing police service to the City, they had four officers and one supervisor. They now
7 have two officers on duty at all times on both the east and west sides. The City has addressed the
8 issue of adding officers, however, the Chief will always say that more are needed. At a cost of
9 \$140,000 each, the City can only afford to add a few officers at a time as the City grows.

10
11 James Wingate asked if the Mayor would speak as if he were a voting member. Mayor Timothy
12 refused to respond.

13
14 Ty Nielsen commented that traffic is inevitable and he felt that staff had done their due diligence.
15 He could not take on the responsibility of the potential for future traffic problems and can only do
16 his best within his capacity as a Council Member. He was happy to see that Jordan School District
17 was not the applicant.

18
19 Mayor Timothy stated that he has been accused of certain things. At times he wished he was a
20 voting member because sometimes he has information the Council doesn't. He has been very
21 good about passing on information to the Council, whether it is positive or negative and he never
22 has and never will tell the Council how they should vote. His participation is to ensure that the
23 Council has as much information as possible to make the right decision. The Mayor only votes in
24 the event of a tie but he is in a position to know both sides of most issues. If he feels that
25 something is better addressed by staff, he makes sure they send the Council their opinion,
26 especially when it involves a legal opinion.

27
28 Alan Jackson stated that last week he had concerns, which was the reason he voted against the
29 request. After attending subsequent meetings, speaking with different people, and spending time
30 at Hawthorne earlier in the day, those concerns have been addressed. He stated that the City has

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1 professionals they rely on, especially with regard to traffic studies in this case. He thought it
2 would be irresponsible to put the City at risk of future lawsuits.

3
4 James Wingate felt that realistically the traffic will back up on 14400 South and potentially other
5 places and as a society, they live with that. If the worst case scenario comes to fruition, action can
6 be taken to stagger drop off times, include more busses or shuttles, or purchase more property
7 from the Lions Club to make the turn pocket longer. If Summit Academy fails to take action when
8 there are problems, he asked what the City's recourse would be. Mr. Pickell stated that the City
9 would not have any recourse. He explained that the Council should make their decision based on
10 objective standards that are adopted. If something happens in the future, adjustments can be made.
11 Alan Jackson commented that that would have to be something to be taken into account before
12 considering an expansion. He stated that he relies heavily on the City's experts.

13
14 Boyd Preece referenced the letter the Council received from Mr. Sackett and tried to weigh that
15 against the other traffic studies. It seemed to him that the traffic studies conducted by the City
16 seemed more realistic. He recommended future traffic studies be conducted before any expansion
17 is permitted.

18
19 Justin Westwood stated that based on the recent comments, he found it ludicrous to think that the
20 school would not consider making immediate changes if traffic backs up onto Redwood Road.
21 They have been good neighbors and they want to be part of Bluffdale. He doubted they would
22 want to expand immediately if there are traffic or safety issues. He was confident that they will
23 ensure that safety is addressed.

24
25 **Justin Westwood moved to approve the site plan for Summit Academy K-8 Bluffdale**
26 **Campus Charter School, Application 2015-51, subject to the following conditions presented**
27 **in the staff report dated December 30, 2015:**

- 28
29 **1. That the applicable requirements of the City Code and adopted ordinances are met**
30 **and adhered to for this site plan.**

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- 1 **2. That the developer submit a Land Disturbance Permit to the City Engineer prior to**
2 **any construction activities on the site.**
- 3
- 4 **3. That all required City impact fees be paid by the applicants prior to the**
5 **commencement of construction activities on the site.**
- 6
- 7 **4. That the applicable Building and Fire Codes are met and adhered to for this site plan**
8 **and as approved by the State Fire Marshal and independent building inspector.**
- 9
- 10 **5. That the City Engineer, or designee, conducts inspections of the culinary water and**
11 **fire suppression systems to be constructed in accordance with City standards.**
- 12
- 13 **6. That all site plan features shall adhere to the approved site plan as presented.**
- 14
- 15 **7. That a site plan application be submitted to the City for future additions to be**
16 **approved by City staff in accordance with the current approved site plan as**
17 **presented.**
- 18
- 19 **8. That the applicants provide adequate secondary water shares to the City prior to the**
20 **City providing service for the culinary water system.**
- 21
- 22 **9. That additional rights-of-way for street improvements shall be acquired by the**
23 **applicants from the adjacent property owners.**
- 24
- 25 **10. That all final street designs and construction drawings be approved in accordance**
26 **with City standards or as recommended by the City Engineer. The following are**
27 **minimum required street improvements:**
- 28
- 29 **a. Turn pockets are to be built for both the eastbound left-turns and westbound**
30 **right-turns. The westbound right-turn storage length is recommended to be a**
31 **minimum of 100 feet with a 90-foot gap and a 15-1-foot taper. The eastbound**
32 **left-turn storage length is recommended to be 150 feet with a 90-foot gap and a**

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1 115-foot taper (assuming 5.5-foot lane shift in each direction). Final designs to
2 be approved by the City Engineer.

3
4 **b. Adequate signage shall be placed in appropriate locations to identify traffic**
5 **movements.**

6
7 **c. In accordance with the Utah Manual Uniform Traffic Control Devices**
8 **(MUTCD), a School Crosswalk Zone, Reduced Speed School Zone (RSSZ),**
9 **and Crossing Guard are warranted.**

10
11 **d. The crosswalk shall be moved to the west side of the 14400 South/Frost Court**
12 **intersection or other appropriate location determined by the City Engineer.**

13
14 **e. The sidewalk on the school property must be in alignment with and connect**
15 **the sidewalk to the east.**

16
17 **f. The designated fire lane shall be identified as the inside lane within the**
18 **parking lot and the travel lane or egress access shall be moved to the outside**
19 **lane on the west property boundary to allow appropriate distance for vehicle**
20 **turning movements. The egress access will be a right-out only. Bollards or**
21 **another gate mechanism is required on the access for the fire lane as approved**
22 **by the Fire Chief.**

23
24 **g. The culinary water system connections shall be revised on final construction**
25 **drawings according to the recommendations of the City Engineer.**

26
27 **11. That no parking will be allowed on 14400 South at any time.**

28
29 **Approval was also subject to mitigation measures offered by Silver Peak Engineering.**
30 **Additionally, a traffic review shall be required before expansion of the school and a**
31 **mitigation plan will be necessary to resolve any existing problems with traffic and safety at**
32 **that point. Alan Jackson seconded the motion. Vote on motion: Alan Jackson-Aye, Ty**

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1 Nielsen-Aye, Justin Westwood-Aye, James Wingate-Aye, Boyd Preece-Aye. The motion
2 passed unanimously.

3
4 3. **Closed Meeting Pursuant to Utah Code §52-4-205(1) to Discuss the Character,**
5 **Professional Competence, or Health of an Individual, Collective Bargaining, Pending**
6 **or Imminent Litigation, Strategies to Discuss Real Property Acquisition, Including**
7 **Any Form of a Water Right or Water Shares, Security Issues, or any Alleged**
8 **Criminal Misconduct.**
9

10 Ty Nielsen moved to go into a Closed Meeting pursuant to Utah Code §52-4-205(1) to discuss
11 land acquisition. Alan Jackson seconded the motion. The motion passed with the
12 unanimous consent of the Council.

13
14 The Council was in closed session from 9:13 p.m. to 9:37 p.m.

15
16 4. **Adjournment.**

17
18 Ty Nielsen moved to adjourn. James Wingate seconded the motion. The motion passed with
19 the unanimous consent of the Council.

20
21 The City Council Meeting adjourned at 9:37 p.m.

22
23
24
25

26 _____
Wendy L. Deppe, CMC
27 City Recorder:

28
29 Approved: _____

DRAFT – FOR DISCUSSION PURPOSES ONLY

**BLUFFDALE CITY COUNCIL
CLOSED MEETING MINUTES
Tuesday, January 19, 2016**

1 **Present:** Mayor Derk Timothy
2 Alan Jackson
3 Ty Nielsen
4 Justin Westwood (Via Teleconference)
5 James Wingate
6 Boyd Preece
7

8 **Staff:** Mark Reid, City Manager
9 Vaughn Pickell, City Attorney
10 Michael Fazio, City Engineer
11 Blain Dietrich, Public Works Operations Manager
12 Grant Crowell, City Planner/Economic Development Director
13 Jennifer Robison, Associate City Planner
14 Wendy Deppe, City Recorder
15

16 At approximately 9:13 p.m. Mayor Derk Timothy called the meeting to order.
17

18 **Motion:** Ty Nielsen moved to go into Closed Meeting pursuant to Utah Code §52-4-205(1) to
19 discuss land acquisition.
20

21 **Second:** Alan Jackson seconded the motion.
22

23 **Vote on Motion:** Alan Jackson-Aye, Ty Nielsen-Aye, Justin Westwood-Aye, James Wingate-
24 Aye, Boyd Preece-Aye. The motion passed unanimously.
25

26 Land acquisition issues were discussed.
27

28 The City Council returned to the City Council chambers to resume the open portion of the meeting
29 at 9:37 p.m.
30
31
32

33 _____
34 Wendy L. Deppe, CMC
35 City Recorder
36

37 Approved: _____

Agenda Item 4.2



14175 Redwood Road, Bluffdale, Utah 84065; Tel. 801-858-0490; mfazio@bluffdale.com

Memo

Date: February 2, 2016

From: Michael Fazio 

To: Mark Reid, City Manager

Mayor Timothy

City Council

CC:

RE: Independence at the Point, D-5 Park

City Engineering/Public Works has inspected the Independence at the Point D-5 park improvements and verified they meet the City specifications and requirements (see attached memos from Leonard Hight.)

I recommend preliminary acceptance of the inspected completed work and beginning the warranty period effective February 11, 2016.

A warranty bond is being retained for the entire warranty period.



14175 Redwood Road, Bluffdale, Utah 84065; Tel. 801-858-0490; mfazio@bluffdale.com

Memo

Date: October 13, 2015
From: Leonard Hight
To: Michael Fazio
CC: Blaine Dietrich
RE: Independence D 5 Park

Michael, I have verified that the last five punch list items have been completed. I recommend that we accept this project.

Agenda Item 4.3



14175 Redwood Road, Bluffdale, Utah 84065; Tel. 801-858-0490; mfazio@bluffdale.com

Memo

Date: February 3, 2016
From: Michael Fazio 
To: Mark Reid, City Manager
Mayor Timothy
City Council
CC:
RE: Independence at the Point, Plat D-1

City Engineering/Public Works, after a year warranty period, has inspected the Independence at the Point Plat D-1 subdivision improvements and verified the standards have been met. All needed end of warranty issues have been resolved and the developer has corrected any and all defects found with the exception of the pavement over a gas line crossing (see attached memo from Leonard Hight.) The developer, in coordination with Questar Gas, repaired the pavement at the crossing two times already. Questar Gas has given a new detail that should correct the failure.

I recommend accepting the inspected completed work, with the exception of the gas line crossing repair, ending the warranty period, and request release of the Warranty Bond (minus any related costs) of \$133,613.

The gas line crossing repair will be constructed after the spring thaw. A bond of 110% of the estimated cost of repair will be posted before the release of the above warranty bond. Once the repair has been completed and accepted, a warranty bond for the repair will be in place for the entire warranty period.



14175 Redwood Road, Bluffdale, Utah 84065; Tel. 801-858-0490; mfazio@bluffdale.com

Memo

Date: February 2, 2016
From: Leonard Hight 
To: Michael Fazio
RE: Independence phase D-1

Independence phase D-1 is at the end of the warranty. All improvements are complete with all city standards having been met. Punch lists were created and have been verified completed with the exception of the pavement over the high pressure gas line. This pavement will be reconstructed when the weather allows paving.

I recommend that we end the warranty period for the subdivision with the exception of the pavement over the high pressure gas line, release the warranty bond and bond separately for the pavement repair.

Agenda Item 4.4



14175 Redwood Road, Bluffdale, Utah 84065; Tel. 801-858-0490; mfazio@bluffdale.com

Memo

Date: February 3, 2016

From: Michael Fazio 

To: Mark Reid, City Manager

Mayor Timothy

City Council

CC:

RE: Independence at the Point, Plat H-1

City Engineering/Public Works, after a year warranty period, has inspected the Independence at the Point Plat H-1 subdivision improvements and verified the standards have been met. All needed end of warranty issues have been resolved and the developer has corrected any and all defects found with the exception of the stamped concrete around the roundabout (see attached memo from Leonard Hight.)

I recommend accepting the inspected completed work, with the exception of the stamped concrete around the roundabout, ending the warranty period, and request release of the Warranty Bond (minus any related costs) of \$99,433.

The stamped concrete will be replaced after the spring thaw. A bond of 110% of the estimated cost of repair will be posted before the release of the above warranty bond. Once the concrete replacement has been completed and accepted, a warranty bond will be in place for the entire warranty period.



14175 Redwood Road, Bluffdale, Utah 84065; Tel. 801-858-0490; mfazio@bluffdale.com

Memo

Date: February 2, 2016
From: Leonard Hight 
To: Michael Fazio
RE: Independence phase H-1

Independence phase H – 1 is at the end of the warranty period. The subdivision improvements were inspected and verified to have been constructed according to city standards. All testing has been conducted verified and filed. A punch list was created and verified complete with the exception of the stamped concrete at the roundabout inner island. The stamped concrete will be replaced when the weather allows.

I recommend that we end the warranty period for the subdivision with the exception of the stamped concrete at the roundabout, release the warranty bond and bond separately for the concrete replacement at the roundabout.

Agenda Item 4.5



14175 Redwood Road, Bluffdale, Utah 84065; Tel. 801-858-0490; mfazio@bluffdale.com

Memo

Date: February 2, 2016
From: Michael Fazio 
To: Mark Reid, City Manager
Mayor Timothy
City Council
CC:
RE: Woodhollow ULDC Canal Liner

The bids for the Woodhollow ULDC Canal Liner were opened on February 1, 2016.

The apparent low bidder is Acme Construction Inc., from North Salt Lake, Utah. Their bid for the project as advertised is \$29,695. (Please see attached bid results)

References were contacted on behalf of Acme Construction Inc. and the reviews were positive.

I recommend awarding the project to Acme Construction Inc., approving the resolution allowing the City Manager to enter into an agreement for the City with Acme Construction Inc, and authorizing the contract amount with an additional 10 percent contingency, for a total of \$32,665.



BIDS

Project:	15001SD-A
Bid Opening Date:	1-Feb-16
Total Number of Bids:	10
Engineer's Estimate:	\$45,670
Apparent Low Bid:	\$29,695
Low Bid Company:	Acme Construction Inc.
Average Bid Amount:	\$52,451

Bid Tabulation

No.	Company	Bid Amount	Difference from Low Bid
1	Acme Construction Inc.	\$29,695	\$0
2	Jordan Valley Construction	\$29,700	\$5
3	Bowen Construction	\$38,850	\$9,155
4	M C Contractors	\$42,500	\$12,805
5	England Construction	\$44,195	\$14,500
6	VanCon Inc.	\$44,900	\$15,205
7	B Hansen Construction Inc.	\$49,400	\$19,705
8	J. Lyne Roberts & Sons	\$58,815	\$29,120
9	Beck Construction & Excavation	\$79,500	\$49,805
10	Easton Engineering Construction Co.	\$106,955	\$77,260

**CITY OF BLUFFDALE, UTAH
RESOLUTION NO. 2016-_____**

A RESOLUTION OF THE BLUFFDALE CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS AWARDING A CONTRACT FOR THE WOOD HOLLOW ULDC CANAL LINER AND ESTABLISHING A CONTINGENCY.

WHEREAS the City of Bluffdale (“City”) owns and maintains a network of storm drain facilities (“System”);

WHEREAS the City is undertook a project known as the Wood Hollow Drainage Project and is now undertaking an amendment of that project known as the Wood Hollow ULDC Canal Liner (“Project”);

WHEREAS the City advertised a request for bids and opened the bids for the construction of this Project on February 1, 2016; and

WHEREAS 10 bids were submitted, of which the Acme Construction, Inc., bid of \$29,695.00 was the lowest responsive and responsible bid;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLUFFDALE AS FOLLOWS:

Section 1. Authorization to Execute Agreement. The City Council hereby authorizes the City Manager to execute the necessary agreements to award the Project to Acme Construction, Inc., including a notice of award and an agreement for the Project with a Contract Price of \$29,695.00. The City Council authorizes the City Manager to expend an additional 10 percent for contingencies (\$2,970.00) that might arise with the Project for a total of \$32,665.00.

Section 2. Effective Date. This Resolution shall become effective immediately upon its passage and the City Council authorizes and directs the Mayor to execute and cause to be delivered the same.

PASSED, ADOPTED AND APPROVED: February 10, 2016.

Mayor Derk P. Timothy

ATTEST:

[seal]

Wendy Deppe, City Recorder

Voting by the City Council: Aye Nay

Councilmember Jackson	_____	_____
Councilmember Nielsen	_____	_____
Councilmember Preece	_____	_____
Councilmember Westwood	_____	_____
Councilmember Wingate	_____	_____



BLUFFDALE
— EST. 1848 —

TRAITS

WHY

To provide a balance between location & lifestyle while providing community security, education, and a quality outdoor environment. All in a place where we can live our dreams.

BELIEFS

- We believe in **providing** our residents with a good work-life balance
- We believe in **connecting** a community so that builds belonging and comfort
- We believe in **building** a safe community for both individuals and families
- We believe in **developing** a good educational environment through facilities and opportunities
- We believe in **joining** our residents to an environment where they can live their dreams

EMOTIONS



BENEFITS



ATTRIBUTES



MOOD & TONE

LEVERAGE POINTS

MAIN COMMUNICATION POINTS

SECONDARY COMMUNICATION POINTS



RURAL FEEL

SECURITY

EDUCATION

ACCESS

BALANCE

OPEN

LOCATION

QUALITY

AFFORDABLE



WE BELIEVE IN

PROVIDING GOOD WORK/LIFE BALANCE

CONNECTING COMMUNITY. HELP THEM FEEL BELONGING & COMFORT

BUILDING A SAFE COMMUNITY FOR INDIVIDUALS & FAMILIES

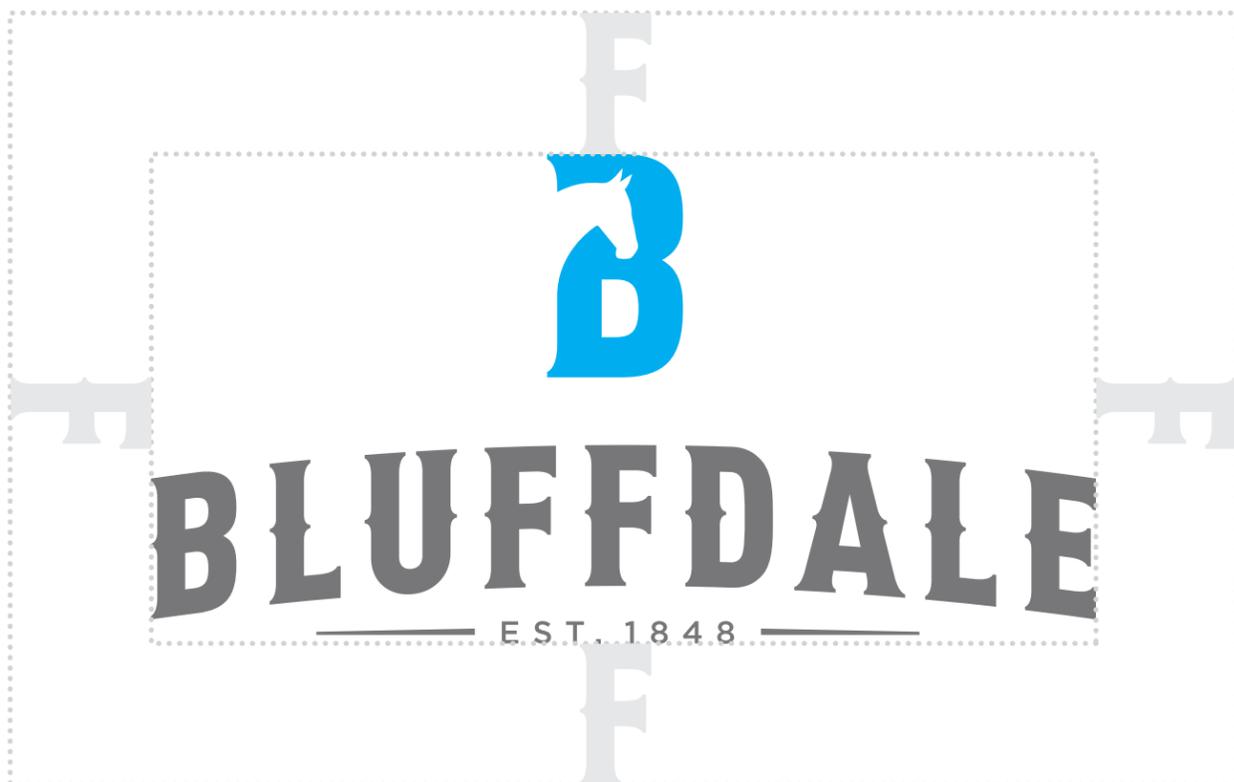
DEVELOPING GOOD EDUCATIONAL ENVIRONMENTS

HELPING RESIDENTS LIVE THEIR DREAMS



LOGO • With Logomark and Without

Please keep the distance of white or quiet space around the logo. No other typographic or graphic elements should be allowed to penetrate the white space. The “F” in the logo helps to represent the space buffer on all sides of the logo. You may use the logo with the logomark or without.





LOGO • Logomark & Watermark

The logomark can be a stand alone element if needed. It should only be used as a 1-color version. The logomark shouldn't be used excessively. The watermark is 10% opacity Cool Gray 9 and should be used sparingly. Use approved brand colors. It may be reversed out in some situations.



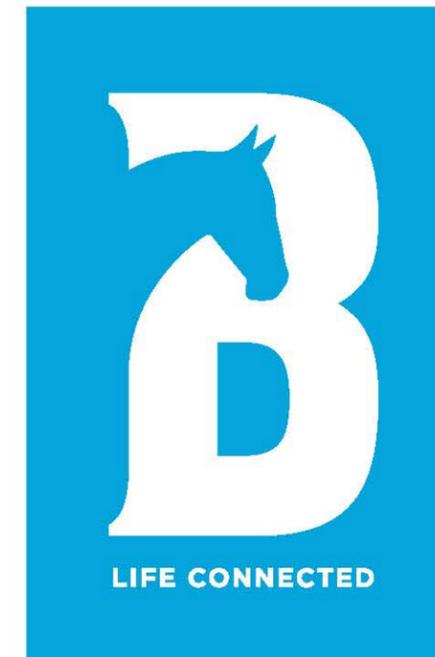
LIFE CONNECTED



LIFE CONNECTED



LIFE CONNECTED



LIFE CONNECTED



LOGO • Departments

For the department logos, the only portion of the logo that should be altered is the name below the main logo of the specific department. Once the logo is created, do not change. The name replaces the "EST. 1848" from the main logo. Make sure the quiet space around the logo applies with the same rules as the previous page.





LOGO • Office of the Mayor

This logo is a 2-color logo, but can be used as a 1-color if needed. It may be used on signage a certain documentation. Whenever possible, use the 2-color version of this logo.



Stay as close to the brand as possible. These are some examples of what NOT to do with the logo and branding.



DO NOT add a drop shadow.



DO NOT rotate in any way.



DO NOT stretch horizontally or vertically to distort the logo.



DO NOT change the color of the logo. Only use to PMS, CMYK and RGB colors from previous page are approved.



DO NOT alter the size of different aspects of the logo, such as the button.



DO NOT move the button to any other location except the approved above the logo and left positioning.



DO NOT overlap any portion of the logo.



DO NOT add any effects to the logo.



COLOR PALLET

The brand identity colors consist of a blue and gray as the primary colors. Using PMS colors is the best way to ensure consistency in printing. When PMS colors are unavailable, four-color process (CMYK) may be used. For web or mobile based applications, RGB colors should be used.

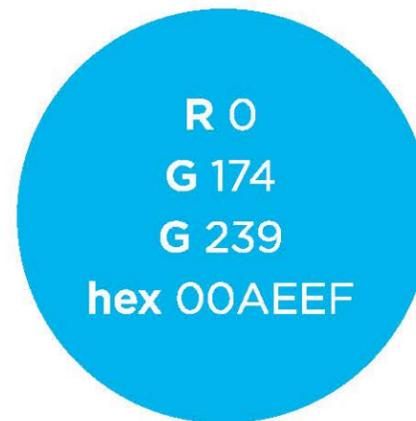
pantone



4-color process



web



TWO COLOR



ONE COLOR



To maintain a cohesive brand look, it is important to use font discipline on all brand applications and communications. The following font is preferred in these weights.

GOTHAM FONT FAMILY

LIGHT OR BOOK

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz

MEDIUM OR BOLD

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz

LIGHT OR BOOK ITALIC

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz

MEDIUM OR BOLD

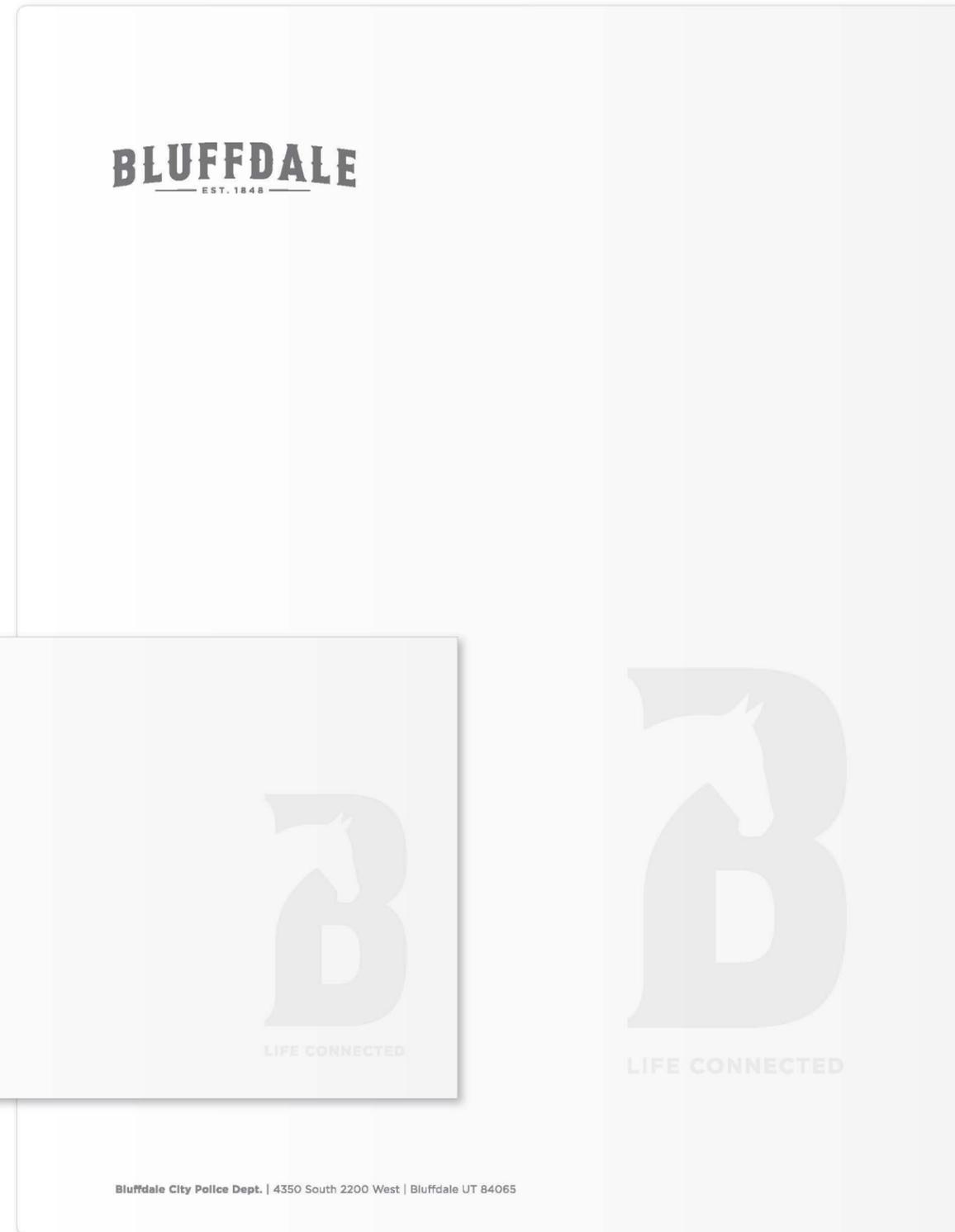
ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz



STATIONERY SYSTEM

Business Card, Envelope, Letterhead

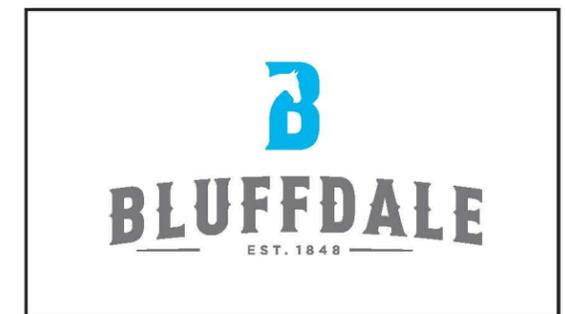
The stationery system for any company is a strong brand ambassador that helps create brand recognition and gives clients confidence in the company.

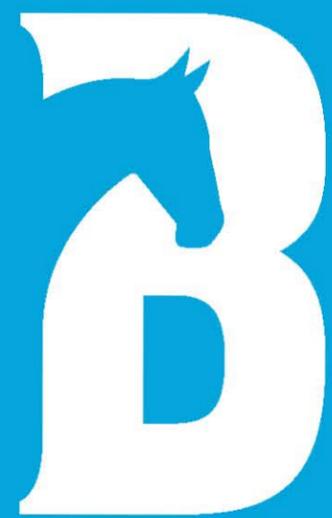




BRAND USAGE

The logo will be used extensively on city vehicles and signage. Here are some examples of logo and brand use in those different areas.





LIFE CONNECTED

CITY OF BLUFFDALE, UTAH

RESOLUTION No. 2016-

A RESOLUTION ADOPTING A STYLE GUIDE FOR THE CITY OF BLUFFDALE.

WHEREAS the City of Bluffdale (“City”) desires to adopt a style guide containing City logos, tag lines, and style principles to guide the City in projecting a consistent brand of the City;

WHEREAS the City Council finds that a consistent style guide will help the City project a consistent and recognizable brand and identity, that accurately reflects the traits, goals, and tone of the City, and that such a style guide is in the City’s best interest;

NOW, THEREFORE, BE IT RESOLVED BY THE BLUFFDALE CITY COUNCIL AS FOLLOWS:

Section 1. Adoption. The style guide for the City of Bluffdale, attached hereto, is hereby adopted.

Section 2. Effective Date. This Resolution shall become effective immediately upon passage.

PASSED AND APPROVED: February 10, 2016.

CITY OF BLUFFDALE

Mayor

ATTEST:

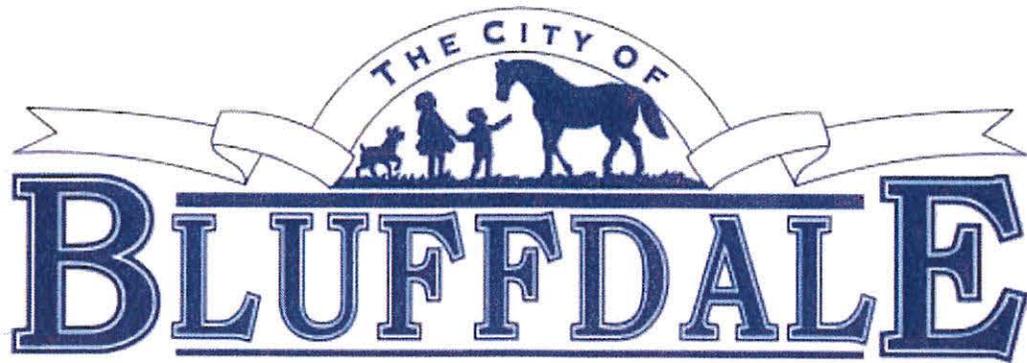
[seal]

City Recorder

Voting by the City Council: Yes No

Councilmember Jackson	_____	_____
Councilmember Nielsen	_____	_____
Councilmember Preece	_____	_____
Councilmember Westwood	_____	_____
Councilmember Wingate	_____	_____

Agenda Item 5



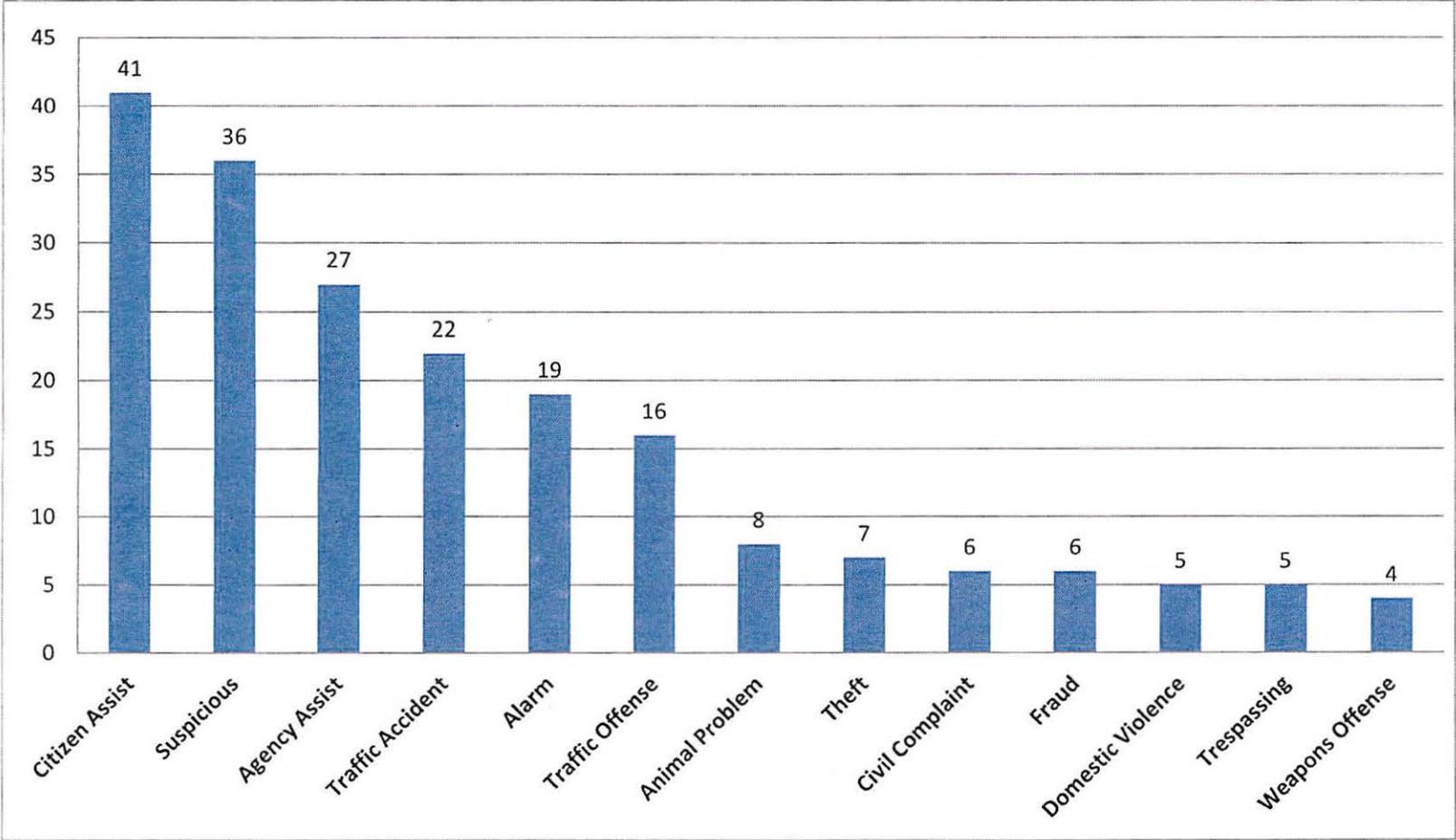
Bluffdale Police

Monthly Statistics / Information

October 2015

Bluffdale Police Department			
Fastest CAD Calls Response Times, by Nature			
<u>Nature</u>	<u>Date Reported</u>	<u>Response</u>	<u>Officer</u>
BURGLARY IP 26	10/23/2015 18:57	0:02:29	OLDHAM
DIST FAMI 26	10/25/2015 13:03	0:03:04	HILL
ASSI MEDI 26	10/26/2015 16:51	0:03:07	JUDSON
ASSI MEDI 26	10/20/2015 17:20	0:03:28	HILL
ASSI MEDI 26	10/31/2015 22:35	0:03:34	CHUCHRAN
ACCI PI 26	10/11/2015 14:25	0:04:19	HILL
DIST FAMI 26	10/9/2015 21:25	0:04:28	OLDHAM
ASSI FIRE 26	10/30/2015 20:44	0:04:55	CHUCHRAN
ASSI FIRE 26	10/24/2015 13:11	0:05:27	HILL
ASSI MEDI 26	10/26/2015 19:06	0:06:01	CHUCHRAN
ASSI MEDI 26	10/16/2015 16:21	0:06:20	JUDSON
ASSI MEDI 26	10/10/2015 21:41	0:06:23	OLDHAM
WEAP OFFE IP 26	10/31/2015 8:22	0:07:14	JUDSON
ASSI FIRE 26	10/15/2015 9:12	0:07:32	HILL
DIST 26	10/4/2015 17:19	0:07:50	JUDSON
ASSI MEDI 26	10/9/2015 22:12	0:08:20	OLDHAM
DOME VIOL IP 26	10/22/2015 13:37	0:08:33	O'BRAY
DRUG OFFE IP 26	10/10/2015 16:06	0:08:41	HILL
ASSI FIRE 26	10/23/2015 16:42	0:09:03	HILL
DIST FAMI 26	10/30/2015 19:51	0:09:14	ROSEN
DIST FAMI 26	10/13/2015 7:09	0:09:32	JUDSON
WEAP OFFE IP 26	10/3/2015 7:41	0:09:41	JUDSON
ASSI MEDI 26	10/13/2015 11:51	0:10:05	JUDSON
DRUG OFFE IP 26	10/7/2015 16:38	0:11:17	JUDSON
MISS CHIL 26	10/30/2015 18:34	0:11:55	ROSEN
ASSI MEDI 26	10/3/2015 14:19	0:14:37	JUDSON
DIST FAMI 26	10/5/2015 20:15	0:14:54	OLDHAM
TRAUMA	10/15/2015 21:59	0:19:54	OLDHAM
WEAP OFFE IP 26	10/24/2015 9:47	0:21:24	HILL
ASSI FIRE 26	10/24/2015 12:45	0:22:22	HILL
DOME VIOL IP 26	10/26/2015 19:11	0:24:39	CHUCHRAN
Avg. All Calls		0:09:22	
Total reported: 31			

**Bluffdale Police Department
Stats for October
2015**





BLUFFDALE POLICE DEPARTMENT
Investigations Division Monthly Summary
 October 2015

INVESTIGATOR	New Assigned Cases	Cases Completed	Cleared by Arrest	Authored Warrants	Cases Screened	Active Cases	School Education	Composite Drawings	Photo Line-up	Call Outs
Taylor	23	23	2	0	2	1	0	0	0	2
Stidham	36	10	4	6	4	84	0	0	0	1
N. Nelson	0	0	0	0	0	0	0	0	0	0
Monthly Total	59	33	6	6	6	85	0	0	0	3
Previous Month	49	42	10	1	9	114	4	0	0	4
Year-to-date	580	551	75	18	80	892	71	0	5	29
2010 End of year (6 months)	245	75	31	11	24	137				27
2011 End of year	469	489	117	33	137	83				104



BLUFFDALE POLICE DEPARTMENT
Investigations Division Monthly Summary
October 2015

2012 End of year	350	306	79	13	75	222				28
2013 End of year	287	203	65	19	66	488				14
2014 End of year	409	483	87	25	82	1441				28



SARATGOGA SPRINGS/ BLUFFDALE POLICE DEPARTMENT

Chief Andrew Burton

"Commitment to Service"

BLUFFDALE DIVISION MONTHLY SUMMARY

October 2015

Bluffdale Officers received (344) incidents assigned to them this month. Among the cases involving Investigations/Patrol Units were; (1) burglaries, (4) vehicle burglaries, cases involving thefts and frauds, (14) cases involving domestic violence, (3) vehicle theft, (1) sex offenses, (0) mental subject, (3) weapons offenses, (1) child abuse cases, (1) criminal mischief cases, (1) missing person, (0) death investigation, (0) robbery, (0) stalking cases and (0) assault cases.

Investigations are continuing to follow up on (85) active cases. Also, (6) cases have been screened with the District Attorney and the City Attorney and (6) cases were closed with arrests being made. Case load for October was a particularly busy month for Suspicious Calls (24) Alarms (15), Traffic Offenses (45) and Traffic Accidents (18)

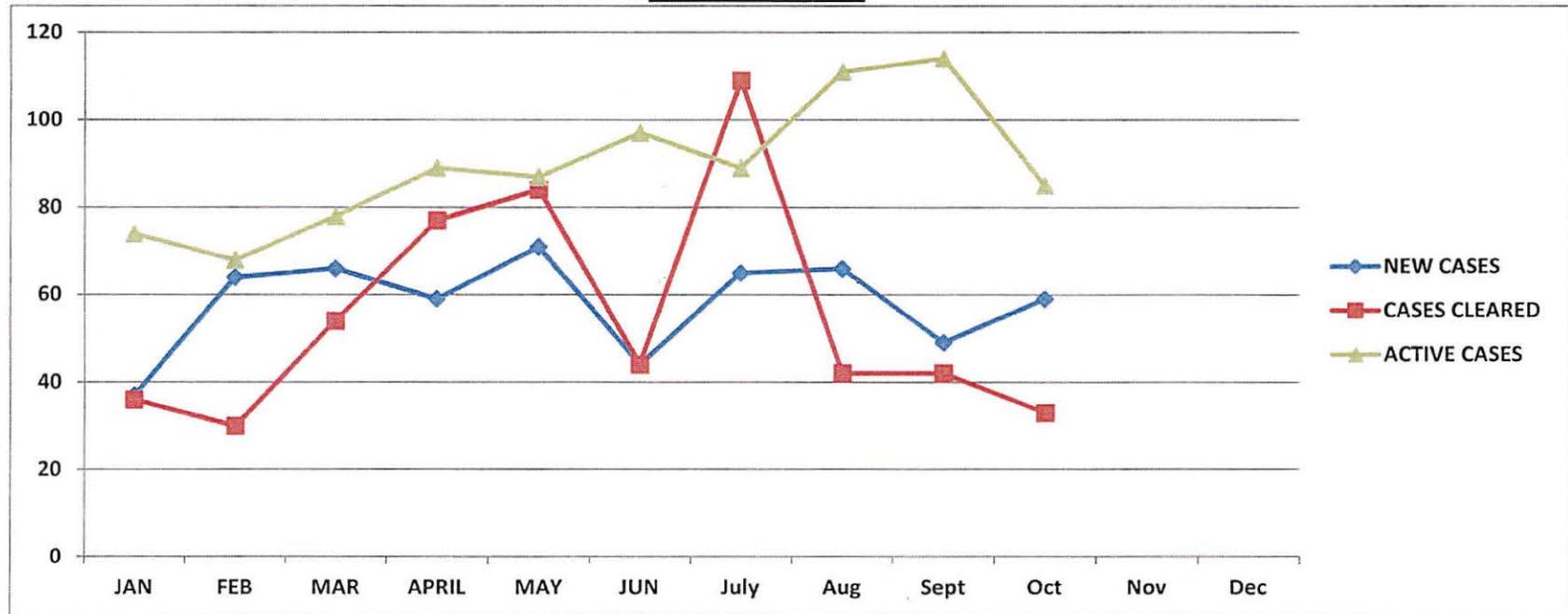
VOLUNTEERS IN POLICE SERVICES

Volunteers In Police Services helped with the Courts and patrolling the City of Bluffdale during the month of October 2015.



BLUFFDALE POLICE DEPARTMENT
MONTHLY CASE STATISTICS

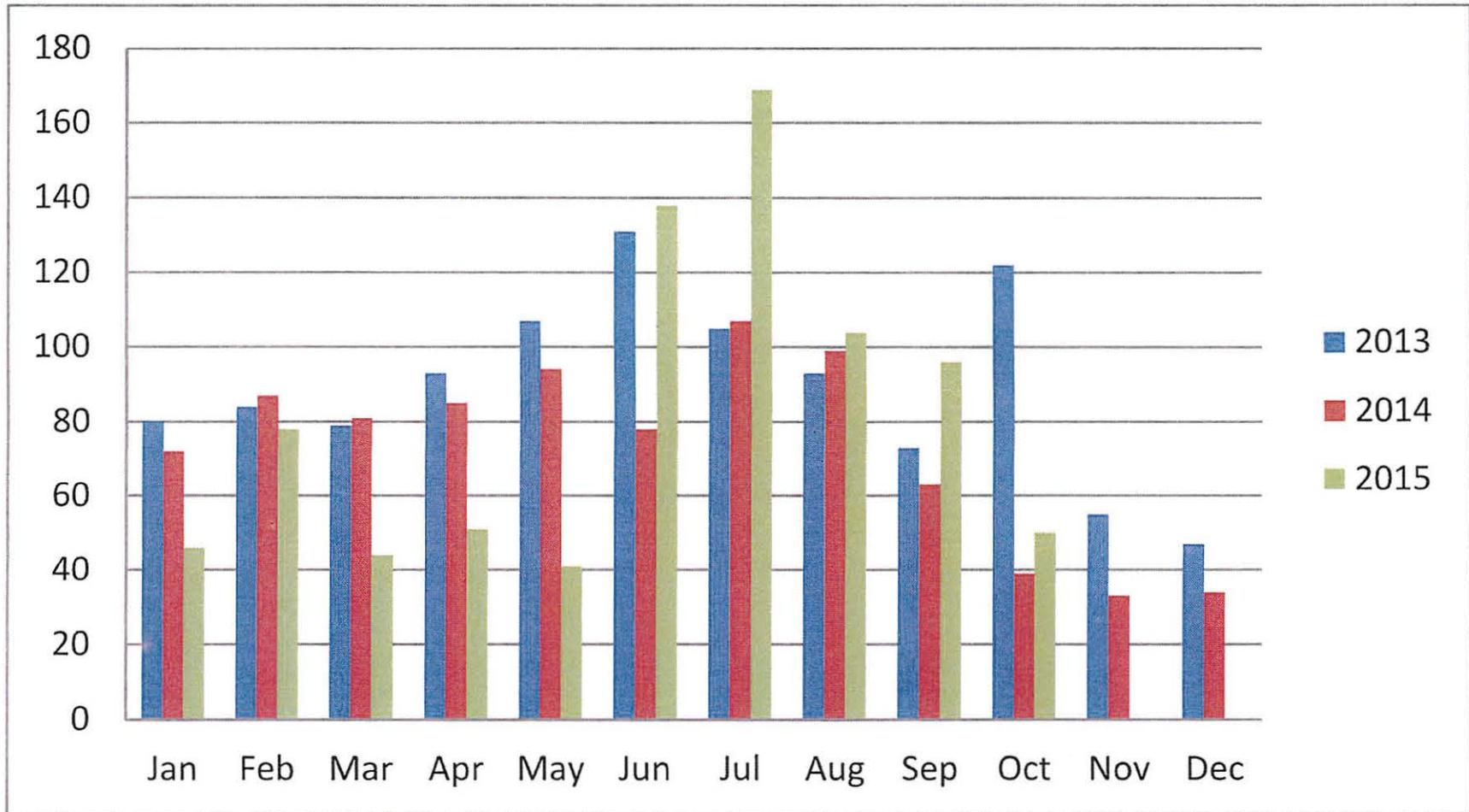
October 2015



2014	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
New Cases	37	64	66	59	71	44	65	66	49	59		
Cases Cleared	36	30	54	77	84	44	109	42	42	33		
Active Cases	74	68	78	89	87	97	89	111	114	85		

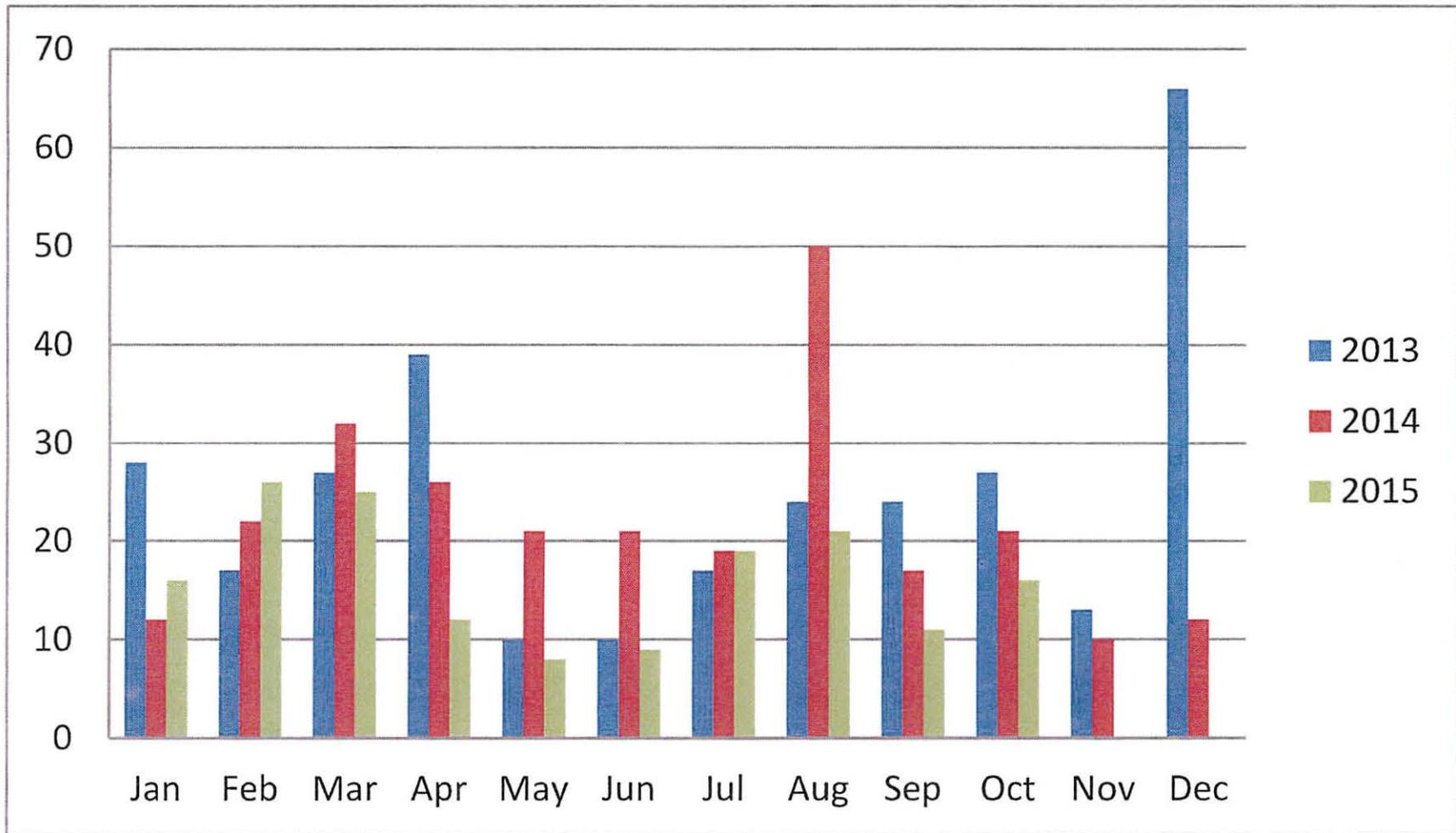
TOTALS	2013-Year End	2014-Year End	2015-Year End	2016-Year End
New Cases	287	409		
Cases Cleared	203	483		
Active Cases	488	1441		

Bluffdale Police Department Total Citations

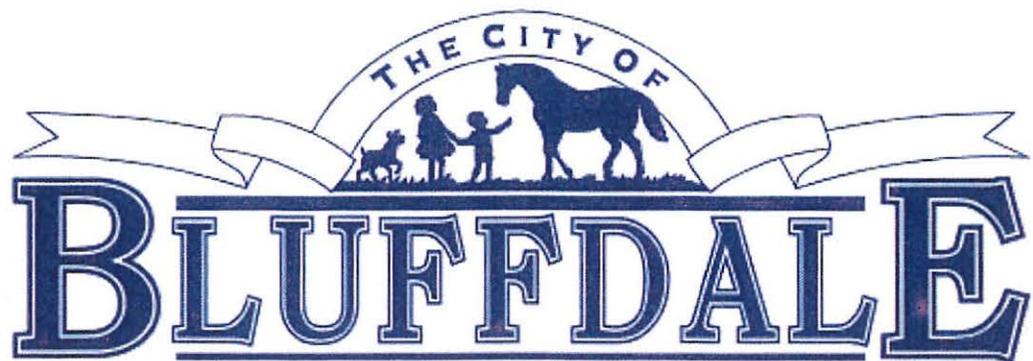


Total
2013 - 1069
2014 - 872
2015 - 817

Bluffdale Police Department Total Arrest



Total
2013 - 302
2014 - 263
2015 - 163



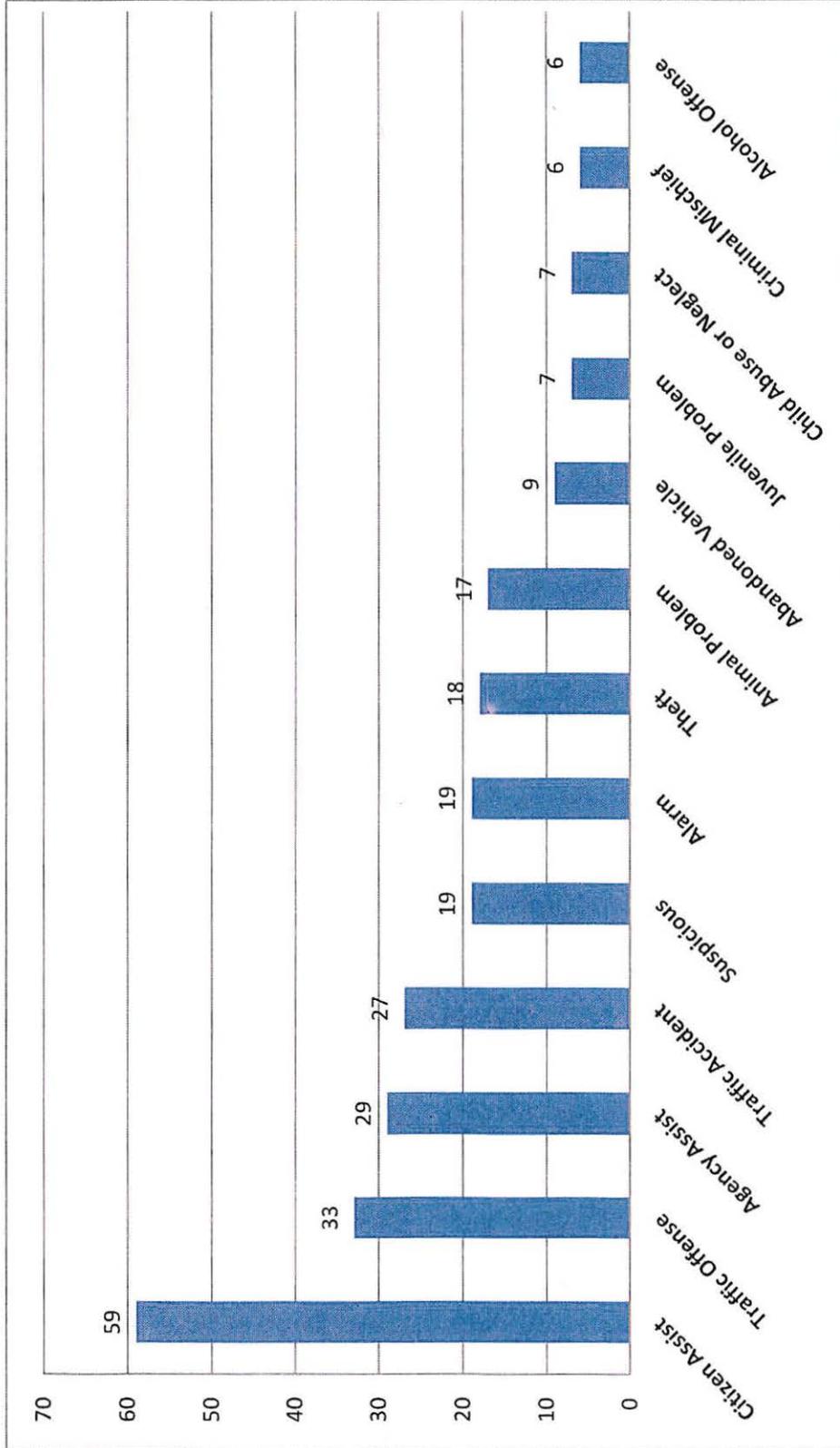
Bluffdale Police

Monthly Statistics / Information

NOVEMBER 2015

Bluffdale Police Department			
Fastest CAD Calls Response Times, by Nature			
<u>Nature</u>	<u>Date Reported</u>	<u>Response</u>	<u>Officer</u>
ASSI FIRE 26	11/16/2015 15:47	0:30:31	Hill
DIST 26	11/30/2015 19:53	0:25:06	Beglarian
ASSI MEDI 26	11/23/2015 17:53	0:19:01	Chuchran
ACCI PI 26	11/5/2015 17:06	0:18:35	O'Bray
ASSI FIRE 26	11/4/2015 18:13	0:18:11	Rosen
ASSI FIRE 26	11/9/2015 17:35	0:17:55	Judson
ACCI UNKN 26	11/23/2015 12:17	0:16:34	Judson
ASSI FIRE 26	11/10/2015 15:05	0:12:15	Judson
DOME VIOL IP 26	11/18/2015 21:48	0:11:42	Chuchran
DOME VIOL IP 26	11/27/2015 1:18	0:11:19	Hill
MEDICAL DD	11/16/2015 1:07	0:10:24	Chuchran
ASSA IP 26	11/22/2015 17:01	0:09:26	Hill
DOME VIOL IP 26	11/17/2015 19:16	0:09:18	Oldham
WELF CHEC 26	11/1/2015 15:13	0:07:52	Judson
DIST FAMI 26	11/27/2015 23:46	0:07:32	Echols
ASSI MEDI 26	11/14/2015 12:15	0:07:21	Beglarian
ASSI MEDI 26	11/20/2015 13:57	0:07:18	Hill
ASSI MEDI 26	11/17/2015 17:32	0:07:12	Hill
TRESPASS IP 26	11/16/2015 14:56	0:07:06	Hill
DIST FAMI 26	11/24/2015 22:47	0:06:59	Chuchran
PROWLER 26	11/3/2015 0:18	0:06:18	Oldham
DIST FAMI 26	11/1/2015 12:50	0:05:04	Judson
ACCI UNKN 26	11/3/2015 13:35	0:04:51	Rosen
DOME VIOL IP 26	11/8/2015 19:43	0:04:48	Oldham
MEDICAL DD	11/26/2015 6:02	0:04:41	Oldham
ASSI FIRE 26	11/27/2015 11:19	0:04:15	Rosen
ASSI FIRE 26	11/25/2015 9:25	0:04:11	Oldham
DRUG OFFE IP 26	11/3/2015 5:46	0:03:56	Oldham
DOME VIOL IP 26	11/8/2015 20:11	0:03:43	Oldham
ACCI UNKN 26	11/27/2015 14:50	0:03:08	Chuchran
ACCIDENT-PI	11/3/2015 16:45	0:00:04	Hill
DEAT INVE 26	11/28/2015 19:18	0:00:00	Rosen
Avg. All Calls		0:09:35	
Total reported: 33			

Bluffdale Police Department
Stats for November
2015





BLUFFDALE POLICE DEPARTMENT
Investigations Division Monthly Summary
 November 2015

INVESTIGATOR	New Assigned Cases	Cases Completed	Cleared by Arrest	Authored Warrants	Cases Screened	Active Cases	School Education	Composite Drawings	Photo Line-up	Call Outs
Taylor	33	33	7	0	7	1	0	0	0	1
Stidham	21	46	5	4	5	59	0	0	0	2
N. Nelson	0	0	0	0	0	0	0	0	0	0
Monthly Total	54	79	12	4	12	60	0	0	0	3
Previous Month	59	33	6	6	6	85	0	0	0	3
Year-to-date	634	630	87	22	92	952	71	0	5	32
2010 End of year (6 months)	245	75	31	11	24	137				27
2011 End of year	469	489	117	33	137	83				104



BLUFFDALE POLICE DEPARTMENT
Investigations Division Monthly Summary
November 2015

2012 End of year	350	306	79	13	75	222				28
2013 End of year	287	203	65	19	66	488				14
2014 End of year	409	483	87	25	82	1441				28



SARATGOGA SPRINGS/ BLUFFDALE POLICE DEPARTMENT

Chief Andrew Burton

"Commitment to Service"

BLUFFDALE DIVISION MONTHLY SUMMARY November 2015

Bluffdale Officers received (361) incidents assigned to them this month. Among the cases involving Investigations/Patrol Units were; (3) burglaries, (6) vehicle burglaries, cases involving thefts and frauds, (9) cases involving domestic violence, (9) vehicle theft, (2) sex offenses, (1) mental subject, (2) weapons offenses, (6) child abuse cases, (2) criminal mischief cases, (3) missing person, (1) death investigation, (0) robbery, (0) stalking cases and (0) assault cases.

Investigations are continuing to follow up on (60) active cases. Also, (12) cases have been screened with the District Attorney and the City Attorney and (12) cases were closed with arrests being made. Case load for November was a particularly busy month for Suspicious Calls (13) Alarms (19), Traffic Offenses (55) and Traffic Accidents (22)

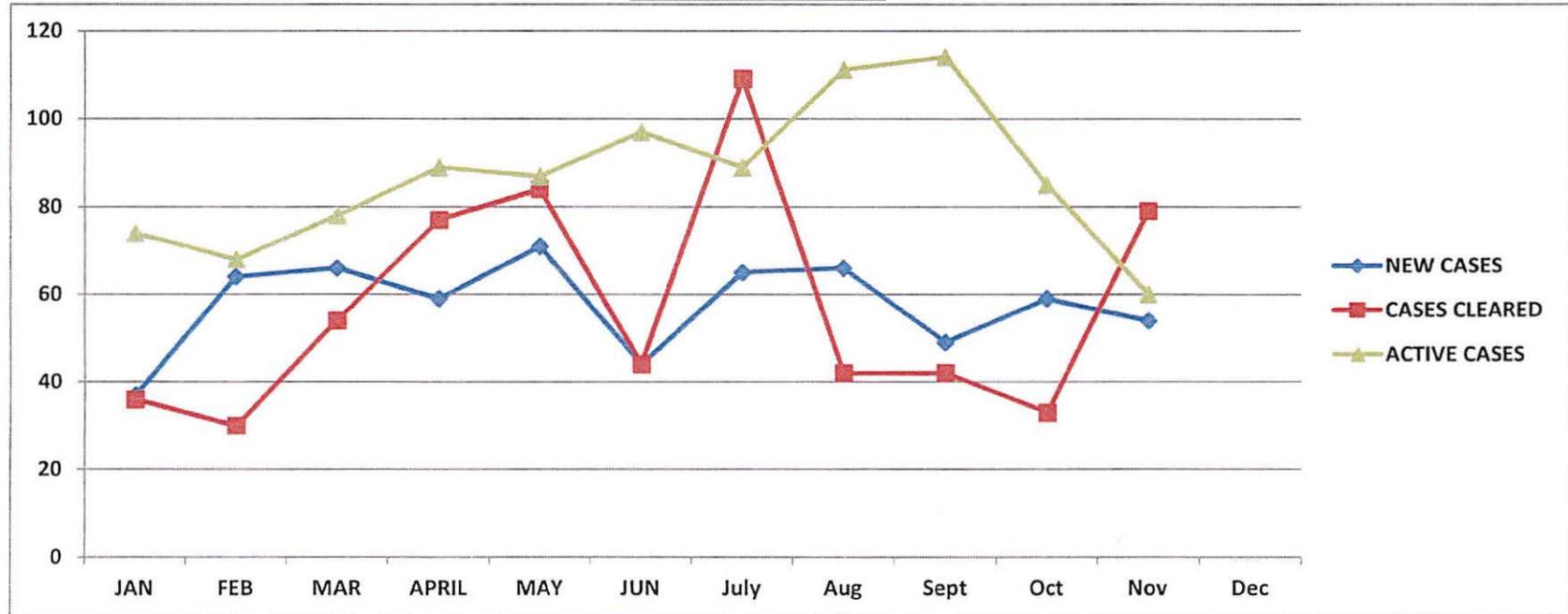
VOLUNTEERS IN POLICE SERVICES

Volunteers In Police Services helped with the Courts and patrolling the City of Bluffdale during the month of November 2015.



BLUFFDALE POLICE DEPARTMENT
MONTHLY CASE STATISTICS

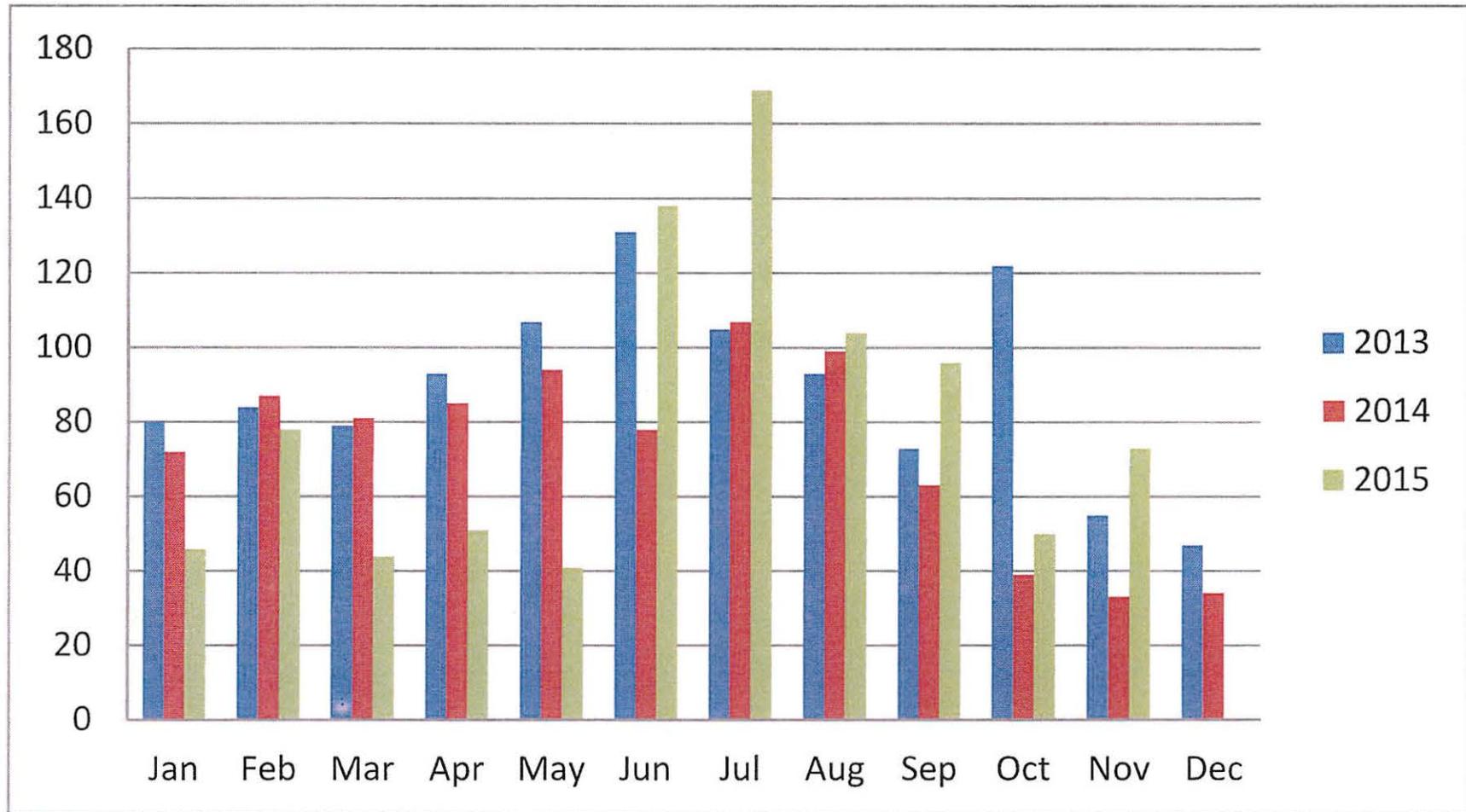
November 2015



2014	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
New Cases	37	64	66	59	71	44	65	66	49	59	54	
Cases Cleared	36	30	54	77	84	44	109	42	42	33	79	
Active Cases	74	68	78	89	87	97	89	111	114	85	60	

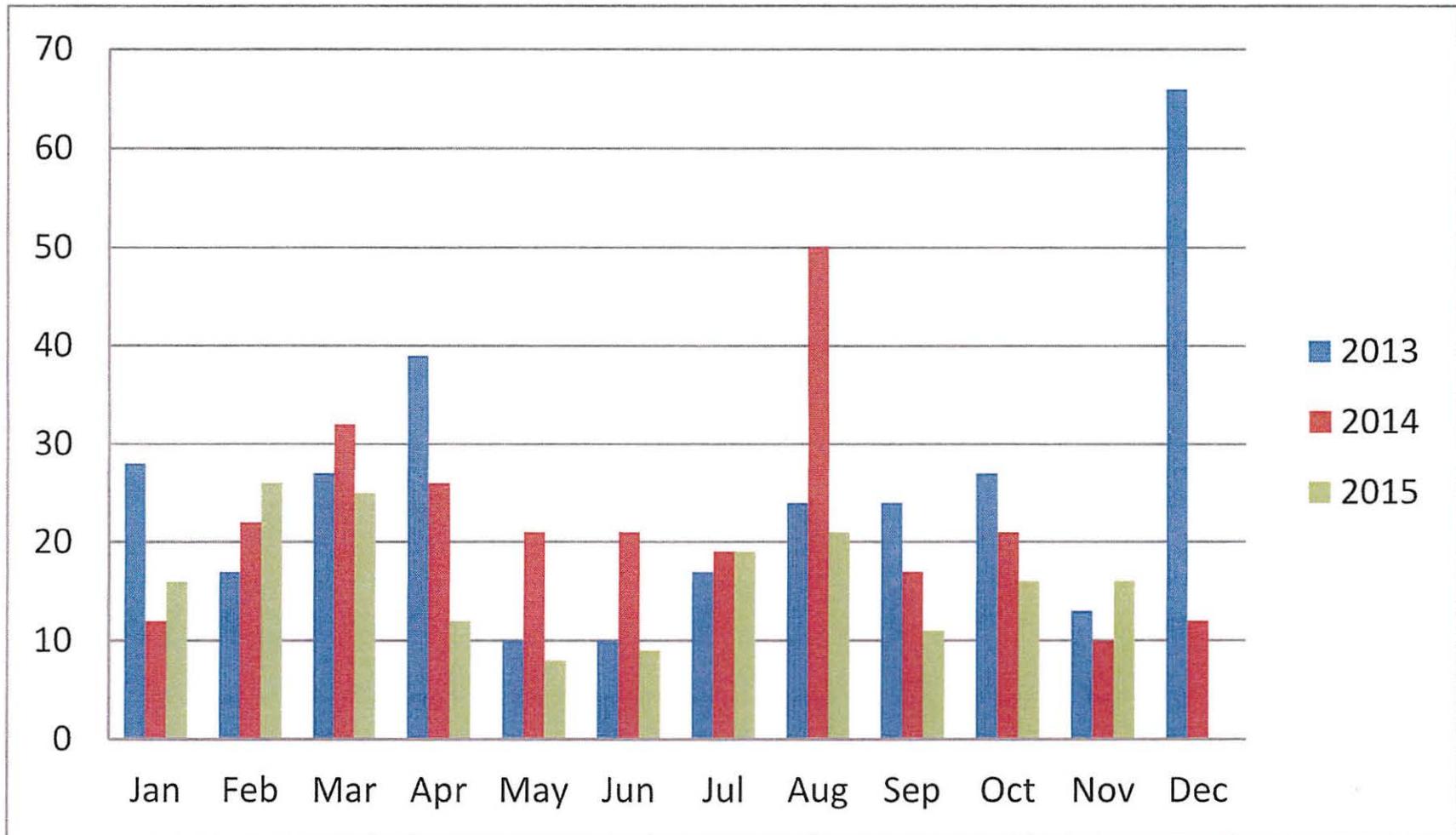
TOTALS	2013-Year End	2014-Year End	2015-Year End	2016-Year End
New Cases	287	409		
Cases Cleared	203	483		
Active Cases	488	1441		

Bluffdale Police Department Total Citations

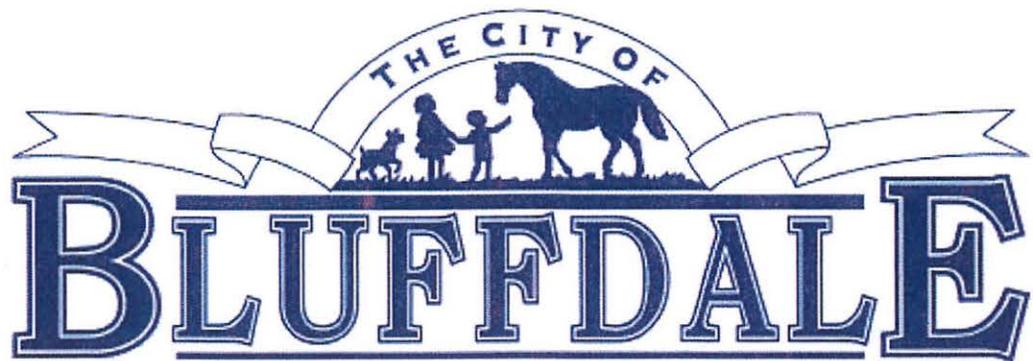


Total
2013 - 1069
2014 - 872
2015 - 890

Bluffdale Police Department Total Arrest



Total
2013 - 302
2014 - 263
2015 - 179



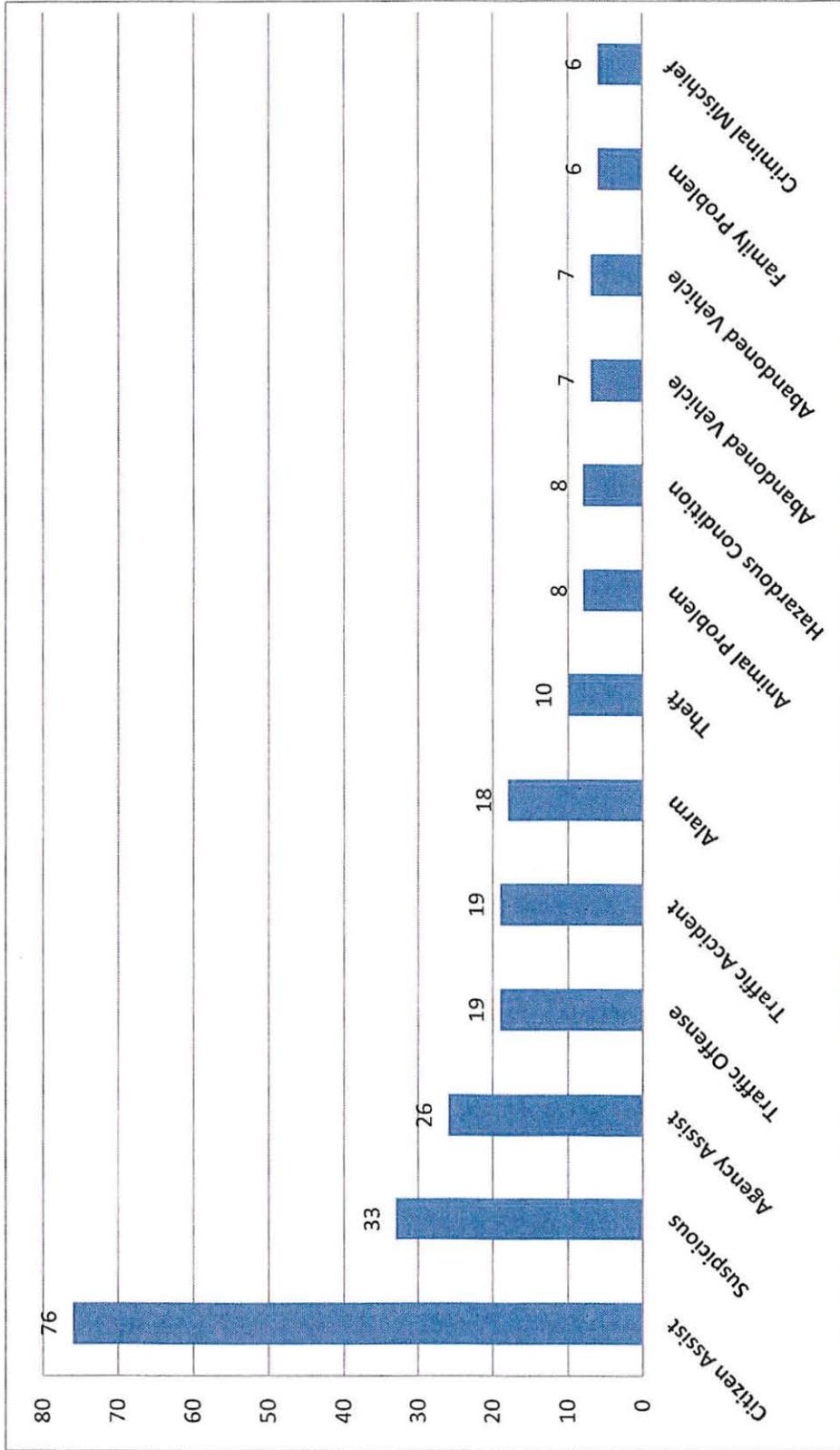
Bluffdale Police

Monthly Statistics / Information

DECEMBER 2015

Bluffdale Police Department			
Fastest CAD calls Response Times, By Nature			
<u>Nature</u>	<u>Date Reported</u>	<u>Response</u>	<u>Officer</u>
BACKUP 26	12/2/2015 14:58	0:02:17	Rosen
ACCI PI 26	12/4/2015 7:47	0:02:37	Oldham
ASSI MEDI 26	12/19/2015 11:50	0:03:20	Oldham
DOME VIOL IP 26	12/13/2015 20:53	0:03:28	Judson
BURGLARY IP 26	12/20/2015 11:13	0:03:40	Oldham
DRUG OFFE IP 26	12/11/2015 22:43	0:04:36	Judson
DEAT INVE 26	12/7/2015 17:03	0:04:37	Chuchran
WEAP OFFE IP 26	12/7/2015 13:42	0:04:39	Chuchran
DIST FAMI 26	12/3/2015 22:37	0:05:11	Judson
ASSI FIRE 26	12/11/2015 21:52	0:06:22	Judson
BURGLARY IP 26	12/2/2015 21:28	0:06:28	Judson
DIST 26	12/25/2015 19:37	0:06:34	Judson
ASSI MEDI 26	12/25/2015 3:55	0:07:10	Hill
DIST FAMI 26	12/18/2015 8:57	0:07:11	Oldham
MEDICAL DD	12/2/2015 14:50	0:07:14	Rosen
ASSI MEDI 26	12/15/2015 13:41	0:07:16	Blake
TRESPASS IP 26	12/31/2015 18:04	0:07:47	Judson
DOME VIOL IP 26	12/29/2015 20:01	0:09:31	Hill
ASSI MEDI 26	12/7/2015 10:14	0:09:35	Chuchran
ASSI FIRE 26	12/15/2015 0:31	0:10:48	Hill
DIST 26	12/30/2015 3:06	0:12:09	Hill
ASSI FIRE 26	12/13/2015 0:48	0:13:21	Judson
DIST FAMI 26	12/15/2015 20:04	0:15:04	Hill
TRESPASS IP 26	12/18/2015 23:21	0:15:55	Hill
DIST FAMI 26	12/28/2015 20:11	0:16:39	Hill
DOME VIOL IP 26	12/28/2015 6:10	0:18:45	Oldham
SEX OFFE IP 26	12/17/2015 0:02	0:28:44	Davila
Avg. All Calls		0:08:55	
Total reported: 26			

Bluffdale Police Department
Stats for December
2015





BLUFFDALE POLICE DEPARTMENT
Investigations Division Monthly Summary
 December 2015

INVESTIGATOR	New Assigned Cases	Cases Completed	Cleared by Arrest	Authored Warrants	Cases Screened	Active Cases	School Education	Composite Drawings	Photo Line-up	Call Outs
Taylor	27	27	4	0	4	1	0	0	0	4
Stidham	12	42	13	3	13	29	0	0	0	1
N. Nelson	0	0	0	0	0	0	0	0	0	0
Monthly Total	39	69	17	3	17	30	0	0	0	5
Previous Month	54	79	12	4	12	60	0	0	0	3
Year-to-date	673	699	104	25	109	982	71	0	5	37
2010 End of year (6 months)	245	75	31	11	24	137				27
2011 End of year	469	489	117	33	137	83				104



BLUFFDALE POLICE DEPARTMENT
Investigations Division Monthly Summary
December 2015

2012 End of year	350	306	79	13	75	222				28
2013 End of year	287	203	65	19	66	488				14
2014 End of year	409	483	87	25	82	1441				28
2015 End of year	673	699	104	25	109	982	71	0	5	37



SARATGOGA SPRINGS/ BLUFFDALE POLICE DEPARTMENT

Chief Andrew Burton

"Commitment to Service"

BLUFFDALE DIVISION MONTHLY SUMMARY

December 2015

Bluffdale Officers received (317) incidents assigned to them this month. Among the cases involving Investigations/Patrol Units were; (3) burglaries, (6) vehicle burglaries, cases involving thefts and frauds, (7) cases involving domestic violence, (8) vehicle theft, (0) sex offenses, (1) mental subject, (1) weapons offenses, (2) child abuse cases, (1) criminal mischief cases, (1) missing person, (1) death investigation, (0) robbery, (0) stalking cases and (0) assault cases.

Investigations are continuing to follow up on (30) active cases. Also, (17) cases have been screened with the District Attorney and the City Attorney and (17) cases were closed with arrests being made. Case load for December was a particularly busy month for Suspicious Calls (23) Alarms (16), Traffic Offenses (60) and Traffic Accidents (18)

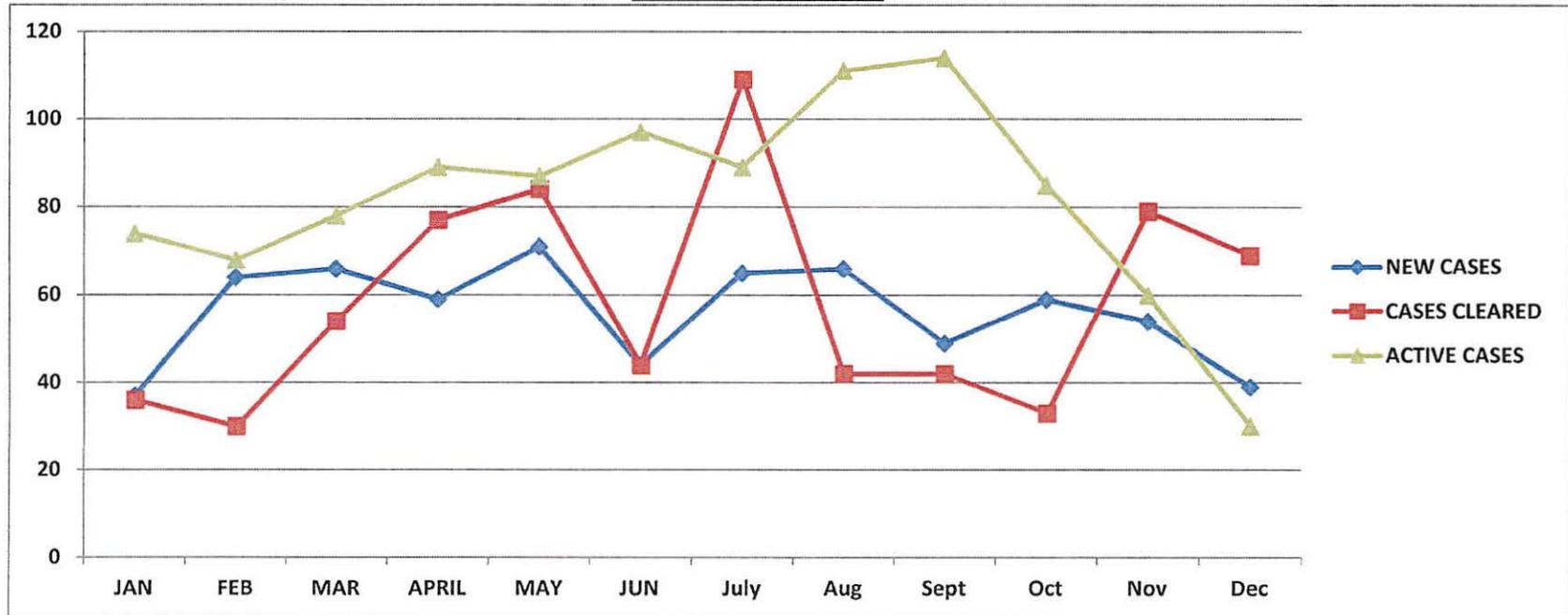
VOLUNTEERS IN POLICE SERVICES

Volunteers In Police Services helped with the Courts and patrolling the City of Bluffdale during the month of December 2015.



BLUFFDALE POLICE DEPARTMENT
MONTHLY CASE STATISTICS

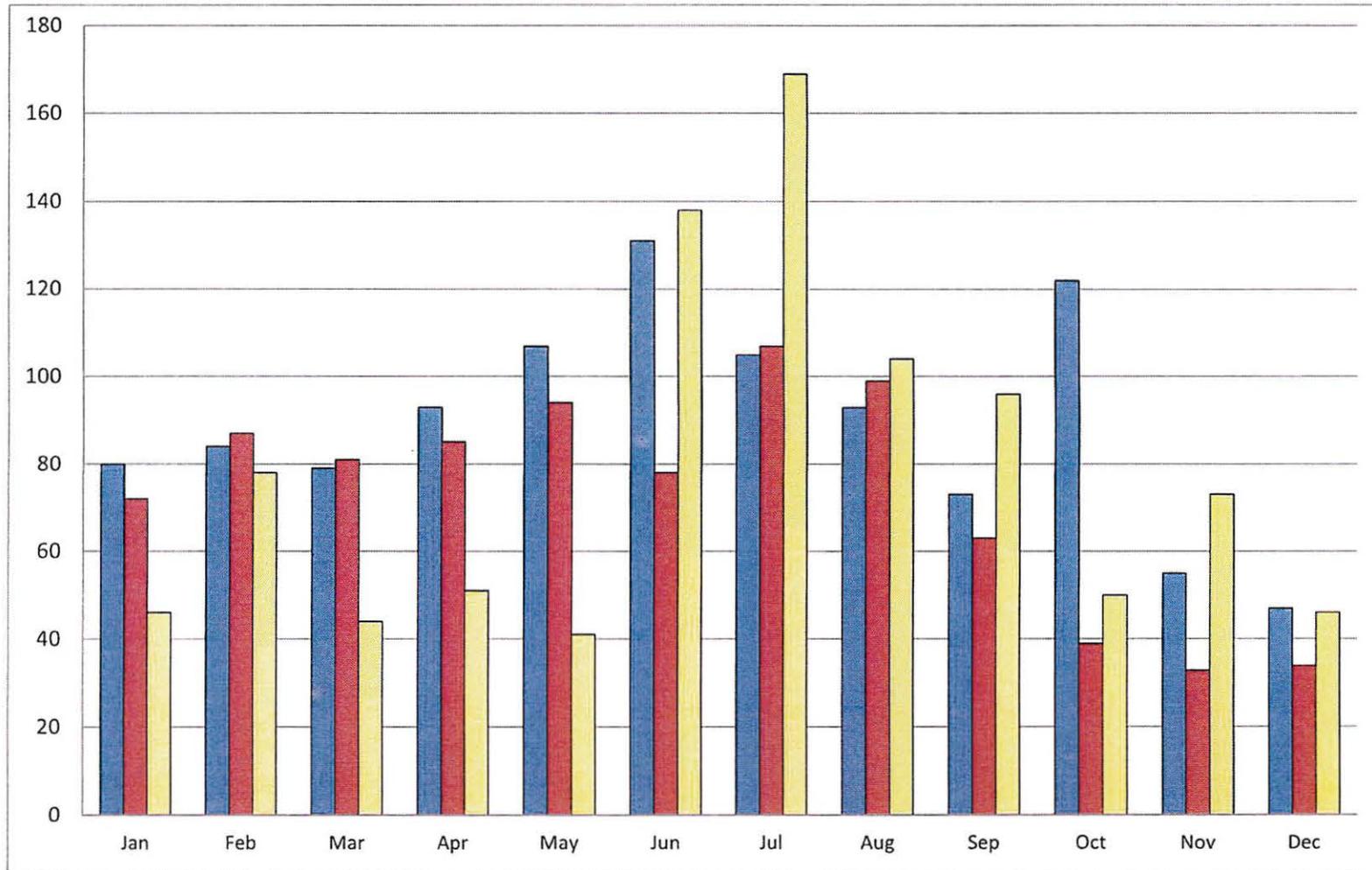
December 2015



2014	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
New Cases	37	64	66	59	71	44	65	66	49	59	54	39
Cases Cleared	36	30	54	77	84	44	109	42	42	33	79	69
Active Cases	74	68	78	89	87	97	89	111	114	85	60	30

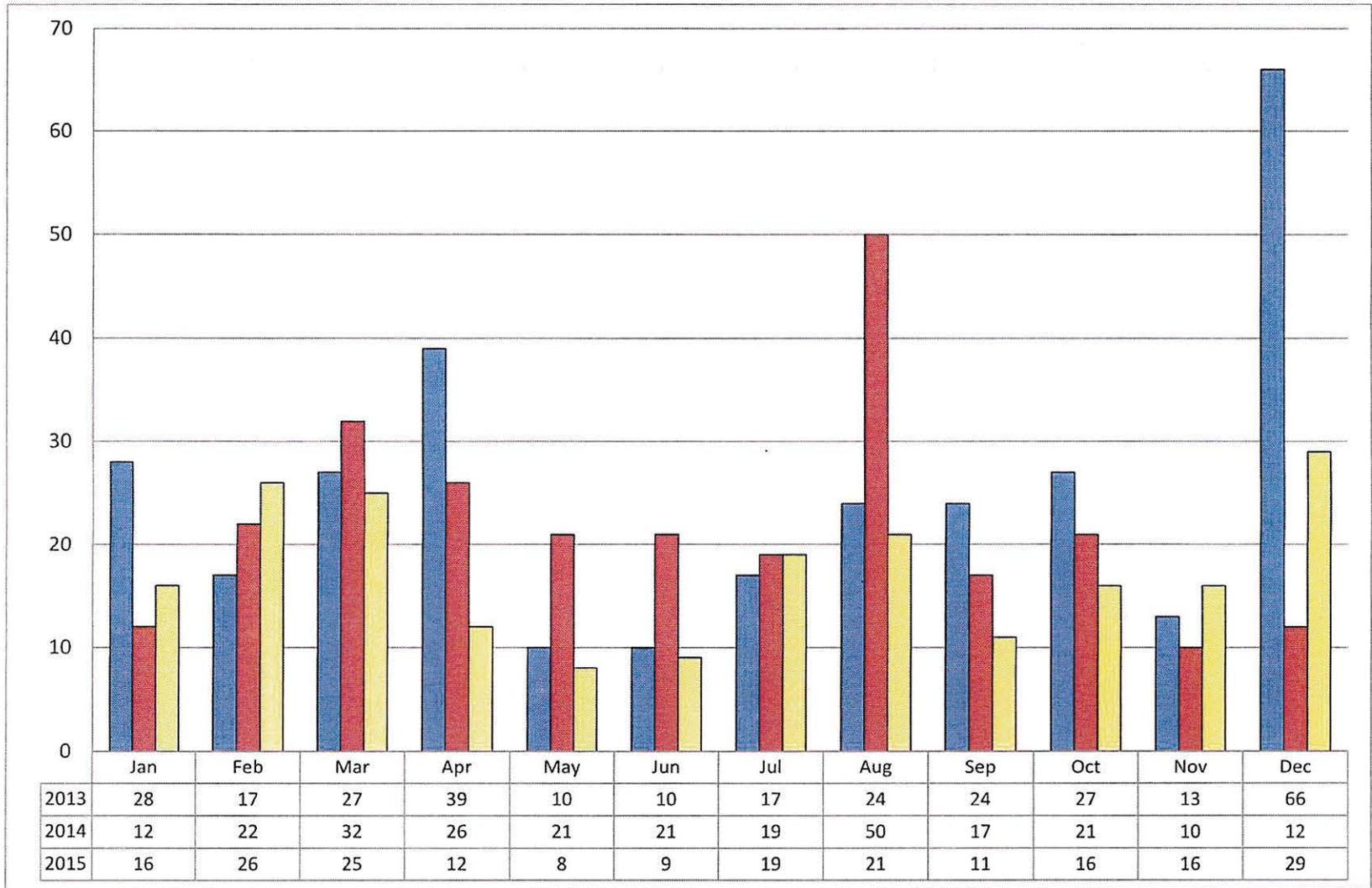
TOTALS	2013-Year End	2014-Year End	2015-Year End	2016-Year End
New Cases	287	409	673	
Cases Cleared	203	483	699	
Active Cases	488	1441	982	

Bluffdale Police Department Total Traffic Citations



Totals
2013 - 1069 / 2014 - 872 / 2015 - 767

Bluffdale Police Department Total Arrests



Totals

2013 - 302 / 2014 - 220 / 2015 - 208

Agenda Item 6

City Council Staff Report

Author: Andrew Burton, Chief of Police

Subject: Amended Salt Lake County Officer Involved Critical Incident Task Force Inter-local Agreement

Date: January 26, 2016

Type of Item: Resolution

Summary Recommendations: Staff recommends approval of the attached resolution authorizing the Mayor to sign the **Amended** Salt Lake County Officer Involved Critical Incident Task Force Inter-local Agreement.

Description:

A. Topic: Officer Involved Critical Incident Task Force in Salt Lake County.

B. Background: The City Council approved the original inter-local agreement in October 2015 authorizing the mayor to sign for the City. This first amendment (see attachment) adds the Attorney General's Office as a member of the established task force and establishes the procedures for amendments in the future. It is requested that the city council authorize the mayor to sign this amendment. Further, it is requested that the city council authorize the mayor to sign future amendments without a resolution by the council unless the amendment has substantial changes to the original document.

C. City Department Review: City Police Chief.

Alternatives:

A. Deny the Resolution: We could be in violation of UCA 76-2-408 if dropped from the task force.

B. Continue the Item: We could be in violation of UCA 76-2-408 if dropped from the task force.

Recommendation: Staff recommends approval of the resolution.

CITY OF BLUFFDALE, UTAH

RESOLUTION No. 2016-

A RESOLUTION TO ENTER INTO THE SALT LAKE COUNTY OFFICER INVOLVED CRITICAL INCIDENT TASK FORCE INTERLOCAL AGREEMENT.

WHEREAS Utah Code Annotated 76-2-408, the “Officer Involved Critical Incident (OICI) Statute” became effective May 12, 2015;

WHEREAS this statute required every law enforcement agency to adopt and post by December 31, 2015, (1) the policies and procedure the agency has adopted to select the investigating agency that will investigate an OICI that occurs in its jurisdiction when one or more of its officers are alleged to have caused or contributed to the OICI; and (2) the protocols the agency has adopted to ensure that every OICI investigation conducted in its jurisdiction is conducted professionally, thoroughly, and impartially;

WHEREAS the Saratoga Springs Police Department provides law enforcement services to the City of Bluffdale, which lies almost wholly within Salt Lake County;

WHEREAS the Salt Lake Valley Police Alliance established the Salt Lake County OICI Task Force;

WHEREAS Saratoga Springs City and the City of Bluffdale approved membership and executed a resolution and agreement;

WHEREAS the executed agreement needs to be amended to add the Attorney General as a member of the task force and to revise the procedure on future amendments; and

WHEREAS the Bluffdale City Council as Governing Body has reviewed the attached Staff Report;

NOW, THEREFORE, BE IT RESOLVED BY THE BLUFFDALE CITY COUNCIL AS FOLLOWS:

Section 1. Authorization to Execute Interlocal Agreement. The City Council hereby authorizes the Mayor to sign the attached Salt Lake County Officer Involved Critical Incident Task Force Interlocal Agreement, First Amendment.

Section 2. Effective Date. This Resolution shall become effective immediately upon passage.

PASSED AND APPROVED: February 10, 2016.

CITY OF BLUFFDALE

Mayor

ATTEST:

[seal]

City Recorder

Voting by the City Council:	Yes	No
Councilmember Jackson	_____	_____
Councilmember Nielsen	_____	_____
Councilmember Preece	_____	_____
Councilmember Westwood	_____	_____
Councilmember Wingate	_____	_____

**SALT LAKE COUNTY OFFICER INVOLVED
CRITICAL INCIDENT TASK FORCE
INTERLOCAL AGREEMENT
FIRST AMENDMENT**

THIS INTERLOCAL COOPERATION AGREEMENT (“Agreement”) is entered into this ____ day of _____ 2015/2016, by and between the following municipal and governmental entities for and on behalf of their respective law enforcement agencies, City of Alta, City of Bluffdale, City of Cottonwood Heights, Draper City, Granite School District, Murray City Corporation, Salt Lake City Corporation, Salt Lake County, Sandy City, City of Saratoga Springs, City of South Jordan, City of South Salt Lake, Unified Police Department of Greater Salt Lake, University of Utah, Utah Attorney General’s Office, Utah Department of Corrections, Utah Department of Public Safety, Utah Transit Authority, City of West Jordan, and West Valley City, for the purpose of facilitating the establishment of the Salt Lake County Officer Involved Critical Incident Task Force (“OICI Task Force”). The parties to this Agreement are sometimes referred to collectively as the “Parties” or individually as a “Party.”

RECITALS:

- A. UTAH CODE ANN. § 76-2-408 (the“OICI Statute”) became effective on May 12, 2015 and sets forth requirements for the investigation of officer involved critical incidents (“OICI”) delineated in the statute.
- B. The OICI Statute requires every law enforcement agency to adopt and post by December 31, 2015, (1) the policies and procedure the agency has adopted to select the investigating agency that will investigate an OICI that occurs in its jurisdiction when one or more of its officers are alleged to have caused or contributed to the OICI; and (2) the protocols the agency has adopted to ensure that every OICI investigation conducted in its jurisdiction is conducted professionally, thoroughly, and impartially.
- C. The Parties have determined that the formation of a Salt Lake County OICI Task Force (“OICI Task Force”) that will serve as the investigating agency for OICI’s that occur in Salt Lake County will ensure that any investigation of an OICI will be conducted professionally, thoroughly and impartially.
- D. The Parties have determined that the OICI Task Force will be governed the Salt Lake County OICI Protocol (“OICI Protocol”) that the Parties have established to provide uniform procedures for the investigation of OICI’s.
- E. The utilization of a Salt Lake County OICI Task Force to investigate OICI’s is beneficial to the Parties, the citizens of Salt Lake County and the officers who are involved in OICI’s.
- F. The Utah Interlocal Cooperation Act, UTAH CODE ANN. §§ 11-13-101 *et seq.*, 1953, as amended (the “Interlocal Act”), authorizes public agencies to enter into

agreement to provide law enforcement services to one or more other public agencies.

NOW, THEREFORE, in consideration of the mutual covenants and undertakings of the Parties hereto, and for other good and valuable consideration, the sufficiency of which is hereby acknowledged, the Parties hereto agree as follows:

Section 1. General Purpose. The purpose of this Agreement is to form a Salt Lake County OICI Task Force to meet the requirements set forth in the OICI Statute and to provide improved OICI investigations while avoiding conflicts of interest. The Parties declare that there is a county-wide need for an OICI Task Force.

Section 2. Definitions. For purposes of this Agreement, the following terms shall have the meanings given in this section:

- (a) "Advisory Board" means the Advisory Board that shall govern the administration of the OICI Protocol and shall include the District Attorney or designee thereof and a designee from each Participating Agency.
- (b) "Investigating Agency" means the Protocol Task Force composed of officers from multiple law enforcement agencies.
- (c) "Officer-involved critical incident" ("OICI") as established in the OICI Statute includes any of the following:
 - 1. the use of a Dangerous Weapon by an Officer against a person that causes injury to any person;
 - 2. a fatal injury to any person, except the Officer, resulting from the use of a motor vehicle by an Officer;
 - 3. the death of a person who is in law enforcement custody, but not including deaths that are the result of disease, natural causes, or conditions that have been medically diagnosed prior to the person's death; or
 - 4. a fatal injury to a person resulting from the efforts of an Officer attempting to prevent a person's escape from custody, make an arrest, or otherwise gain physical control of a person.
- (d) "Participating Agency" means a law enforcement agency that agrees to be subject to and participate in the OICI Protocol and has indicated such commitment to participation by signing the Protocol.
- (e) "Protocol Task Force" means the OICI Protocol Task Force comprised of personnel from Participating Agencies designated with investigation duties led by the Protocol Task Force Coordinator and Team Leader under the terms and provisions of the OICI Protocol.

Section 3. OICI Task Force Jurisdiction. With the exception of in custody inmate deaths defined under Section 2 (c) (3) occurring at Salt Lake County correctional facilities, the

OICI Task Force shall have jurisdiction throughout Salt Lake County to investigate OICI's. Each Party to this Agreement hereby expressly consents to allow the OICI Task Force to act as the Investigating Agency to investigate OICI's that occur in its jurisdiction when one or more of its officers are alleged to have caused or contributed to the OICI.

Section 4. Interlocal Authority. The Interlocal Act permits local governmental units to efficiently use of their powers by enabling them to provide joint or cooperative law enforcement services between agencies in a manner that will best aid the agencies and the citizens of the agencies served by such cooperative endeavors. In satisfaction of the requirement of the Interlocal Act, and in connection with this Agreement, the Parties agree as follows:

- (a) This Agreement shall be approved by each Party pursuant to Section 11-13-202.5 of the Interlocal Act;
- (b) This Agreement shall be reviewed as to proper form and compliance with applicable law by a duly authorized attorney on behalf of each Party, pursuant to Section 11-13-202.5 of the Interlocal Act;
- (c) A duly executed original counterpart of this Agreement shall be filed with keeper of records of each Party, pursuant to Section 11-13-209 of the Interlocal Act;
- (d) No separate legal entity is created by the terms of this Agreement;
- (e) As required by Section 11-13-207 of the Interlocal Act, the Parties agree that the cooperative undertaking under this Agreement shall be administered by the Advisory Board of the Salt Lake County OICI Protocol; and
- (f) No real or personal property shall be acquired jointly by the Parties as a result of this Agreement. To the extent that a Party acquires, holds or disposes of any real or personal property for use in the joint or cooperative undertaking contemplated by this Agreement, such Party shall do so in the same manner that it deals with other property of such Party.

Section 5. Consideration. The consideration for this Agreement consists of the mutual benefits and exchange of promises provided herein.

Section 6. Counterparts. This Agreement may be executed in counterparts by the Parties. All signed counterparts shall be deemed to be one original.

Section 7. Binding Agreement. This Agreement shall be binding upon and shall inure to the benefit of the successors and assigns of the respective Parties hereto.

Section 8. Captions; Recitals. The headings used in this Agreement are inserted for reference purposes only and shall not be deemed to define, limit, extend, describe, or affect in any way the meaning, scope or interpretation of any of the terms or provisions of this Agreement or the intent hereof. The recitals form an integral part of this Agreement and are hereby incorporated.

Section 9. Severability. The provisions of this Agreement are severable, and should any provision hereof be void, voidable, unenforceable or invalid, such void, voidable, unenforceable or invalid provision shall not affect the other provisions of this Agreement.

Section 10. Interpretation. This Agreement shall be interpreted, construed and enforced according to the substantive laws of the state of Utah, without giving effect to any choice or conflict of law provision or rule (whether of the state of Utah or any other jurisdiction).

Section 11. Notice. All notices and other communications provided for in this Agreement shall be in writing and shall be sufficient for all purposes if: (a) sent by email to the address a Party may designate, or by fax to the fax number a Party may designate, and concurrently sent by first class mail to the Party and to the Party's legal office; (b) personally delivered; or (c) sent by certified or registered United States Mail addressed to the Party at the address the Party may designate, return receipt requested. Any notice or other communication required or permitted to be given hereunder shall be deemed to have been received (a) upon personal delivery or actual receipt thereof, or (b) within three (3) days after such notice is deposited in the United States mail, certified mail postage prepaid and addressed to the Parties at their respective addresses.

Section 12. Governmental Immunity. All Parties are governmental entities under the Governmental Immunity Act of Utah, UTAH CODE ANN. §§ 63G-7-101 to -904 (2011), as amended (the "Act"). Subject to and consistent with the terms of the Act, each Party shall be liable for its own negligent acts or omissions, or those of its authorized employees, officers, and agents while engaged in the performance of the obligations under this Agreement, and no Party shall have any liability whatsoever for any negligent act or omission of any other Party, its employees, officers, or agents. No Party waives any defenses or limits of liability available under the Act and other applicable law. All Parties maintain all privileges, immunities, and other rights granted by the Act and all other applicable law.

Section 13. Ethical Standards. The Parties to this Agreement each represent that they have not: (a) provided an illegal gift or payoff to any officer or employee, or former officer or employee, or to any relative or business entity of an officer or employee, or relative or business entity of a former officer or employee of any of the Parties; (b) retained any person to solicit or secure participation in this Agreement upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, other than bona fide employees of bona fide commercial agencies established for the purpose of securing business; (c) breached any of the ethical standards set forth in State statute; or (d) knowingly influenced, and hereby promise that they will not knowingly influence, any officer or employee or former officer or employee of any Party to breach any of the ethical standards set forth in State statute.

Section 14. Assignment. No Party may assign any of its rights or delegate any performance under this Agreement. Any attempt to assign any rights or delegate any performance under this Agreement shall be void.

Section 16. Responsibility for Task Force members. Each Participating Agency shall fund all salaries, benefits, and other obligations for its representatives assigned to the OICI Protocol Task Force.

Section 17. Insurance. Each Participating Agency shall be solely responsible for providing workers' compensation and benefits for its own employees who provide services under this Agreement. Each Participating Agency shall obtain insurance, become a member of a risk pool, or be self-insured to cover the liability arising out of negligent acts or omissions of its own personnel rendering services under this Agreement.

Section 18. Effective Date. This Agreement shall become effective when at least two Parties named above each execute an original or copy of the Agreement as required by law.

Section 19. Term. The term of this Agreement shall be three (3) years from the effective date, unless the Parties agree in writing to terminate the Agreement prior to the expiration of the initial term of the Agreement. Renewals shall occur automatically thereafter every three (3) years, for a period of up to fifty (50) years, unless the Parties agree in writing that the Agreement shall not be renewed.

Section 20. Termination by Any Party. Any Party to this Agreement may terminate its involvement with the Salt Lake County OICI Task Force at any time prior to the expiration of the term of the Agreement. Such termination shall be provided via written notice to the Advisory Board and shall be effective upon delivery to the Advisory Board. Notwithstanding such termination, any terminating Party will agree to complete its involvement in any investigations that are open at the time that written notice to terminate is delivered.

Section 21. Claims and Disputes. Claims, disputes and other issues between the Parties arising out of or related to this Agreement shall be decided by litigation in the Third Judicial District Court of Salt Lake County, Utah. Unless otherwise terminated pursuant to the provisions hereof or otherwise agreed in writing, each of the Parties shall continue to perform its obligations hereunder during the pendency of such dispute.

Section 22. Integration. This Agreement constitutes the entire agreement between the Parties pertaining to the subject matter hereof, and supersedes all prior agreements and understandings concerning the subject matter of this Agreement.

Section 23. Rights and Remedies. The rights and remedies of the Parties shall not be mutually exclusive, and the exercise of one or more of the provisions of this Agreement shall not preclude the exercise of any other provision(s) hereof.

Section 24. Modification. Subject to Section 25, this Agreement may be modified only by a writing signed by all parties hereto.

Section 25. Additional Parties. Any entity within Salt Lake County which is subject to the provisions of the OICI Statute may apply in writing to become a Party to this Agreement. The then existing Parties to this Agreement may accept the applicant shall become a Party to this Agreement upon (a) the approving vote of at least a-seventy-five (75) percent of the members vote of the OICI Advisory Board; and (b) the approved applicant's execution and delivery of a counterpart of this Agreement whereunder the approved applicant agrees. If accepted, the applicant must sign an amendment to this Agreement and agree, by doing so, to be bound by all of the terms and conditions of this Agreement. Subject to the foregoing, the Parties' formal

amendment to this Agreement for the purposes of admitting an applicant as an additional Party shall be unnecessary.

IN WITNESS WHEREOF, each Party has caused this Agreement to be executed on its behalf by its duly authorized representative.

[Remainder of page intentionally left blank - SIGNATURE PAGES of Parties follow]

Signature Page pertaining to the “**Salt Lake County Officer Involved Critical Incident Task Force Interlocal Agreement**” between City of Alta, City of Bluffdale, City of Cottonwood Heights, Draper City, Granite School District, Murray City Corporation, Salt Lake City Corporation, Salt Lake County, Sandy City, City of Saratoga Springs, City of South Jordan, City of South Salt Lake, State of Utah, Unified Police Department of Greater Salt Lake, University of Utah, Utah Attorney General’s Office, Utah Department of Corrections, Utah Department of Public Safety, Utah Transit Authority, City of West Jordan, and West Valley CityCity of Alta, City of Bluffdale, City of Cottonwood Heights, Draper City, Granite School District, Murray City Corporation, Salt Lake City Corporation, Salt Lake County, Sandy City, City of Saratoga Springs, City of South Jordan, City of South Salt Lake, Unified Police Department of Greater Salt Lake, University of Utah, Utah Department of Corrections, Utah Department of Public Safety, Utah Transit Authority, City of West Jordan, and West Valley City.

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CITY OF ALTA

By _____

Its _____

Approved as to form

City Attorney/Legal Counsel

Signature Page pertaining to the “**Salt Lake County Officer Involved Critical Incident Task Force Interlocal Agreement**” between City of Alta, City of Bluffdale, City of Cottonwood Heights, Draper City, Granite School District, Murray City Corporation, Salt Lake City Corporation, Salt Lake County, Sandy City, City of Saratoga Springs, City of South Jordan, City of South Salt Lake, State of Utah, Unified Police Department of Greater Salt Lake, University of Utah, Utah Attorney General’s Office, Utah Department of Corrections, Utah Department of Public Safety, Utah Transit Authority, City of West Jordan, and West Valley CityCity of Alta, City of Bluffdale, City of Cottonwood Heights, Draper City, Granite School District, Murray City Corporation, Salt Lake City Corporation, Salt Lake County, Sandy City, City of Saratoga Springs, City of South Jordan, City of South Salt Lake, Unified Police Department of Greater Salt Lake, University of Utah, Utah Department of Corrections, Utah Department of Public Safety, Utah Transit Authority, City of West Jordan, and West Valley City.

CITY OF BLUFFDALE

By _____

Its _____

Approved as to form

City Attorney/Legal Counsel

Signature Page pertaining to the “**Salt Lake County Officer Involved Critical Incident Task Force Interlocal Agreement**” between City of Alta, City of Bluffdale, City of Cottonwood Heights, Draper City, Granite School District, Murray City Corporation, Salt Lake City Corporation, Salt Lake County, Sandy City, City of Saratoga Springs, City of South Jordan, City of South Salt Lake, State of Utah, Unified Police Department of Greater Salt Lake, University of Utah, Utah Attorney General’s Office, Utah Department of Corrections, Utah Department of Public Safety, Utah Transit Authority, City of West Jordan, and West Valley City~~City of Alta, City of Bluffdale, City of Cottonwood Heights, Draper City, Granite School District, Murray City Corporation, Salt Lake City Corporation, Salt Lake County, Sandy City, City of Saratoga Springs, City of South Jordan, City of South Salt Lake, Unified Police Department of Greater Salt Lake, University of Utah, Utah Department of Corrections, Utah Department of Public Safety, Utah Transit Authority, City of West Jordan, and West Valley City.~~

CITY OF COTTONWOOD HEIGHTS

By _____

Its _____

Approved as to form

City Attorney/Legal Counsel

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DRAPER CITY

By _____

Its _____

Approved as to form

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GRANITE SCHOOL DISTRICT

By _____

Its _____

Approved as to form

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MURRAY CITY CORPORATION

By _____

Its _____

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SALT LAKE CITY CORPORATION

By _____

Its _____

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City Attorney/Legal Counsel

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SALT LAKE COUNTY

By _____

Its _____

Approved as to form

District Attorney/Legal Counsel

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SANDY CITY

By _____

Its _____

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CITY OF SARATOGA SPRINGS

By _____

Its _____

Approved as to form

City Attorney/Legal Counsel

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CITY OF SOUTH JORDAN

By _____

Its _____

Approved as to form

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CITY OF SOUTH SALT LAKE

By _____

Its _____

Approved as to form

City Attorney/Legal Counsel

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**UNIFIED POLICE DEPARTMENT OF
GREATER SALT LAKE**

By _____

Its _____

Approved as to form

Legal Counsel

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UNIVERSITY OF UTAH

By _____

Its _____

Approved as to form

Legal Counsel

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**STATE OF UTAH DEPARTMENT OF
CORRECTIONS**

By _____

Its _____

Approved as to form

Legal Counsel

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STATE OF UTAH DEPARTMENT OF PUBLIC SAFETY

By _____

Its _____

Approved as to form

Legal Counsel

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UTAH TRANSIT AUTHORITY

By _____

Its _____

Approved as to form

Legal Counsel

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CITY OF WEST JORDAN

By _____

Its _____

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City Attorney/Legal Counsel

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WEST VALLEY CITY

By _____

Its _____

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UTAH ATTORNEY GENERAL’S OFFICE

By _____

Its _____

_____ Approved as to form

_____ Legal Counsel

Agenda Item 7



14175 Redwood Road, Bluffdale, Utah 84065; Tel. 801-858-0490; mfazio@bluffdale.com

Memo

Date: 5 February 2016

From: Michael Fazio, P.E. 

To: Mark Reid, City Manager

Mayor Timothy

City Council

CC:

RE: City Water Conservation Plan – 2016 Update

In 2004, the State Legislature passed House Bill 71, "Water Conservation Plans", requiring "Water Conservation Districts and each retail water provider to prepare and adopt a water conservation plan". The City is required to update the plan regularly in periods no longer than five years.

The Bill defines the content of the plan that includes a water consumption reduction goal and how to accomplish this goal.

The City complied with the requirement and adopted a plan that had been updated in 2009. Recently, while working on the City Water Master Plan, Hansen, Allen and Luce prepared the latest conservation plan update for the City. The current update shows the City being very close to meeting its conservation goal of 25% by 2025 (21% including UDC use) and proposes conservation measure that the City could meet in the next 5 years.

City staff reviewed the plan and recommends it be adopted.

CITY OF BLUFFDALE, UTAH

RESOLUTION No. 2016-

A RESOLUTION ADOPTING THE WATER CONSERVATION PLAN (2016 UPDATE).

WHEREAS the City of Bluffdale (“City”) recognizes that water is a valuable resource that needs to be wisely managed;

WHEREAS, by promoting a meaningful water conservation effort, the City will better manage its water supply, reduce water waste, extend its water supply, and thereby delay the need to purchase additional water supply and construct new infrastructure;

WHEREAS the City is a retail water provider to its citizens;

WHEREAS, pursuant to Utah Code Ann. § 73-10-32, the City of Bluffdale has adopted a Water Conservation Plan and desires to amend such plan;

WHEREAS it is in the City’s and its customers’ best interest to adopt and implement an updated water conservation plan;

NOW, THEREFORE, BE IT RESOLVED BY THE BLUFFDALE CITY COUNCIL AS FOLLOWS:

Section 1. Adoption. The Water Conservation Plan (2016 Update) is hereby adopted.

Section 2. Effective Date. This Resolution shall become effective immediately upon passage.

PASSED AND APPROVED: February 10, 2016.

CITY OF BLUFFDALE

Mayor

ATTEST:

[seal]

City Recorder

Voting by the City Council:	Yes	No
Councilmember Jackson	_____	_____
Councilmember Nielsen	_____	_____
Councilmember Preece	_____	_____
Councilmember Westwood	_____	_____
Councilmember Wingate	_____	_____



**WATER CONSERVATION PLAN
(2016 UPDATE)**

DRAFT

(HAL Project No.: 394.01.100)

February 2016

BLUFFDALE CITY

WATER CONSERVATION PLAN (2016 UPDATE)

(HAL Project No.: 394.01.100)

**Steven C. Jones,
Project Manager**



February 2016

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APPENDIX A: DATA AND CALCULATIONS

APPENDIX B: UTAH CODE 73-10-32

EXECUTIVE SUMMARY

Bluffdale’s per-capita potable-water consumption was 21% less in 2014 than in 2000. This represents considerable progress toward the City’s goal of saving 25% by 2025. The City will continue to monitor and promote water conservation among all its water customers and will pursue additional measures to meet or exceed the goal.

INTRODUCTION

Recognizing the need for proactive planning to meet the water needs of its citizens, Bluffdale City (the City) has prepared this 2016 Update of its Water Conservation Plan (Plan). The original plan was completed in 2004 and was updated in 2009. The Plan describes the City’s water system, reviews historical water use, sets goals to conserve water, and identifies existing and proposed water conservation measures to be implemented. Its purpose is to guide water management and conservation activities for the next five years.

This Plan is submitted to the Utah Division of Water Resources under the requirements of Section 73-10-32 of the Utah Code (Appendix B).

WATER SYSTEM DESCRIPTION

Located along the Jordan River corridor in southern Salt Lake County, Bluffdale has grown steadily during its transition from rural land use to residential subdivisions. The population has more than doubled in the last 15 years, from 4,700 in 2000 to 9,887 in 2014 (U.S. Census Bureau 2015). Build-out population is projected to be about 39,000 (Horrocks Engineers 2015).

Bluffdale owns and operates a public water system serving 2,493 connections (Utah Division of Water Rights 2015). These connections include domestic (2,358), commercial (98), and institutional (37) customers with both indoor and outdoor water uses. In 2013, 59% of the water use was domestic, 8% was commercial, and 33% was institutional. See Figure 1.

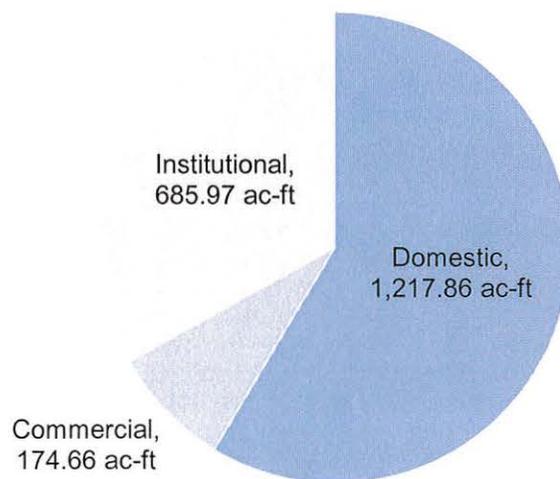


Figure 1: Bluffdale Water Use by Sector, 2013

All potable water is purchased from Jordan Valley Water Conservancy District (JWWCD), which delivers water through six metered connections. The City has water storage capacity in four tanks, three of which it shares with JWWCD.

Seven local canals or irrigation companies provide secondary water to some residents and businesses. Portion of the City has a secondary water system and most new subdivisions are required to install a secondary water system to alleviate demand for potable water during the summer. Since not all secondary water is metered, secondary water is excluded from this report.

WATER CONSERVATION GOAL

Bluffdale aims to reduce per-capita water consumption 25% by 2025, using the year 2000 as a benchmark. This is consistent with a statewide goal set by the Utah Division of Water Resources and the Governor's Water Conservation Team (Utah Division of Water Resources 2015). JWWCD has the same goal. The state's original goal was 25% by 2050, but better-than-expected progress by 2013 prompted an accelerated schedule which the City has also adopted. Bluffdale's water use in 2000 was 223 gallons per capita per day (gpcd); the goal is to reduce consumption to 167 gpcd by 2025.

PROGRESS TOWARD GOAL

Data for this Plan were obtained from Bluffdale City (2015), JWWCD (2015) and the U.S. Census Bureau (2015). JWWCD provided a summary of its Bluffdale water deliveries since 2000. Population data from the 2000 and 2010 census were available, as well as estimates for 2011–2014; population from 2001 to 2009 was linearly interpolated. Dividing the water use by the population gives the per-capita water use, the metric for assessing water conservation. See Appendix A for details.

The results are encouraging. Potable-water use in 2014 was 21% less than in 2000 (176 gpcd vs. 223 gpcd). Figure 2 shows the goal trajectory and the City's actual progress. With the majority of observations falling below the trajectory, the City is ahead of schedule and may meet the 167 gpcd goal before 2025.

Water use fluctuates from year to year due to several factors, some of which are beyond the City's control. High water uses in 2007 and 2012, for example, correspond to years in which precipitation was at least 30% below average (National Weather Service 2015). For such reasons, water conservation efforts are best measured by longer-term trends. A least-squares linear regression indicates a substantial decline in the City's per-capita water use since 2000, and this trend is expected to continue. See Appendix A.

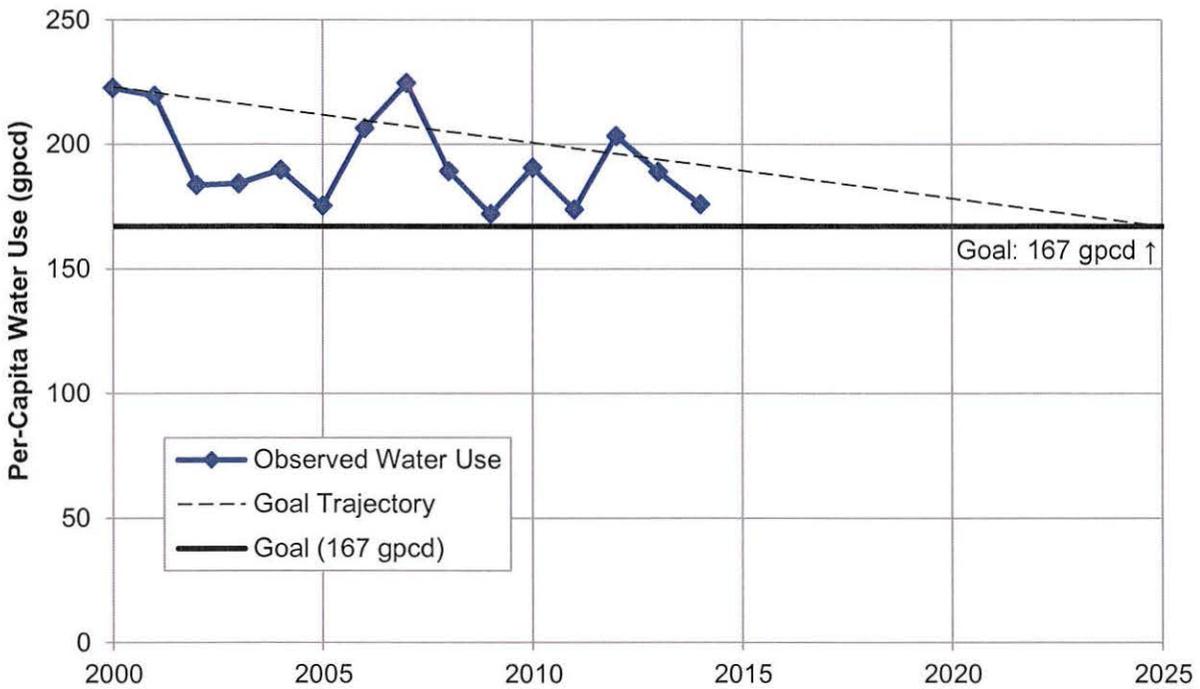


Figure 2: Bluffdale City Per-Capita Potable-Water Use, 2000–2014

WATER AUDIT

Every water system loses some water or at least cannot account for the fate of all water produced. Mechanisms for water loss include leaks, breaks, hydrant flushing, construction water, waste pumping, and unmetered uses. According to the EPA (2013), water loss in public water systems averages 16%; some Utah systems have identified losses of 30% or more. Lost water is also lost energy and lost revenue, so preventing and mitigating water loss should be a priority if losses are excessive.

In Bluffdale, water loss is about 12%. This estimate is based on a comparison of JWCD's water deliveries and the City's water billing data from July 2014 to June 2015 (JWCD 2015b; Bluffdale City 2015). See Appendix A for details. This means that the City was able to bill for almost all of the water it provided. Though there is room for improvement, a 12% loss is better than the national average of 16% and better than many Utah systems. In Bluffdale, the only unmetered uses of potable water are those associated with fire hydrants. The Public Works Department also attributes the low water loss to standard design, construction, and inspection procedures for new pipes and connections. Aged pipes will be replaced in coming years to further reduce water loss.

FUTURE WATER USE

Assuming the baseline water use of 223 gpcd were to apply to the projected build-out population of 39,000, the annual potable-water demand would be 9,742 ac-ft. Assuming build-out with the conservation goal 167 gpcd, the annual potable-water demand would be 7,295 ac-ft. Conservation could therefore eliminate the need for an estimated 2,446 ac-ft per year of potable water.

EXISTING WATER CONSERVATION MEASURES

Tiered Water Rates

Bluffdale has enacted tiered rates for its potable-water sales (<http://www.bluffdale.com/utilities>). See Table 1. Tiered rates, “where the cost per unit of water increases as the consumer uses more water, is considered the most effective conservation rate structure” since it discourages excessive water use (Alliance for Water Efficiency 2010).

Table 1: Current City Monthly Water Rates

Category	Rate
Base Residential	\$12
Base Commercial	\$30
1,000–10,000 gal	\$1.75/1,000 gal
10,001–50,000 gal	\$2.15/1,000 gal
50,001–100,000 gal	\$2.85/1,000 gal
100,001 gal and over	\$3.50/1,000 gal

Water Metering

Bluffdale has replaced all old water meters with new, continuous-read water meters. The City has also established a fixed-network meter-reading system and bills its users monthly. All delivered potable-water is metered. The City requires water meters for all new active secondary water connection. Fire hydrants are not metered.

Water Conservation Garden

The City has installed a water conservation garden on the southwest side of Bluffdale City Park, showing how citizens can install and enjoy water-efficient landscapes.

Public Awareness Program

A City newsletter, *Bluffdale Times*, is mailed monthly to every household. The newsletter often includes water conservation tips and practices. The City also promotes water conservation at its annual celebration, Old West Days.

Secondary Water System

New developments in Bluffdale are typically required to install a pressurized irrigation system. These secondary systems provide water for outdoor irrigation and reduce demand on the potable-water system. The City's long-term plan is to facilitate interconnectivity of the individual secondary systems. The City is also seeking to use available resources to supply the secondary water.

Water Master Plan

The City is currently preparing a Water Master Plan to guide the development of water infrastructure as Bluffdale continues to grow. The plan will address sources, storage, and distribution improvements for both potable and secondary water.

Water Reuse

The City is reusing cooling water supplied to the Utah Data Center. The City was able to secure funding to recapture and distribute un-used water from the Utah Data Center. A water tank, a mixing facility and a feeder pipe were built to deliver secondary water to a portion of Bluffdale and the City Park.

The City is also working with JWWCD to secure re-use water from the South Valley Sewer District plant effluent. This source of water would alleviate the City demands of irrigation/secondary water during the summer months. The City installed pipes in Loumis Parkway to deliver this water to other parts of the City.

PROPOSED WATER CONSERVATION MEASURES

The following activities are proposed:

- Re-evaluate the tiered pricing to further promote water conservation.
- Continue to fix leaks promptly.
- Proactively notify customers of leaks detected by the City's E-Coder water meters.
- Encourage residents to participate in conservation programs sponsored by JWWCD, Utah Division of Water Resources, and others.
- Direct residents to existing water conservation resources (see Water Conservation Resources below).

POTENTIAL WATER CONSERVATION MEASURES

In addition to the existing and proposed activities described above, the City may consider the following measures:

- Maintain and evaluate customer classes based on water use and adjust rates accordingly.
- Develop and implement a water education program in public schools and throughout the community.
- In buildings older than 1992, encourage replacement of plumbing fixtures with more water-efficient options.
- Appoint a water conservation coordinator who can oversee the City's water conservation efforts and provide regular feedback to the City Council and Public Works Department.
- Consider adopting a landscape ordinance to promote water-efficient landscaping and advanced irrigation systems in new commercial, institutional, industrial, and multifamily residential developments.

WATER CONSERVATION RESOURCES

Many resources and programs are available to help the City and residents conserve water. The City will direct residents and business to these resources:

- JWCD Water Conservation Programs, <https://jvwcd.org/public/conservation>
- Slow the Flow, <http://slowtheflow.org/>
- Utah Division of Water Resources Conservation Program, <http://www.conservewater.utah.gov/materials.html>
- Utah Water Conservation Forum, <http://utahwaterconservationforum.org/>
- Free Water Checks, <http://www.slowtheflow.org/index.php/forms/free-water-check>
- Water Wise Utah, <http://waterwiseutah.org/>
- Water-Wise Plants, <http://www.waterwiseplants.utah.gov/>

IMPLEMENTATION PLAN

The City's current water conservation measures have been effective, as observed from the decline in water use since 2000. Over the next five years, the City will continue expanding its secondary water system, installing secondary meters, and pursuing the other existing measures described. The proposed measures will begin immediately. The City will also consider further potential measures to conserve water. The measures described here may be funded through City budgets or JWCD's Water Conservation Grant Program.

EVALUATION PROCESS

The City will evaluate its progress toward the goal annually. The evaluation will also include a review of the effectiveness of each conservation measure. This Plan will be updated every five years.

ADOPTION OF PLAN

Subsections 73-10-32(2)(a) and (3)(b) of the Utah Code prescribe how the Plan should be adopted or amended. See Appendix B. The City's governing body shall devote part of at least one regular meeting every five years to discussion and formal adoption of the Water Conservation Plan. Minutes of such meetings shall be included as an appendix to the Plan. The City shall also provide media access to the Plan and allow public comment on it. These actions serve to increase awareness of the Plan and encourage public involvement in its implementation, leading to a more effective water conservation effort.

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APPENDIX A

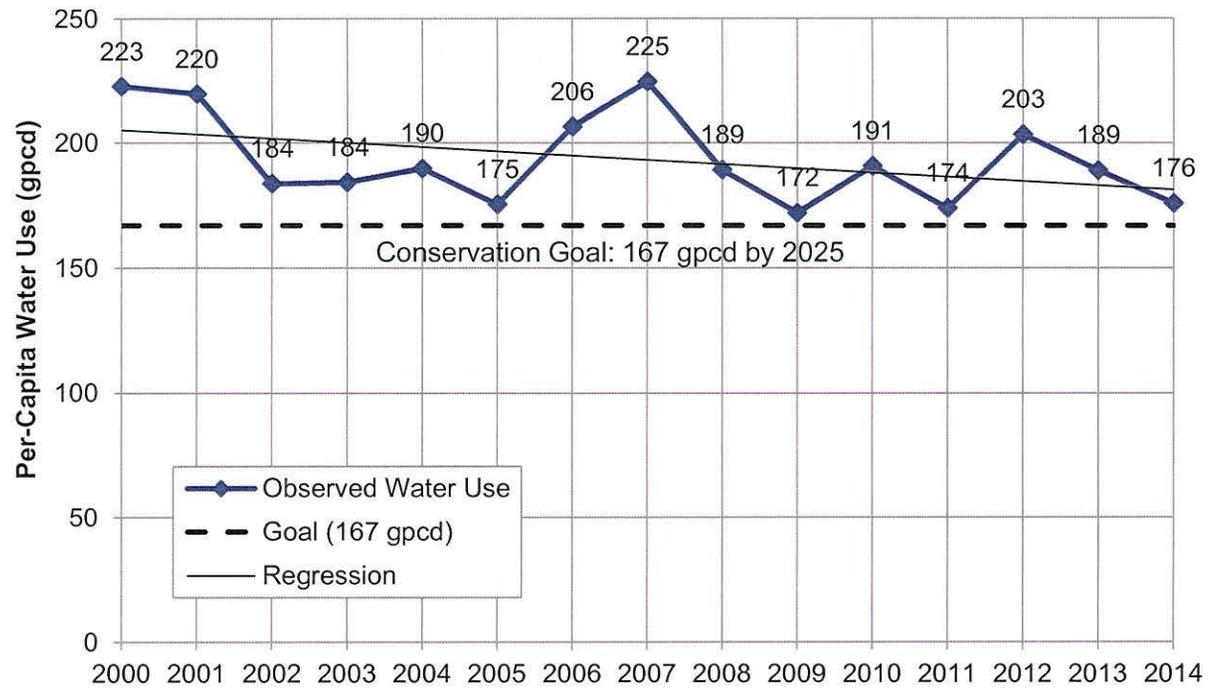
DATA AND CALCULATIONS

Bluffdale City Potable-Water Use, 2000–2014

Year	Population	Potable-Water Deliveries (ac-ft)	Potable-Water Use (gpcd)
2000	4,700	1,172	223
2001	4,990	1,227	220
2002	5,280	1,086	184
2003	5,569	1,149	184
2004	5,859	1,245	190
2005	6,149	1,207	175
2006	6,439	1,488	206
2007	6,729	1,693	225
2008	7,018	1,487	189
2009	7,308	1,407	172
2010	7,598	1,622	191
2011	7,771	1,513	174
2012	7,977	1,817	203
2013	8,395	1,777	189
2014	9,887	1,947	176

Water Audit, July 2014–June 2015

	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Total
JVWCD Supply (ac-ft)	342.3	248.1	221.2	154.4	80.8	78.6	77.3	75.8	97.7	147.6	147.7	294.1	1,965.4
JVWCD Supply (MG)	111.5	80.8	72.1	50.3	26.3	25.6	25.2	24.7	31.8	48.1	48.1	95.8	640.4
City Billed (kgal)	110,821	73,795	63,244	51,526	20,760	29,292	16,423	16,371	27,005	46,139	43,108	71,870	570,354
City Billed (MG)	110.8	73.8	63.2	51.5	20.8	29.3	16.4	16.4	27.0	46.1	43.1	71.9	570.4
Calculated Water Loss	0.7%	9.5%	14.0%	-2.4%	26.8%	-12.5%	53.4%	50.8%	17.8%	4.2%	11.7%	33.3%	12.3%



APPENDIX B

UTAH CODE 73-10-32

73-10-32. Definitions -- Water conservation plan required.

(1) As used in this section:

- (a) "Board" means the Board of Water Resources created under Section [73-10-1.5](#).
- (b) "Division" means the Division of Water Resources created under Section [73-10-18](#).
- (c) "Retail" means the level of distribution of culinary water that supplies culinary water directly to the end user.
- (d) "Retail water provider" means an entity which:
 - (i) supplies culinary water to end users; and
 - (ii) has more than 500 service connections.
- (e) "Water conservancy district" means an entity formed under [Title 17B, Chapter 2a, Part 10, Water Conservancy District Act](#).
- (f) "Water conservation plan" means a written document that contains existing and proposed water conservation measures describing what will be done by retail water providers, water conservancy districts, and the end user of culinary water to help conserve water and limit or reduce its use in the state in terms of per capita consumption so that adequate supplies of water are available for future needs.

(2) (a) Each water conservation plan shall contain:

- (i) a clearly stated overall water use reduction goal and an implementation plan for each of the water conservation measures it chooses to use, including a timeline for action and an evaluation process to measure progress;
- (ii) a requirement that each water conservancy district and retail water provider devote part of at least one regular meeting every five years of its governing body to a discussion and formal adoption of the water conservation plan, and allow public comment on it;
- (iii) a requirement that a notification procedure be implemented that includes the delivery of the water conservation plan to the media and to the governing body of each municipality and county served by the water conservancy district or retail water provider; and
- (iv) a copy of the minutes of the meeting and the notification procedure required in Subsections [\(2\)\(a\)\(ii\)](#) and [\(iii\)](#) which shall be added as an appendix to the plan.

(b) A water conservation plan may include information regarding:

- (i) the installation and use of water efficient fixtures and appliances, including toilets, shower fixtures, and faucets;
- (ii) residential and commercial landscapes and irrigation that require less water to maintain;
- (iii) more water efficient industrial and commercial processes involving the use of water;
- (iv) water reuse systems, both potable and not potable;
- (v) distribution system leak repair;
- (vi) dissemination of public information regarding more efficient use of water, including public education programs, customer water use audits, and water saving demonstrations;
- (vii) water rate structures designed to encourage more efficient use of water;
- (viii) statutes, ordinances, codes, or regulations designed to encourage more efficient use of

- water by means such as water efficient fixtures and landscapes;
 - (ix) incentives to implement water efficient techniques, including rebates to water users to encourage the implementation of more water efficient measures; and
 - (x) other measures designed to conserve water.
- (c) The Division of Water Resources may be contacted for information and technical resources regarding measures listed in Subsections (2)(b)(i) through (2)(b)(x).
- (3) (a) Before April 1, 1999, each water conservancy district and each retail water provider shall:
- (i) (A) prepare and adopt a water conservation plan if one has not already been adopted; or
 - (B) if the district or provider has already adopted a water conservation plan, review the existing water conservation plan to determine if it should be amended and, if so, amend the water conservation plan; and
 - (ii) file a copy of the water conservation plan or amended water conservation plan with the division.
- (b) Before adopting or amending a water conservation plan, each water conservancy district or retail water provider shall hold a public hearing with reasonable, advance public notice.
- (4) (a) The board shall:
- (i) provide guidelines and technical resources to retail water providers and water conservancy districts to prepare and implement water conservation plans;
 - (ii) investigate alternative measures designed to conserve water; and
 - (iii) report regarding its compliance with the act and impressions of the overall quality of the plans submitted to the Natural Resources, Agriculture, and Environment Interim Committee of the Legislature at its meeting in November 2004.
- (b) The board shall publish an annual report in a paper of state-wide distribution specifying the retail water providers and water conservancy districts that do not have a current water conservation plan on file with the board at the end of the calendar year.
- (5) A water conservancy district or retail water provider may only receive state funds for water development if they comply with the requirements of this act.
- (6) Each water conservancy district and retail water provider specified under Subsection (3)(a) shall:
- (a) update its water conservation plan no less frequently than every five years; and
 - (b) follow the procedures required under Subsection (3) when updating the water conservation plan.
- (7) It is the intent of the Legislature that the water conservation plans, amendments to existing water conservation plans, and the studies and report by the board be handled within the existing budgets of the respective entities or agencies.

Amended by Chapter 329, 2007 General Session

Agenda Item 10

