



CITY COUNCIL AGENDA Wednesday, March 23, 2016

NOTICE IS HEREBY GIVEN that the Herriman City Council shall assemble for a meeting in the Herriman City Council Chambers, located at 13011 South Pioneer Street (6000 West), Herriman, Utah.

5:00 PM - WORK MEETING: *(Front Conference Room)*

COUNCIL BUSINESS

- A. Review of this evening's agenda
- B. Administrative Reports
 - 1. Snow Fighters Wrap-up – Ed Blackett, Streets Manager
 - 2. Report on Retreat Discussion Progress – Tami Moody, Director of Administration and Communications
 - 3. Economic Development Update – Gordon Haight, Assistant City Manager
 - 4. Additional Items
- C. Adjournment

7:00 PM - GENERAL MEETING:

1. CALL TO ORDER

- A. Invocation and Pledge
- B. Approval of Minutes
- C. Mayor's Comments
- D. Council Recognitions

January 29-30, 2016; February 10, 2016;
February 24, 2016

2. **PUBLIC COMMENT:** *Audience members may bring any item to the Mayor and Council's attention. Comments will be limited to two or three minutes. State Law prohibits the Council from acting on items that do not appear on the agenda.*

3. MAYOR AND COUNCIL COMMENTS

- A. City Council Board and Committee Reports

4. REPORTS, PRESENTATIONS AND APPOINTMENTS

- A. Trust Accountability Program Award Presentation – Doug Folsom, Utah Local Governments Trust Loss Control Consultant
- B. Distinguished Budget Award Presentation – Brett Wood, City Manager
- C. 2016 Fair Housing Month Proclamation – Bryn McCarty, City Planner
- D. Herriman High Traffic Study Analysis – Blake Thomas, City Engineer

5. CONSENT AGENDA

- A. Approval of the Monthly Financial Report – Alan Rae, Finance Director

- B. Approval to extend an Interlocal Cooperative Agreement with Salt Lake County for animal control services – Brett Wood, City Manager

6. PUBLIC HEARING AGENDA

- A. Public Hearing and consideration of an ordinance approving and appropriating a monetary contribution in the amount not to exceed \$238,000 for land acquisition for a soccer facility – Gordon Haight, Assistant City Manager

7. DISCUSSION AND ACTION ITEMS

- A. Discussion and consideration of an ordinance amending Herriman City Code Chapters 4-1 and 9-1 with respect to Fire and Building Codes – Cathryn Nelson, Chief Building Official
- B. Discussion and consideration of an ordinance amending the Wasatch Development Agreement – John Brems, City Attorney
- C. Discussion and consideration of an ordinance rezoning property located at 15102 South 3200 West from A-1 to R-2-10 (File No. 01Z16) – Bryn McCarty, City Planner

8. CALENDAR

A. Meetings

- March 29 – Special City Council Work Meeting 7:00 p.m.
- March 30 – Special City Council Meeting 6:00 p.m.
- March 31 – Joint Planning Commission/City Council Meeting 6:00 p.m.

B. Events

- March 26 – Easter Egg Hunt 10:00 a.m.; W&M Butterfield Park
- March 27 - Easter

9. CLOSED SESSION (IF NEEDED)

- A. *The Herriman City Council may temporarily recess the City Council meeting to convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonable imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205*

10. ADJOURNMENT

11. RECOMMENCE TO WORK MEETING (IF NEEDED)

In accordance with the Americans with Disabilities Act, Herriman City will make reasonable accommodation for participation in the meeting. To request assistance, contact Herriman City at (801) 446-5323. Please Provide at least 48 hours advance notice of the meeting

ELECTRONIC PARTICIPATION

Members of the city council may participate electronically via telephone, Skype, or other electronic means during this meeting.

CITIZEN COMMENT POLICY AND PROCEDURE

During each regular Council meeting there will be a citizen comment time. The purpose of this time is to allow citizens access to the Council. Citizens requesting to address the Council will be asked to complete a written comment form and present it to Jackie Nostrom, City Recorder. In general, the chair will allow an individual two minutes to address the Council. A spokesperson, recognized as representing a group in attendance, may be allowed up to five minutes. At the conclusion of the citizen comment time, the chair may direct staff to assist the citizen on the issue presented; direct the citizen to the proper administrative department(s); or take no action. This policy also applies to all public hearings. Citizens may also submit written requests (outlining their issue) for an item to be considered at a future council meeting. The chair may place the item on the agenda under citizen comments; direct staff to assist the citizen; direct the citizen to the proper administrative departments; or take no action.

Certificate of Posting

I, Cindy Quick, the duly appointed, qualified, and acting Deputy Recorder of Herriman City, Utah, do hereby certify that the above and foregoing is a full, true and correct copy of the agenda; it was emailed to at least one newspaper of general circulation within the geographic jurisdiction of the public body. The agenda was also posted at the principal office of the public body. Also posted on the Utah State Public Notice Website <http://www.utah.gov/pmn/index.html> and on Herriman City's website at www.herriman.org

Posted and Dated this 18th day of March 2016

Cindy Quick, CMC
Deputy Recorder



CITY COUNCIL RETREAT MINUTES

Friday, January 29, 2016
Saturday, January 30, 2016
Awaiting Formal Approval

The following are the minutes of the City Council Retreat of the Herriman City Council. The meeting was held on **Friday, January 29, 2016 at 9:00 a.m.** and **Saturday, January 30, 2016 at 8:00 a.m.** in the Jordan Valley Water Conservation Garden Park, 8275 South 1300 West, West Jordan, Utah. Adequate notice of this meeting, as required by law, was posted in the Community Center, on the City's website, and delivered to members of the Council, media, and interested citizens.

Attendance:

Mayor Carmen Freeman

Council Members Present:

Jared Henderson
Nicole Martin
Craig B. Tischner
Coralee Wessman-Moser

Staff Present:

Brett geo. Wood, City Manager
Gordon M. Haight II, Asst. City Manager
Tami Moody, Director of Administration and Communication
Jackie Nostrom, City Recorder
Alan Rae, Finance Director
John Brems, City Attorney
Travis Dunn, Human Resource Manager
Bryn McCarty, City Planner
Blake Thomas, City Engineer
Monte Johnson, Operations Director
Ed Blackett, Streets Manager
Wade Sharp, Parks Manager
Cathryn Nelson, Chief Building Official
Justun Edwards, Water Director
Luke Sieverts, Water Manager
Steve Brown, GIS Manager
Clint Smith, Fire Chief
Dwayne Anjewierden, Police Chief
Heather Upshaw, Senior Planner/Economic Development
Scott Finlayson, Administration Intern

9:00 AM, FRIDAY, JANUARY 29 - WORK MEETING:

A. **9:06:21 AM Team Building Exercise** – Dwayne Anjewierden, Unified Police Chief
Unified Police Department Chief Dwayne Anjewierden conducted a leadership training exercise with the City Council and Department Directors. The principle of the demonstration was to encourage the Council to provide purpose, direction and motivation to the City in order to accomplish their mission. The City Council sets the vision of the City while staff implements the mission based on limited financial means.

B. **9:29:45 AM Role of the Council and Staff** – Gordon Haight, Assistant City Manager
Assistant City Manager Gordon Haight offered a brief History of how municipal government came to existence, and visualized the “gap” between elected officials, staff and residents. He explained that elected officials need to be aware of the consequences of their decisions. The four conflicting values to every decision are 1) Representation and Participation 2) Efficiency/Professionalism 3) Social Equalities, and 4) Individual Rights. Elected Officials need to learn the correct balance of the values and they will vary between projects within the City. Councilmember Nicole Martin indicated that the gap could be eliminated between Elected Officials and staff by trusting that employees have the expertise to do their job effectively; however, checks and balances has been implemented to ensure tasks have been completed. Mayor Carmen Freeman added that a portion of the gap lies between the Council and constituents, and offered a solution of educating people the process behind problems that may arise. Assistant City Manager Haight agreed and referenced the “*Story of the Surgeon*”.

Assistant City Manager Haight continued on the issues related to the structural challenge and reiterated the realization that the problems sometimes extend beyond established boundaries which contribute to the gap. As the gap increases, other entities are invited or invite themselves into the gap. He offered scenarios where there were other parties that could emerge as participants between jurisdictions.

C. **10:21:12 AM Towne Center** – Gordon Haight, Assistant City Manager
Assistant City Manager Gordon Haight introduced the Developer that has been involved with the Towne Center. The Council was updated on the retail component of the Towne Center Development.

D. **11:25:42 AM Blackridge** – Tami Moody, Director of Administration and Communications & Gordon Haight, Assistant City Manager
Director of Administration and Communications Tami Moody offered a history of Blackridge and an insight to the complications that could potentially arise in the future. Councilmember Martin asked about the timeframe of the second reservoir. Assistant City Manager Haight responded that the installation of a second reservoir was still years away.

Director Moody observed several solutions that were researched after meetings last fall. She indicated that the Parking Permit Program could be implemented in this area if residents requested along with some other viable solutions such as a paid parking booth, parking meters, payment box, red striping curbs, patron education program, officer presence, and directional signs throughout the neighborhood. Mayor Freeman suggested that the problem is not recurring daily, and the majority of traffic congestion happens over the weekends. Director Moody replied that the City would work closely with the affected residents to determine what the community desired. Councilmember Tischner suggested to begin looking at the parking permit program and see if that corrects the issue. Mayor Freeman questioned the park fee paid in conjunction with the monthly utility bill. Director Moody explained that fee is strictly for parking, and patrons could walk into the park without being charged.

Additional options would include the implementation of a Parking Permit Program, paid parking with a drop box, arm bar and pay booth, or metered parking. Assistant City Manager Haight recommended hosting a public meeting to hear their response. The Council agreed.

E. [12:48:42 PM Anthem Commercial](#) – Gordon Haight, Assistant City Manager
Assistant City Manager Gordon Haight commented on the retail and office components of the Anthem Commercial Development.

F. [1:22:45 PM Unified Police Department](#) – Dwayne Anjewierden, Unified Police Chief
Unified Police Department Chief Dwayne Anjewierden informed the Council that the Unified Police Department (UPD) provides law enforcement services and offered a background of services provided to the City.

G. [1:54:32 PM Top 5](#) – Brett Wood, City Manager
City Manager Brett Wood reviewed previous Council objectives and completed projects. He encouraged the Council to determine their vision of the City.

Councilmember Moser was excused at 2:18 p.m.

Councilmember Tischner asked for staff recommendation. The Council participated in a brainstorming session to determine future projects. Topics included a density plan, financial strategic plan, transportation maintenance plan, increased interaction with legislature, trends, economic summit, and a recreation plan. The Council consensus determined to schedule Visioning Sessions to discuss each topic in more depth.

H. [3:02:03 PM Adjournment](#)

COUNCILMEMBER TISCHNER MOVED TO ADJOURN THE WORK MEETING.
COUNCILMEMBER MARTIN SECONDED THE MOTION, AND ALL VOTE AYE.

8:00 AM, SATURDAY, JANUARY 30 - WORK MEETING:

A. **Budget 2-5 Year Plan** – Alan Rae, Finance Director

Finance Director Alan Rae reviewed the different fund types of the City and explained the specific purpose behind each fund. Councilmember Martin asked if controls are in place for impact fees. Director Rae explained that studies are conducted in conjunction with Master Plan approvals prior to adoption by the City Council. Impact Fees are reported annually to the State Auditor's Office.

Director Rae continued to review the revenue resources for the General Fund compared to the expenditures. He noted that most cities have a Storm Drain tax burden on residents. Councilmember Martin explained that tax revenue is not sustainable for the community, and the City would need to look at additional long term revenue. Director Rae reiterated that he would not recommend a tax increase. As tax increases are not a viable source of revenue for the City. Mayor Freeman agreed, and requested to compare Herriman City fees and taxes to other jurisdictions. Director Rae agreed, and reviewed the property and franchise tax calculations.

Councilmember Martin asked about the sales tax leakage. Assistant City Manager Haight recalled the percentage was quite high. He explained the tax funding calculations and distributions. Director Rae insisted that the best solution to help the community to become sustainable would be to increase local businesses. Mayor Freeman asked if processes have been implemented to make certain businesses are reporting sales tax allocations correctly. Director Rae responded that they are reviewed monthly. He informed the Council of the budget calendar and timeline for the budget approval process.

- B. **FY 2016 Direction** - Alan Rae, Finance Director & Brett Wood, City Manager
Finance Director Alan Rae informed the Council that he requested some Managers to speak about their specific needs which will appear in their requested budget. He turned the time over to Parks Manager Wade Sharp. Manager Sharp reviewed the capital expenditures for the Parks Department. He suggested that surveillance cameras could be installed and used as a vandalism deterrent at the Skate Park. Councilmember Tischner questioned if that record would be subject to the Government Records Access and Management Act (GRAMA). Director Rae responded that security measures are not subject to GRAMA. Police Chief Dwayne Anjewierden explained that internet based cameras have proven to be successful for virtual patrol.

Manager Sharp observed the ongoing maintenance for crack sealing parking lots, and street tree care and replacement. Mayor Freeman asked if these particular items are currently budgeted. Director Rae explained that staff is looking to see how important improvements are to the Council or if changes should be addressed, as every request will not be able to be accommodated due to budget constraints. Councilmember Moser requested documentation notating available funds in order to prioritize projects. Director Alan responded that the explanations will be available in the budget, but just wanted to offer a background of each requested project outside of the norm.

Streets Manager Ed Blackett observed the streets capital expenditures and reviewed the equipment replacement schedule and options. City Manager Brett Wood explained that the Streets Department has taken great pride in the ability to rebuild and repair equipment to keep streets clean. Director Rae explained that the Zions Bank lease for equipment is less than one-percent. City Attorney John Brems reminded the Council that a Pollution Control Audit will be conducted sometime in the future.

Manager Blackett explained that new developments in Copper Creek are in need to have asphalt cracking conducted. Preventative surface treatments on streets should be conducted to help save roads. Councilmember Moser indicated that pavement management is a huge priority due to replacement costs. Councilmember Martin agreed.

Events Manager Danie Bills requested to have the east access road to Butterfield Park developed and explained that this project has been requested for several years. The next request is for the trail on the north side of Butterfield Park to alleviate safety concerns, and lastly is the cost associated with solutions relating to Blackridge.

Director Rae informed the Council that employee raises have been requested in the amount of three-percent, and explained the anticipated health care benefit costs. City Manager Wood indicated that staff would solicit input from employees and bring information to the Council for consideration of the benefit package. Councilmember Martin indicated that she is extremely supportive of City Employees and suggested that they should be fairly compensated. Director Alan referred to the Compensation Study that had been conducted a year ago, and employees were aligned to their respective pay grade structure.

- C. **Communications and Record Keeping** – Tami Moody, Director of Administration
Director of Administration and Communications Tami Moody presented the schedules for the South Valley Journal and City Newsletter article submissions. She indicated that the City could submit an article if a Council Member did not wish to write one.

Director Moody informed the Council that Neighborhood Meetings are difficult to schedule, and suggested to hold combined Town Hall meetings. Councilmember Martin questioned the attendance levels. Director Moody responded that the Town Center Neighborhood Meeting

was well attended. Councilmember Moser indicated that combining districts would encourage a higher turnout. Mayor Freeman agreed. Council consensus determined to schedule two meetings a year, one in the spring and one in the fall.

Director Moody explained that the City is served through effective communication by informing the public of what can be done for them through promoting City achievements and events. This communication will expand the general visibility of the City, ensure accurate information is conveyed to the public regarding incidents and issues even if they are considered controversial or sensitive. She reviewed the methods of communication for the City. Herriman City is dedicated to improving the image of the City and flow of information to the community. Effective communication will continue with the process of one clear voice which has been established throughout all of the communication channels. Herriman City has established the Communication Office as the central point for information, media relations, and coordinated internal and external communications. Councilmember Martin indicated that she does not believe that there is discontent on public communication, and expressed her appreciation for the proactive approach to push information to the public.

Director Moody discussed the issues with inaccurate information among the community and the effect that would have on the City's Public Persona. Councilmember Martin acknowledged the controversy with deciding to choose a passive approach; however, an authoritative source for creating truths should be implemented to deliver correct information to the residents. Director Moody agreed and referred to the "Hot Topics" information that has been pushed out via social media.

Councilmember Henderson expressed his concern with public comments at meetings that residents feel like the City is not listening to them, and that the processes should be properly communicated to them.

Human Resource Director Travis Dunn quoted Tony Robbins, "Change happens when the pain of staying the same is greater than the pain of change." He explored the employee change fatigue and the proactive approach for effective communication.

D. Events – Danie Bills, Events Manager

Events Manager Danie Bills offered recommendations for park rentals. Mayor Freeman expressed his concern about the management and financial burden placed on the City for events. Manager Bills explained the requirements for full permits and the approval process relating to the events. Councilmember Tischner questioned the cost of an event. Manager Bills explained that the costs vary depending on the type of event and if it is resident or non-resident based. Police Chief Dwayne Anjewierden relayed the scheduling process of community events, and explained the costs associated with a for-profit event. Councilmember Henderson asked what would constitute a community event. Manager Bills explained the determining factors for a community event. Councilmember Martin suggested tightening up requirements for events and provide the service as they were intended. Assistant City Manager Haight confirmed that a fee schedule and policy would be drafted and presented to the Council for consideration. Councilmember Moser expressed her concern of events that directly affect the community, but recognized the benefit of attracting and bringing people into Herriman. City Manager Wood agreed. Councilmember Martin added that Herriman City has branded itself to be known as a recreation city. Councilmember Henderson agreed, and recommended parameters be placed for event requirements. Mayor Freeman suggested that applicants should pay for the use of facilities and resources. The Council agreed.

E. Lunch

F. **2016 Economic Plan** – Gordon Haight, Assistant City Manager & Heather Upshaw, Planner III

Assistant City Manager Gordon Haight reviewed projects that will come to fruition including Anthem Center Commercial, Miller Crossing Commercial, Herriman Towne Center, Herriman Corner Commercial, Wasatch South Hills, Herriman Business Center, Rockwell Landing and ACUB funding. He informed the Council that the International Council of Shopping Centers has been scheduled for May 22-25, 2016 to provide networking opportunities to discuss potential businesses and services for the community.

G. **Mayor/City Council Round Table**

1. Attendance at community events

Mayor Freeman encouraged Members of the Council to make it a priority to attend events in the community as staff and residents look favorably upon Council Members being actively engaged.

2. Article submission for newsletter/South Valley Journal

Mayor Freeman reviewed the South Valley Journal article submission deadlines and recommended that Council contact Communications Director Tami Moody for topic suggestions.

3. Committee/Board assignments

Mayor Freeman indicated that he would like to give each member of the Council an opportunity to report on board meetings at upcoming meetings to keep constituents and other Council Members informed.

4. Election District Boundaries

Mayor Freeman iterated that with the growing districts he would like to direct staff to look at the boundaries and look into aligning district boundaries equally. The Council agreed.

5. Citywide Survey

Councilmember Martin suggested that an annual or semi-annual city wide survey be established to look at every department. She indicated that the proactive approach would be important to show the community that the City holds their feelings in high regard.

6. Community Coordinator Program

Councilmember Martin indicated that she would like to implement a Community Coordinator program. The advocacy program would solicit volunteers for developers to contact people if they would like to bring developments into the community in an effort to make sure residents in the area would be actively involved with the process prior to the application being filed with the City. She explained that the program would be more doable with involvement of Volunteer Coordinator Bethany Zeyer.

7. Dirt Road Parcels

Mayor Freeman observed parcels that abut a dirt road and requested discussion to consider whether an exception would be available for unique circumstances. Councilmember Moser stated that the request would have to clearly identify why it circumvents the ordinance to qualify for an exception. She suggested individuals should work through staff to determine any available options, and if a problem arises, to bring it to Council for consideration.

8. Hot Topic Meetings

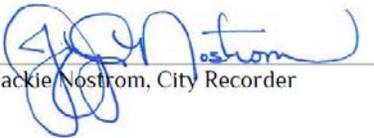
Mayor Freeman suggested that the Council should consider additional meetings for a roundtable discussion on hot topics. He emphasized that standard work meets would not be sufficient time to address the issues. The Council agreed.

H. Adjournment

COUNCILMEMEBER MOSER MOVED TO ADJOURN THE CITY COUNCIL WORK MEETING AT 2:38 P.M. COUNCILMEMBER MARTIN SECONDED THE MOTION, AND ALL VOTED AYE.

*This document constitutes the official minutes for the
Herriman City Council Retreat Meeting held on Friday, January 29, 2016
and Saturday, January 30, 2016*

I, Jackie Nostrom, the duly appointed, qualified, and acting City Recorder for Herriman City, Salt Lake County, State of Utah, do hereby certify that the foregoing minutes represent a true and accurate, and complete record of this meeting held on Friday, January 29, 2016 and Saturday, January 30, 2016.


Jackie Nostrom, City Recorder



CITY COUNCIL MINUTES
Wednesday, February 10, 2016
Awaiting Formal Approval

The following are the minutes of the Regular City Council Meeting of the Herriman City Council. The meeting was held on **Wednesday, February 10, 2016 at 5:00 p.m.** in the Herriman City Community Center Council Chambers, 13011 South Pioneer Street (6000 West), Herriman, Utah. Adequate notice of this meeting, as required by law, was posted in the Community Center, on the City's website, and delivered to members of the Council, media, and interested citizens.

Presiding:

Mayor Carmen Freeman

Council Members Present:

Jared Henderson, Nicole Martin, Craig B. Tischner and Coralee Wessman-Moser

Staff Present:

Brett geo. Wood, City Manager
Jackie Nostrom, City Recorder
Tami Moody, Director of Administration and Communication
John Brems, City Attorney
Alan Rae, Finance Director
Danie Bills, Events Manager
Blake Thomas, City Engineer
Cathryn Nelson, Chief Building Official
Dwayne Anjewierden, Chief of Police
Justun Edwards, Water Director
Monte Johnson, Operations Director
Travis Dunn, Human Resources Manager
Heather Upshaw, Senior Planner
Bryn McCarty, City Planner

Excused:

Gordon Haight, Assistant City Manager

5:00 PM - WORK MEETING: *(Front Conference Room)*

5:00:34 PM COUNCIL BUSINESS

Mayor Freeman called the meeting to order.

A. 5:08:37 PM Review of this evening's agenda

USU Agriculture and 4-H Youth Program Agent Vernon Parent expressed his concern to the Council about limiting one medium sized animal on a lot less than one-half acre. He explained that most animals are extremely social, and noted that medium sized animals do not require a larger space than a dog kennel.

B. Administrative Reports

1. [5:01:03 PM](#) **International Council of Shopping Centers (ICSC) Scheduling** – Heather Upshaw, Senior Planner/Economic Development
Assistant City Manager Gordon Haight informed the Council of the dates for the upcoming International Council of Shopping Center Conference held in Las Vegas. He relayed the value that each member of the Council could bring in discussions with developers. He requested Council to inform Senior Planner Heather Upshaw if they would like to attend.

2. [5:16:18 PM](#) **Deer Mitigation Program Report** – Justun Edwards, Water Director
Water Director Justun Edwards updated the Council of the Deer Mitigation Program. The lethal mitigation program resulted in the removal of 47 deer in which 45 families benefited from the donated meat. The non-lethal mitigation program contributed to 20 deer being relocated. This program has been successful partnership with the Division of Wildlife Resources and the Mule Deer Association.

3. [5:24:20 PM](#) **Planning Update** – Bryn McCarty, City Planner
City Planner Bryn McCarty offered an update of recent approvals from the Planning Commission and items that are under consideration. She informed the Council that the South Hills Planned Unit Development will require an amendment to accommodate the RSL Training Academy. The amendment to the plan would require a rezone for the property to allow a conditional use permit for a sports training facility.

4. [5:43:37 PM](#) **Engineering Update** – Blake Thomas, City Engineer
City Engineer Blake Thomas offered a brief update of projects that are under construction, in design, and observed ongoing items. He informed the Council that an ordinance amending the street light fees would be brought to the Council for consideration to adjust costs that align with actual costs that are incurred. Engineer Thomas indicated that a study would be presented to the Council for their review and input.

5. [6:02:47 PM](#) **Legislative Session Discussion** – Tami Moody, Director of Administration and Communications
Director of Administration and Communications Tami Moody offered an update of the house and senate bills that City Staff and Lobbyists will be monitoring during the legislative session.

6. [6:22:16 PM](#) **Council Work Session Topics** – Brett Wood, City Manager and Tami Moody, Director of Administration and Communications
Director of Administration and Communications Tami Moody led the discussion that focused on outlining special City Council meetings based on the vision of the Council discussed at the retreat.

7. [6:45:39 PM](#) **Other Updates**
Mayor Freeman asked the Council if there were any current items that the Council would like to discuss at future work meetings. He explained that he has received concerns from residents regarding parking along 13400 South and would like to discuss available options. The Council agreed. Councilmember Martin noted that she would like to discuss the possibility of implementing a City wide survey and Community Coordinator. Councilmember Moser asked for additional information regarding the topics in order to have a better understanding. Councilmember Martin confirmed that she would provide additional information.

C. [6:52:55 PM](#) **Adjournment**

COUNCILMEMBER TISCHNER MOVED TO ADJOURN THE WORK MEETING.
COUNCILMEMBER MOSER SECONDED THE MOTION, AND ALL VOTED AYE.

7:00 PM - GENERAL MEETING:

1. **CALL TO ORDER**

Mayor Freeman called the meeting to order.

A. [6:59:27 PM](#) **Invocation and Pledge**

The invocation was offered by Ms. Dianne Wilkinson, and the Pledge of Allegiance was led by Scout Troop #4755.

B. [7:01:50 PM](#) **Approval of Minutes**

January 13, 2016 RCCM

COUNCILMEMBER MARTIN MOVED TO APPROVE THE MINUTES OF JANUARY 13, 2016 WITH THE CORRECTION ON PAGE SIX, LINE 37, TO CHANGE THE WORD "OBJECTIFIED" TO "OBJECTED TO THE REQUEST TO NOT FOLLOW THE ORDINANCE". COUNCILMEMBER MOSER SECONDED THE MOTION, AND ALL VOTED AYE.

C. [7:02:48 PM](#) **Mayor's Comments**

Mayor Freeman extended condolences to the family of Officer Barney, and expressed his appreciation for those who protect the community.

D. [7:04:37 PM](#) **Council Recognitions**

Councilmember Moser commended Herriman High School, Copper Mountain Middle School, and Fort Herriman Middle School on their phenomenal band performance.

Mayor Freeman turned the time over to Unified Police Chief Dwayne Anjewierden to introduce two officers that have been transferred to the Herriman Precinct. Officer Shawn Roberts and Detective Marcus Beckstead offered a brief background of their employment to the Council. Mayor Freeman thanked them for their service.

2. [7:12:46 PM](#) **PUBLIC COMMENT**

Steve Garrett - 5443 West Genoa Ct, thanked the Council for their service. He expressed his concern about the negative effects that a commercial rehabilitation facility would bring to a residential area, and encouraged the City Council to review the planning process and contemplate if the vision of the Planning Commission is properly aligned with the desires of the residents.

3. **MAYOR AND COUNCIL COMMENTS**

A. [7:18:16 PM](#) **City Council Board Reports**

Councilmember Martin reported on the Jordan Valley Water Conservancy District and relayed their message to conserve water.

Councilmember Moser offered an update on the Unified Fire Authority, and noted that the district has increased so much that the responsibilities of the taxing district and fire authority should be redefined. She added that the district is researching the option to increase the line of duty death benefits.

Councilmember Tischner informed the audience that Wasatch Front Waste and Recycling District has recently changed their garbage collection schedule.

Mayor Freeman enlightened the audience of Art Council events including the Valentine Cabaret as well as the auditions for *Mary Poppins*. He indicated that the Salt Lake Valley Law Enforcement Service Area which provides law enforcement for the City and will have a special meeting on February 18, 2016 to discuss taxing revenue and expenditures as well as officer coverage in each jurisdiction.

Councilmember Henderson discussed the work that the Utah League of Cities and Towns provides the City regarding legislative policy.

4. REPORTS, PRESENTATIONS AND APPOINTMENTS

- A. [7:24:42 PM](#) **Jordan Valley Water Conservancy District Report** – Dave Martin, Jordan Valley Water Chief Financial Officer and Linda Townes, Jordan Valley Water Public Information Manager

Jordan Valley Water Chief Financial Officer Dave Martin thanked the Council for the opportunity to speak. He briefed the Council of the Central Water Project and capital improvements. He explained that water is the driving force for sustainable economies, and conserving water is extremely important. In being more conscientious about using resources wisely, it will provide for future needs. Jordan Valley Conservancy District's goal is to reduce water use 25 percent by 2025. Water Conservation classes are taught at their facility. Mr. Brent Johnson was announced to be the new board member for Jordan Valley Water that replaced J. Lynn Crane.

- B. [7:51:18 PM](#) **Jordan School District 5-year Report** – J. Lynn Crane, Jordan School District Board of Education Member

Jordan School District Board of Education Member Lynn Crane thanked the Council for the opportunity to present and report of the Jordan School District five year report. He introduced the board members in attendance. Board Member Crane reviewed the substantial growth in Herriman, and how that affects attendees at the local schools.

Board Member Crane reviewed the Jordan School District five-year plan that outlines a tentative schedule for construction of schools within the district boundaries that includes two new elementary schools, middle schools and a high school. The construction plan is based on a successful bond election in 2016. He requested the Council to approve a resolution supporting the bond. Council consensus determined that support of education is the key element for the bond election to be successful.

5. [8:25:57 PM](#) CONSENT AGENDA

- A. **Approval of a resolution approving an Interlocal agreement with Jordan School District Board of Education** – John Brems, City Attorney

- B. **Approval of a resolution authorizing various changes to the Policy and Procedures Manual** – Travis Dunn, Human Resources Manager

COUNCILMEMBER MOSER MOVED TO APPROVE THE CONSENT AGENDA AS WRITTEN.
COUNCILMEMBER MARTIN SECONDED THE MOTION.

The vote was recorded as follows:

Councilmember Jared Henderson	Aye
Councilmember Coralee Wessman-Moser	Aye
Councilmember Craig B. Tischner	Aye
Councilmember Nicole Martin	Aye
Mayor Carmen Freeman	Aye

The motion passed unanimously.

6. DISCUSSION AND ACTION ITEMS

- A. [8:26:57 PM](#) **Discussion and consideration of a proposed text change to the Land Use Ordinance regarding Family Food Production (27Z15)** – Bryn McCarty, City Planner

City Planner Bryn McCarty informed the Council that during the last modification to the definition of Family Food Production, no medium animals were allowed on lots smaller than one-half acre. This eliminated the ability for people to keep one goat or sheep in these areas, which are often kept as 4-H projects. The proposed text change would allow one medium animal on lots smaller than one-half acre, and lots greater than one-half acre can still keep 4 medium animals. The definition has always allowed chickens, but roosters were never mentioned. Staff has always interpreted it to mean that roosters are not allowed. The proposed change will specifically exclude roosters from the definition.

Councilmember Moser recommended to increase medium animals to two (2) on the lots smaller than one-half acre based on the professional advice received during the work session. The Council agreed.

COUNCILMEMBER MOSER MOVED TO APPROVE **ORDINANCE NO. 2016-02** AUTHORIZING A TEXT CHANGE TO THE LAND USE ORDINANCE REGARDING FAMILY FOOD PRODUCTION WITH THE INCLUSION OF TWO MEDIUM ANIMALS BE INCORPORATED ON THE .49 ACRE OR LESS AND AN EXCEPTION TO DOUBLE TEMPORARILY FOR A BONAFIDE YOUTH PROJECT LIKE 4-H OR FAIR. COUNCILMEMBER MARTIN SECONDED THE MOTION.

The vote was recorded as follows:

Councilmember Jared Henderson	Aye
Councilmember Coralee Wessman-Moser	Aye
Councilmember Nicole Martin	Aye
Councilmember Craig B. Tischner	Aye
Mayor Carmen Freeman	Aye

The motion passed unanimously.

B. [8:33:48 PM](#) Discussion and consideration of a resolution of the City Council of Herriman City, Utah, authorizing the issuance and sale of not more than \$9,100,000 aggregate principal amount of water revenue refunding bonds, series 2016 and related matters – Alan Rae, Finance Director

Finance Director Alan Rae indicated that on January 16, 2016 the City Council approved a parameters resolution to refund the water revenue bond 2007. The current authorizing resolution will allow our financial advisor and executive staff to submit the offering for this refund to the market and obtain pricing on the bonds. It also authorizes execution of the bonds by the Mayor if the terms are within the acceptable ranges. Often the City has used what is known as a super parameters resolution which combines the parameters resolution with the authorizing resolution; however, our parameters resolution in this case did not include the authorization so it is brought to the Council for consideration. The refinance of this bond will yield a savings of approximately \$1,000,000 over the next 18 years with a fairly even distribution of savings over each remaining year. Mayor Freeman expressed his support of saving the City money.

COUNCILMEMBER MARTIN MOVED TO APPROVE **RESOLUTION NO. R07-2016** AUTHORIZING THE ISSUANCE AND SALE OF ITS WATER REVENUE REFUNDING BONDS, SERIES 2016 IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$9,110,000; DELEGATING TO CERTAIN OFFICERS OF THE CITY THE POWER TO APPROVE THE FINAL TERMS AND PROVISIONS OF THE WATER REVENUE REFUNDING BONDS, SERIES 2016 WITHIN CERTAIN PARAMETERS PREVIOUSLY ADOPTED BY A RESOLUTION OF THE CITY; PROVIDING FOR THE PLEDGING OF CERTAIN REVENUES FOR THE PAYMENT OF SAID BONDS; AUTHORIZING THE EXECUTION BY THE ISSUER OF AN ELEVENTH SUPPLEMENTAL INDENTURE OF TRUST, AND OFFICIAL STATEMENT, A BOND PURCHASE AGREEMENT AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AND AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS. COUNCILMEMBER HENDERSON SECONDED THE MOTION.



CITY COUNCIL MINUTES
Wednesday, February 24, 2016
Awaiting Formal Approval

The following are the minutes of the Regular City Council Meeting of the Herriman City Council. The meeting was held on **Wednesday, February 24, 2016 at 5:00 p.m.** in the Herriman City Community Center Council Chambers, 13011 South Pioneer Street (6000 West), Herriman, Utah. Adequate notice of this meeting, as required by law, was posted in the Community Center, on the City's website, and delivered to members of the Council, media, and interested citizens.

Presiding:

Mayor Carmen Freeman

Council Members Present:

Jared Henderson, Nicole Martin, Craig B. Tischner and Coralee Wessman-Moser

Staff Present:

Brett geo. Wood, City Manager
Gordon Haight, Assistant City Manager
Jackie Nostrom, City Recorder
Tami Moody, Director of Administration and Communication
John Brems, City Attorney
Blake Thomas, City Engineer
Bryn McCarty, City Planner
Cathryn Nelson, Chief Building Official
Clint Smith, Unified Fire Authority Chief
Danie Bills, Events Manager
Dwayne Anjewierden, Chief of Police
Justun Edwards, Water Director
Monte Johnson, Operations Director

Excused:

Alan Rae, Finance Director

5:00 PM - WORK MEETING: *(Front Conference Room)*

5:02:32 PM COUNCIL BUSINESS

Mayor Freeman called the meeting to order.

A. **5:02:45 PM Review of this evening's agenda**

B. **Administrative Reports**

1. **5:03:24 PM Unified Fire Authority Report**– Clint Smith, UFA Chief
Unified Fire Authority Chief Clint Smith referred to the Unified Fire Authority (UFA) website (www.unifiedfire.org) offering details relating to the history of the UFA. The agency serves residents in the cities of Herriman, Alta, Cottonwood Heights, Draper, Eagle Mountain,

Holladay, Midvale, Riverton, Taylorsville and the unincorporated areas of Salt Lake County. Fire, emergency medical and other emergency services are provided utilizing 28 fire stations. Chief Smith offered a history of the UFA. The UFA operates under the director of the UFA Board of Directors who are appointed by their representing jurisdiction. Chief Smith reviewed the different emergency services and equipment that are available to the UFA members.

2. [6:13:55 PM](#) Discussion pertaining to property owned by Utah Department of Transportation along 11800 South – Bryn McCarty, City Planner
City Planner Bryn McCarty introduced representatives from Development Associates Inc. (DAI) and relayed their request to a proposed development along Mountain View Corridor and 11800 South. The property would need to be rezoned to accommodate the request. She displayed a proposed development, and asked if there were any questions. There were none.

3. Additional Items

C. [6:25:00 PM](#) Adjournment

COUNCILMEMBER MARTIN MOVED TO ADJOURN THE CITY COUNCIL WORK MEETING TO CONVENE IN A CLOSED SESSION TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL, PENDING OR IMMINENT LITIGATION AND THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY, AS PROVIDED BY UTAH CODE ANNOTATED §52-4-205. COUNCILMEMBER MOSER SECONDED THE MOTION.

The vote was recorded as follows:

Councilmember Jared Henderson	Aye
Councilmember Coralee Wessman-Moser	Aye
Councilmember Craig B. Tischner	Aye
Councilmember Nicole Martin	Aye
Mayor Carmen Freeman	Aye

The motion passed unanimously.

7:00 PM - GENERAL MEETING:

1. [7:00:56 PM](#) CALL TO ORDER

Mayor Freeman called the meeting to order and welcomed those in attendance.

A. [7:01:14 PM](#) Invocation and Pledge

The invocation was offered by Mr. Bill Jackson, and the Pledge of Allegiance was led by Scout Bryce Young with Troop #1444.

B. [7:02:35 PM](#) Mayor's Comments

Mayor Freeman informed the audience that the City's Water Enterprise bond rating increased to an A+, and thanked staff that contributed. He recognized Councilmember Craig B. Tischner for being appointed vice chair on the Wasatch Front Waste and Recycling District Board.

C. [7:03:28 PM](#) Council Recognitions

Councilmember Nicole Martin informed the audience that Herriman High School group "Future Business Leaders of America" have been diligently working to establish a Herriman Chamber of Commerce. She commended them for their dedication, and relayed the City Council's support to help them in their endeavour.

2. [7:04:50 PM](#) PUBLIC COMMENT

William Jackson, 4935 West Emma Mine Drive, expressed his concern about traffic patterns near the high school, and enforcement of vehicles failing to stop at red lights. City Manager Brett Wood referred Mr. Jackson to City Engineer Blake Thomas.

3. [7:06:32 PM](#) MAYOR AND COUNCIL COMMENTS

A. **City Council Board and Committee Reports**

Councilmember Coralee Wessman-Moser commended the Unified Fire Authority for their financial practices that only required them to utilize 200K of the anticipated \$2.6 million of fund balance.

Mayor Freeman informed the audience that the Salt Lake Valley Law Enforcement Service Area meeting has been postponed until March 17, 2016. He reported that he attended the Mosquito Abatement meeting where they discussed the Zika Virus. He explained that the virus is prone to adapting in a more humid climate than Utah, and would continue to report as information becomes available. Mayor Freeman indicated that the annual Safe Kids Fair is Saturday, February 27, 2016 from 9-6 at the South Towne Expo Center. He offered details relating the Blackridge Open House that has been scheduled for March 2, 2016.

4. [7:13:22 PM](#) REPORTS, PRESENTATIONS AND APPOINTMENTS

A. **Honoring Council Member Coralee Moser for her service on the Wasatch Front Waste and Recycling District Board** – Pam Roberts, WFWRD Executive Director

Wasatch Front Waste and Recycling District Executive Director Pam Roberts thanked the Council for the opportunity to offer her appreciation to Councilmember Moser for her tenure on the District Board. On January 25, 2016 the Board approved a resolution recognizing Councilmember Moser for her four years of dedicated service. Director Roberts presented a plaque to Councilmember Moser for her support, dedication and patience on behalf of Wasatch Front Waste and Recycling District. Councilmember Moser thanked Director Roberts for her commitment and leadership she provides to the District.

5. [7:18:07 PM](#) CONSENT AGENDA

A. **Approval of the Monthly Financial Report** – Alan Rae, Finance Director

COUNCILMEMBER MOSER MOVED TO APPROVE THE CONSENT AGENDA AS WRITTEN.
COUNCILMEMBER MARTIN SECONDED THE MOTION, AND ALL VOTED AYE.

6. [7:18:39 PM](#) PUBLIC HEARING AGENDA

A. **Public Hearing and consideration of an ordinance vacating a portion of right-of-way located at Rose Canyon Road** – Gordon Haight, Assistant City Manager

Assistant City Manager Gordon Haight informed the Council that the development of the “Cove at Herriman Springs” subdivision included the realignment of a section of Rose Canyon Rd along their frontage at approximately 7000 W 14200 S. The old Rose Canyon Rd area is no longer used as Right-of-Way as it once was. However, for that property to be legally used as something other than Right-of-Way it must be vacated as Right-of-Way. This .03 acre portion fronts the proposed Alder Rose development and staff believes that its best and highest use is to be part of that development.

Mayor Freeman opened the Public Hearing.

There was no comment offered.

COUNCILMEMBER HENDERSON MOVED TO CLOSE THE PUBLIC HEARING. COUNCILMEMBER MOSER SECONDED THE MOTION, AND ALL VOTED AYE.

COUNCILMEMBER MOSER MOVED TO APPROVE **ORDINANCE NO. 2016-03** VACATING, TERMINING AND ABANDONING THE PUBLIC RIGHT-OF-WAY WITH RESPECT TO A PARCEL OF REAL PROPERTY LOCATED AT OR NEAR 7000 WEST 14200 SOUTH. COUNCILMEMBER TISCHNER SECONDED THE MOTION.

The vote was recorded as follows:

Councilmember Jared Henderson	Aye
Councilmember Coralee Wessman-Moser	Aye
Councilmember Nicole Martin	Aye
Councilmember Craig B. Tischner	Aye
Mayor Carmen Freeman	Aye

The motion passed unanimously.

7. [7:21:41 PM](#) DISCUSSION AND ACTION ITEMS

A. **Discussion and consideration of an ordinance amending the Street Light Fees** – Blake Thomas, City Engineer

City Engineer Blake Thomas offered a background of the requirements for street lights, and noted that the standards have changed. The engineering department performed a study on the cost of street lights for new developments to determine if the fee being charged to developers was adequate to cover the equipment and administrative costs of the City. The study was needed to align the fee with new LED street light standards and the cost changes associated with the updated standard. A comparison of the current fee and actual street light costs was provided. The intent of the City is to not make money on street light fees, but to cover costs incurred.

COUNCILMEMBER MARTIN MOVED TO APPROVE **ORDINANCE NO. 2016-04** AMENDING AND RESTATING THE STREET LIGHT FEE. COUNCILMEMBER MOSER SECONDED THE MOTION.

The vote was recorded as follows:

Councilmember Jared Henderson	Aye
Councilmember Coralee Wessman-Moser	Aye
Councilmember Nicole Martin	Aye
Councilmember Craig B. Tischner	Aye
Mayor Carmen Freeman	Aye

The motion passed unanimously.

B. [7:31:18 PM](#) Discussion and consideration of an ordinance rezoning property located at **14199 South 4800 West from R-2-10 to C-2 (File No. 02Z16)** – Bryn McCarty, City Planner
City Planner Bryn McCarty presented a City sponsored proposed rezone from R-2-10 to C-2 to allow for commercial recreation. The General Plan amendment would proposed the property as Park and Recreation. The Planning Commission recommended approval.

COUNCILMEMBER HENDERSON MOVED TO APPROVE **ORDINANCE NO. 2016-05** REZONING PROPERTY LOCATED AT APPROXIMATELY 14199 SOUTH 4800 WEST FROM R-2-10 TO C-2 (FILE NO. 02Z16). COUNCILMEMBER TISCHNER SECONDED THE MOTION.

The vote was recorded as follows:

Councilmember Jared Henderson	Aye
Councilmember Coralee Wessman-Moser	Aye
Councilmember Nicole Martin	Aye
Councilmember Craig B. Tischner	Aye

Mayor Carmen Freeman Aye
The motion passed unanimously.

- C. **7:33:39 PM Discussion and consideration of an ordinance amending Herriman City Code §10-19-27 regarding Family Design Standards (03Z16)** – Bryn McCarty, City Planner
City Planner Bryn McCarty informed the Council that the proposed amendment is to require the Family Design Standards to be applicable to every zone, not just the A-25 zone. The Planning Commission recommended approval of the text change to the Single Family Design Standards.

COUNCILMEMBER MOSER MOVED TO APPROVE **ORDINANCE NO. 2016-06** AUTHORIZING A TEXT CHANGE TO SECTION 10-19-27 OF THE LAND USE ORDINANCE REGARDING SINGLE FAMILY DESIGN STANDARDS (FILE NO. 03Z16). COUNCILMEMBER HENDERSON SECONDED THE MOTION.

The vote was recorded as follows:

Councilmember Jared Henderson	Aye
Councilmember Coralee Wessman-Moser	Aye
Councilmember Nicole Martin	Aye
Councilmember Craig B. Tischner	Aye
Mayor Carmen Freeman	Aye

The motion passed unanimously.

8. CALENDAR

A. Meetings

- March 2 – Public Meeting/Open House with Blackridge Community 6:00p.m.
- March 3 – Planning Commission Meeting 7:00 p.m.
- March 9 – City Council Work Meeting 5:00p.m; City Council Meeting 7:00p.m.

9. 7:36:32 PM CLOSED SESSION (IF NEEDED)

A. *The Herriman City Council may temporarily recess the City Council meeting to convene in a closed session to discuss the character, professional competence, or physical or mental health of an individual, pending or reasonable imminent litigation, and the purchase, exchange, or lease of real property, as provided by Utah Code Annotated §52-4-205*

COUNCILMEMBER MOSER MOVED TO TEMPORARILY RECESS THE CITY COUNCIL MEETING TO CONVENE IN A CLOSED SESSION TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL, AS PROVIDED BY UTAH CODE ANNOTATED §52-4-205. COUNCILMEMBER HENDERSON SECONDED THE MOTION.

The vote was recorded as follows:

Councilmember Jared Henderson	Aye
Councilmember Coralee Wessman-Moser	Aye
Councilmember Craig B. Tischner	Aye
Councilmember Nicole Martin	Aye
Mayor Carmen Freeman	Aye

The motion passed unanimously.

The Council reconvened to the City Council meeting by consensus at 8:26 p.m.

10. ADJOURNMENT

COUNCILMEMBER MARTIN MOVED TO ADJOURN THE CITY COUNCIL MEETING AT 8:27 P.M. COUNCILMEMBER MOSER SECONDED THE MOTION, AND ALL VOTED AYE.

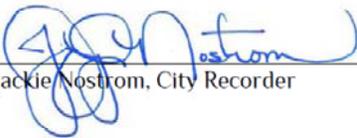
11. RECOMMENCE TO WORK MEETING (IF NEEDED)

12. SOCIAL GATHERING (No action will be taken on any items)

- A. Social Gathering will take place at McDonald's; 5108 West 13400 South, Herriman, UT

*This document constitutes the official minutes for the
Herriman City Council Meeting held on Wednesday, February 24, 2016*

I, Jackie Nostrom, do hereby certify that I am the duly appointed, qualified, and acting City Recorder for Herriman City, of Salt Lake County, State of Utah. I do hereby certify that the foregoing minutes represent a true and accurate, and complete record of this meeting held on Wednesday, February 24, 2016.


Jackie Nostrom, City Recorder

Herriman City Proclamation

Whereas, Title VIII of the Civil Rights Act, which guarantees fair housing for all residents of the United States, was signed into law in April 1968; and

Whereas, the Month of April is nationally recognized as Fair Housing Month and a time to reflect on and reaffirm our national commitment to the ideal that fair housing opportunity is available to everyone in the United States without regard to race, color, religion, national origin, sex, familial status and disability; and

Whereas, this year's theme, "Shared Opportunity In Every Community", denotes a collaborative effort with HUD and its housing partners in realizing increased housing opportunities for every individual; and

Whereas, the State of Utah, which passed its own fair housing act in 1989, recognizing and affirming that all persons in the State of Utah are free to purchase, rent, finance and insure their homes without regard to their race, color, religion, sex, national origin, familial status, disability or source of income; and

Whereas, Herriman City welcomes this opportunity to reaffirm our commitment to the principal of fair housing for all and is committed to all efforts that address discrimination in our communities, supports all programs that will educate the public concerning their rights to equal housing opportunity and to assuring every person their right to live free of the fear of housing discrimination;

Now, therefore, I, Carmen R. Freeman, Mayor of Herriman City, do hereby proclaim the month of April 2016, as

FAIR HOUSING MONTH

In Salt Lake County we urge all citizens to recognize this celebration for the purpose of improving the quality of life for all residents.

Dated this 23rd day of March, 2016

Herriman City Mayor Carmen R. Freeman



Mayor and Council

Monthly Financial Summary

Attached is the February 2016 financial report, all of the figures are through February 29, 2016. I have presented the information in summary format, please contact me with any questions or concerns.

General Fund

The general fund has revenues exceeding expenditures through February 29, 2016 in the amount of \$1,154,186 this represents an increase in fund balance. We are currently 66.6% of the year as you will see we are slightly ahead of projects on revenue and well lower in expenditures resulting in fund balance growth.

Budget

The budget numbers represent the adopted budget and all budget amendments.

Alan W Rae
Director of Finance

GENERAL FUND

	2/29/2016	Budget	% of Budget
REVENUE			
TAXES			
Property Tax	577,175	567,000	101.79%
Sales & Use Tax	2,220,129	3,258,326	68.14%
Franchise Tax	1,149,615	1,758,224	65.39%
	<u>3,946,920</u>	<u>5,583,550</u>	<u>70.69%</u>
LICENSES & PERMITS			
Business Licenses and Permit	67,141	54,887	122.33%
Building & Development Revenue	3,099,950	3,980,562	77.88%
	<u>3,167,091</u>	<u>4,035,449</u>	<u>78.48%</u>
INTERGOVERNMENTAL REVENUE			
Class "C" Road Fund Allotm	568,253	830,670	68.41%
Other Intergovernmental Revenue	225,285	230,300	97.82%
	<u>793,539</u>	<u>1,060,970</u>	<u>74.79%</u>
OTHER REVENUE			
Parks/Rec Special Service District Fees	354,274	550,192	64.39%
Courts	93,927	205,450	45.72%
Sales of Fixed Assets	-	-	0.00%
Miscellaneous Revenue	247,260	1,143,529	21.62%
Water Administrative Fee	206,760	444,500	46.52%
	<u>902,221</u>	<u>2,343,671</u>	<u>38.50%</u>
TOTAL GENERAL FUND REVENUE	<u><u>8,809,770</u></u>	<u><u>13,023,640</u></u>	<u><u>67.64%</u></u>

EXPENDITURES

Governmental Activities

Legislative	71,233	119,676	59.52%
Planning Commission	12,696	25,900	49.02%
Legal	132,568	214,000	61.95%

Administration

Administration	533,335	807,510	66.05%
Communications	108,206	212,400	50.94%
Courts	115,161	182,985	62.93%
Human Resources	141,698	296,900	47.73%
Recorder	183,130	310,710	58.94%

Finance

Finance	291,869	418,686	69.71%
Information Technology	219,556	512,935	42.80%

Operations

Facilities	256,238	398,653	64.28%
Enforcement/Emergency	260,919	352,110	74.10%
Fleet Management	105,449	222,890	47.31%
Streets	864,224	1,130,597	76.44%
Snow Removal	113,851	91,000	125.11%
Storm Drain	119,392	235,887	50.61%

	<u>2/29/2016</u>	<u>Budget</u>	<u>% of Budget</u>
Street Signs	57,647	117,624	49.01%
Street Lights	291,305	403,035	72.28%
Events	317,296	719,779	44.08%
Arts & Cultural Development	48,209	86,200	55.93%
Cemetery	44,285	43,200	102.51%
Parks	1,171,921	2,236,985	52.39%
Planning & Development			
Building	417,960	613,914	68.08%
Economic Development	78,742	127,620	61.70%
Engineering	560,710	787,308	71.22%
GIS	183,085	344,888	53.09%
Planning	258,707	430,347	60.12%
Transfers	696,192	1,395,151	49.90%
TOTAL GENERAL FUND EXPENDITURES	<u>7,655,584</u>	<u>12,838,890</u>	<u>59.63%</u>
CHANGE IN FUND BALANCE	<u>1,154,186</u>		

	2/29/2016	Budget	% of Budget
PARK IMPACT FEE FUND			
Revenue	3,116,865	900,200	346.24%
Expenditures	1,886,331	700,200	269.40%
Change in Fund Balance	1,230,534		

STORM DRAIN IMPACT FEE FUND			
Revenue	408,551	285,200	143.25%
Expenditures	99,893	285,200	35.03%
Change in Fund Balance	308,658		

ROAD IMPACT FEE FUND			
Revenue	2,524,372	1,350,800	186.88%
Expenditures	1,679,413	1,350,800	124.33%
Change in Fund Balance	844,959		

NEW DEVELOPMENT STREET LIGHTS			
Revenue	309,875	550,000	56.34%
Expenditures	192,603	550,000	35.02%
Change in Fund Balance	117,272		

PUBLIC SAFETY FUND			
Revenue	-	-	0.00%
Expenditures	3,287	10,000	32.87%
Change in Fund Balance	(3,287)		

NEW DEVELOPMENT STREET SIGNS			
Revenue	46,730	66,000	70.80%
Expenditures	33,645	66,000	50.98%
Change in Fund Balance	13,085		

HERRIMAN PARKWAY			
Revenue	-	1,200,000	0.00%
Expenditures	-	1,200,000	0.00%
Change in Fund Balance	-		

HERRIMAN TOWNE CENTER CDA/SAA			
Revenue	1,216,986	3,404,217	35.75%
Expenditures	1,979,219	4,469,324	44.28%
Change in Fund Balance	(762,233)		

HERRIMAN TOWNE CENTER-CITY HALL			
Revenue	696,195	625,000	111.39%
Expenditures	1,077,192	625,003	172.35%
Change in Fund Balance	(380,997)		

CAPITAL PROJECTS			
Revenue	6,296,755	6,270,000	100.43%
Expenditures	10,588,632	5,355,000	197.73%
Change in Fund Balance	(4,291,877)		

WATER FUND

	<u>2/29/2016</u>	<u>Budget</u>	<u>% of Budget</u>
REVENUE			
Operating Income			
Water Sales	5,015,653	6,602,783	75.96%
Secondary Water Sales	376,156	312,000	120.56%
Connection Fees	209,037	182,000	114.86%
Other Operating Income	216,021	223,450	96.68%
Total Operating Income	5,816,866	7,320,233	79.46%
Operating Expenses			
Administration	3,772,812	4,876,500	77.37%
Maintenance	2,298,121	3,677,555	62.49%
Blue Stakes	57,954	76,950	75.31%
Secondary Water	175,812	476,500	36.90%
Total Operating Expenses	6,304,698	9,107,505	69.23%
Total Income from Operations	(487,832)	(1,787,272)	27.29%
Non-Operating Revenue	619,177	4,000	15479.44%
Non-Operating Expenses	713,525	1,790,625	39.85%
Total Income or (Expense)	(582,179)		

WATER RIGHTS IMPACT FEE FUND

Revenue	1,050,687	1,499,099	70.09%
Expenditures	3,018,990	2,182,960	138.30%
Change in Fund Balance	(1,968,302)		

WATER IMPACT FEE FUND

Revenue	1,534,377	1,141,365	134.43%
Expenditures	933,747	79,479	1174.84%
Change in Fund Balance	600,630		



STAFF REPORT

DATE: March 17, 2016
TO: The Honorable Mayor and City Council
FROM: Jackie Nostrom, City Recorder
SUBJECT: Extension of the Animal Service Contract

RECOMMENDATION:

Approval of an extension to the Salt Lake County Animal Service contract.

BACKGROUND:

Herriman City has contracted with Salt Lake County for Animal Control services. Each contract is renewed annually on July 1, and staff is requesting an extension of the Interlocal Cooperation Agreement.

HERRIMAN, UTAH
RESOLUTION NO. 16-

**A RESOLUTION OF THE CITY COUNCIL OF HERRIMAN
APPROVING A RENEWAL OF AN INTERLOCAL AGREEMENT WITH
SALT LAKE COUNTY FOR ANIMAL CONTROL SERVICES**

WHEREAS, the Herriman City Council (“*Council*”) met in regular meeting on March 23, 2016, to consider, among other things, approving a renewal of an Interlocal Agreement with Salt Lake County for animal control services; and

WHEREAS, the Interlocal Cooperative Act (UTAH CODE ANN. § 11-13-101, *et seq.*) (the “*Act*”) provides that two government entities are authorized to enter into agreements with each other to do what each agency is authorized by law to perform; and

WHEREAS, Salt Lake County (the “*County*”) and Herriman (the “*City*”) are government entities as contemplated by the Act; and

WHEREAS, the County and the City are authorized to perform animal control services; and

WHEREAS, the City entered into an Interlocal Cooperative Agreement for Animal Control Services (the “*Agreement*”) with the County that provides, among other things, that upon consent of the County and the City, the Agreement may be extended for additional time periods; and

WHEREAS, the County and City desire to extend the Agreement for an additional one-year period; and

WHEREAS, the Council has determined that it is in the best interests of the inhabitants of the City to renew the Agreement for an additional time period of July 1, 2016, to June 30, 2017, by approving amendment no. 9 (“*Amended Agreement*”) to the Agreement, a copy of which is attached hereto.

NOW, THEREFORE, BE IT RESOLVED that the Amended Agreement be approved, and the mayor and recorder are hereby authorized and directed to execute and deliver the renewal of Agreement.

This Resolution, assigned No. 16-___, shall take effect immediately on passage and acceptance as provided herein.

PASSED AND APPROVED this 23rd day of March, 2016.

HERRIMAN COUNCIL

By: _____
Carmen Freeman, Mayor

ATTEST:

Jackie Nostrom, Recorder

**HERRIMAN CITY
AGREEMENT FOR ANIMAL SERVICES
AMENDMENT #10**

THIS AGREEMENT for Animal Control services ("Agreement") is entered into on this 1st day of July, 2016, by and between SALT LAKE COUNTY ("County"), a body corporate and politic of the State of Utah, for and in behalf of its Animal Services Division ("Animal Services"), and the CITY OF HERRIMAN, ("City"), a municipal corporation of the State of Utah, and it amends a prior agreement of the parties entered into on the 1st day of July, 2005.

AGREEMENT

1. The original agreement of the parties, regarding Term, Paragraph 14, is hereby amended to reflect that the term of the Agreement between the parties shall be from July 1st, 2016, and unless sooner renewed or terminated as provided in the original agreement of the parties, shall terminate at 11:59:59 p.m. on June 30th, 2017.

2. The original agreement of the parties, regarding contract price, Paragraph 17 (b), is hereby amended to reflect the following changes *"Throughout the term of this Agreement, Herriman City shall pay the total amount (the "Contract Price") of \$17,778 per month (i.e., \$213,336 annually) for the Animal Control Services. Animal Services shall not be entitled to any reimbursement of any expenses incurred in providing the Animal Control Services. If the Parties intend to renew this Agreement pursuant to Section 15 above, then in the Renewal Acceptance, Animal Services shall notify Herriman City of the revised Contract Price for the succeeding one-year period in*

accordance with the uniform policies and procedures for the determination of such rate as adopted by Animal Services. This sum shall be due and payable for the period of July 1st, 2016 through June 30, 2017."

3. All of the remaining terms and conditions of the original agreement of the parties, not hereby amended, shall remain in full legal force and effect.

4. The parties acknowledge that this Amendment is subject to the provisions and procedures contained in the Interlocal Cooperation Act and they agree to process, approve, manage, and archive this Agreement in accordance with the provisions of that Act.

(The remainder of this page left blank.)

IN WITNESS WHEREOF, Herriman City, by resolution duly adopted by its city Council, a certified copy of which is attached hereto, caused this Agreement to be signed by its Mayor and attested by its City Recorder; and Animal Services, caused this Agreement to be signed by its Mayor and attested by its City Recorder.

HERRIMAN CITY

By:

Mayor

Date signed:

ATTEST:

City Recorder

Date signed:

APPROVED AS TO FORM:

HERRIMAN CITY ATTORNEY

By _____
City Attorney

SALT LAKE COUNTY

By:

Mayor or Designee

Date signed:

APPROVED AS TO FORM:

ANIMAL SERVICES ATTORNEY

By: _____
Deputy County Attorney



STAFF REPORT

DATE: March 9, 2016
TO: The Honorable Mayor and City Council
FROM: Jackie Nostrom, City Recorder
SUBJECT: Monetary Contribution for Land Acquisition for a Soccer Facility

RECOMMENDATION:

Approval of an ordinance approving an appropriating a monetary contribution in the amount of \$238,000 as a contribution for Land Acquisition for a Soccer Facility to be located in Herriman

BACKGROUND:

Utah Code §10-8-2(e) provides that a study shall be performed before notice of the public hearing is given and that the study shall be made available to the public for review at least fourteen days prior to the public hearing.

The following factors are considered in the study:

1. What identified benefit the municipality will receive in return for any money or resources appropriated;
2. The City's purpose for the appropriation, and
3. Whether the appropriation is necessary and appropriate to accomplish the goals of the City in the following areas: economic development, job creation, affordable housing, blight elimination, job preservation, the preservation of historic structures and property, and any other public purpose.

DISCUSSION:

The City proposed to make a monetary appropriation in the amount of \$238,000 as a contribution for land purchase for a soccer facility to be located in Herriman. The purpose of the proposed appropriation is necessary and appropriate to accomplish the public purposes of Herriman in the areas of economic development, job creation and job preservation in order to enhance the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of Herriman.

The benefits that the soccer facility would bring to Herriman include: Economic Stimulator, Community Building, and Job Creation.

ALTERNATIVES:

The City Council may determine not to approve a monetary contribution for land acquisition for a soccer facility to be located in Herriman.

FISCAL IMPACT:

The Fiscal Impact would cost the City \$238,000 as a monetary contribution.

HERRIMAN, UTAH
ORDINANCE NO. ---

**AN ORDINANCE APPROVING AND APPROPRIATING A MONETARY
CONTRIBUTION
TO _____ IN THE AMOUNT OF \$ _____ AS A CONTRIBUTION FOR LAND
ACQUISITION FOR A SOCCER FACILITY TO BE LOCATED IN HERRIMAN**

WHEREAS, the Herriman City Council (“*Council*”) met in a regular meeting on March 23, 2016, to discuss, among other things, approving and appropriating a monetary contribution to _____ in the amount of \$ _____ as a contribution for land acquisition for a soccer facility to be located in Herriman; and

WHEREAS, the donation of monetary consideration requires, among other things, a study (as described below); and

WHEREAS, on or about February 23, 2016, a study (“*Study*”) was completed by Bonneville Research, setting forth an analysis and demonstrating the purpose for the appropriation (“*Appropriation*”) to _____, pursuant to the requirements of Utah Code Ann. § 10-8-2. A copy of the Study is attached to this Ordinance; and

WHEREAS, the Study was made available to the public beginning March 7, 2016; and

WHEREAS, on March 4, 2016, notice of a public hearing to consider the Appropriation was published in *The Salt Lake Tribune* and *Deseret News* and posted on the Utah Public Notice website; and

WHEREAS, on March 23, 2016, the Council held the requisite public hearing to receive public comments concerning the Appropriation; and

WHEREAS, all interested persons in attendance at the public hearing were given the opportunity to be heard, and written comments were solicited; and

WHEREAS, the Council finds that based on the Study and comments at the public hearing, the Appropriation will be used to enhance the safety, health, prosperity, moral well-being, peace, order, comfort, and convenience of the inhabitants of Herriman; and

WHEREAS, the Council finds that the Appropriation is necessary and appropriate to accomplish the reasonable goals and objectives of Herriman. Such goals and objectives include, but are not limited to, economic development, job creation, and job preservation; and

WHEREAS, the Council finds that the net value received for the monetary contribution is equivalent and includes certain intangible benefits to Herriman, including, but not limited to, prosperity, moral well-being, comfort, and convenience to the inhabitants of Herriman and economic development, job creation, and job preservation in Herriman; and

WHEREAS, the Council finds that it has satisfied all of the requirements of Utah Code Ann. § 10-8-2 in order to make Appropriation.

NOW, THEREFORE, BE IT ORDAINED by the Council that the Council approves a

monetary contribution to _____ in the amount of \$ _____.

BE IT FURTHER ORDAINED, that the Appropriation be paid contemporaneously with the issuance of a building permit for a soccer facility that includes a lighted 2000 or more seat soccer stadium, six soccer fields, two covered soccer fields, a charter school, offices, associated practice facilities, and parking lot.

This Ordinance, assigned Ordinance No. 16-__, shall take effect immediately upon passage and acceptance as required herein.

PASSED AND APPROVED this _____ day of _____, 2016.

HERRIMAN COUNCIL

By: _____
Carmen Freeman, Mayor

ATTEST:

Jackie Nostrom, City Recorder



Bonneville Research

170 South Main Street Suite 775

Salt Lake City • Utah • 84101

801-364-5300

February 23, 2016

Introduction:

This analysis is intended to provide the City of Herriman Council with the information required by the Utah Code Section 10-8-2. Appropriations -- Acquisition and disposal of property -- Corporate purpose -- Procedure.

Reason for the Study:

Utah Code Section 10-8-2 (e) provides that: A study shall be performed before notice of the public hearing is given and shall be made available at the municipality for review by interested parties at least 14 days immediately prior to the public hearing, setting forth an analysis and demonstrating the purpose for the appropriation.

Key Elements of the Study:

In making the study, the following factors shall be considered:

- (i) what identified benefit the municipality will receive in return for any money or resources appropriated;
- (ii) the municipality's purpose for the appropriation, including an analysis of the way the appropriation will be used to enhance the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the municipality; and
- (iii) whether the appropriation is necessary and appropriate to accomplish the reasonable goals and objectives of the municipality in the area of economic development, job creation, affordable housing, blight elimination, job preservation, the preservation of historic structures and property, and any other public purpose.

GENERAL LIMITING CONDITIONS

Every reasonable effort has been made in order to assure that the data contained in this study reflect accurate and timely information, and it is believed to be reliable.

The study is based on estimates, assumptions and other information developed by Bonneville Research from its independent research effort, general knowledge of the region, primary data sources including City of Herriman, the Utah State Tax Commission, and the Utah State Auditor's Office, and consultations with the client's representatives.

No responsibility is assumed for inaccuracies in reporting by the Client, its agents or any other data sources used in preparing or presenting this study. This report is based on information

Conclusion and Required Finding:

The appropriations are necessary and appropriate to accomplish the public purposes of Herriman in the areas of economic development, job creation, job preservation, in order to enhance the safety, health, prosperity, moral well being, peace, order, comfort, or convenience of the inhabitants of Herriman, and therefore Herriman will receive adequate benefit in return for any money or resources appropriated.

Jonathan Springmeyer

Jonathan Springmeyer, the President of Bonneville Research, performed this 10-8-2 appropriations study.

Mr. Jonathan Springmeyer is the President of Bonneville Research and has over ten years experience in commercial property management, construction management industries and the recreation industry. Mr. Jonathan Springmeyer directs all Urban Renewal/Redevelopment (RDA) projects for Bonneville Research and was directly involved in the creation of and research for a Business Plan for the Utah State Department of Alcoholic Beverage Control. Prior to joining Bonneville Research, Jonathan was the Director of Properties for Amsource Development; a Salt Lake City based Real Estate Development Company. As a Facility Director for Salt Lake County Parks and Recreation, he directed operations for publicly owned and funded recreation facilities and was involved in the development and construction phases of Capital Recreation projects funded by the ZAP Tax (Zoo, Arts, & Parks) including the Dimple Dell Recreation Center in Sandy, Utah and the Draper Recreational Swimming Facility in Draper, Utah. Mr. Jonathan Springmeyer earned his degree in Political Science from the University of Utah where he was a student leader. Mr. Jonathan Springmeyer is a licensed real estate sales agent in the State of Utah.



STAFF REPORT

DATE: 3/23/16

TO: The Honorable Mayor and City Council

FROM: Cathryn Nelson, Chief Building Official

SUBJECT: Herriman City Adoption of the State Adopted International Building Codes

RECOMMENDATION:

That Herriman City formally adopt the 2015 International Building Codes as have been adopted by the State of Utah, and adopt generic wording providing a means to update automatically as the State updates codes.

BACKGROUND:

The intent of building codes is to establish minimum requirements to safeguard public safety, health and general welfare. The model codes adopted by the State of Utah are published by the International Code Council (ICC). Codes address all building elements, as well as electrical, mechanical, plumbing and energy systems, existing buildings and fire regulations.

Updates are published every three years. The updated code provisions are reviewed by volunteer experts in each trade and changes are recommended to the legislature to ensure that requirements take into account the unique features of the State such as climate and elevation.

The State of Utah adopts building codes as a State in order to promote uniformity in design, construction and inspection. Doing so benefits architects, engineers and designers in that they only need to know one code when designing anywhere in the State. The same benefit is true for contractors. They will know that the same code is enforced uniformly. Inspectors benefit because designers and contractors become familiar with the same code and fewer corrections are required as design and construction occurs.

DISCUSSION:

Building codes are adopted statewide by statute; therefore Herriman City is already required to adopt the same codes. It would seem to be redundant to take the added step of approving a City ordinance adopting the codes. However past litigation in other jurisdictions has shown that if any challenge comes to the City regarding code requirements we will have additional protection if we can reference a City ordinance along with the State statute.

The benefit of adopting more generic wording eliminates the need to amend the ordinance every three years to stay current with the State. It also reduces unintentional omissions or errors with each future adoption.

ALTERNATIVES:

We could amend the ordinance every three years to keep current with State adoption. The ordinance adopting the 2015 codes could not be adopted until July 1, 2016 as is stated in the statute.

FISCAL IMPACT:

NONE

Cathryn Nelson
Chief Building Official

**HERRIMAN, UTAH
ORDINANCE NO. 16-__**

**AN ORDINANCE AMENDING CHAPTERS 4-1 AND 9-1 OF THE
HERRIMAN CODE OF ORDINANCES WITH RESPECT TO FIRE
AND BUILDING CODES**

WHEREAS, the Herriman City Council (“*Council*”) met in regular meeting on March 23, 2016, to consider, among other things, amending chapter 4-1 and 9-1 of the Herriman Code of Ordinances with respect to fire and building codes; and

WHEREAS, the Utah Legislature is considering amending various provision of the Utah Code that among other things address the ability of local entities to adopt ordinances that are different from the state construction code and state fire code; and

WHEREAS, the proposed amendment adopts the 2015 Codes; and

WHEREAS, to avoid any confusion the Council hereby determines to adopt applicable codes that are consistent with current and proposed state law; and

WHEREAS, the Council determines that it is in the best interests of the health, safety, and welfare of its residents to amend Chapters 4-1 and 9-1 of the Herriman Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the Council that the Herriman Code of Ordinances is amended to read as follows (the underlined text is the new wording and the strikethrough text is to be deleted):

4-1-1: ADOPTION OF INTERNATIONAL FIRE CODE.

- A. For the purpose of prescribing regulations governing conditions hazardous to life and property from fire and explosion, the most recent edition adopted by the State of Utah ~~2009 edition~~ of the International Fire Code (“IFC”), and any subsequent editions, including the International Fire Code Standards, is hereby adopted, including Appendices “B”, “C”, “D”, “E”, “F”, “G,” “H,” “I,” and “J,” but not Appendix “A” thereof, with such amendments as are set forth below.

9-1-1: CODES ADOPTED.

- A. By Reference: The most recent edition adopted by the State of Utah of the following construction codes and appendices: current edition ~~current edition~~ of the International Building Code (IBC), promulgated by the International Code Council, the amendments adopted under the rules enacted by the state, together with standards incorporated into the IBC by reference, ~~including, but not limited to, the current edition~~ of the International Energy Conservation

Code (IECC), ~~promulgated by the International Code Council, the current edition of the International Residential Code (IRC), promulgated by the International Code Council, the International Plumbing Code (IPC), the International Existing Building Code (IEBC) and the current edition of the International Mechanical Code (IMC), together with all applicable standards set forth in the current edition of the International Fuel Gas Code (IFGC), the current edition of the National Electrical Code (NEC), as revised, amended and adopted by the State, are hereby adopted by the City and incorporated herein by reference.~~

This Ordinance, assigned Ordinance No. 16-___, shall take effect as soon as it shall be published or posted as required by law, deposited, and recorded in the office of the City Recorder, and accepted as required herein.

PASSED AND APPROVED this 23rd day of March, 2016.

HERRIMAN CITY

By: _____
Carmen Freeman, Mayor

ATTEST:

Jackie Nostrom City Recorder



STAFF REPORT

DATE: March 10, 2016

TO: The Honorable Mayor and City Council

FROM: Jackie Nostrom, City Recorder

SUBJECT: Resolution approving the first amendment to the Master Development Agreement for the South Hills Master Planned Community

RECOMMENDATION:

Approval of the Resolution approving the first amendment to the Master Development Agreement for the South Hills Master Planned Community.

BACKGROUND:

Herriman City and Wasatch Hills Development Company LLC negotiated a development agreement for approximately 491 acres that were part of an annexation that became effective January 1, 2008. The Development Agreement was approved March 19, 2009. The First Amendment to the Master Development Agreement was approved December 9, 2015.

DISCUSSION:

The first amendment in section 1.2.6 is to change the Planned Use Development as outlined in Exhibit "A-1".

FISCAL IMPACT:

None.

Jackie Nostrom
City Recorder

HERRIMAN, UTAH
RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF HERRIMAN
APPROVING THE SECOND AMENDMENT TO THE MASTER DEVELOPMENT
AGREEMENT FOR THE SOUTH HILLS MASTER PLANNED COMMUNITY**

WHEREAS, the Herriman City Council (“*Council*”) met in regular meeting on March 23, 2016 to consider, among other things, approving the Second Amendment to the Master Development Agreement for the South Hills Master Planned Community; and

WHEREAS, the Utah Code Ann. § 10-9a-102 authorizes, among other things, that the City may enter into development agreements; and

WHEREAS, staff has presented to the Council the Second Amendment to the Master Development Agreement for the South Hills Master Planned Community (“Amended Development Agreement”); and

WHEREAS, Council has reviewed the Amended Development Agreement and hereby find that it is in the best interests of the both parties to enter into the Amended Development Agreement; and

NOW, THEREFORE, BE IT RESOLVED that the Amended Development Agreement is approved, and the mayor and recorder are hereby authorized and directed to execute and deliver the same.

This resolution, assigned Resolution No. _____, shall take effect immediately upon passage and acceptance as provided herein.

PASSED AND APPROVED by the Council of Herriman, Utah, this 23rd day of March 2016.

HERRIMAN

Mayor Carmen Freeman

ATTEST:

Jackie Nostrom, City Recorder

WHEN RECORDED, RETURN TO:

**HERRIMAN CITY
ATTN: CITY RECORDER
13011 SOUTH PIONEER STREET
HERRIMAN, UT 84096**

**SECOND AMENDMENT TO THE MASTER DEVELOPMENT AGREEMENT
FOR THE
SOUTH HILLS MASTER PLANNED COMMUNITY**

THIS SECOND AMENDMENT TO MASTER DEVELOPMENT AGREEMENT (“Second Amendment”) is made and entered as of the 23th day of March, 2016, by and between the City of Herriman, a Utah municipal corporation (“City”), and Wasatch South Hills Development Company, L.L.C., a Utah limited liability company (“Master Developer”).

RECITALS

A. The parties entered into a Master Development Agreement which was recorded on April 6, 2009 as Entry No. 100666381 in the official books and records of the Salt Lake County Recorder (“Original MDA”) governing the property shown on Exhibit “A” that is attached hereto and incorporated herein by reference (“Property”).

B. Since the date of the Original Master Development Agreement there have been certain changes in the desired development patterns for the City and the Property, the related infrastructure, the economy and other matters that have made it desirable to both parties to amend the Original MDA.

C. The parties have cooperated in the preparation of this Second Amendment.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Master Developer hereby agree to the following:

AMENDMENTS

1. **Effect of this Second Amendment.** Other than a specifically amended herein by this Second Amendment, the Original Master Development Agreement shall remain in full force and effect.

2. **Approved PUD** as previously defined in the Original MDA in Section 1.2.6 shall now mean the plan for a Planned Use Development a copy of which is attached hereto as Exhibit "A-1".

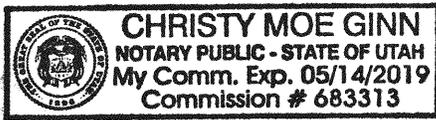
DEVELOPER ACKNOWLEDGMENT

STATE OF UTAH)

:SS.

COUNTY OF SALT LAKE)

On the 17 day of March, 2016, personally appeared before me John Lindsley who being by me duly sworn, did say that he is the VP of Development of Wasatch South Hills Development Company, LLC, a Utah limited liability company, and that the foregoing instrument was duly authorized by the company at a lawful meeting held by authority of its operating agreement and signed in behalf of said company.



Christy Moe Ginn
NOTARY PUBLIC

My Commission Expires:

5/14/2019

Residing at:

Salt Lake County

“Exhibit A-1”

(See Attached South Hills Development Land Use Master Plan 1/20/16)



STAFF REPORT

DATE: March 18, 2016

TO: The Honorable Mayor and City Council

FROM: Planning Commission

SUBJECT: 01Z16 – Proposed Rezone from A-1 to R-2-10 for 17 acres located at 15102 S 3200 W

RECOMMENDATION:

The Planning Commission recommends approval of the rezone from A-1 to R-2-10, subject to an amended development agreement being approved.

BACKGROUND:

This property is located adjacent to the Wasatch South Hills PUD. The applicant has also submitted an application to amend their approved PUD to add the new acreage. The Master Development Agreement (MDA) allows additional acreage to be added to the PUD with the same overall density.

DISCUSSION:

The applicant is proposing to zone the property R-2-10. The Wasatch South Hills PUD is approved at 4.5 units per acre overall.

The zoning and the amended MDA will need to be approved at the same meeting by the City Council. If the Council doesn't add the property to the MDA, then a zoning condition should be placed on the property for a density of 4.5 units per acre.

FISCAL IMPACT:

N/A

Bryn McCarty
City Planner

HERRIMAN, UTAH
ORDINANCE NO. 2016-xx

Rezone property located at approximately 15102 S 3200 W from A-1 to R-2-10 (File No. 01Z16)

WHEREAS, the City of Herriman, pursuant to state law, may enact a land use ordinance establishing regulations for land use and development; and

WHEREAS, pursuant to City of Herriman Ordinance, the Planning Commission shall hold a public hearing and provide reasonable notice at least 10 days prior to said public hearing to prepare and recommend to the City Council the proposed land use ordinance map changes; and

WHEREAS, notice of the Planning Commission public hearing on the land use ordinance map change was sent to property owners within 300 feet on January 25, 2016, noticing of the February 4, 2016, public hearing at 7:00 p.m.; and

WHEREAS, the Planning Commission recommended approval of the land use ordinance map change in the meeting held on February 4, 2016, at 7:00 p.m. in the Community Center; and

WHEREAS, pursuant to City of Herriman Ordinance, the City Council must hold a public meeting allowing public input at said public meeting; and

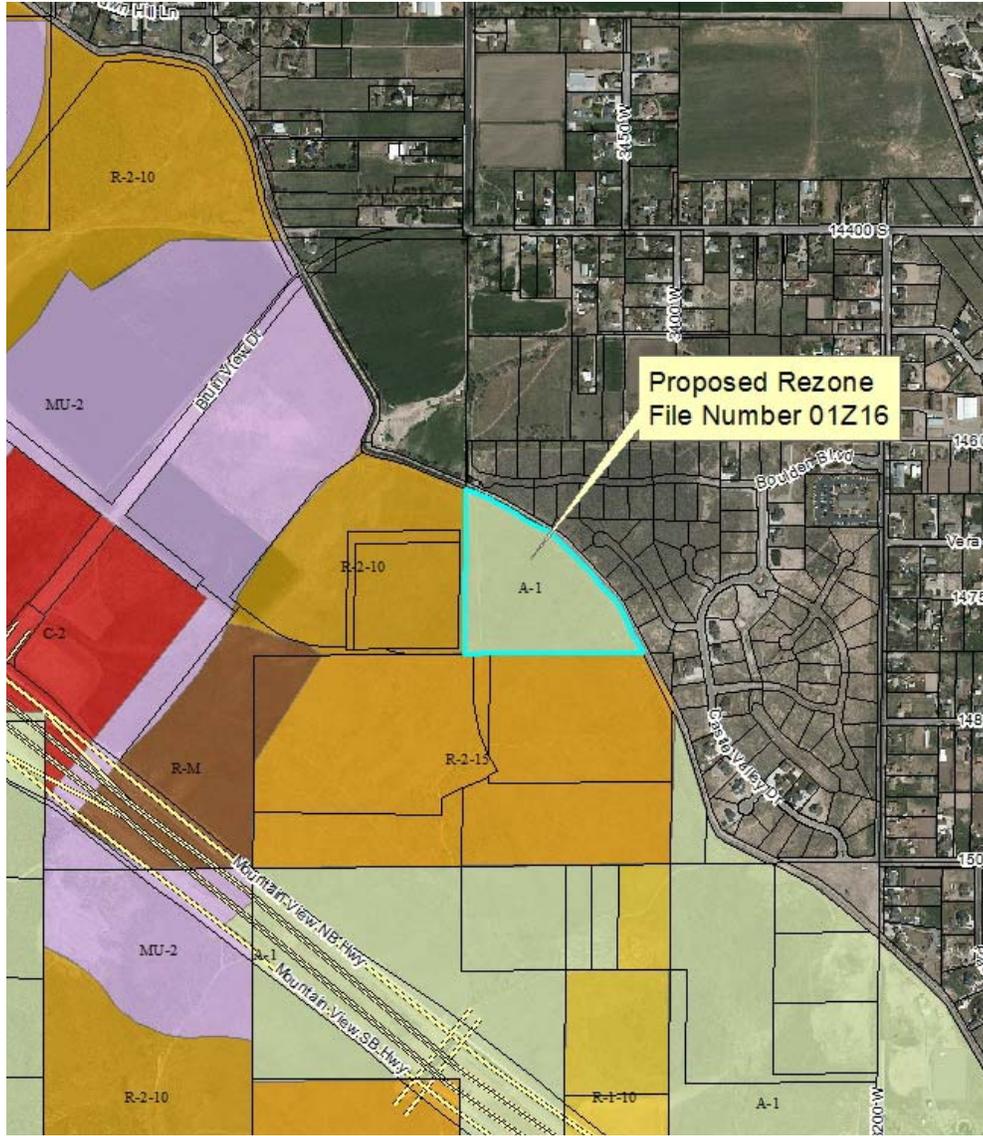
WHEREAS, the City Council public meeting on March 23, 2016, was held at 7:00 p.m. in the Community Center; and

WHEREAS, the City Council finds that it is in the best interest of the citizens of Herriman to adopt the land use ordinance map change as recommended by the Planning Commission;

NOW THEREFORE, be it ordained by the Herriman City Council that the following area be adopted as a map change from A-1 to R-2-10 on the zoning map of the City.

Legal Description Parcel Number: 33-08-403-001

Legal Description:
THAT PORTION OF THE NW 1/4 OF SE 1/4 SEC 8, T4S, R1W, SLM,
LYING SOUTH AND WEST OF THE WELBY JACOB CANAL. 17.10 AC.
6384-1682 7081-0643 9450-0289 10113-8685,8687 10134-3679
10223-4191,7333



PASSED AND APPROVED this 23rd day of March, 2016.

HERRIMAN CITY COUNCIL

By: _____
Carmen Freeman, Mayor

ATTEST:

Jackie Nostrom, City Recorder