REGULAR MEETING AGENDA OF THE
CITY COUNCIL OF LAYTON, UTAH

PUBLIC NOTICE is hereby given that the City Council of Layton, Utah, will hold a regular public meeting in the Council Chambers in the City Center Building, 437 North Wasatch Drive, Layton, Utah, commencing at **7:00 p.m. on October 3, 2013.**

AGENDA ITEMS: **Page**

1. **CALL TO ORDER, PLEDGE, OPENING CEREMONY, RECOGNITION, APPROVAL OF MINUTES:**
   Minutes of Layton City Council Work Meeting – August 15, 2013 1
   Minutes of Layton City Council Meeting – August 15, 2013 11
   Minutes of Layton City Special Council Meeting – Board of Canvass Meeting – August 22, 2013 40
   Minutes of Layton City Council Meeting – September 5, 2013 42

2. **MUNICIPAL EVENT ANNOUNCEMENTS:**

3. **VERBAL PETITIONS AND PRESENTATIONS:**

4. **CONSENT ITEMS:** (These items are considered by the City Council to be routine and will be enacted by a single motion. If discussion is desired on any particular consent item, that item may be removed from the consent agenda and considered separately.)
   A. Final Plat Approval **–** The Villas at Harmony Place PRUD Phase 1C 46
      Approximately 325 South 2500 West
   B. Final Plat Approval – Crimson Corners Subdivision Phases 3 and 4 58
      Approximately 3300 West 275 North
   C. Final Plat Approval **–** The Cottages at Fairfield Subdivision 71
      Northeast Corner of Church Street and Fairfield Road
   D. Final Approval Extension Request – Howard's Farms Subdivision 81
      Approximately 2597 East Gentile Street
   E. Proposal Award – Bowen, Collins and Associates, Inc. – Project 13-01 – Professional 84
      Engineering Services for the Layton City Water Master Plan Update 2013 – Resolution 13-54
   F. License Agreement between Layton City and Utah Transit Authority (UTA) – Storm Drain Pipe Installation 156
      Resolution 13-55 – D&RGW Rail Trail – Approximately 700 South and 400 West
   G. Adamswood Road Sanitary Sewer Payback – 450 North Adamswood Road to 400 North Adamswood Road 179
      Running West to Fairfield Road along the North Boundary of the Fairfield Road Storm Water Detention Facility and Connecting to the Existing North Davis Sewer District Sanitary Sewer Main at 350 North Fairfield Road – Resolution 13-53

5. **PUBLIC HEARINGS:**
   A. On-Premise Restaurant Liquor License – China Hill – 2704 North Hill Field Road, Suite 1 183

6. **PLANNING COMMISSION RECOMMENDATIONS:**
7. **NEW BUSINESS:**
8. **UNFINISHED BUSINESS:**
9. **SPECIAL REPORTS:**
10. **CITIZEN COMMENTS:**

ADJOURN:

Notice is hereby given that:

- A Work Meeting will be held at 5:30 p.m. to discuss miscellaneous matters.
- In the event of an absence of a full quorum, agenda items will be continued to the next regularly scheduled meeting.
- This meeting may involve the use of electronic communications for some of the members of this public body. The anchor location for the meeting shall be the Layton City Council Chambers, 437 North Wasatch Drive, Layton City. Members at remote locations may be connected to the meeting telephonically.
- By motion of the Layton City Council, pursuant to Title 52, Chapter 4 of the Utah Code, the City Council may vote to hold a closed meeting for any of the purposes identified in that chapter.

LAYTON CITY does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the employment or the provision of services. If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify Layton City eight or more hours in advance of the meeting. Please contact Kiley Day at 437 North Wasatch Drive, Layton, Utah 84041, 801.336.3825 or 801.336.3820.

Citizen Comment Guidelines

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

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

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

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

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

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

Thank you

D R A F T

MINUTES OF LAYTON CITY COUNCIL WORK MEETING — **AUGUST 15, 2013; 5:35 P.M.**

MAYOR AND COUNCILMEMBERS PRESENT: **MAYOR J. STEPHEN CURTIS, MICHAEL BOUWHUIS, JOYCE BROWN, BARRY FLITTON, JORY FRANCIS AND SCOTT FREITAG**

STAFF PRESENT: **ALEX JENSEN, CLINT DRAKE, BILL WRIGHT, PETER MATSON, JAMES (WOODY) WOODRUFF, TERRY COBURN, KEVIN WARD, DEAN HUNT AND THIEDA WELLMAN**

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

Mayor Curtis opened the meeting and turned the time over to Alex Jensen, City Manager.

MISCELLANEOUS:

Alex said a Strategic Planning meeting was planned for next Thursday, August 22nd, but some Councilmembers would be absent. Alex said the only critical item on the agenda was the canvass of the election, which could be moved to another date and time. Discussion suggested holding the canvass on August 22nd at 7:30 a.m., and rescheduling the Strategic Planning meeting.

Alex said the September 5th Council meeting was the same night as the Davis County Gala. Discussion suggested not holding a Work meeting and holding the Council meeting at 5:30 p.m.

AGENDA:

2012 LAYTON CITY MUNICIPAL WASTEWATER PLANNING PROGRAM ANNUAL REPORT – RESOLUTION 13-44

Terry Coburn, Public Works Director, said each year the State required the City to complete a Municipal Waste Water Planning Program Annual Report. Terry said it was a report about the City's sanitary sewer system. He said the City was in good shape; the City had a very good sanitary sewer system and a very aggressive televising program to monitor the lines. Terry said the report would be submitted to the State.

MEMORANDUM OF UNDERSTANDING WITH NORTH DAVIS SEWER DISTRICT GRANTING A NON-EXCLUSIVE SEWER AND FACILITY EASEMENT – LOCATED UNDER THE ROCKY MOUNTAIN POWER CORRIDOR NORTH OF WEAVER LANE – RESOLUTION 13-41

Terry Coburn said this agreement was an easement to allow North Davis Sewer District to run a line under the Rocky Mountain power corridor north of Weaver Lane. He said the City had some storm detention facilities in the area and the City Engineer was working with the Sewer District to make sure the detention facilities were replaced by the Sewer District, to the satisfaction of the City, when they had completed their line.

Councilmember Bouwhuis said the Sewer District had acquired all but three easements necessary to run the new line.

INTERLOCAL COOPERATION AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION (UDOT) FOR CORRIDOR IMPROVEMENTS ALONG SR-89 – RESOLUTION 13-45

Terry Coburn said this was an agreement with UDOT for corridor improvements on Highway 89. He said there were several areas that would be improved, which were outlined in the Council packet. Terry said the State was providing some funds for the repairs and the City would be paying the balance. He said the improvements would help with several of the connections to Highway 89.

James (Woody) Woodruff, City Engineer, said they would exclude the connection at Antelope Drive.

Councilmember Flitton asked when they were anticipating starting the projects.

Woody said they would begin very soon.

Alex asked Woody to speak to the overlay projects, specifically the one at Robbins Drive. He said as part of the UDOT improvements planned for next summer, there would be repairs in that area as well.

Woody said they wouldn't make repairs to the curb, gutter and sidewalk because that would be completely redone with the widening project next year by UDOT. He said all of Robbins Drive would be

milled and overlayed, from Antelope Drive north to the Clearfield boundary. Woody said they were working on timing with the hospital. Most of the work would be done in two weeks on late Saturday evening and Sunday.

Councilmember Freitag asked if there would be widening on Robbins Drive with the UDOT project next year.

Woody said yes; there would be a dual left turn going south on Robbins Drive and turning east onto Antelope Drive. He said improvements would also be made to accommodate trucks and buses turning north onto Robbins Drive.

Alex asked Woody to speak about other overlay projects planned in the City.

Woody indicated that the biggest overlay would be completed on Church Street from Antelope to Highway 193. He said there were several small roads as well, but Robbins Drive and Church Street were the major projects.

Terry said the ribbon cutting ceremony for the new tank would be coming up. He said it would probably be around September 9th. Terry said this was a very nice project and the public needed to know of these types of improvements. He said with the addition of the new tank, the City has experienced no problems with supplying water this summer with the numerous 100 degree days. Terry said this is the most significant improvement to the City's water system in his 39 years with the City.

Alex asked Kevin Ward, Fire Chief, to speak to the land donation for the training center. He said the father of the family had passed away, but the mother was still alive.

Kevin Ward said the Fire Department picked the family up in a fire truck and did a private tour for approximately 20 members of the family. He said a plaque would be placed on the building recognizing the family.

Councilmember Bouwhuis explained some remodeling that was done to the DATC's Freeport Center facility to enhance their fire training program. He said between the two facilities the City would have some great fire training capabilities.

INTERLOCAL AGREEMENT FOR PARAMEDIC SERVICES WITH NORTH DAVIS FIRE DISTRICT – RESOLUTION 13-43

Kevin Ward said this was an interlocal agreement with the North Davis Fire District for billing of paramedic services. He said whenever the Fire Department provided ambulance services outside the City, the State required an agreement to receive reimbursement. Kevin said this agreement was renewed every 5 years. He said because of the huge write-offs required by such entities as Medicare, the reimbursement was based on what was collected and not what was billed.

Kevin said Dean Hunt, Fire Marshall, would be presenting this item at the regular meeting. He said he was the Night Operations Chief on the fire in Summit County and he had to leave before the meeting. Kevin said the City had two brush engines in Idaho on the Beaver Creek Complex fire. He said one reserve ambulance was on the fire in Tooele and there would be one brush engine in Summit County tonight. Kevin said there were adequate resources in the City to provide necessary coverage.

Kevin said the new water tender would be picked up a week from Monday. He said this would be a great asset for the City. Kevin explained some of the features of the water tender vehicle.

DEVELOPMENT AGREEMENT AND REZONE REQUEST (GREEN AND GREEN) – R-S (RESIDENTIAL SUBURBAN) TO PB (PROFESSIONAL OFFICE) – 836 SOUTH ANGEL STREET – RESOLUTION 13-35 AND ORDINANCE 13-18

Peter Matson, City Planner, said this rezone proposal was heard by the Planning Commission a while ago. He said Staff had met with residents that voiced concerns at the Planning Commission hearing about pedestrian safety issues with children walking along Angel Street to Heritage Elementary. Peter said several people from the Pheasant Place subdivision met with Staff. He said in developing the Roberts Farms subdivision, Mr. Green had two residential lots on the south side of the intersection that fronted onto Angel Street. Peter said the proposal was to combine the two lots into one parcel and develop a neighborhood professional office building that would access off of Angel Street.

Peter said a dental group had been working with Mr. Green on the project, but there was not a specific contract on the property. He said the building would contain approximate 8,000 to 9,000 square feet. Peter said the initial indication was that the center suite would be where the dental office would be located. He said if the zoning was approved, there would be a site plan review process that would take place. Peter said the design included in the Council packet met all of the zoning requirements relative to

setbacks, landscape buffers, and building height.

Peter said as Staff met with the residents, some of the concerns expressed included the safe route to the school without connectivity through the neighborhood. He said with Phase 8 of Roberts Farms coming online, and with the intersection at Layton Parkway and Angel Street going to a four-way intersection, the better alternative for the children would be to come down Angel Street from the north and travel west on the south side of Layton Parkway to Arbor Way, which connected into the north side of the school. Peter said the timing of construction shouldn't be too long after school started. He said the map included in the packet showed that as the Kennington Place subdivision came online, there would be additional connections into Pheasant Place through the subdivision away and from Angel Street.

Peter said Staff also spent time explaining the PB zone to the residents, and showing examples of the zone throughout the City. He said five examples of PB zoning in the City were included in the packet. Peter discussed these various locations.

Councilmember Bouwhuis said as he had talked with a couple of the residents, they indicated that the difference between the proposed project and the other examples were a wider road with a shoulder and turnout lane.

Councilmember Brown mentioned the Gardner Dental project on the corner of Fairfield Road and Wasatch Drive. She said Wasatch Drive was a neighborhood street without any shoulder or turnout lane. Councilmember Brown said this would be a closer comparison to the proposed rezone.

Peter said he didn't know if any of the examples had turnout lanes.

Councilmember Brown said Gordon Avenue would have a turn lane in the middle of the road.

Council and Staff discussed restriping that would take place in the area.

Councilmember Brown asked if Angel Street would eventually be similar to Flint Street with curb, gutter and sidewalk on both sides.

Woody said it would be similar, but Angel Street would actually be wider than Flint Street.

Councilmember Brown said as soon as Layton Parkway was opened up to the west, traffic would lessen

on Angel Street.

Councilmember Bouwhuis asked if there were some safety issues with Arbor Way.

Bill Wright, Community and Economic Development Director, said Arbor Way was currently under construction. He said Staff talked with Mr. Green about installing the sidewalk on Arbor Way before the homes were built to allow for foot traffic to the school.

Councilmember Brown asked where Crossing Guards were located for Heritage Elementary.

Bill said there was one at the intersection of Weaver Lane and Angel Street, and there was one further west on Weaver Lane adjacent to the school.

Councilmember Brown said an additional Crossing Guard could be added at Angel Street and Layton Parkway.

Peter said with a Crossing Guard at Angel Street and Layton Parkway, one of the other Crossing Guards could probably be eliminated.

Council and Staff discussed traffic in the area associated with the school and the impact the proposed development would have on traffic.

Alex said he drove this area every day and the residents' depiction of the traffic was not accurate. He said the biggest issue was commuter traffic trying to get out of a subdivision onto Weaver Lane, and school traffic coming in, and how parents at every school dropped off children. Alex said the problem was not the volume of kids walking on the west side of Angel Street; most kids were coming out of the Greenbrier subdivision, which was on the east side of Angel Street. He said those kids stayed on the east side of Angel Street and used the crosswalk and Crossing Guard at Angel Street and Weaver Lane. Alex said the residents were not pointing out that most of the commuter traffic, if they had an option, would go north out of the subdivision to Layton Parkway. He said he felt that the commuter/school traffic would be lessened significantly with the Arbor Way connection to Layton Parkway.

Bill said there would be a lot more connectivity when all of the subdivisions were completed.

Councilmember Brown said it seemed that the biggest issue was traffic from the subdivisions and not the

traffic that would be generated by the dental office.

Bill said if the two lots were to remain residential lots, residents would be backing out of their driveways onto Angel Street. He said with the proposed development, it would be front facing access into and out of the parking lot. Bill said the visibility of any children on the sidewalk would be much better.

Council and Staff discussed the traffic study included in the packet, and the likely traffic generated by a dental practice.

Councilmember Brown said other residents had indicated that there needed to be services, such as dentists, on the west side of the City.

Councilmember Francis said one of the greatest assets to his neighborhood was the Davis Family Physicians practice.

Bill said the positive recommendation from the Planning Commission was based on the General Plan policies of appropriate alternatives for land uses at the intersections of arterial collector roads. He said the proposed land use was consistent with the General Plan.

Ed Green, Developer, said this proposal would be safer for everyone on Angel Street; there would be no backing onto Angel Street. He said the building would be harmonious with the homes in the Roberts Farms subdivision. Ed said the driveway into the project would be to the extreme south end of the property, away from the Angel Street/Layton Parkway intersection, which would be safer than two residential homes accessing Angel Street closer to the Layton Parkway intersection.

Councilmember Flitton asked what the estimated height of the building would be.

Bill said the maximum height allowed would be 30 feet, which was the same as a residential development.

There was discussion about locating the building to the rear of the lots with parking up front to allow for better drainage and better buffering to the residential areas to the west.

ORDINANCE AMENDMENTS – AMENDING SECTION 3 OF THE LAYTON CITY DEVELOPMENT GUIDELINES AND DESIGN STANDARDS ENTITLED STREET IMPROVEMENTS; AMENDING TITLES 16, 18 AND 19 – REGARDING TEMPORARY TURNAROUNDS – ORDINANCE 13-17

This item was not discussed.

FINAL PLAT APPROVAL – OLD FARM AT PARKWAY SUBDIVISION, PHASE 2 – APPROXIMATELY 815 WEST LAYTON PARKWAY

Bill Wright said this was final plat approval for Old Farm at Parkway; Phase 2; Phase 1 of the subdivision was located on the north side of Layton Parkway. He said this Phase was on the south side of Layton Parkway. Bill said this property was part of an annexation from January 2012. He said this Phase would draw access from 850 South, which was a stub street in the Weaver Meadows subdivision.

Bill said this Phase of the subdivision contained 19 lots and met all of the requirements of the zone. He said people living in the Weaver Meadows subdivision became aware of this Phase and they became aware of a County action on property further to the west owned by Tyson Roberts that was located in the County. Bill said Mr. Roberts requested that the County place an agricultural protection overlay on his property.

Councilmember Francis asked if the City disputed that action.

Bill said no; there was a meeting with the County Planner making him aware of the development that was occurring. He said it was not a conservation easement; the County's approach was that when an agricultural protection overlay was requested it was granted. Bill said in the future if it was requested that the overly be removed, the County would remove it.

Councilmember Francis said he had heard that the City fought the agricultural overlay.

Alex said that was untrue. He said the overlay could be removed as easily as it was placed on the property; it was not a permanent overlay, and it would not prohibit the City from doing what needed to be done in terms of infrastructure.

Bill said the property would have to be annexed into the City to have any kind of development; it could not develop as residential property and remain in the County.

Councilmember Francis asked what would happen if the Council voted against this proposal.

Bill said the subdivision received vesting at preliminary approval. He said the process of taking a subdivision from preliminary approval to final approval was basically all technicalities of engineering. The reviews focused on sewer lines, water lines and separation, or lot sizes.

Bill said the residents from the Weaver Meadows subdivision made a request that the City study a second connection onto Layton Parkway, but that clearly didn't meet the City's spacing requirements on Layton Parkway. He said there were future opportunities for additional connections to the west when that property developed. Bill said that was consistent with the City's practices and standards.

Bill said the Developer did agree to a construction access easement across one of the lots. He provided a copy of the easement agreement to the Council.

Councilmember Bouwhuis asked if that could be a permanent solution.

Bill said no; it would only be for access of construction vehicles. He said often times that was the biggest impact to a subdivision.

Councilmember Brown said eventually there would be another connection between this property and Angel Street.

Bill said that was correct; there would also be two connections onto Weaver Lane in the future. He said ultimately when the Joe Hill and Tyson Roberts property developed, there would be great connectivity.

Mayor Curtis said the residents were indicating that Tyson Roberts was not going to sell his land so that it would never develop, which meant that there would be no future connections.

Alex said basically the residents in Weaver Meadows didn't want cars going by their houses. He said there wasn't anything the City could do about that.

Councilmember Brown said it made her think about her subdivision, and even though there were other

exits for Peacefield residents to get out to Gentile Street, she still saw Peacefield residents coming in front of her home so that they could get out to Gordon Avenue. Councilmember Brown said, on the other hand, she went through the Peacefield subdivision to access Gentile Street. She said you couldn't stop people from going through a subdivision on a public street; even if there was another access on Weaver Lane it didn't mean people would use it.

Bill mentioned other subdivisions in the City that had limited access until they were completely built out. He said it was not an unusual occurrence particularly with phasing of development.

Discussion suggested pulling this item from the consent agenda and speaking to it separately.

Bill recommended pulling Item I from the consent agenda as well, and voting on it separately, after the public hearing for Item A of the public hearings.

AMENDED PLAT APPROVAL – FOOTHILLS AT CHERRY LANE SUBDIVISION, PHASE 3 – APPROXIMATELY 2000 EAST OAKRIDGE DRIVE – ORDINANCE 13-25

This item was not discussed.

The meeting adjourned at 7:03 p.m.

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Thieda Wellman, City Recorder

D R A F T

MINUTES OF LAYTON CITY COUNCIL MEETING	**AUGUST 15, 2013; 7:07 P.M.**
MAYOR AND COUNCILMEMBERS PRESENT:	**MAYOR J. STEPHEN CURTIS, MICHAEL BOUWHUIS, JOYCE BROWN, BARRY FLITTON AND SCOTT FREITAG**
ABSENT:	**JORY FRANCIS**
STAFF PRESENT:	**ALEX JENSEN, CLINT DRAKE, BILL WRIGHT, PETER MATSON, TERRY COBURN, DEAN HUNT, JAMES (WOODY) WOODRUFF AND THIEDA WELLMAN**

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

Mayor Curtis opened the meeting. Boy Scout Boston Musgrave with Troop 525 led the Pledge of Allegiance. Sandy Ingles gave the invocation. Scouts from Troops 525 and 350 were welcomed.

MINUTES:

MOTION: Councilmember Bouwhuis moved and Councilmember Flitton seconded to approve the minutes of:

Layton City Council Strategic Planning Work Meeting – June 27, 2013; and
Layton City Council Special Meeting – June 27, 2013.

The vote was unanimous to approve the minutes as written.

MUNICIPAL EVENT ANNOUNCEMENTS:

Councilmember Brown indicated that tonight, in the amphitheater, the Family Recreation Program would host a free movie. She said there would also be free popcorn and other refreshments, and the movie would start at dusk.

Councilmember Brown said the End of Season Bash for Surf ‘n Swim would be held August 31st from 7:00

p.m. to 9:00 p.m. She said admission would be $1.

Councilmember Bouwhuis said the North Davis Sewer District Board had scheduled a public hearing to consider adjustments to their impact fees. He said the public hearing was scheduled for September 12, 2013. Councilmember Bouwhuis said work that had been completed by a private consulting firm would be presented and there would be a comment period before any action was taken.

Councilmember Flitton said he attended a Chamber of Commerce meeting today where an expert on development growth and planning spoke. He said they were told that in Utah they could expect to see 45,000 people per year in growth until 2040.

CONSENT AGENDA:

Mayor Curtis indicated that items F and I would be pulled from the consent agenda and voted on separately.

INTERLOCAL AGREEMENT FOR PARAMEDIC SERVICES WITH NORTH DAVIS FIRE DISTRICT – RESOLUTION 13-43

Dean Hunt, Fire Marshall, said Resolution 13-43 was an interlocal agreement with the North Davis Fire District for paramedic services. He said the State required an interlocal agreement between agencies if an agency was to provide paramedic service to another agency. Dean said this agreement was for a five year term. He said the agreement indicated that the North Davis Fire District would provide 21% of what was billed for services to Layton City. Dean said Staff recommended approval.

Councilmember Brown said the agreement indicated that Layton City could provide advanced life support and North Davis Fire District did not have that capability.

Dean said that was correct.

INTERLOCAL COOPERATION AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION (UDOT) FOR CORRIDOR IMPROVEMENTS ALONG SR-89 – RESOLUTION 13-45

Terry Coburn, Public Works Director, said Resolution 13-45 was a cooperation agreement between the City and UDOT for corridor improvements along Highway 89. Terry said Layton City desired to make safety

improvements including pavement maintenance to several public road connections adjacent to, and within the right of way of, Highway 89. He said UDOT had agreed that additional improvements of pavement maintenance was needed and had agreed to participate in the cost of the improvements in the amount of $14,000. Layton City had the responsibility for management and selection of a contractor for the work, and traffic control. Terry said the City would incorporate the work into their work plan. He said the City and UDOT had determined to accomplish this by written agreement. Terry said Staff recommended approval.

MEMORANDUM OF UNDERSTANDING WITH NORTH DAVIS SEWER DISTRICT GRANTING A NON-EXCLUSIVE SEWER AND FACILITY EASEMENT – LOCATED UNDER THE ROCKY MOUNTAIN POWER CORRIDOR NORTH OF WEAVER LANE – RESOLUTION 13-41

Terry Coburn said Resolution 13-41 was a memorandum of understanding with North Davis Sewer District granting an easement on property under the Rocky Mountain Power corridor north of Weaver Lane. He said North Davis Sewer District had made a request for a non-exclusive sewer and facilities easement on property owned by the City that contained an established detention basin. Terry said the capacity of the basin would be reduced 10,000 cubic feet. He said the memorandum of understanding addressed the respective responsibilities of Layton City and the North Davis Sewer District, including the redesign and reconstruction of the detention basin to accommodate the same capacity as before the sewer utilities were installed. Terry said the proposed easement agreement would grant a non-exclusive easement to North Davis Sewer District for the installation of its facilities. He said Staff recommended approval.

2012 LAYTON CITY MUNICIPAL WASTEWATER PLANNING PROGRAM ANNUAL REPORT – RESOLUTION 13-44

Terry Coburn said Resolution 13-44 authorized the review and adoption of the 2012 Municipal Wastewater Planning Program Annual Report. He said this was an annual report the City was required to file with the State relative to the sanitary sewer system. Terry said the City was in good standing with the State in all aspects of the program, and Staff would recommend approval.

OFF-PREMISE BEER RETAILER LICENSE – GLUTEN FREE FOODS – 1596 NORTH HILL FIELD ROAD, SUITE B

Bill Wright, Community and Economic Development Director, said this was an off-premise beer retailer license for Gluten Free Foods, located at 1596 North Hill Field Road, Suite B. He said there was a private

preschool located within the 600 foot buffer area of the location, but the distance was measured as a pedestrian would walk from one building to the other. He said this location was 611 feet from La Petite Academy, and they expressed no concerns with the license. Bill said background checks had been approved by the Police Department, and Staff recommended approval.

FINAL PLAT APPROVAL – EVERGREEN FARMS SUBDIVISION, PHASE 2 – APPROXIMATELY 1950 WEST LAYTON PARKWAY

Bill Wright said this was final plat approval for Evergreen Farms Subdivision, Phase 2, located at approximately 1950 West Layton Parkway. He said the proposal consisted of 19 acres and 44 lots, which was a density of 2.31 units per acre. Bill said the proposal met all requirements of the R-S zone. He said there were buffering requirements along Layton Parkway including an 8 foot masonry wall and a 5 foot easement for a landscape buffer. Bill said this would help extend Layton Parkway to the west. He said the Planning Commission recommended approval and Staff supported that recommendation.

PARCEL SPLIT APPROVAL – LOWE'S HOME IMPROVEMENT – 1055 WEST ANTELOPE DRIVE

Bill Wright said this was a parcel split approval for Lowe's Home Improvement located at 1055 West Antelope Drive. He said a recent change in the Code for parking requirements allowed for this parcel split. Bill said the parcel split would allow for construction of a 6,800 square foot retail pad on the corner of the Lowe's parking lot. He said the proposal met all of the requirements of the CP-3 zone. Bill said the Planning Commission recommended approval and Staff supported that recommendation.

MOTION: Councilmember Brown moved to approve the Consent Agenda as presented, excluding Items F and I. Councilmember Freitag seconded the motion, which passed unanimously.

FINAL PLAT APPROVAL – OLD FARM AT PARKWAY SUBDIVISION, PHASE 2 – APPROXIMATELY 815 WEST LAYTON PARKWAY (ITEM F OF THE CONSENT AGENDA)

Bill Wright said this was a final plat approval for the Old Farm at Parkway Subdivision, Phase 2, located at approximately 815 West Layton Parkway. He said Phase 1 of Old Farm at Parkway was approved on the north side of Layton Parkway and was currently under construction. Bill said Phase 2, located on the south side of Layton Parkway, received preliminary plat approval on January 24, 2012, by the Planning Commission; prior to that there was an annexation of all of this property and a rezone approved by the City

Council. He said this phase consisted of 19 lots in the R-1-8 zone with a minimum lot size of 8,000 square feet. Bill said the proposal was compatible with surrounding neighborhoods and consistent with the zoning.

Bill said as part of an annexation agreement, there was a requirement for the construction of an 8 foot masonry wall, and five feet of landscape buffering along Layton Parkway.

Bill said after this final plat was reviewed by the Planning Commission on June 11, 2013, where they recommended approval, the developer submitted a change in Phase 2 involving four lots that had previously been located on the southern portion of the property along Kays Creek. He said the four lots had been removed from the plat because of some studies that were underway along Kays Creek for flow of water and the impact of possible additional requirements on those lots.

Bill said the amended plat had been reviewed by the Engineering Staff to make sure it met all of the standard requirements. He said Staff had received calls from residents about how access was going to be provided into the Old Farm at Parkway Subdivision, Phase 2. Bill said Staff met with some representatives of the neighborhood and reviewed information about the future stub streets that would eventually go into property to the west when it was developed. He indicated that there would eventually be a connection on Angel Street and two additional connections onto Weaver Lane.

Bill said the Council had received emails from the residents requesting an additional access be granted onto Layton Parkway. He said Layton Parkway was an arterial road with very limited access. Bill said 700 West was a residential collector street that would provide access to Layton Parkway. He said this subdivision layout met the City's standards for fire apparatus access and access for future development on adjacent properties.

Bill said it became known that the owner of the property immediately south and west of the development submitted a request to the County to have an agricultural protection zoning overlay placed on his property. Bill said City Staff met with the County Planner to gain a full understanding of what that would mean. He said the County would grant those upon request, and they would remove them upon request; it was not a permanent designation and had no bearing on whether the property could be developed in the future. Bill said it was not a conservation easement. He said the agricultural protection zone simply helped protect the farmer from nuisances that might be claimed by abutting single family subdivisions about the operation of a farm.

Bill said because of that, the neighborhood was concerned that that meant this property would never be developed, and why would the City stub roads into the property and not provide access onto Layton

Parkway. He said as subdivisions phased, it was the property owner's decision whether they wanted to develop or not. Bill said the Planning Commission recommended approval and Staff supported that recommendation.

Councilmember Brown said in the earlier Work Meeting there had been discussion about other subdivisions in the City that had developed similarly to this one; this was not an unusual course of development.

Bill said as vacant land was developed, it was often done in phases. He said some existing ones were Fairfield Estates at Mutton Hollow, off of Fairfield Road. Bill said there was a single entrance into the development, but as soon as Phase 5 of the development was developed, there would be an additional connection onto Boynton Road. Bill said Harmony Place was under the same type of phasing pattern. He said Weaver Meadows Subdivision, which was adjacent to this property to the east had more than 30 lots and had only 1 access at one time. Bill said Roberts Farms, Phases 1 through 6, located to the west, had similar phasing that occurred. He said with the approvals of additional phases for that subdivision, multiple accesses would be developed. Bill said development phasing was not an unusual practice.

Councilmember Freitag said Bill indicated that Weaver Meadows had more than 30 homes with only 1 access. He said by adding this other subdivision, how did each subdivision count separately as 30 homes and one exit, and not a total of 60 and one exit.

Bill said clearly it was over 30 homes. He said the part of the Fire Code that came into play was a determination by the Fire Marshall, and the City Engineer, as they reviewed access to make sure there was adequate fire apparatus access into subdivisions that had more than 30 lots. Bill said there were provisions in the Code to allow that. He suggested that the Fire Marshall address that.

Dean Hunt, Fire Marshall, said the Fire Code was an international code, and there was an understanding that there may be situations throughout the entire world that might be a little different. He said the Code gave the City the authority to look at individual situations and the City's capabilities. Dean said the residential collector road into the area was wider than a normal residential street, which was considered when these were reviewed. He said the Code addressed fire apparatus access. If people were exiting the area could the Fire Department still get into the subdivision with their apparatus; and the answer was yes, which was determined in the review process. Dean said there were some exceptions to the 30 home limit; one of those being fire sprinklers in all of the homes, or if there was going to be future development, and there was no time frame on that. He said with future development the Fire Code Authority could determine whether it met that requirement or not, and allow for that.

Councilmember Freitag said in a letter signed by Leslie Oakes and the Weaver Meadows Subdivision, that he shared in the earlier work meeting, they quoted a "National Safety Code." He asked if Dean was referring to the same thing with the International Fire Code.

Dean said he wasn't aware of a National Safety Code; he would assume they were referring to the International Fire Code.

Councilmember Freitag said if it was the same, the 30 homes to an access strictly related to whether fire apparatus had access into and out of the subdivision.

Dean said that was correct.

Councilmember Freitag said it allowed for the Fire Marshall to make a determination that it could be 30 or more, as long as he felt comfortable that the fire apparatus could enter, exit and maneuver safely.

Dean said that was correct. He said it was based on the capability of a city's apparatus. He said Layton City didn't have some of the larger equipment that would not access these areas; it would not be a problem for the City's Fire Department.

Councilmember Flitton said Dean would only deal with the fire safety aspect of the Code. He asked if the Council should assume that the National Safety Code referred to by Councilmember Freitag was strictly fire.

Dean said with any discussions he had with the residents, they always referred to the Fire Code. He said he wasn't sure what the National Safety Code referred to; maybe the residents thought that the International Fire Code was called that.

Councilmember Brown said in response to some of the citizens, the City Engineer actually wrote a letter to the citizens explaining access onto Layton Parkway and because of the type of street it was the City was limiting access onto it. She asked someone to address that.

Woody Woodruff, City Engineer, said Layton Parkway was designed as a minor arterial road. He said the purpose and function of the road was to provide a funneling of vehicles from residential neighborhoods to the interstate. Woody said since Layton Parkway had been built, it took only a few minutes to get from this area to I-15. He said it had been a great improvement within the Community.

Woody said with a minor arterial, they looked for access management and a lot of that was associated with spacing and what the minimum and maximum spacing of access would be. He said obviously, if there were a lot of residential connections to the road, then it would create congestion and reduce the flow of traffic. Woody said the purpose behind this was to reduce the number of connections; in this case the desire was ¼ of a mile or about 1,000 feet between connections. Woody said there were some situations where it was less than that; basically because of existing development that occurred before the road was built. He said the distance between 700 West and the Weaver Lane connection was about 1,000 feet. Woody said to make another connection between those two streets would make it less than 500 feet, and there would be some safety concerns with sight distance because of the curves. He said in the future, there would be two additional connections through properties to the west.

Bill said the City looked at the opportunity for a temporary construction access easement at Lot 212 of the subdivision. He said there was an existing curb cut at that location to accommodate the farming operation being done on the property when Layton Parkway was being constructed. Bill said typically that curb cut would be removed and the wall would be constructed as part of this phase of the subdivision. He said the City approached the developer, and he was agreeable, that for one year from the date of commencement of construction of the subdivision that that would be the access for construction. Bill said that would take away some of the burden on 700 West. He said often times it benefitted the developer as well because it kept people from coming onto the property when there was construction activity.

Mayor Curtis said this wasn't a public hearing, but he received a request from Leslie Oakes, a spokesperson for the neighborhood, to speak to this item.

Leslie Oakes said they were concerned as a neighborhood with having all the additional traffic without any future roads. She said they had spoken with Tyson Roberts, and they had a letter from Mr. Roberts, indicating that he had no intention of selling his property until he died. Ms. Oakes said they were very concerned with only one access for the entire additional development, along with the current Weaver Meadows Subdivision. She said she lived on 700 West; if something happened, such as the creek flooding, those residents would have no way out of the subdivision.

Ms. Oakes said when the residents met with City Staff, one proposal they suggested was to leave the construction access open permanently. She said if and when Mr. Roberts sold his property it could be closed.

Mayor Curtis said the developer was also present. He asked Mr. Holland if he wanted to speak.

Phil Holland with Henry Walker Homes said they were aware that some of the residents had some concerns. He said every time there was new development there were additional homes and additional traffic. Mr. Holland said City Staff did a good job of explaining the issues. He said for their final plat approval, they had acknowledgement from City Staff that they had met every requirement.

Councilmember Flitton asked if any of the homes in the subdivision would be equipped with sprinkling devices.

Mr. Holland said no.

Councilmember Bouwhuis asked if Henry Walker Homes owned the property where the temporary easement was located.

Mr. Holland said yes.

Councilmember Bouwhuis asked if they had considered an access at this location.

Mr. Holland said they hadn't considered a temporary construction access at this location. He said as they met with City Staff, it was a compromise on everyone's part. Mr. Holland said they agreed to have the construction access for a period of 12 months. He said hopefully it would alleviate some of the tension caused by construction.

Councilmember Bouwhuis asked if Mr. Holland would consider leaving it open until the other property was sold.

Mr. Holland said no.

Councilmember Freitag asked Staff to talk about vesting issues that were discussed in the earlier Work Meeting.

Clint Drake, Assistant City Attorney, said in the State of Utah a property owner was vested once they had a completed application, and they met all of the requirements of the ordinance. He said in this circumstance, the applicant did have a completed application and they had met all of the requirements of the ordinance; they were vested in the property, which meant they had a right to develop the property.

Councilmember Freitag asked on what grounds could the Council deny the request.

Clint said if it didn't meet the standards of the ordinance, the Council could deny it on those grounds. He said in order to overcome any type of vesting rights there had to be a significant and countervailing public interest. Clint said the issue the City would run into, as Mr. Wright had indicated earlier, was that there were a number of subdivisions within the City, including the subdivision directly abutting to the east, that fell under the same circumstances. He said additionally, as had been explained by the Fire Marshall, it was not a violation of the City's ordinance and therefore the Council was really limited in what they could and could not do.

Clint said in the Fire Code that was discussed earlier, there were exceptions, and the Fire Marshall explained those exceptions. He said even if there were to be some sort of permanent road there, it would not be a public road, it would be a fire apparatus access road, which meant that it would have some type of gate or barrier that would prohibit vehicular traffic. It would simply be for emergency situations. Clint said it was important for the public to understand that even if that was a requirement of the ordinance it would not be a public access road.

Councilmember Brown said it would be similar to some of the apartment complexes that had to have a second access, but one was usually restricted with no public access unless there was an emergency.

Clint said that was correct.

MOTION: Councilmember Brown said having heard the discussion, and especially the direction from the Attorney, she would move to approve Item F of the Consent Agenda as presented.

Councilmember Freitag said he was concerned that the Code was not good at giving a definition of future development. He said based on what was known today, the future development of the property to the west was undefined. The Code put the Council in a tough spot; the Council felt strongly for the right of the property owner to develop, balanced with the concerns expressed about safety. Councilmember Freitag said the Council shared those same concerns. He said the challenge was the rights of the property owner that was already vested, and what was reasonable in finishing the development. Councilmember Freitag said if there was a definition in the Code of what future development was, then that would probably get them out of the box they were sitting in. He said there was no definition in the Code and it was undetermined when future development would occur. Councilmember Freitag said there was a possibility that the property would

develop in the future, and given what had happened in west Layton in the past few years, it was likely that it would develop. He said based on the Code, the developer had a tremendous right to hold the City accountable for not following through with their vested rights on that property. Councilmember Freitag said he didn't know that the Council had a choice in this matter.

Councilmember Flitton said his concern was with the safety of the community, particularly the neighbors in the adjacent development. He said the Council was sort of over a barrel; he was uncomfortable with it but he didn't think the Council had an option.

Councilmember Bouwhuis said this issue had come up several times, and the Council was very sympathetic. He said he wished there were an answer that would solve the safety issues. Councilmember Bouwhuis said the Council was between a rock and a hard spot, which was a difficult situation to be in, because the Council truly wanted to represent the interests of the citizens and the City. He said the developer was vested and had the right to move ahead with the development.

Councilmember Freitag said if he didn't have tremendous respect for the Fire Marshall, he would have a harder time with this. He said the City had the best Fire Marshall in the State.

MOTION: (continued) Councilmember Freitag said with that, he would second the motion, which passed unanimously.

PUBLIC HEARINGS:

AMENDED PLAT APPROVAL – FOOTHILLS AT CHERRY LANE SUBDIVISION, PHASE 3 – APPROXIMATELY 2000 EAST OAKRIDGE DRIVE – ORDINANCE 13-25

Bill Wright said Ordinance 13-25 was an amended plat approval for the Foothills at Cherry Lane Subdivision, Phase 3, located at approximately 2000 East Oakridge Drive. He said the request came through from a lot of effort that had been expended by two property owners, Brighton Homes and Jared and Matt Yeates, as they tried to come up with a better development scenario for the multi-family zoned property to the east.

Bill said in order to proceed with the planned residential unit development (PRUD) to the east, there needed to be an amendment to Phase 3 of the Foothills at Cherry Lane Subdivision. He said Lot 315 would be taken out of Phase 3. Bill said the Planning Commission recommended approval and Staff supported that

recommendation.

Councilmember Flitton asked about the public street that would be converted to a private street.

Bill said the street would become a private street as it transitioned into the PRUD.

Mayor Curtis opened the meeting for public input. None was given.

MOTION: Councilmember Freitag moved to close the public hearing and approve the amended plat as presented, Ordinance 13-25. Councilmember Bouwhuis seconded the motion, which passed unanimously.

CONSENT AGENDA: (continued)

PRELIMINARY PLAT APPROVAL – FOOTHILLS AT CHERRY LANE PRUD – APPROXIMATELY 2100 EAST OAKRIDGE DRIVE (ITEM I OF THE CONSENT AGENDA)

Bill Wright said this preliminary plat approval was for the Foothills at Cherry Lane PRUD, discussed in the previous item, located at approximately 2100 East Oakridge Drive. He said Brighton Homes was requesting the approval for 30 single family detached homes on smaller lots.

Bill said this property had two zoning districts; R-M1 PRUD, which was a multi-family zone located on the eastern portion of the property, and R-1-10 PRUD located on the western portion. He said if the density was maximized on the property it would allow for 48 units. Bill said part of the property was encumbered by a gasoline transmission pipeline that provided a bit of an obstacle in laying out a residential subdivision. He said the pipeline was contained in the open space indicated on the map and nothing could be built over the top of the pipeline.

Bill said in order to move the development forward, the applicant had worked with the City to develop private streets that would meet the City's standards. He said there would be one private drive, which met the standards, that would provide access to five of the lots; and six lots would front onto Oakridge Drive, which was a public street. Bill said there were some concerns with the homes that would have backing movements onto Oakridge Drive, but the City Engineer had a striping plan that would more define the travel lane and curb lane, which would also help slow traffic. He said the Planning Commission recommended approval, with additional architectural detail to some of the buildings, and Staff supported that recommendation.

Councilmember Flitton said for clarification, would the additional architectural detailing be a requirement or were they just a suggestion.

Bill said they would be incorporated as requirements with the final approval.

Councilmember Brown said she appreciated the work Staff did on finding a solution for this property. She said this was a great solution from what was originally proposed.

Bill said Staff would also acknowledge the neighborhood that came in as a willing participant to the conversation, and Brighton Homes who stepped forward and really made this happen.

MOTION: Councilmember Bouwhuis moved to approve Item I of the Consent Agenda as presented. Councilmember Brown seconded the motion, which passed unanimously.

PUBLIC HEARINGS: (continued)

ORDINANCE AMENDMENT – AMENDING SECTION 3 OF THE LAYTON CITY DEVELOPMENT GUIDELINES AND DESIGN STANDARDS ENTITLED STREET IMPROVEMENTS; AND AMENDING TITLES 16, 18, AND 19 RELATIVE TO TEMPORARY TURNAROUNDS – ORDINANCE 13-17

Bill Wright said this was a public hearing that was continued from the last Council meeting. He said the proposed amendments had to do with situations regarding turnarounds, and options for how to provide those in subdivisions. Bill said at the conclusion of the August 1st public hearing, there were some questions submitted by the Council to Gary Crane, City Attorney. He said Staff met to review the Code in more detail, and to make sure a fire suppression system in homes that extended beyond the 150 feet without an improved hard surface turnaround was an option under the City Code and the International Fire Code. Bill said Staff concluded that that option was available and that safety could be provided with that option. He said Staff also had discussion with Councilmember Freitag to make sure they were addressing his concerns.

Bill said there were a few minor changes to the ordinance from the last version; some of the language out of the International Fire Code had been included. He said Staff recommended approval.

Councilmember Freitag said he was quite satisfied with the additional research provided by Staff, and the discussion they had considering the language in the International Fire Code. He said he was comfortable with

moving ahead with the change.

Mayor Curtis opened the meeting for public input.

Rick Smith, 615 South 1375 West, asked how garbage trucks or trucks with trailers would turn around when dealing with a stub street that was 500 feet long. He said he lived on a temporary turnaround and he was glad that it was there.

Councilmember Freitag said the requirement was 150 feet. He said his concerns were about fire protection and what was required in the International Fire Code. Councilmember Freitag said he didn't know if any of those things could be addressed, because it wasn't something that was in the Council's purview.

Mr. Smith said he understood that if the length of a stub street was more than 2 lots or 200 feet, a fire suppression system or one of the other options would be required. He asked if there would still be a temporary turnaround if it was beyond 200 feet.

Bill said yes; it could go up to 250 feet, but only two lots; or there would be a cul-de-sac, a temporary turnaround, a permanent bulb in the street, or fire suppression in the homes. He said Staff would also look closer at the phasing in a subdivision and get the developer to project into more multiple phases to extend that length.

Mr. Smith recommended that the last two lots become their own phase so that they could develop at a later time.

Councilmember Freitag said he appreciated Mr. Smith's suggestion because he lived on one of these situations as well. He said it was something the City needed to consider, but he was comfortable with what was being done as far as the fire requirements.

MOTION: Councilmember Brown moved to close the public hearing and approve the amendments relative to temporary turnarounds, Ordinance 13-17. Councilmember Flitton seconded the motion, which passed unanimously.

DEVELOPMENT AGREEMENT AND REZONE REQUEST (GREEN AND GREEN) – R-S (RESIDENTIAL SUBURBAN) TO PB (PROFESSIONAL OFFICE) – 836 SOUTH ANGEL STREET – RESOLUTION 13-35 AND ORDINANCE 13-18

Peter Matson, City Planner, said Resolution 13-35 and Ordinance 13-18 was a development agreement and a rezone request submitted by Mr. Ed Green for property located at 836 South Angel Street. He said the property was currently zoned R-S, which was a residential zone, and the proposed zoning was PB or professional office.

Peter identified the property on a map and indicated that it contained approximately 8/10 of an acre that was located on the southwest corner of the intersection at Layton Parkway and Angel Street. He said Phase 8 of the Roberts Farms Subdivision was presently under construction and would extend Layton Parkway to the west. Peter displayed the plat of Phase 8 that included the two lots proposed for rezone. He said if the PB zone was approved, the applicant indicated that the lots would be combined to allow for development of a professional office building.

Peter said the proposed zoning, unlike a commercial zoning district, was primarily focused on office type uses, which could be professional offices, or medical or dental offices. He said the intent of the zone was to be located along arterial and collector streets to provide uses that were not as intense as those found in commercial zones.

Peter said the City's General Plan indicated that the PB zone was an appropriate zone to be used at intersections of arterial and collector streets, and also to be located along the edge of neighborhoods. Buildings constructed in these zones should be of a residential nature, typically single story, and make all attempts to blend into the surrounding neighborhood.

Peter said during the Planning Commission hearing, a resident from the Pheasant Place Subdivision expressed concerns about traffic and pedestrian safety issues associated with the way children accessed Heritage Elementary through this area, and the possible impacts this type of use could have on those types of issues. He said Staff met with Mrs. Dixon and other residents of the Pheasant Place Subdivision in July as an opportunity to answer any questions about the proposed zoning, and to take an inventory of the concerns associated with the proposal, and to make an attempt to address some of those issues.

Peter reviewed information included in the Council packet relative to the location of other PB zones in the City. He indicated the types of businesses that were in these PB zones.

Peter said as other subdivisions developed in the area around the proposed rezone, there would be additional connections that would accommodate both vehicular and pedestrian traffic through the area. He said with the completion of Roberts Farms Subdivision, Phase 8, Layton Parkway would extend to the west and connect into Arbor Way, which continued south and connected into Heritage Elementary. Peter said this would provide a way for school children to cross, and stay on the south side of Layton Parkway, and then into the subdivision, which would be a preferred alternative to walking down Angel Street.

Peter said the development agreement indicated that some of the normal uses allowed in the PB zone would not be allowed at this location. He said the development agreement also indicated that the Design Review Committee would review the design of the site, both from a landscaping standpoint and an architectural standpoint to provide input to the City Staff. Peter said the Planning Commission recommended approval of the development agreement and rezone request, and Staff supported that recommendation.

Councilmember Freitag said the two lots would currently allow for residential development with access onto Angel Street.

Peter said that was correct.

Councilmember Freitag asked if there was a requirement for a circular driveway to accommodate forward movement from the residences.

Peter said there was not a requirement, but it could be encouraged if the lots would accommodate it.

Councilmember Freitag asked if there was a requirement for where the northern lot driveway access would be located.

Peter said it would probably be located as far south as possible away from the Layton Parkway/Angel Street intersection. He said a driveway could be no closer than 4 ½ feet from an adjacent property line.

Councilmember Freitag said as it was currently zoned, he would be concerned about the two residential properties backing onto Angel Street and children walking past the properties. He said the proposed rezone would allow for the driveway to be located further south from the intersection than two residential homes.

Peter said that was correct. He said the driveway on the rezone would be located as far south as possible on

the second lot. He said that driveway could be no closer than 20 feet from an adjacent property line.

Councilmember Freitag said he drove Angel Street every day. He said Mr. Green had indicated earlier that he would install the sidewalks ahead of development on Arbor Way to allow for pedestrian travel through the subdivision to the school.

Councilmember Brown said most of the existing PB zones in the City reviewed by Staff were one level. She asked if there was something in the development agreement that would limit the building to one level. Councilmember Brown said there was a height restriction, but two story homes fit into that restriction.

Peter said the PB zone had a height limitation of 35 feet. He said it was possible to get two stories into that with a flat roof. Peter said there wasn't a limit of one story in the development agreement, but that could be added.

Councilmember Bouwhuis asked Peter to explain how Angel Street would look in terms of striping and traffic control as this developed, which was explained in the earlier Work Meeting.

Peter displayed a conceptual map with the proposed rezone. He said the City Engineer indicated that with the potential use, a restriping configuration would be in order where a left hand turn movement would be accommodated with a center turn lane, which would transition into a left hand turn lane at the Layton Parkway intersection.

Mayor Curtis opened the meeting for public input.

Sherman Curtis, 798 South Angel Street, said the residents of west Layton enjoyed the country community feeling that had been in west Layton. He said when Layton Parkway was introduced to the community, there were a lot of concerns from the residents with how property in the area would develop. Mr. Curtis said he was concerned with maintaining the country feel. He said this PB zone would start a precedence around the other open spaces that could move into a higher level of business zoning. Mr. Curtis said a second concern was that the Parkway was developed with the sole intent of moving community traffic out to the main arterials; why were any businesses being developed within that area that would have the traffic flow move contrary to that intent.

Mr. Curtis said his home was the next closest home to the proposed rezone. He said he had issues accessing his driveway. Mr. Curtis said there had been a number of accidents in the area with traffic traveling too fast.

He said with traffic stopping to access this business, it would cause additional problems.

Chuck Easton, 1296 West 500 South, said he lived in Pleasant Place Subdivision. He said he agreed with Mr. Curtis' concerns. Mr. Easton said Angel Street was not equipped to handle any business development. He said Angel Street was unlike Fairfield Road or Antelope Drive. Mr. Easton said Angel Street did not have a center turn lane; it did not have uniform curb, gutter and sidewalk; and this was a very active pedestrian corridor. He said Angel Street had undeveloped shoulders, and with pedestrian traffic using the undeveloped shoulders, traffic had to move over into the center lane; without a center turn lane, traffic turning left into the business would stop at the through lane and other cars would be passing around them in the shoulder area. Mr. Easton said this presented a significant safety concern for pedestrians.

Mr. Easton said his second concern was that drivers on Angel Street had a certain expectation, where as drivers on Antelope Drive and Gentile Street had a totally different set of expectations. He said when you were on arterials like Antelope Drive, you expected people to jump out in front of you, you expected fast accelerations, and you expected pedestrians to stay on the sidewalks and not use the shoulder areas. Mr. Easton said Angel Street was more of a residential area, and drivers would not expect to see businesses on Angel Street. He said when drivers saw things they didn't expect to see, conflicts between drivers and pedestrians went up. Mr. Easton said even though this was a collector street, it had a very country road feel. He urged the Council to keep this area residential.

Shirley Dixon, 558 South 1500 West, said she was told by Councilmember Brown that if she was speaking for a group she could have more than three minutes. She said Angel Street was a two lane road; all of the other examples given to the citizens in the Planning Commission meeting were much wider roads with shoulders and turning lanes. Ms. Dixon said in this situation there was a curvature in the road that was not on the other examples.

Ms. Dixon identified the pedestrian flow, to the school, on a map. She said sending the children on Arbor Way, through a construction area, would not be safer. Ms. Dixon said she would not send her children through the neighborhood. She explained issues with traffic and children accessing the north side of the school and the school spending $6,000 on a sidewalk to help with the issues. Ms. Dixon said with development in the area, traffic to and from the school would increase, and children attending the school would increase. She said a study indicated that up to 300 cars a day could be accessing the commercial development, adding to all the other traffic in the area. Ms. Dixon said this proposal made no sense for this area.

Councilmember Flitton said in the earlier Work Meeting he addressed the issue of the 300 cars. He said that was a worst case scenario and wasn't realistic.

Ms. Dixon said she understood that the developer wanted to get good value from his property. She said Layton City was a very desirable place to live and there was a very high demand for residential lots. Ms. Dixon said these two residential lots would sell.

Mayor Curtis asked that there not be redundancy in the comments.

Denmark Jensen, 547 South 1500 West, said he was an optometrist and understood the number of patients that could be seen in an optometrist or dental office. He said if this business owner wanted to grow his business the traffic would be close to 300 cars a day. Mr. Jensen said he saw 3 patients an hour; his dentist saw 20 patients an hour.

Mr. Jensen asked what the purpose was of adding a professional business in this area. He said he understood that this came as a suggestion to Mr. Green from the City. Mr. Jensen asked if that was true, and why.

Mayor Curtis said it was highly probable that the City looked at this and was trying to find the best, safety scenario possible for the area. He said with these particular lots, there were other options. Mayor Curtis said there was a lot of gridlock that occurred on Antelope Drive by the freeway, and on Hill Field Road and Main Street. He said it was because of the migration of people from the west side coming east to do their business. Mayor Curtis said the City's Master Plan identified commercial nodes throughout the City to help alleviate this problem.

Mayor Curtis said at one time there was a beautiful field behind his home where Arabian horses were trained. He said he loved getting up in the morning and sitting on his deck and watching the gentleman train the horses. Mayor Curtis said time progressed and the gentleman died, and his children sold the land; houses were now there. He said you couldn't prevent the farmer from selling his land. Mayor Curtis said growth was inevitable and it had to be managed properly. He said the City had to plan where businesses were located. Mayor Curtis said this use would not be as intrusive as a Maverik or Seven Eleven; cities existed to make life better. He said he didn't think everyone wanted to migrate east for services and the City had to plan for future needs.

Mr. Jensen said there were plenty of places in Layton to accommodate commercial uses, particularly those with bigger roads such as the Fort Lane area. He said he didn't see the reason for commercial uses in

residential areas.

Mayor Curtis said not all property owners wanted to sell. He said the City was looking for the best possible scenario that would fit in this area. Mayor Curtis said it was the City Planning Staff's responsibility to come up with that scenario; and it was the elected officials' job to listen to the will of the people.

Mr. Jensen said he appreciated the Council listening and he thought two homes would be perfect for the area.

Jason Sargent, 1433 Timber Creek Lane, said he lived in the Roberts Farms neighborhood where these lots were located. He said the HOA of the subdivision supported the rezoning of this property. Mr. Sargent said as Mayor Curtis mentioned, they felt that this commercial development would bring some additional services and increased quality of life to those in the neighborhood. He said as the Kennington Parkway Subdivision developed, children from Pheasant Place and Kennington Parkway would use the Arbor Way access to school.

Mr. Sargent said with the issues expressed by Ms. Dixon on the northern lot to the school, the School District did address those issues and installed a sidewalk, which mitigated the safety problems with the parking lot. He said the citizens in Roberts Farms supported the rezoning.

Patrick Kelly, 536 South 1425 West, said the commercial business just south of the proposed rezone was an agricultural type business; it was a veterinary clinic. He said the nature of that business was more in line with the country feel of the area. Mr. Kelly said 30 parking stalls were depicted in the conceptual drawing for the proposed development. He said with three businesses, three cars per business per hour would generate a car leaving or accessing the development every five minutes. Mr. Kelly said two more homes in the area would be more in line with other development in the area.

Mr. Kelly said he had great respect for the City Engineer, but in this area to accommodate the curve, the width, and to have the approach to get into a left turn, Angel Street would have to be widened. He said to not address that would be a mistake; there would be increased accidents.

Ed Green, partner of Green and Green, said he lived at 2150 Valley View Drive. Mr. Green said almost every home they built had a three car garage. He said because of that, everyone had a boat or trailer they backed into the garage or driveway. Mr. Green said backing a trailer into a driveway off of Angel Street would be much worse than in and out movements from a dentist's office. He said the dentist he was working with indicated that the traffic would be two to three patients an hour; he didn't understand where the 300

number was coming from. Mr. Green said 300 patients would be a ridiculous number of patients to see in one day.

Mr. Green said for clarification, he was doing several subdivisions in Layton and some of them had five-foot sidewalks. He said he wasn't sure if this subdivision would have four or five-foot sidewalks, but it would be whatever engineering had already approved.

Bill Wright said it was five feet.

Rick Smith, 615 South 1375 West, said approximately 10 years ago when the Roberts Farms Subdivision was approved, these two lots were approved as residential lots. He said he believed that there would be commercial development at the future 2700 West and West Davis Corridor connection. Mr. Smith said there was the IHC property at Layton Parkway and Flint Street that would someday include professional office development. He said there were plenty of areas planned for this type of use.

Mary Curtis, 798 South Angel Street, said she spoke with Peter Matson on the phone earlier. She said she asked Peter if this business was allowed to develop, what were the odds that the entire field across the street would turn into the same type of commercial development. Ms. Curtis said Peter indicated that the odds went way up. She said that was not what the neighborhood wanted. Ms. Curtis said their daughter was rear ended waiting to turn into their house because someone was not paying attention. She said this area was a residential area; there were plenty of other areas in the City for this type of development. Ms. Curtis mentioned all the vacant land on Fort Lane near Layton Parkway.

Kyle Harmon said he was the Dentist interested in purchasing the property and creating the office space. Mr. Harmon said he had three young boys of elementary school age and he was definitely looking at the safety issues. He said they would have been happy to entertain the Fort Lane area, but finding people who were willing to sell in areas that would accommodate this were hard to find. Mr. Harmon said they couldn't move to an east Layton location without losing 25 to 50% of their patient base, which would be detrimental to their office. He said that was their purpose for looking at this location. Mr. Harmon said he had many patients in the west Layton and west Kaysville areas who had made many comments to him that they didn't like traveling east, crossing Main Street, I-15, and the railroad tracks, to go to professional type offices. He said he looked at the Davis Family Physicians and Summit Dental as examples of very nicely done developments within residential areas that were providing a great benefit to the residents.

Mr. Harmon said a lot of numbers had been discussed. He said 20 patients an hour seemed pretty insane for a

dental office. Mr. Harmon said that wasn't enough time to give an injection, let alone do work. He said in their practice they typically saw 15 to 20 patients a day. Mr. Harmon said they reviewed their patient load for the past year when students were walking to and from school. He said at those times most patients were in the chair at 8:00 a.m., and most procedures took 1 hour. For a patient to leave around the 8:45 a.m. time period would be very rare. Mr. Harmon said overall, they averaged 2 to 3 patients per hour throughout the day, but those early morning times were less than that. He said he had worked in a very big office with 3 hygienists and 2 dentists, and they never got close to 20 patients an hour. Mr. Harmon said even if the practice grew a little bit, it wouldn't increase to those numbers.

Greg Sargent, 946 West Weaver Lane, said he was a lifetime resident, and had lived on the corner of Angel Street and Gentile Street his entire life. He said he had seen many changes to Gentile Street and Angel Street. Mr. Sargent said Layton Parkway changed west Layton forever; the rural farm community was no more. He said going forward, he had to look at how to make life the best that it could be. Mr. Sargent said he thought that putting small commercial projects like this proposal, where he could walk or ride a bike, instead of having to drive, would help with less traffic driving to the other side of town. He said he looked forward to that. Mr. Sargent said the traffic on Angel Street had forever changed with the Parkway; it was very difficult to back out onto Angel Street. He said he thought that it was much safer for children walking up and down Angel Street to have a car pull out forward onto Angel Street, even if it was a few people going to the dentist, than it was to have someone back out of a driveway onto Angel Street.

Becky Cowley, 536 South 1425 West, said she majored in landscape architecture at Utah State University. She said the dentist that spoke could only speak for one out of the three offices that were planned in the development. Ms. Cowley said access from Angel Street could also completely be cut off; the neighborhood could be reconfigured and access the property from the other side. She said she didn't think other options had been explored well enough. Ms. Cowley asked if the City had considered how many crossing guards would be needed to cross all the streets if the children accessed the school off of Arbor Way.

Councilmember Freitag said something that Mr. Smith and Mrs. Curtis said sparked his interest. He said each Councilmember had a copy of the map that went along with the General Plan. Councilmember Freitag said arguments had been made from both sides why this was or was not okay; safety issues, traffic, crosswalks, etc. He said what had changed west Layton was everyone that had moved out there. Councilmember Freitag said as part of the City's Master Plan, there were previously established areas that the City had decided within the General Plan that were appropriate for business or commercial nodes. He said as he looked at the particular map in front of him, this area did not make that recommendation on the General Plan. Councilmember Freitag said while he appreciated all of the arguments that had been made, he

came back to the General Plan. He said without some change in the General Plan, it did not make sense to do a spot rezone on a piece of property that was not recommended. Councilmember Freitag said his recommendation was that this not be approved.

Councilmember Bouwhuis said he shared the safety concerns expressed by Mr. Kelly. He said the City dealt with a road issue several months ago by Smith's Grocery Store, in which residents came forward and expressed concerns about the safety of a small road that led to a senior housing development. Councilmember Bouwhuis said the City and citizens spent several weeks trying to redefine the road so that it was more acceptable to the citizens and the developer. He said the City ended up with a better project.

Councilmember Bouwhuis said he was concerned about the current state of Angel Street. He said before he could feel comfortable with the project he would like to see a full blown plan of what Angel Street needed to look like to accommodate a development such as this; was that possible, what would it take and what would Angel Street look like. Councilmember Bouwhuis said so many of the issues brought up tonight were with trying to put something on a street that had some fundamental flaws. He said maybe there was nothing the City could do about the street, but he would like the chance to see what the City Staff could come up with to improve the street so that it was a better street functionally, and a better street to handle some of the issues the residents talked about.

Councilmember Flitton said as Mr. Sargent commented, he had been here all of his life and he was a little bit older that Mr. Sargent. He said he had seen a myriad of changes in Layton. Councilmember Flitton said he lived west of Highway 89 and so much of the commercial development had taken place on the east side of Layton.

Councilmember Flitton said a couple of years ago the Council tried to initiate a very well planned, award winning code in the West Layton Village. He said he was very much in favor of that, and was still in favor of that. Councilmember Flitton said there needed to be some planning in place for Layton for the future. He said in information he mentioned earlier, there would be 45,000 people per year in growth in the State of Utah over the next 15 years; that was a city the size of Bountiful each year coming to Utah. Councilmember Flitton said the City needed to plan for that growth. He said the City tried to make that happen with the West Layton Village concept, but it didn't happen. Councilmember Flitton said he was not in favor of spot zoning. He said he sided quite heavily with Councilmembers Freitag and Bouwhuis in that there should be more planning and more investigating into the long range benefits for the citizens of Layton.

Councilmember Brown said relative to Councilmember Freitag's comment about there not being any

professional or commercial zoning on the road according to the map, the area where Christensen's Dental was located was not zoned professional business or commercial on the map; the McMillan's area on Gordon Avenue was not zoned for professional business on the map; and on 3200 West and Gordon Avenue where there was a medical building, it was not zoned professional business on the map. Councilmember Brown said she didn't think that it had to be zoned professional business on the map for the Council to approve or disapprove the rezone.

Councilmember Brown said her concern before coming this evening was where were the children going to go; she believed the children would be safe walking through the neighborhood whether this rezone was approved or not. She said if it were her, she would have her children walk through the subdivision where the cars were traveling 25 mph versus on Angel Street where cars were traveling 40 mph. Even if the speed limit was not 40, that road led to that type of speed. Councilmember Brown said she asked earlier what Angel Street would eventually look like; would it be comparable to Flint Street, which had been improved. She said she was told that Angel Street would actually be wider than Flint Street. Councilmember Brown said she assumed that since Layton Parkway had opened, Angel Street had seen a great increase in traffic as residents accessed the Parkway. She said Angel Street would need to be improved as traffic continued to increase. Councilmember Brown said she probably disagreed with Councilmember Freitag in that just because you didn't see professional business on the map that there were plenty of places in Layton that had been zoned professional business that were not on the map.

Councilmember Freitag asked if Angel Street was an arterial street.

Peter said no.

Councilmember Freitag asked if Gordon Avenue was an arterial street.

Peter said yes.

Councilmember Freitag asked if Antelope Drive was an arterial street.

Peter said yes.

Councilmember Freitag asked if Fairfield Road was an arterial street.

Peter said yes.

Councilmember Freitag asked if Gentile Street was an arterial street.

Peter said yes.

Councilmember Freitag said two point; one, those were all arterials and this was not; second, he did not make any of those other decisions and he didn't know if he would have. Prior Councils did that; he thought that it did not fit in this particular area.

Peter said to elaborate on what Councilmember Brown mentioned in reference to the map; the map identified major land use patterns, both existing and future, with certain nodes that were commercial related uses; Gentile Road and Fairfield Road, Fairfield Road and Gordon Avenue, Church Street and Highway 193, and future nodes at the West Layton Village area and at 2700 West and the West Davis Corridor. Peter said the PB zonings that had been approved that were on the map shown earlier were all approved based on written policy recommendations related to the use of the professional business zone along arterial streets. He said the written policy indicated that those uses were appropriate at the intersections of arterial and collector streets, and that was the basis for the Planning Commission's recommendation for this rezone, and why the Staff supported that recommendation.

Councilmember Freitag said he didn't disagree with what Peter stated. He said with the way Layton Parkway was outlined with limited accesses, that that arterial and collector intersection was different than any other arterial and collector intersection in the City. Councilmember Freitag said they may be called the same thing, but they were different.

MOTION: Councilmember Bouwhuis moved to table this item until Staff could have a developed schematic of what Angel Street could look like and would look like; and a better fix on the potential business and what it would look like. He said there was a potential of three bays in this office; what was the potential volume. Councilmember Bouwhuis said he had some safety concerns and some issues with Angel Street so he would move that this be tabled until the Council got that additional information, and also that the citizens have a chance to come in and review the information and give the Council additional input. He said he was not siding with the citizens that the City ought to not have PB zoning at this location, and he wasn't siding with the developer, it was a matter of looking at this further to see what the best solution was.

Councilmember Brown asked if Councilmember Bouwhuis had a date to table this to.

Councilmember Bouwhuis said he didn't; he asked what amount of time Staff would need.

Discussion suggested October 3, 2013.

MOTION (continued): Councilmember Brown seconded the motion. Councilmembers Bouwhuis, Brown and Flitton voted yea; Councilmember Freitag voted nay. The motion carried.

CITIZEN COMMENTS:

Jamie Prather-Newton, 949 West Gordon Avenue, said at the last Council meeting on August 1st, she asked the Council to look at amending the noise ordinance to include noises coming from indoor gun ranges. She said she didn't believe the current standards pertained to gun ranges. Ms. Prather-Newton said she had the Layton City Municipal Code, 9.08.010 – Disturbing the Peace, and in the Code it talked about Number 1, being unlawful for any person to disturb the peace and the good order of the City by clamor, intoxication, fighting, unlawful use of obscene language; and then Number 2, it was unlawful for any person to use or operate or permit the use or operation of any radio receiver, tape player, disc player, television, musical instrument or other machine, instrument or devise for the production or reproduction of sound between the hours of 10:30 p.m. to 7:00 a.m.; this was bullet point A, in a way that was plainly audible at the immediate property boundary or the exterior wall of a structure which constitutes the boundary of a premises, or be on public property or on a public right of way at any time so as to be plainly audible 50 feet from the devise, unless under a special events permit.

Ms. Prather-Newton said the last amendment to this disturbing the peace ordinance was June 26, 2013, which was just this past June. She said the other ordinance the City had was discharging firearms, which was 9.60.020, and under bullet point 1-C in the case of target shooting, if in a proper place and breastwork or battery for the protection of the citizens has been erected, and written approval of such structure has been given by the Police Department Chief. Ms. Prather-Newton said there was no sound consideration given for target shooting and no standards listed for indoor shooting ranges under this discharging of firearms.

Ms. Prather-Newton said under bullet point 2, shotguns may be discharged if not within 600 feet of a building. She said now the City had shotguns being discharged inside a building at two locations. Ms. Prather-Newton said the last amendment to this discharging of firearms was June 6, 2010. She said the City really didn't have any new rules for indoor fire ranges at the City. Ms. Prather-Newton said all of the requirements of the conditional use permit for the indoor commercial amusement, for Salvo and Red Dot Fire Range, were that the businesses shall comply with Fire Department, Building, Planning and Engineering

Division requirements.

Ms. Prather-Newton said they had gone to a City Planning meeting and there was discussion about a conditional use permit for another business, totally different than indoor shooting ranges, and they found out from the attorney that if it wasn't specific in the conditional use permit that the sound noise ordinance or sound problems that this business might have, it could take up to a year for the business to become compliant.

Ms. Prather-Newton said in their case that would mean that they would be listening to gun shots for over a year without any reprise, and that was getting rid of the conditional use permit. She said our City had been added to the "Fix the Gun Noise," a website that was listing cities all over the country that were having problems with indoor gun ranges, and the citizens having to deal with the sound from these ranges because the cities didn't have the ordinances in place for protecting the citizens from the sound coming from these gun ranges.

Ms. Prather-Newton said she wanted to make sure that Layton was now on this list, and she wanted to make sure that maybe the City could look at its ordinance so this didn't happen again with the next gun range that wanted to be opened in Layton.

Councilmember Freitag asked Ms. Prather-Newton what the name of that was.

Ms. Prather-Newton said it was called, "Fix the Gun Noise.com." She said she was called by a gentleman in Montgomery, Ohio, and he was having the same problems that they were currently having. Ms. Prather-Newton said Clovis, California, near Fresno, was having the same problems that they were having, because there were franchise gun ownerships going all over the country putting in indoor gun ranges and the cities ordinances were not up to date to protect the citizens from these noises.

Councilmember Bouwhuis asked Ms. Prather-Newton if she lived close to one of these ranges.

Ms. Prather-Newton said Red Dot Gun Range abutted her back property.

Councilmember Bouwhuis asked if the back of Ms. Prather-Newton's yard and the back of the business were common.

Ms. Prather-Newton said yes. She said they were within 600 feet of the business. Ms. Prather-Newton said

they were currently putting in sound insulation to buffer the sound. She said they now could not hear it from the inside of their house, but they could still hear the guns going off outside the house.

Councilmember Bouwhuis said so the mitigation had helped a little, but not to her satisfaction.

Ms. Prather-Newton said yes it had, but she still believed that the City's noise ordinance was not up to par for these new types of businesses that were coming in, and that was her concern.

Councilmember Bouwhuis asked if her concern was that she could live with it now that it was mitigated, but she wanted to protect the future.

Ms. Prather-Newton said she didn't want to live with it the way it was now; it still wasn't mitigated to her; she should not be able to hear it, and based on the Planning Commission and all the minutes from the meeting they should not be able to hear it from outside the building, but they were. It was less now, but it was still not what was promised.

Councilmember Flitton asked Ms. Prather-Newton if there were other noises that were uncomfortable for her.

Ms. Prather-Newton said when they moved into Layton, they moved on Gordon Avenue, which was a main arterial road. She said Hill Field Road was not there, so they had Air Force planes, they had trains that blew horns, and they had major traffic including truckers. Ms. Prather-Newton said they knew when they moved in they had planes, trains and automobiles; but they didn't plan on having gunshots, which were very jarring, hearing that from the inside of your home, from 10:00 a.m. to 8:00 p.m. Monday through Friday, and 10:00 a.m. to 6:00 p.m. on Saturday. She said some of the other places in other countries were getting it six or seven days a week, and the city councils were having – one place in Montgomery, Ohio, the gun range was ½ mile from this gentleman's property; Montgomery, Ohio City couldn't deal with it because it wasn't in its city it was in – it was like having Layton and Kaysville having the building issues that they have. Our zones say yes you can put this in, but the other cities say that this was an infringement on the other city's property rights, so the one gentleman that called her today lived in one city, but the gun range was actually in another city and the other city that had their ordinances was fine with the gun range, so they didn't plan on doing anything. So now he had lived in a place for 20 years and now his whole live was upended because they sit and hear guns until 10 o'clock every night.

Councilmember Flitton said he heard what Ms. Prather-Newton was saying. He said it was pretty subjective;

we each had our little grumps.

Ms. Prather-Newton said she didn't want to hear a gunshot, unless she was there to actually shoot the gun.

Councilmember Flitton said he understood. He said these folks seemed to be doing whatever they could to minimize that, but it was still a concern to Ms. Prather-Newton.

Ms. Prather-Newton said that was correct, but the City was now on this new list.

Bob Newton, 949 West Gordon Avenue, asked how long the City had had this General Plan, and how often was it changed.

Mayor Curtis said the General Plan could be amended at any time, and it was up to the people to decide if they wanted it changed. He said the last time it was amended was in about 2003 as part of the growth in west Layton.

Peter said that was the last major change.

Mayor Curtis said it could be amended at any time, which would be voted on by the Council. He said State law required each city to have a Master General Plan.

Chuck Easton, 1296 West 500 South, said he appreciated the Council's careful consideration of the rezoning effort. He said he was a transportation planner and a 1 mile length of roadway that was 40 to 50 feet wide would cost approximately $5,000,000 to make the improvements. Mr. Easton said that would include a center turn lane and adequate shoulders. He said from Gentile Street to the Kaysville border would be approximately 1 mile.

The meeting adjourned at 10:01 p.m.

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Thieda Wellman, City Recorder

D R A F T

MINUTES OF LAYTON CITY COUNCIL SPECIAL MEETING — **AUGUST 22, 2013; 7:33 A.M.**

MAYOR AND COUNCILMEMBERS PRESENT: — **MAYOR J. STEPHEN CURTIS, MICHAEL BOUWHUIS, BARRY FLITTON AND SCOTT FREITAG**

ABSENT: — **JOYCE BROWN AND JORY FRANCIS**

STAFF PRESENT: — **ALEX JENSEN AND THIEDA WELLMAN**

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

THE CITY COUNCIL CONVENED AS THE BOARD OF CANVASSERS OF THE ELECTION

Mayor Curtis opened the meeting and excused Councilmembers Brown and Francis. He turned the time over to Thieda Wellman, City Recorder.

BOARD OF CANVASSERS REVIEW AND ACCEPTANCE OF PRIMARY ELECTION RESULTS

Thieda Wellman gave the Council a copy of the tally sheets prepared by the County. She said on election night, the County did not include 505 Vote Center votes in the totals. Thieda said this bumped the voter turnout to 11.13%; on election night it was 8.7%. She explained that the Vote Center votes were votes cast by voters outside of their assigned precinct. Thieda said the City designated all of the polling locations as Vote Center locations, which allowed residents to vote at any location. She said the Vote Center votes were held until the County could verify that the voter did not vote at their home precinct location. Thieda said the County forgot to include those votes on election night.

Thieda said with 505 Vote Center votes not included in the totals on election night, it was interesting that the individual candidate's percentages did not change very much. She reviewed the minor changes. Thieda said with 505 additional votes, the trend did not change.

Thieda said 1,503 people voted at the polls on election night; 1,663 either voted early or by mail. She said it was interesting that the early and by mail numbers were higher. Thieda said there were 94 provisional ballots cast with 9 being rejected. She said provisional ballots were rejected because the voter wasn't

registered, they didn't provide proof of residency, or they didn't provide proof of identity.

Thieda reviewed the individual precinct information. She said Layton 14 had the lowest voter turnout at 3.60%, which was near the mall; and the highest voter turnout was Layton 34 with 29.19%, which was near the West Layton Village property.

Thieda indicated that the overall voter turnout was the highest since 2005. She said there were no issues at the polls; the election went very smoothly. Thieda said the results of the election indicated that Bob J. Stevenson and Jory Francis were nominated to run for Mayor at the November 5, 2013, General Election; and Tom Day, Barry T Flitton, Mike Bouwhuis and Jory Petro were nominated to run for Council.

Thieda said Staff recommended the Council approve the official abstract and certify the election.

MOTION: Councilmember Freitag moved to approve the official abstract and certify the election. Councilmember Flitton seconded the motion, which passed unanimously.

MISCELLANEOUS:

Council discussed issues with the North Davis Sewer District construction project near Gordon Avenue.

Council and Staff discussed the possibility of a Meet the Candidates Night and involving Layton High School in the process.

The meeting adjourned at 7:53 a.m.

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Thieda Wellman, City Recorder

D R A F T

MINUTES OF LAYTON CITY COUNCIL MEETING — **SEPTEMBER 5, 2013; 5:32 P.M.**

MAYOR AND COUNCILMEMBERS PRESENT: — **MAYOR J. STEPHEN CURTIS, MICHAEL BOUWHUIS, JOYCE BROWN, BARRY FLITTON, JORY FRANCIS (via telephone), AND SCOTT FREITAG**

STAFF PRESENT: — **ALEX JENSEN, GARY CRANE, BILL WRIGHT, PETER MATSON, TERRY COBURN, DAVE PRICE AND THIEDA WELLMAN**

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

Mayor Curtis opened the meeting and indicated that Councilmember Francis was attending the meeting via the telephone. Mayor Curtis led the Pledge of Allegiance. Councilmember Flitton gave the invocation.

MINUTES:

MOTION: Councilmember Bouwhuis moved and Councilmember Brown seconded to approve the minutes of:

Layton City Council Work Meeting – July 18, 2013;
Layton City Council Meeting – July 18, 2013; and
Layton City Council Work Meeting – August 1, 2013.

The vote was unanimous to approve the minutes as written.

CONSENT AGENDA:

BID AWARD – ROMERO CONSTRUCTION, INC. – 2013 SIDEWALK, CURB AND GUTTER REPLACEMENT PROJECT – RESOLUTION 13-50

Terry Coburn, Public Works Director, said Resolution 13-50 authorized the execution of an agreement with Romero Construction for the 2013 sidewalk, curb and gutter replacement project. Terry said the project included the removal and replacement of sidewalk, curb and gutter, handicapped ramps and associated work items. He said the project would help improve pedestrian safety and maintain compliance with URMMA

(Utah Risk Management Mutual Association) standards as well as correct several sunken curbs and gutters that posed a threat to undermine the integrity of roads throughout the City. Terry said seven bids were received with Romero Construction submitting the lowest responsive, responsible bid of $126,200; the engineers estimate was $150,000. He said Staff recommended approval.

Mayor Curtis asked if the City had worked with Romero Construction in the past.

Terry said no, but they had been thoroughly vetted. He indicated that they were a minority firm registered with the State.

PARCEL SPLIT APPROVAL – FREEDOM COMMERCIAL PLAZA – 2056 NORTH HILL FIELD ROAD

Bill Wright, Community and Economic Development Director, said this was a parcel split request for commercial property located at 2056 North Hill Field Road. He said the applicant wanted to take an existing parcel of property and break it into two lots. Bill said Lot 1 would be an area on the north side that currently had an auto detailing tenant; and Lot 2 contained two restaurants. He said the property was zoned CP-2 and the parcel split met all of the requirements of the zone. Bill said a cross access easement would be placed on the property to allow for parking from one parcel to the other. He said the Planning Commission recommended approval and Staff supported that recommendation.

Councilmember Flitton said this was for separate tax ID numbers.

Bill said the parcel split would allow for an ownership change of Lot 1.

MOTION: Councilmember Brown moved to approve the Consent Agenda as presented. Councilmember Flitton seconded the motion, which passed unanimously.

PUBLIC HEARINGS:

DEVELOPMENT AGREEMENT AND REZONE REQUEST (SMITHING) – A (AGRICULTURE) TO M-1 (LIGHT MANUFACTURING) – 2102 NORTH FAIRFIELD ROAD – RESOLUTION 13-46 AND ORDINANCE 13-26

Bill Wright said Resolution 13-46 and Ordinance 13-26 were a development agreement and rezone request.

He said the request was to rezone the property from A to M-1. Bill said the property was immediately adjacent to the Five Star Storage business, which was located to the south of this property. He said the rezone would facilitate an expansion of that business. Bill said there was currently a single family home on the property, which would be demolished to allow for the development of the expansion.

Bill said the property was also located in the APZ (Accident Potential Zone) relative to Hill Air Force Base. He said the Council had been diligent in protecting that area and the operations of Hill Air Force Base with its land use planning for the area. Bill said the existing house was not compatible with the APZ zone; changing the land use to a commercial zone was consistent with the General Plan relative to the APZ.

Bill displayed a site plan of the proposed expansion. He said the new buildings would be similar to the existing theme. Bill said there would be landscape buffering and fencing on the north boundary adjacent to a single family home. He said the Planning Commission recommended approval and Staff supported that recommendation.

Councilmember Brown asked if there would be a solid fence between the residential area to the north and the proposed business expansion.

Bill said yes.

Councilmember Brown asked if there were operating hours for the business.

Bill said operating hours had not been placed on the use. He said the buffer of the fence, landscaping and the solid wall of the building was a sufficient buffer to the residential use. Bill said the entry would not change; it would remain on the southern portion of the project.

Councilmember Flitton asked if the resident to the north expressed any concerns.

Bill said no.

Mayor Curtis opened the meeting for public input. None was given.

MOTION: Councilmember Brown moved to close the public hearing and approve the development agreement and rezone request, Resolution 13-46 and Ordinance 13-26. Councilmember Bouwhuis seconded the motion, which passed unanimously.

MISCELLANEOUS:

Dave Price, Parks and Recreation Director, indicated that 65 names were submitted for the newest park near the Conference Center. He said the committee selected Heritage Park as the new name. Dave said with consensus from the Council, Staff would present the recommended name to the County. He indicated that the County had been a partner to the City in constructing the park. Dave said the ribbon cutting ceremony was scheduled for Monday, September 23rd at 10:00 a.m.

Consensus was to accept the name of Heritage Park.

Alex Jensen, City Manager, indicated that a ribbon cutting ceremony for the new water tank could be scheduled after September 16th.

Consensus was to hold the ribbon cutting ceremony for the tank on September 23rd at 11:30 a.m.

Alex indicated that there were some conflicts with September 26th for the next scheduled Strategic Planning Meeting. Discussion suggested holding the Strategic Planning Meeting on September 19th in conjunction with the regularly scheduled Work Meeting.

The meeting adjourned at 5:56 p.m.

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Thieda Wellman, City Recorder

LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET

Item Number: 4A

Subject: Final Plat Approval – The Villas at Harmony Place PRUD Phase 1C – Approximately 325 South 2500 West

Background: The request is to receive final plat approval for Phase 1C of The Villas at Harmony Place planned residential unit development (PRUD).

The phase will consist of 26 lots on 5.96 acres of vacant ground. The average lot size of the lots is 6,400 square feet. Additional common areas will be added to the overall development with this phase and will be landscaped similar to previous phases of the development. This phase is located in the R-S (PRUD) zoning district.

Alternatives: Alternatives are to 1) Grant final plat approval to The Villas at Harmony Place PRUD Phase 1C subject to meeting all Staff requirements as outlined in Staff memorandums; or 2) Deny granting final plat approval.

Recommendation: On September 10, 2013, the Planning Commission unanimously recommended the Council grant final plat approval to The Villas at Harmony Place PRUD Phase 1C subject to meeting all Staff requirements as outlined in Staff memorandums.

Staff supports the recommendation of the Planning Commission.

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT
PLANNING DIVISION

Staff Report

To: City Council

From: Kem Weaver, Planner II

Date: October 3, 2013

Re: The Villas at Harmony Place PRUD Subdivision Phase 1C Final Plat

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Location: Approximately 325 South 2500 West

Zoning: R-S PRUD (Residential Suburban with the planned residential unit development overlay)

Background: On April 19, 2007, the City Council approved the preliminary plat for The Villas at Harmony Place PRUD (Planned Residential Unit Development). The preliminary plat was amended and approved by the City Council on August 9, 2009. The amendment was requested to accommodate an LDS Church site that fronts on 2200 West. Other phases of the PRUD project are located to the east and south; vacant agricultural land is to the west and north.

The applicant, Perry Homes, is requesting final plat approval for Phase 1C of The Villas at Harmony Place PRUD. Phase 1C is 5.96 acres in size and consists of 26 lots with an average lot size of 6,400 square feet.

Common areas are located between Phase 1C and Phase 1B with a walking trail that is to divide the common area behind the lots. Other common areas are located adjacent to 2500 West, which is a public street. All common areas are required to match the approved landscape plan for the development.

Staff Recommendation:
Staff recommends final plat approval be granted subject to meeting all Staff requirements as outlined in Staff memorandums.

Engineering D.R. **Planning** **Fire**

Planning Commission Action: On September 10, 2013, the Planning Commission voted unanimously to recommend the Council grant final plat approval subject to meeting all Staff requirements.

The Commission asked for public comment. No public comments were given.

LAYTON City ENGINEERING

MEMORANDUM

TO: Jeff Taylor, jperry@perryhomesutah.com
Andy Hubbard, andyh@greatbasinengineering.com

FROM: Ryan Bankhead

CC: Building/Community Development Department/Fire

DATE: August 28, 2013

RE: The Villas at Harmony Place PRUD No. 1C – Final Review 3rd submittal

I have reviewed the dedication plat and construction documents submitted on August 19, 2013 for the Villas at Harmony Place PRUD No. 1C located at approximately 325 South 2500 West. The dedication plat and construction documents have been stamped "**APPROVED AS CORRECTED".**

The following comments must be addressed prior to scheduling a preconstruction meeting:

1. The developer will be required to pay for the lights and installation. The lights and installation must be paid for prior to scheduling a pre-construction meeting. The cost for the SL-02 lights is $5,400.00 and the cost for the installation of the lights is $4,600.00. The developer will be responsible to install any transformer that may be needed for the lights.
2. Layton City passed an ordinance on November 4, 2004 requiring all development to provide irrigation water shares to Layton City. This is required for all development; the number of acre-feet required is 13.0 acre-feet for the PRUD No. 1C. Water shares must be dedicated before a pre-construction meeting can be scheduled.
3. A cost estimate for the development must be submitted.
4. An electronic file in AutoCAD format must be submitted.
5. 11X17 utility plans must be submitted for approval. These plans will be submitted to the Division of Drinking Water for approval See section 4 – Culinary Water Section item VII (D) located at: http://www.laytoncity.org/public/Depts/PubWorks/downloads.aspx
6. A dry line secondary water line system must be installed and an approval letter from Kays Creek Irrigation should be submitted.
7. A copy of the temporary turn-a-round easement must be submitted prior to recording for comments.
8. Specifications for the inspection and maintenance of the BMP's needs to be added to the SWPPP. Five copies of this sheet with these items must be submitted. An example of these specifications can be found online at http://www.laytoncity.org/downloads/pubworks/sampleswpppnotes.pdf

The following comments and corrections have been redlined to the plan:

1. The temporary turn-a-round as it is proposed would be blocked by the proposed curb and gutter. The turn-a-round has been relocated to the end of asphalt on 400 South street.
2. The fire hydrants have been redlined behind the back of walk.
3. The fire hydrant at the end of 2500 West on sheet 2 has been revised to be a flushing hydrant.
4. A note has been added to sheet 2, that "no lateral connection will allowed to be connected to the sanitary sewer and land drain on 2500 West."

5. The pipe size (27") of the existing storm drain shown in the profile of sheet 1 has been redlined to match the size identified in the approved phase 1 A construction documents and the video logs (30") .
6. 325 South has been redlined to read 400 South in the plan view on sheet 2.
7. The existing 18" RCP SD line shown from the existing SD combo box to the pond on the detention pond plan (sheet 3) has been redlined to be a 36" RCP SD as identified in the field and in the approved phase 1A construction documents.
8. On sheet 3, the existing 30" RCP SD pipe that is shown along the east line of the pond has been removed. The approved 1A construction documents show this as a future 18" bypass pipe that will connect the future pond expansion to the north.
9. On sheet 3, the proposed SD line shown in the future extension of Harmony Drive (2525 W.) has been redlined to be an existing 30" RCP SD.

Dedication Plat

1. A final title report must be submitted.

LAYTON City

Mayor • J. Stephen Curtis
City Manager • Alex R. Jensen
Asst. City Manager • James S. Mason

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

MEMORANDUM

TO: Community Development, Attention: Julie Jewell

FROM: Dean Hunt, Fire Marshal

RE: Villas at Harmony Place Phase 1C @ 2320 West 400 South

CC: 1) Engineering
2) Jeff Taylor, jperry@perryhomesutah.com
3) Andy Hubbard, andyh@greatbasinengineering.com

DATE: August 8, 2013

I have reviewed the site plan submitted on July 26, 2013 for the above referenced project. The Fire Prevention Division of this department has no comments or concerns at this time.

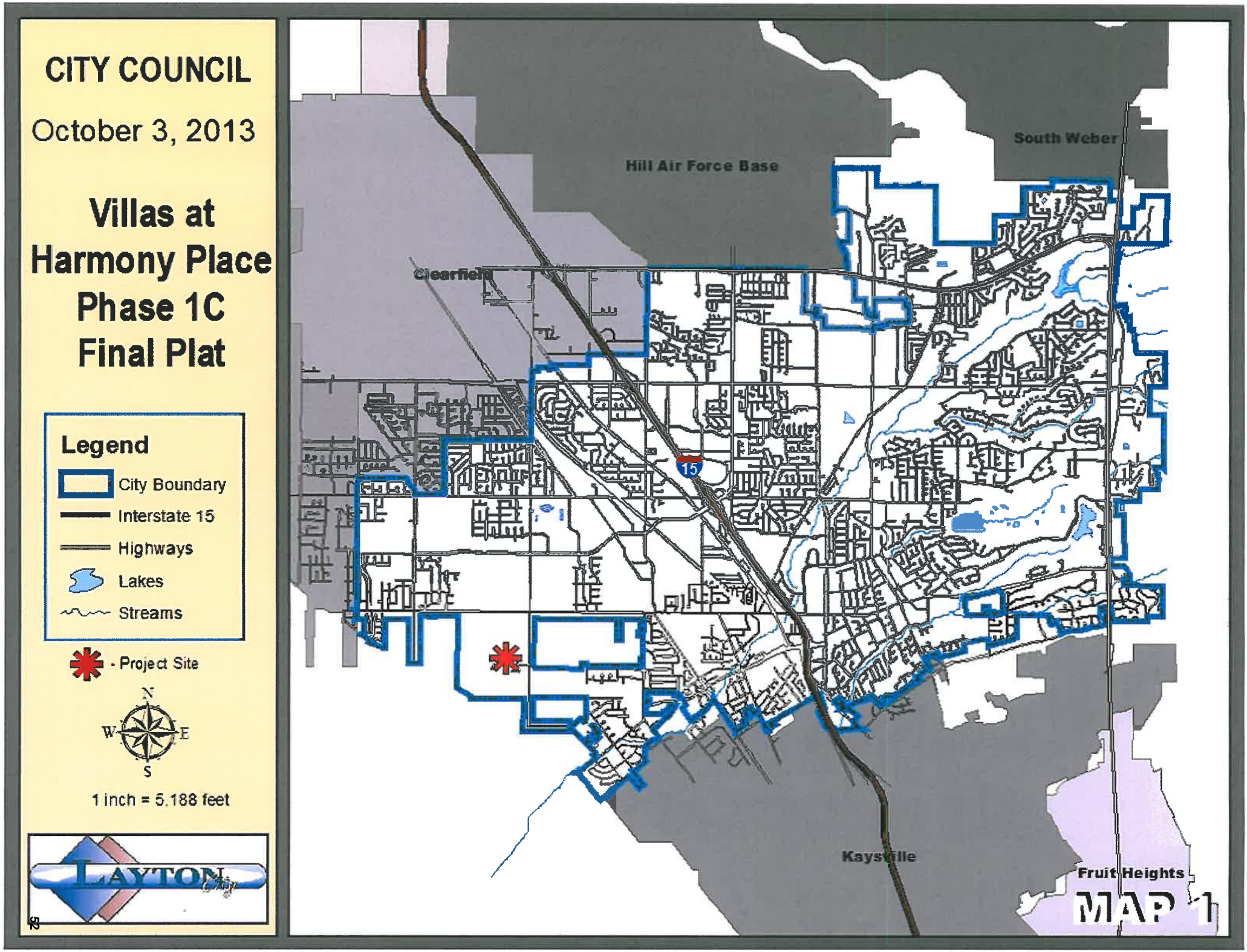
These plans have been reviewed for Fire Department requirements only. Other departments must review these plans and will have their requirements. This review by the Fire Department must not be construed as final approval from Layton City.

DBH/Villas at Harmony 1Ckn
Plan #S13-108, District #42
Project Tracker #LAY 1306241379

CITY COUNCIL

October 3, 2013

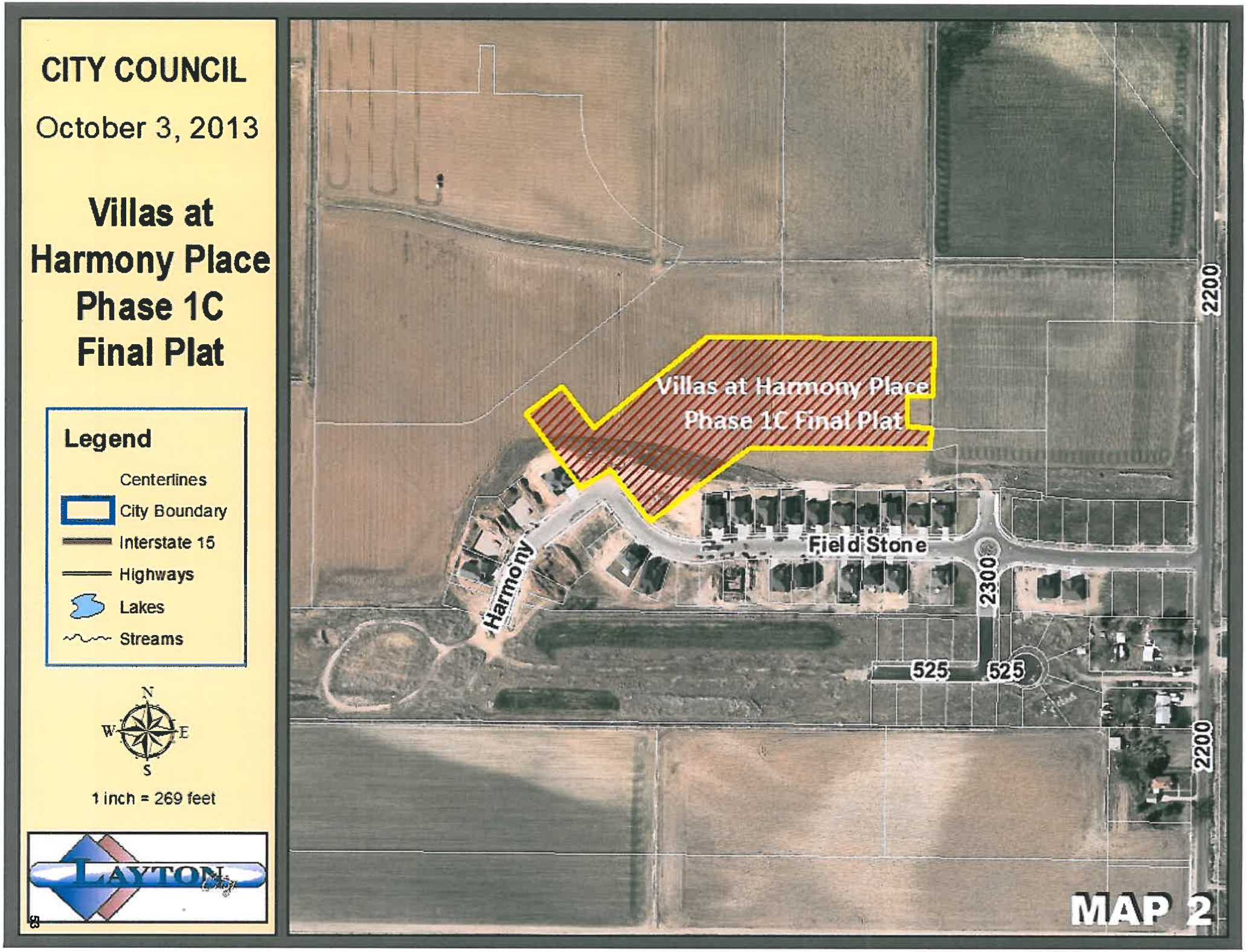
Villas at Harmony Place Phase 1C Final Plat

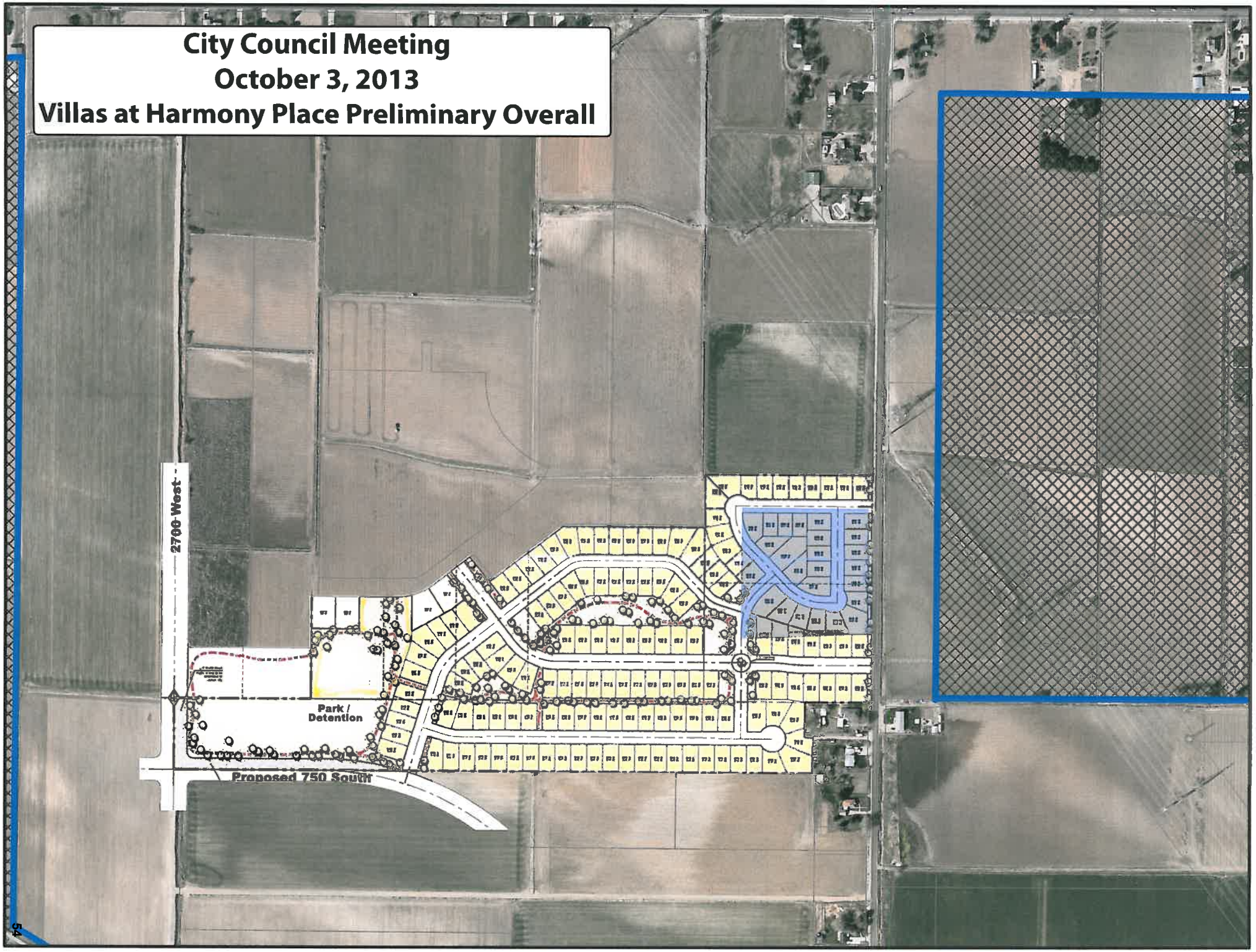


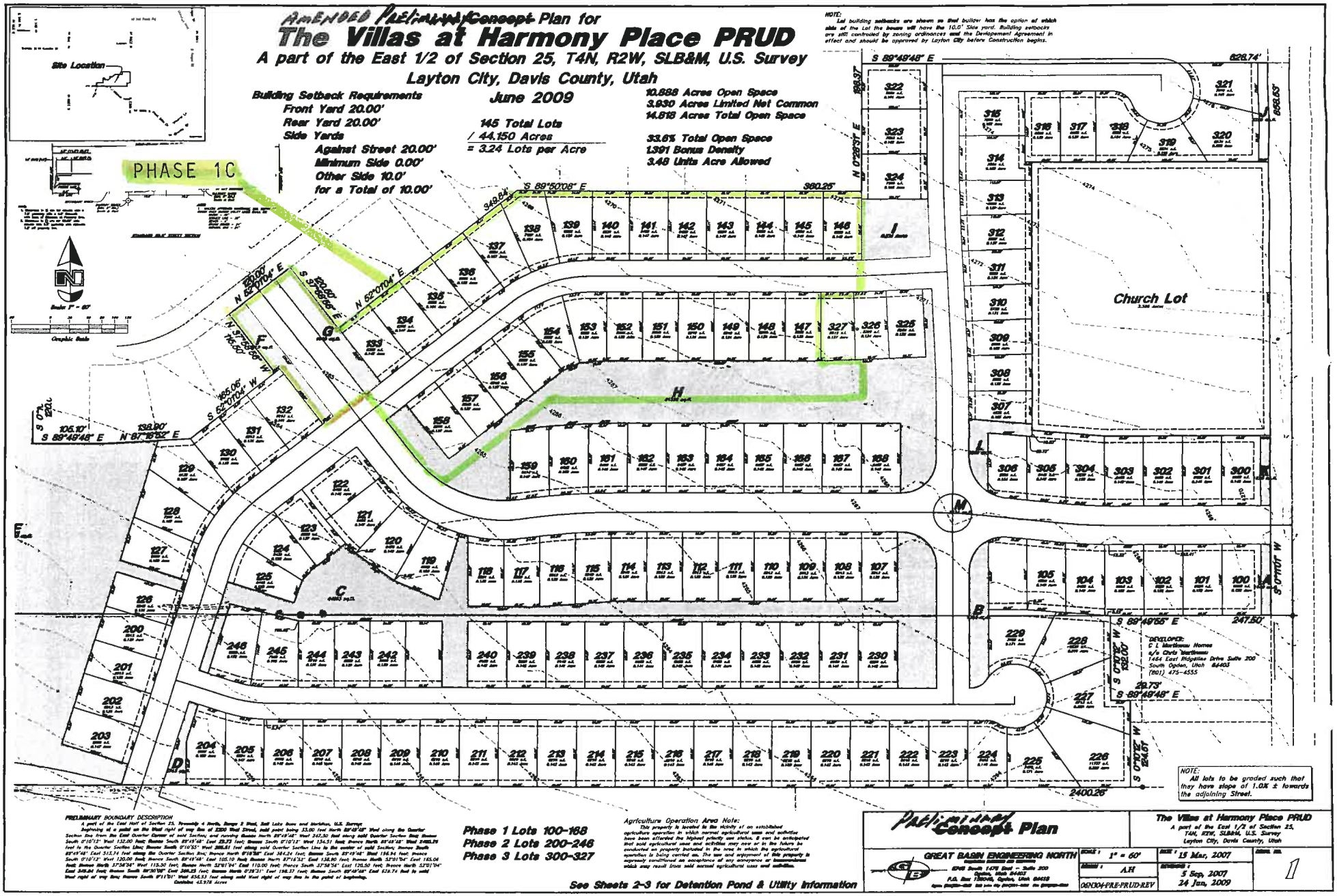
CITY COUNCIL

October 3, 2013

Villas at Harmony Place Phase 1C Final Plat




City Council Meeting
October 3, 2013
Villas at Harmony Place Preliminary Overall
2700 West
Park / Detention
Proposed 750 South


AMENDED PRELIMINARY Concept Plan for
The Villas at Harmony Place PRUD
A part of the East 1/2 of Section 25, T4N, R2W, SLB&M, U.S. Survey
Layton City, Davis County, Utah
June 2009
Site Location
PHASE 1C
Building Setback Requirements
Front Yard 20.00'
Rear Yard 20.00'
Side Yards
Against Street 20.00'
Minimum Side 0.00'
Other Side 10.0'
for a Total of 10.00'
145 Total Lots
/ 44.150 Acres
= 3.24 Lots per Acre
10.888 Acres Open Space
3.930 Acres Limited Net Common
14.818 Acres Total Open Space
33.6% Total Open Space
1.391 Bonus Density
3.48 Units Acre Allowed
NOTE:
Lot building setbacks are shown so that builder has the option of which side of the Lot the house will have the 10.0' Side yard. Building setbacks are still controlled by zoning ordinances and the Development Agreement in effect and should be approved by Layton City before Construction begins.
Church Lot
DEVELOPER:
D. L. Martineau Homes
c/o Chris Martineau
1464 East Ridgeline Drive Suite 200
South Ogden, Utah 84403
(801) 475-4555
NOTE:
All lots to be graded such that they have slope of 1.0% ± towards the adjoining Street.
Phase 1 Lots 100-168
Phase 2 Lots 200-246
Phase 3 Lots 300-327
See Sheets 2-3 for Detention Pond & Utility Information
PRELIMINARY DESCRIPTION
Agriculture Operation Area Note:
Preliminary Concept Plan
The Villas at Harmony Place PRUD
A part of the East 1/2 of Section 25, T4N, R2W, SLB&M, U.S. Survey
Layton City, Davis County, Utah
GREAT BASIN ENGINEERING NORTH
SCALE: 1" = 60'
DRAWN: A.H
DATE: 15 Mar, 2007
REVISED: 5 Sep, 2007
24 Jan, 2009
06N04-PRE-PRUD-REV
SHEET NO. 1

The Villas at Harmony Place PRUD NO. 1C

A part of the Southeast 1/4 of Section 25, T4N, R2W, SLB&M, U.S. Survey

Layton City, Davis County, Utah

RECEIVED
AUG 19 2013
LAYTON CITY
COMMUNITY DEVELOPMENT

NARRATIVE

This Survey and Subdivision plat was requested by Mr. Jeffory I. Taylor for purposes of platting Twenty Six (26) residential lots and Three (3) Common Areas. Brass Cap Monuments were found at the Northeast corner and the East 1/4 corner of Section 25, T4N, R2W, SLB&M, U.S. Survey. A line bearing S 0°11'01" W between the Northeast corner and the Southeast corner was used as the basis of bearings. Lot corners were monumented as depicted on this plat.

AGRICULTURE OPERATION AREA NOTE

This property is located in the vicinity of an established agriculture operation in which normal agricultural uses and activities have been afforded the highest priority use status. It can be anticipated that said agricultural uses and activities may now or in the future be conducted on property included in the area in which the agricultural operation is being carried on. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience which may result from said normal agricultural uses and activities.

LAYTON CITY PLANNING COMMISSION
Approved by the Layton City Planning Commission this day of , 2013.

Chairman

LAYTON CITY ATTORNEY
Approved by the Layton City Attorney this day of , 2013.

Signature

SURVEYOR'S CERTIFICATE

I, Andy Hubbard, do hereby certify that I am a Registered Professional Land Surveyor in the State of Utah, and that I hold Certificate No. 6242920 in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Licensing Act. I also certify that this plat of The Villas at Harmony Place PRUD No. 1C in Layton City, Davis County, Utah has been correctly drawn to the designated scale and is a true and correct representation of the following description of lands included in said subdivision, based on data compiled from records in the Davis County Recorder's Office and of a survey made on the ground in accordance with Section 17-23-17. Monuments have been set as depicted on this Drawing.

Signed this 14th day of August, 2013.

6242920
License No.

Northeast corner of Section 25, T4N, R2W, SLB&M, U.S. Survey (Found Brass Cap Monument)

PROPERTY LINE CURVE DATA

(1)	(2)	(3)
Δ = 23°30'15"	Δ = 14°38'33"	Δ = 12°15'18"
R = 175.00'	R = 175.00'	R = 225.00'
L = 71.79'	L = 44.74'	L = 48.13'
LC = 71.29'	LC = 44.62'	LC = 48.03'
S 63°46'11" W	S 82°50'46" W	S 84°02'33" W

(4)	(5)	(6)
Δ = 11°47'38"	Δ = 12°31'47"	Δ = 1°34'21"
R = 225.00'	R = 225.00'	R = 225.00'
L = 46.32'	L = 49.20'	L = 6.18'
LC = 46.23'	LC = 49.11'	LC = 6.18'
S 72°01'04" W	S 59°51'21" W	S 52°48'15" W

CENTERLINE CURVE DATA

(A)
Δ = 38°09'08"
R = 200.00'
L = 133.18'
LC = 130.73'
S 71°05'38" W

Legend
- Set Nail & Washer
- Set Rebar & Cap w/ Tencapeat
- Set Nub & Tack
- Monument to be set
- (Rad.) Radial Line
- (N/R) Non-Radial Line
- (D.C.S.) Davis County Surveyor
- Building Setback Line
- Limited Common Area

Scale: 1" = 50'
Graphic Scale

OWNER'S DEDICATION

We, the undersigned owners of the hereon described tract of land, hereby set apart and subdivide the same into lots, Limited Common Areas, Common Areas, and streets as shown on this plat, and name said tract The Villas at Harmony Place PRUD No. 1C, and hereby dedicate grant and convey to the Villas at Harmony Place PRUD Homeowners Association all parcels designated as Common Area, also hereby dedicate, grant and convey to Layton City, Davis County, Utah, all those parts or portions of said tract of land designated as streets, the same to be used as public thoroughfares forever, and also dedicate to Layton City those certain strips as easements for public utility and drainage purposes over and across the portions of the lots designated as public utility and drainage easements as shown hereon, the same to be used for the installation, maintenance and operation of public utility service lines and drainage, as may be authorized by Layton City.

Signed this day of , 2013.

Perry Homes Utah, Inc.

Jeffory I. Taylor

ACKNOWLEDGMENT

County of Davis } ss
State of Utah }

Subscribed and sworn to before me on this ____ day of _____, 2013 by Jeffory I. Taylor for Perry Homes Utah, Inc.

Residing at: _____ A Notary Public Commissioned in Utah

Commission Expires: _____ Print Name

BOUNDARY DESCRIPTION

A part of the Northeast Quarter of Section 25, Township 4 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey:

Beginning at a point on the North line of the Villas at Harmony Place PRUD No. 1B, in Layton City, Davis County, Utah said point is 662.66 feet North 89°49'48" West along the Quarter Section line and 344.68 feet North 0°10'12" East from the East Quarter Corner of said Section; and running thence eight (8) courses along said North line as follows: (1) North 89°49'48" West 484.94 feet; (2) South 52°01'04" West 215.65 feet to a point on a non-tangent curve whose center bears South 52°01'04" West; (3) Northwesterly along the arc of a 170.00 foot curve to the right a distance of 44.51 feet (Delta Angle equals 15°00'03", Long Chord bears North 45°28'57" West 44.38 feet); (4) North 37°58'56" West 125.40 feet; (5) South 56°46'53" West 60.21 feet; (6) South 52°01'04" West 20.00 feet; (7) North 37°58'56" West 107.50 feet; and (8) South 52°01'04" West 10.00 feet; thence North 37°58'56" West 115.50 feet; thence North 52°01'04" East 120.00 feet; thence South 37°58'56" East 120.50 feet; thence North 52°01'04" East 349.59 feet; thence South 89°50'08" East 531.70 feet; thence South 0°10'12" West 158.13 feet; thence North 89°49'48" West 62.52 feet; thence South 0°10'12" West 107.50 feet; thence South 89°49'48" East 63.43 feet; thence South 1°17'26" West 49.87 feet to the point of beginning.

Contains 5.959 acres.

LAYTON CITY APPROVAL

This is to certify that this plat and dedication of this plat were duly approved and accepted by the City Council of Layton City, Utah this day of , 2013

Attest _____

Title _____

Mayor

LAYTON CITY ENGINEER

Approved by the Layton City Engineer this day of , 2013.

Signature

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE PAID
_____ FILED FOR RECORD AND
RECORDED _____, AT
_____ IN BOOK _____ OF OFFICIAL
RECORDS, PAGE _____. RECORDED
FOR _____

DAVIS COUNTY RECORDER

BY: _____ DEPUTY

NOTES:

1. Lot building setbacks are shown so that builder has the option of which side of the lot is 10.0' setback and which side has 0.0' setback. Building setbacks are still controlled by zoning ordinances in effect and should be approved by Layton City before Construction begins.
2. 10' wide Public Utility and Drainage Easements on front and rear lot lines and subdivision boundaries as indicated by dashed lines, except as otherwise shown.
3. Basements are not to be deeper than six feet as measured from the top back of curb.

Temporary R=40.0' Turnaround Easement to be vacated with the extension of 400 South Street

Center of Section 25, T4N, R2W, SLB&M, U.S. Survey (Found Brass Cap Monument)

East 1/4 Corner of Section 25, T4N, R2W, SLB&M, U.S. Survey (Found Brass Cap Monument)

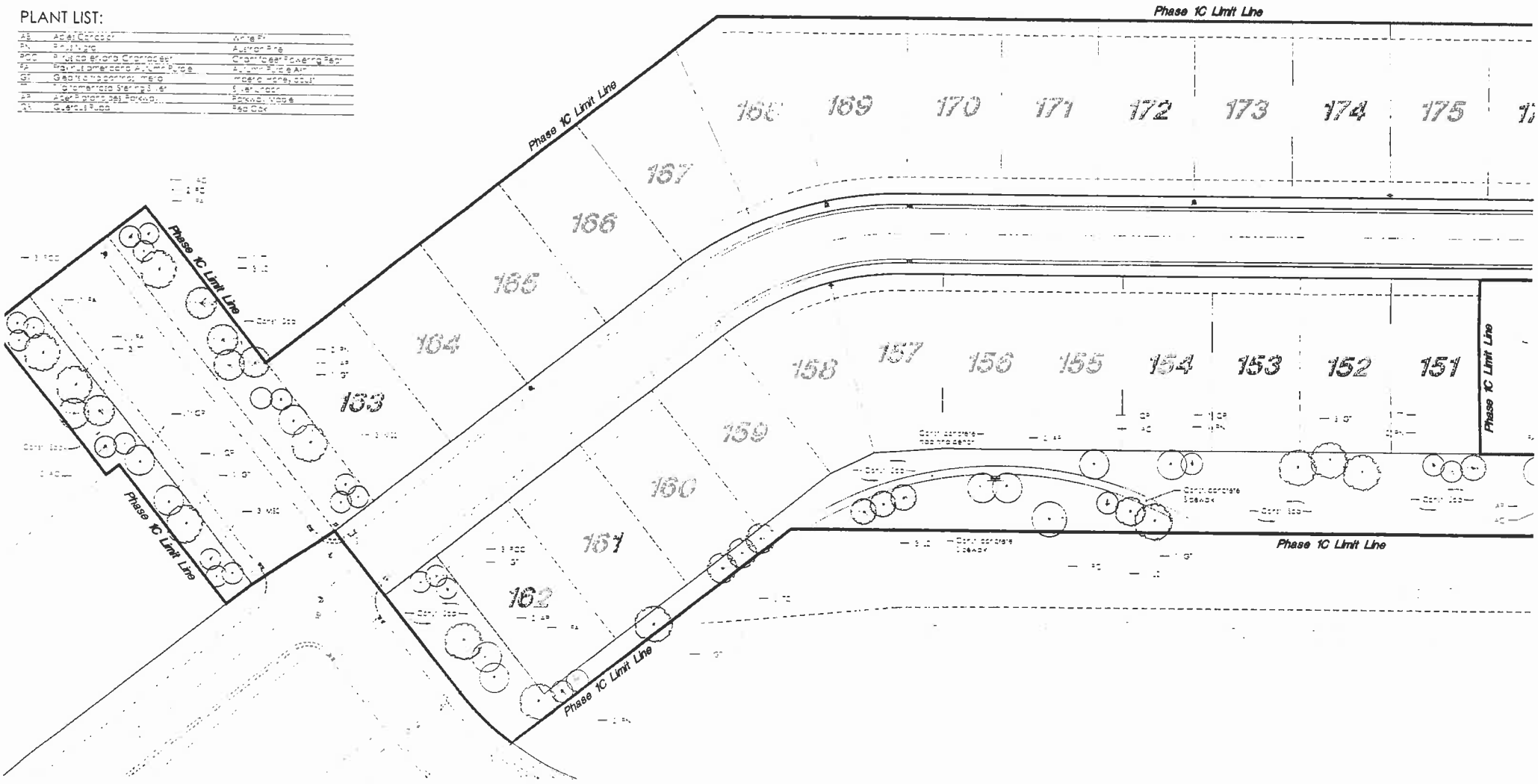
Southeast Corner of Section 25, T4N, R2W, SLB&M, U.S. Survey (Found Brass Cap Monument)

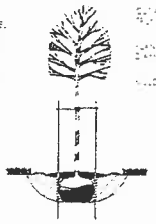
GREAT BASIN ENGINEERING INC
5746 SOUTH 1475 EAST OGDEN, UTAH 84403
MAIN (801)394-4515 S.L.C (801)521-0222 FAX (801)392-7544
WWW.GREATBASINENGINEERING.COM

V:\06N304- Harmony Place\DWG\06N304 - IC.dwg, 8/19/2013 1:19:59 PM, ClintK, 1:1

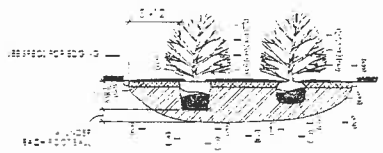
PLANT LIST:

AE	Acer Crimson	Crimson Fire
AN	Acer Norway	Norway Fire
BOC	Pyrus calleryana Chanticleer	Chanticleer Flowering Pear
FP	Fraxinus pennsylvanica 'Autumn Purple'	Autumn Purple Ash
GI	Gleditsia triacanthos inermis	moraine honeylocust
HI	Hamamelis 'Diane'	Diane Witch Hazel
KP	Acer platanoides 'Parkway'	Parkway Maple
RO	Quercus rubra	Red Oak





A1 DECIDUOUS TREE PLANTING
NTS



A2 SHRUB PLANTING
NTS

Landscape Plan

The Villas at Harmony F

GREAT BASIN ENGINEERING

DATE 19 Aug. 2013
DRAWN BB
SCALE 1" = 30'

57

LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET

Item Number: 4B

Subject: Final Plat Approval – Crimson Corners Subdivision Phases 3 and 4 – Approximately 3300 West 275 North

Background: On June 25, 2013, the Planning Commission approved the preliminary plat for Crimson Corners Subdivision Phases 3 and 4. The applicant, Wayne Johnson, is requesting final plat approval for these two phases. There will be a fifth and final phase in the near future that will be located west of these phases.

Phase 3 contains 6.369 acres and will have 14 lot-averaged single-family residential lots. The density for this phase is 2.19 units per acre. Phase 4 contains 5.374 acres and will have 11 lot-averaged single-family residential lots. The density for this phase is 2.04 units per acre. This subdivision is located in the R-S zoning district.

The proposed phases will extend 275 North Street further west and create a connection with the existing Rockwell Estates subdivision to the south. Temporary turnarounds are not required because of the existing street connections. The temporary turnaround for Rockwell Estates will be removed and the street straightened by the Layton City Public Works Department.

Alternatives: Alternatives are to 1) Grant final plat approval to Crimson Corners Subdivision Phases 3 and 4 subject to meeting all Staff requirements as outlined in Staff memorandums; or 2) Deny granting final plat approval.

Recommendation: On September 19, 2013, the Planning Commission unanimously recommended the Council grant final plat approval to Crimson Corners Subdivision Phases 3 and 4 subject to meeting all Staff requirements as outlined in Staff memorandums.

Staff supports the recommendation of the Planning Commission.

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT
PLANNING DIVISION

Staff Report

To: City Council

From: Kem Weaver, Planner II

Date: October 3, 2013

Re: Crimson Corners Subdivision Phases 3 and 4 Final Plat

Location: Approximately 3300 West 275 North

Zoning: R-S (Residential Suburban)

Background: On June 25, 2013, the Planning Commission approved the preliminary plat for Crimson Corners Subdivision Phases 3 and 4. The applicant, Wayne Johnson, is requesting final plat approval for these two phases. The proposed plats are located adjacent to and southwest of Legacy Junior High School and between the Wild Horse Meadows and Rockwell Estates subdivisions.

The Phase 3 final plat consists of 14 lot-averaged single family residential lots on 6.369 acres, which creates a density of 2.19 units per acre. The Phase 4 final plat consists of 11 lot-averaged single family residential lots on 5.374 acres, which creates a density of 2.04 units per acre.

With the development of these two phases, 275 North will extend further west and create a connection with the existing Rockwell Estates Subdivision to the south. This street connection is important for utilities such as water, sewer and storm drain.

There are minor corrections required on the plats that will need to be changed before a final mylar is submitted for recording.

Staff Recommendation:
Staff recommends final plat approval be granted subject to meeting all Staff requirements as outlined in Staff memorandums.

Engineering **Planning** **Fire**

Planning Commission Action: On September 19, 2013, the Planning Commission voted unanimously to recommend the Council grant final plat approval subject to meeting all Staff requirements.

The Commission asked for public comment. No public comments were given.

LAYTON City ENGINEERING

MEMORANDUM

To: Dave Byrd - dave@byrdandassoc.com
Wayne Johnson – soderby@qwestoffice.net

From: Stephen Jackson, Engineering Department

CC: Building/Community Development/Fire Department

Date: September 6, 2013

RE: **Crimson Corners Phase 3 – Final Review (2nd submittal)**

I have reviewed the final plans received in engineering on August 23, 2013 for the proposed Crimson Corners Phases 3 subdivision located at approximately 275 North 3200 West. The plans have been stamped "Approved as Corrected." The developer must address the following comments and corrections with the next plan submittal.

General

1. A cost estimate for the improvements must be submitted for review. The bonding amount will be determined after the cost estimate has been reviewed.
2. The dedication plat submitted on September 5, 2013 is being review and a separate memo will be provided with any comments or corrections necessary.
3. 6 corrected plan sets, signed and stamped by a professional engineer, must be prior to scheduling a pre-construction meeting. The plan sets must include a dedication plat.
4. The buildable area for lot 301 is shown through the storm drain easement for the detention pond from Legacy Jr. High. This must be corrected to show buildable area outside the easement.
5. The contours must be clearly labeled with elevations. The proposed and existing elevations must be shown and clearly identified.
6. The legend must include the proper symbols for each item listed.
7. The color "white" should be removed from note 3 regarding the sanitary sewer laterals.

Culinary Water

1. The waterline crossing detail on sheet C1 must be corrected to show a minimum cover over the top of the waterline of 4' instead of the 3' shown.
2. A water/sewer crossing table must be submitted. See Section 4 – Culinary Water Section item VII(F) located at http://www.laytoncity.org/public/Depts/PubWorks/downloads.aspx
3. The Layton City water model shows an available fire flow of 3,680 gpm with the proposed looped waterline. The fire department may require a fire flow test for this subdivision.

Secondary Water

1. An approval letter from Kays Creek Irrigation regarding the secondary water location must be submitted.

SWPPP

1. The developer is required to obtain a UPDES General Construction Storm Water Permit from the State of Utah Department of Environmental Quality and submit a copy of the Notice of Intent (NOI) to Layton City. Applications can be completed online at http://www.waterquality.utah.gov/UPDES/stormwatercon.htm. This is required before a pre-construction meeting can be scheduled.
2. The SWPPP must contain installation and maintenance notes for the BMPs similar to sheet C5 provided with the Phase 4 plans.

Lighting

1. Three SL-02 lights will be required for the development at the locations shown on the plans. Layton City will purchase and install the lights. The cost for the lights and installation is $11,050.00. The developer will be required to pay for the lights and installation prior to a pre-construction meeting.

LAYTON City ENGINEERING

MEMORANDUM

To: Dave Byrd - dave@byrdandassoc.com
Wayne Johnson – soderby@qwestoffice.net

From: Stephen Jackson, Engineering Department

CC: Building/Community Development/Fire Department

Date: September 6, 2013

RE: **Crimson Corners Phase 4 – Final Review (2nd submittal)**

I have reviewed the final plans received in engineering on August 23, 2013 for the proposed Crimson Corners Phases 4 subdivision located at approximately 275 North 3200 West. The plans have been stamped "Approved as Corrected." The developer must address the following comments and corrections prior to scheduling a pre-construction meeting.

General

1. A cost estimate for the improvements must be submitted for review. The bonding amount will be determined after the cost estimate has been reviewed.
2. The dedication plat submitted on September 5, 2013 is being review and a separate memo will be provided with any comments or corrections necessary.
3. 6 corrected plan sets, signed and stamped by a professional engineer, must be prior to scheduling a pre-construction meeting.
4. The contours must be clearly labeled with elevations. The proposed and existing elevations must be shown and clearly identified.
5. The legend must include the proper symbols for each item listed.
6. The color "white" should be removed from note 3 regarding the sanitary sewer laterals.

Sanitary Sewer

1. The manhole shown at station 1+66.23 on sheet C2 has an invert elevation of 42645.91 shown on the profile. This must be corrected to match the invert elevation shown on the outfall plans of 4265.81.

Land Drain

1. The existing land drain manhole shown at station 5+16.67 must be shown as a 60" manhole on sheet C3 to match the label shown on sheet C2.

Culinary Water

1. The waterline crossing detail on sheet C1 must be corrected to show a minimum cover over the top of the waterline of 4' instead of the 3' shown.

2. A method for flushing the culinary waterline must be provided at the end of all waterlines with service laterals. A temporary flushing hydrant must be added to the line at the west end of 275 North Street or the water service connection for lot 410 must be moved to connect to the waterline in 3475 West Street.
3. The Layton City water model shows an available fire flow of 3,680 gpm with the proposed looped waterline. The fire department may require a fire flow test for this subdivision.

Secondary Water

1. An approval letter from Kays Creek Irrigation regarding the secondary water location must be submitted.

SWPPP

1. The developer is required to obtain a UPDES General Construction Storm Water Permit from the State of Utah Department of Environmental Quality and submit a copy of the Notice of Intent (NOI) to Layton City. Applications can be completed online at http://www.waterquality.utah.gov/UPDES/stormwatercon.htm. This is required before a pre-construction meeting can be scheduled.

Lighting

1. Two SL-02 lights will be required for the development at the locations shown on the plans. Layton City will purchase and install the lights. The cost for the lights and installation is $8,220.00. The developer will be required to pay for the lights and installation prior to a pre-construction meeting.

LAYTON City

Mayor • J. Stephen Curtis
City Manager • Alex R. Jensen
Asst. City Manager • James S. Mason

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

MEMORANDUM

TO: Community Development, Attention: Julie Jewell

FROM: Douglas K. Bitton, Fire Prevention Specialist

RE: Crimson Corners Phase III (Final) @ 275 North 3400 West

CC:
1) Engineering
2) Dave Byrd, dave@byrdandassoc.com
3) Wayne Johnson, sodery@qwestoffice.net

DATE: August 29, 2013

I have reviewed the site plan submitted on August 23, 2013 for the above referenced project. The Fire Prevention Division of this department has no comments or concerns at this time **and recommends granting final approval for this project.**

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

DKB\Crimson Corners PH 3 Approvalkn
Plan # S13-123, District #40
Project Tracker #LAY 1306241380

LAYTON City

Mayor • J. Stephen Curtis
City Manager • Alex R. Jensen
Asst. City Manager • James S. Mason

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

MEMORANDUM

TO: Community Development, Attention: Julie Jewell

FROM: Douglas K. Bitton, Fire Prevention Specialist

RE: Crimson Corners Phase 4 @ 275 North 3200 West

CC: 1) Engineering
2) Dave Byrd, dave@byrdandassoc.com
3) Wayne Johnson, sodery@qwestoffice.net

DATE: August 29, 2013

I have reviewed the site plan submitted on August 22, 2013 for the above referenced project. The Fire Prevention Division of this department has no comments or concerns at this time **and recommends granting final approval for this project.**

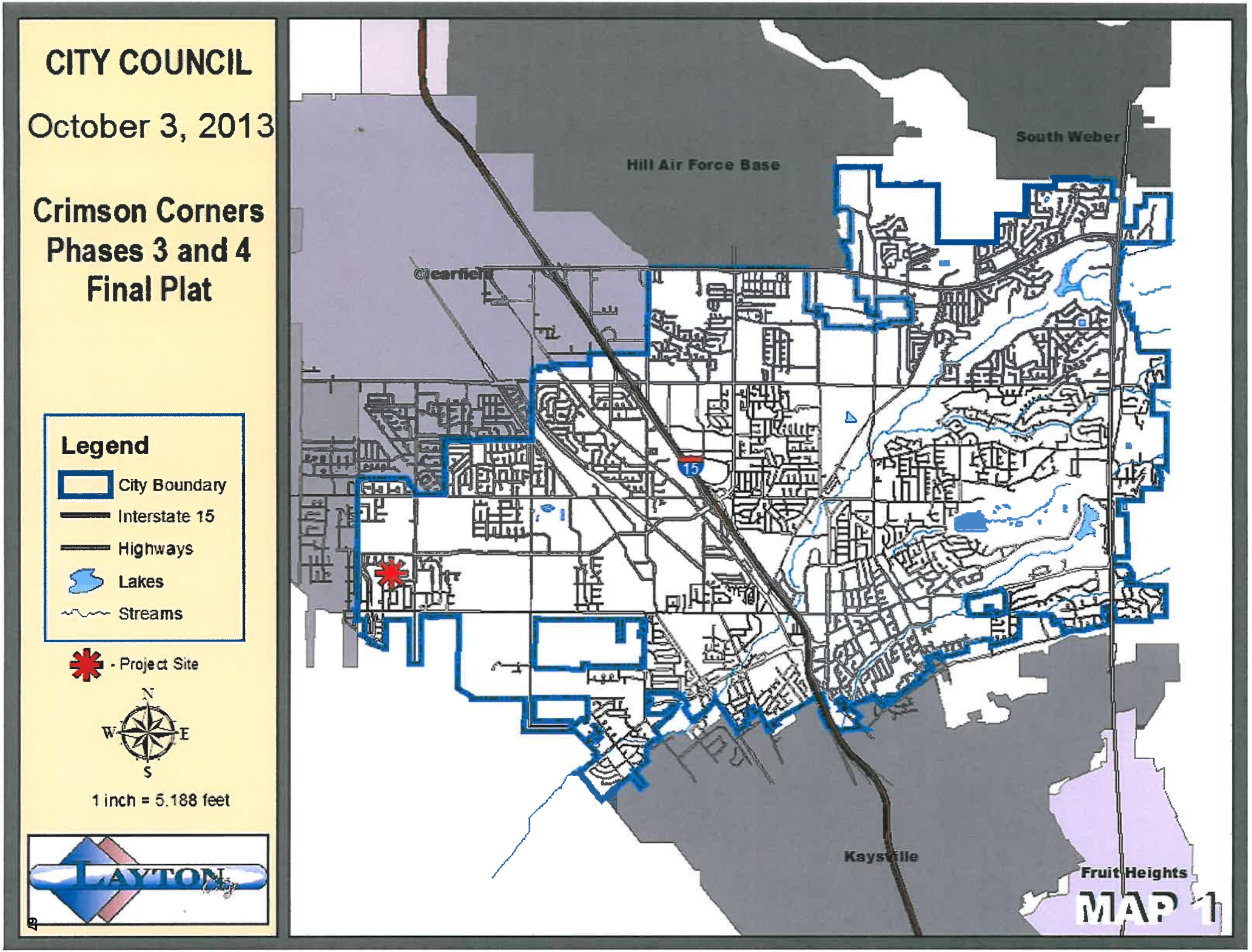
These plans have been reviewed for Fire Department requirements only. Other departments must review these plans and will have their requirements. This review by the Fire Department must not be construed as final approval from Layton City.

DKB\Crimson Corners PHASE 4:kn
Plan # S13-122, District #40
Project Tracker #LAY 1307161385

CITY COUNCIL

October 3, 2013

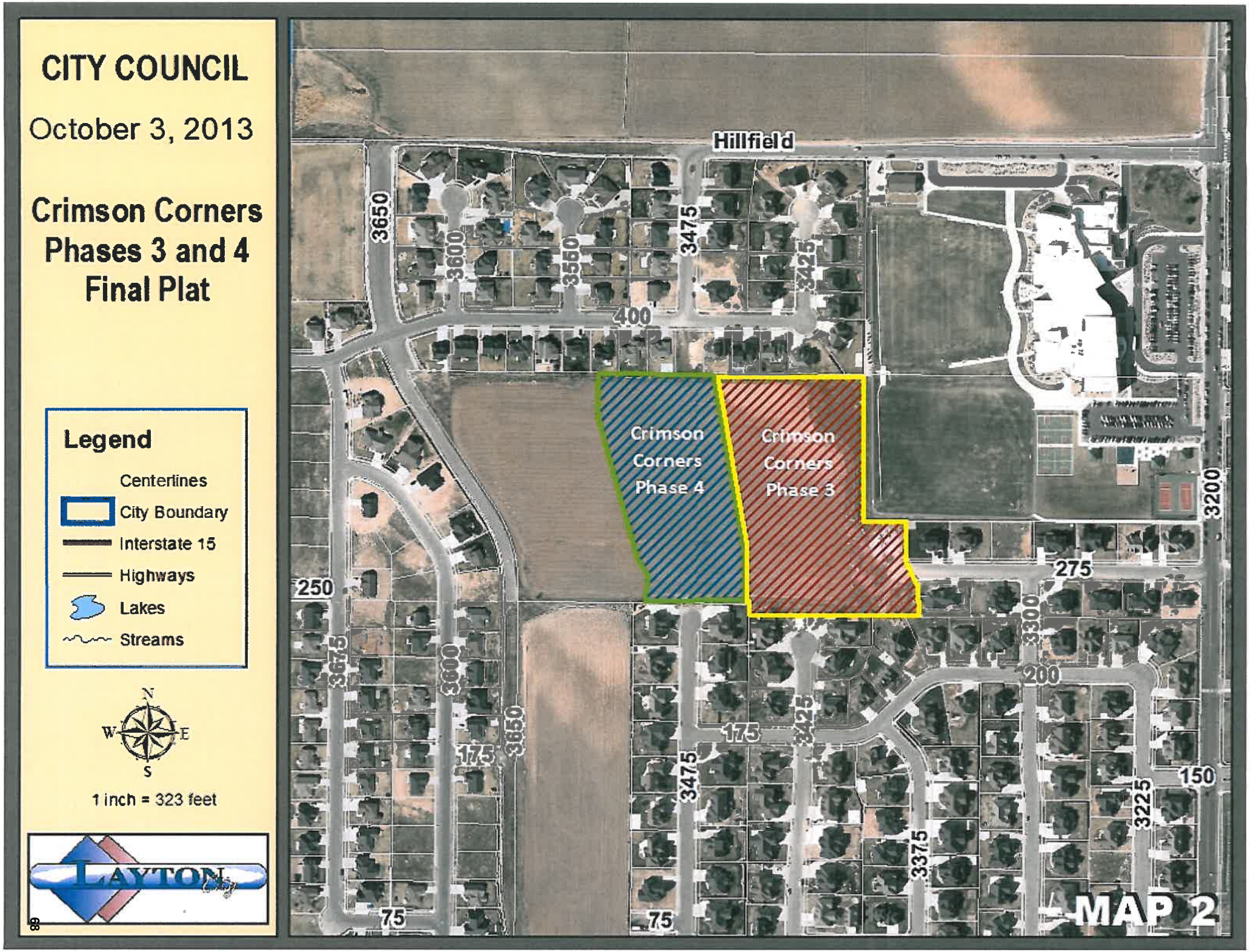
Crimson Corners Phases 3 and 4 Final Plat



CITY COUNCIL

October 3, 2013

Crimson Corners Phases 3 and 4 Final Plat



Legend

- Centerlines
- City Boundary
- Interstate 15
- Highways
- Lakes
- Streams

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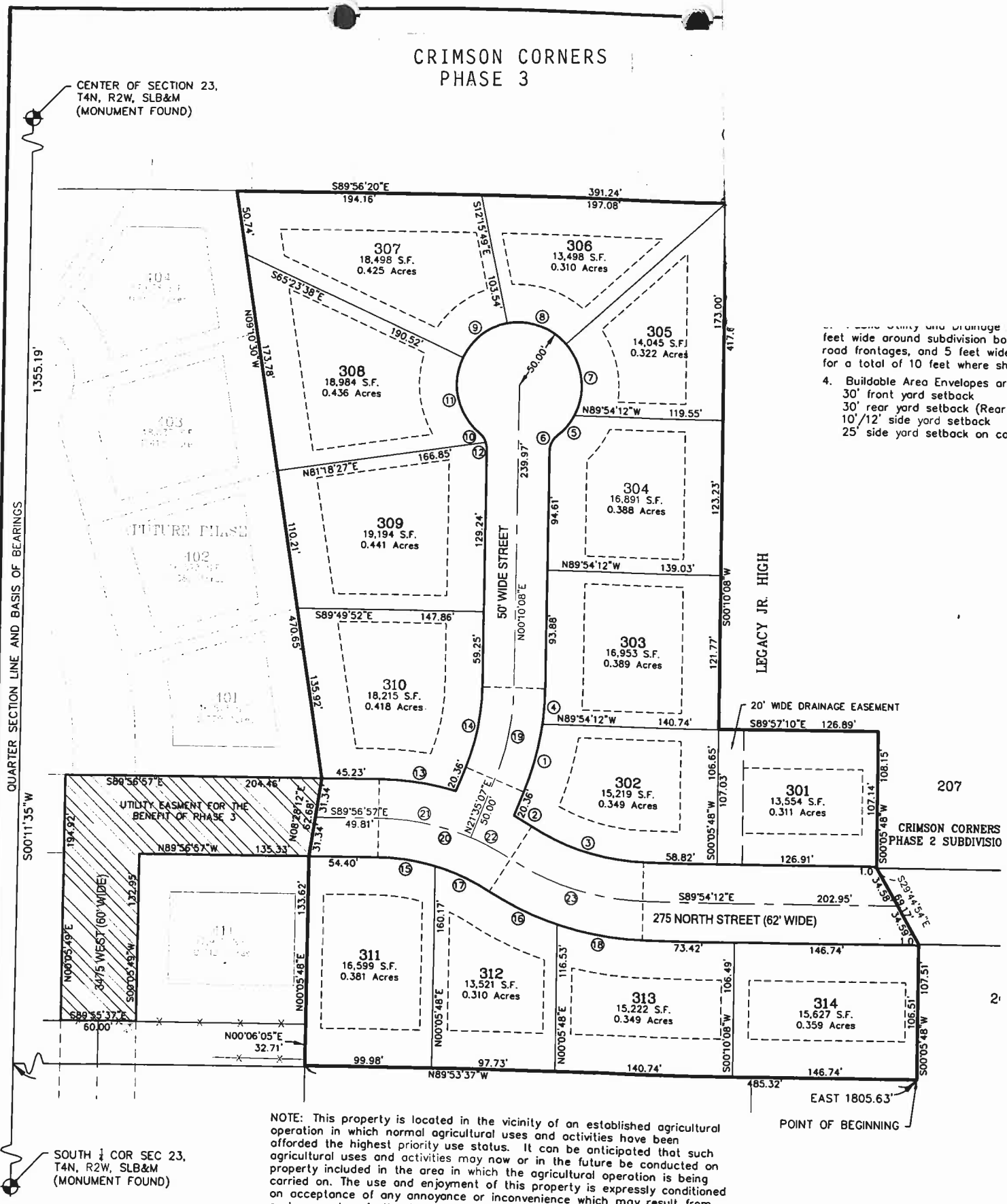
1 inch = 323 feet

LAYTON

CRIMSON CORNERS
PHASE 3



feet wide around subdivision boun
road frontages, and 5 feet wide
for a total of 10 feet where show

4. Buildable Area Envelopes are
   30' front yard setback
   30' rear yard setback (Rear fr
   10'/12' side yard setback
   25' side yard setback on corn

NOTE: This property is located in the vicinity of an established agricultural operation in which normal agricultural uses and activities have been afforded the highest priority use status. It can be anticipated that such agricultural uses and activities may now or in the future be conducted on property included in the area in which the agricultural operation is being carried on. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience which may result from such normal agricultural uses and activities.

Byrd & Associates L.L.C.
Engineers & Land Surveyors

505 South Main
Bountiful, Utah 84010
Phone (801)-292-0400
Fax (801)-292-6216

CITY ATTORNEY'S APPROVAL

APPROVED THIS _____ DAY OF _____, 20__,
BY THE LAYTON CITY ATTORNEY.

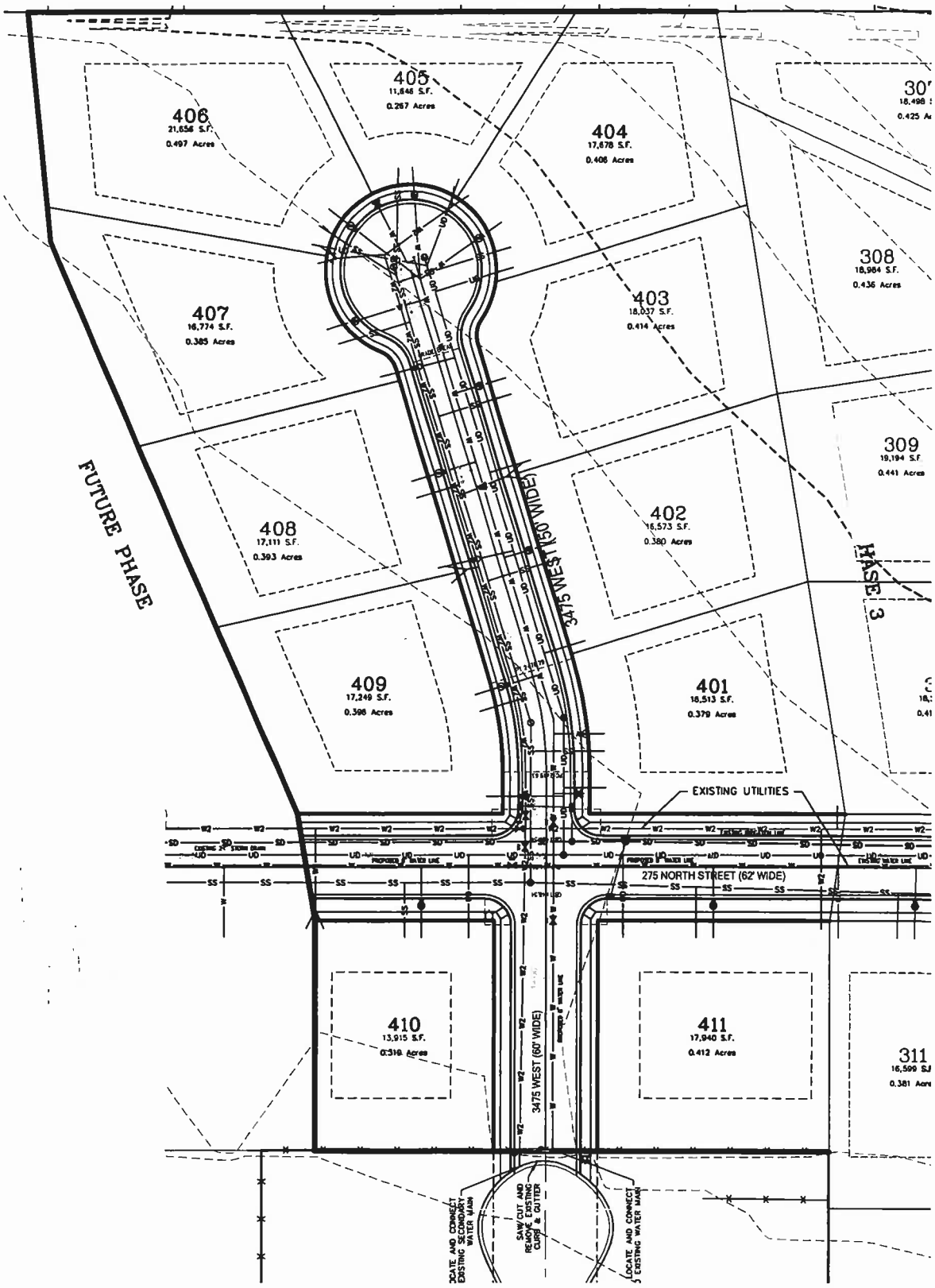
LAYTON CITY ATTORNEY

PLANNING COMMI

APPROVED THIS _____
BY THE LAYTON CITY PL

CHAIRMAN, LAYTON CIT

CRIMSON CORNERS
PHASE 4



REV	BY	DATE	DESCRIPTION

REV	BY	DATE	DESCRIPTION

Designed By:	
Drawn By: Marshall	
Checked By: DJB	
Checked By:	
Account #: 488-04	
Creation Date: 04/2013	

LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET

Item Number: 4C

Subject: Final Plat Approval – The Cottages at Fairfield Subdivision – Northeast Corner of Church Street and Fairfield Road

Background: The applicant, Ovation Homes, is requesting final plat approval for 8.744 acres. The final plat shows a proposal to develop 30 single-family lots with one-story style homes. This provides a density of 3.43 units per acres. The proposed subdivision is located in the R-1-6 zoning district.

The subdivision will be marketed towards an adult living community, a subdivision for seniors to own a smaller lot that can be maintained by a homeowners association (HOA). The HOA will maintain the front yards while the homeowner maintains the side yards and the rear yard. Covenants will be recorded with the plat to ensure maintenance of the private street, utilities, landscape buffers along the street frontages of Fairfield Road and Church Street, front yards and the required detention basin.

Alternatives: Alternatives are to 1) Grant final plat approval to The Cottages at Fairfield Subdivision subject to meeting all Staff requirements as outlined in Staff memorandums; or 2) Deny granting final plat approval.

Recommendation: On September 10, 2013, the Planning Commission unanimously recommended the Council grant final plat approval to The Cottages at Fairfield Subdivision subject to meeting all Staff requirements as outlined in Staff memorandums.

Staff supports the recommendation of the Planning Commission.

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT
PLANNING DIVISION

Staff Report

To: City Council

From: Kem Weaver, Planner II

Date: October 3, 2013

Re: The Cottages at Fairfield Subdivision Final Plat

Location: Northeast Corner of Church Street and Fairfield Road

Zoning: R-1-6 (Single Family Residential)

Background: The applicant, Ovation Homes, is requesting final plat approval for 8.744 acres. The proposal is to develop 30 single family lots, which provides for a density of 3.43 units per acre. The lots will be developed with single story homes and marketed towards the senior adult demographic, similar to the Cottages at Chapel Park Subdivision.

The property owner will maintain the side and rear yards while a homeowners association will maintain the front yards. Covenants will be recorded with the final plat that address the maintenance of the subdivision (except for the one public street) and the required detention basin shown located at the southwest corner of the subdivision. The public street will be maintained by the City; the private street will be maintained by the homeowners association.

Fairfield Road and Church Street are classified as arterial streets and will require 5-foot landscape buffers and a 6-foot vinyl fencing along both streets. Parcels A and B will be landscaped with grass and will be maintained by the homeowners association.

The Accident Potential Zone (APZ) easement is located only on the northwest corner of the development. The APZ Easement is being respected by not having any proposed residential building lots within the easement. However, the private street and turnaround are allowed within the APZ Easement as shown on the final plat.

Staff Recommendation:
Staff recommends final plat approval be granted subject to meeting all Staff requirements as outlined in Staff memorandums.

Engineering D.R. **Planning** **Fire**

Planning Commission Action: On September 10, 2013, the Planning Commission voted unanimously to recommend the Council grant final plat approval subject to meeting all Staff requirements.

The Commission asked for public comment. No public comments were given.

LAYTON City ENGINEERING

MEMORANDUM

TO: Brad Frost, frostappraisals@gmail.com
Norm Frost, norm@ovationhomes.com
Chris Cave, ccave@reeve-assoc.com

CC: COMMUNITY DEVELOPMENT DEPARTMENT/FIRE DEPARTMENT

FROM: Stephen Jackson, Staff Engineer

DATE: August 26, 2013

SUBJECT: **THE COTTAGES AT FAIRFIELD – Final Review – 2nd Submittal**
Fairfield Road and Church Street

I have reviewed the dedication plat, title report, CCRs, and construction plans received in the engineering department on August 20, 2013 for the Cottages at Fairfield located at Fairfield Road and Church Street. The plans have been stamped "Approved as Corrected." The following comments and corrections must be addressed with the new plan submittal.

General

1. A future traffic signal with turning lanes will be installed at Church Street and Fairfield Road. The Developer's portion of the signal cost is $22,500.00.
2. The cost estimate submitted is being reviewed, a bonding amount will be provided in a separate memo. The required bond or a letter in lieu of bonding will be required prior to scheduling a pre-construction meeting. The improvements on Church Street must be bonded for.
3. 6 corrected plan sets, signed and stamped by a professional engineer must be submitted to the engineering department prior to scheduling a pre-construction meeting.

Street Lighting

1. The cost estimate for the street lights and installation is $46,994 for the street lights in the public right of way and $5,230 for the street light on the private drive. The street lights and installation must be paid for prior to scheduling a pre-construction meeting.

Dedication Plat

1. The private street is labeled 900 East on the plat and 950 East on the construction drawings. The public street is labeled Frost Way on the plat and Cottage Way on the construction drawings. The street names on the plat and construction drawings must match.
2. The 8 foot wide private irrigation easements on parcel A and lot 128 are no longer required and should be removed from the plat.
3. Wording requested for Weber Basin to be able to own operate and maintain meters in the private street should be added to the plat. See Weber Basin memo dated August 13, 2013.

4. Notes should be added to the plat to address the ownership of Parcel A and B. A note indicating that Parcel B will be a detention basin should also be added.
5. The note regarding the landscape buffers should be expanded to include ownership and maintenance of the landscape buffers.
6. The plat must have sheet numbers added since there are multiple sheets.
7. The length and bearing to the center of the knuckle must be added from the centerline.
8. The PUEs between lots must be clearly shown.
9. The following items from memo dated August 9, 2013 have not been addressed. A corrected paper copy of the plat must be submitted for review prior to the submittal of the mylar.
10. A 10' private utility easement for the storm drain inlet to the detention pond must be shown on the plat adjacent to the public utility easement on the south boundary of lot 101. The 10' private utility easement must be established in the name of the HOA and clearly identified on the plat.
11. The line between the southwest corner of lot 112 and the centerline of the private street must be labeled. The line along the south boundary of lot 112 with a length of 180.14' includes this line in the length. These lengths must be corrected and labeled.
12. The line on the southwest corner of lot 101 with a length of 18.73' is missing the bearing. This must be added to the plat.
13. The boundary/right-of-way for lot 122 does not close. There is a closure error of approximately 7'. It appears the south boundary line on Church Street shown as 60' should be closer to 67'. This must be corrected.
14. The property to be dedicated as Church Street right-of-way must include bearings and distances from the centerline to the right-of-way boundary at the street entrances and must be noted as "To be dedicated as public road."
15. The Holmes Creek Irrigation Company signature block must be removed from the plat.

Covenants, Conditions and Restrictions

1. The ownership and maintenance of the private utilities in the private street (950 East) must be clearly addressed in the CCRs. The CCRs must clearly identify who will own and maintain the private storm drain, sewer, and water mains and who will own and maintain the service laterals. Revised CCRs must be submitted for review prior to scheduling a pre-construction meeting. The utilities that will be the responsibility of the HOA include:
    a. The storm drain pipe from the west inlet on Cottage Way at station 11+50.74 through the detention pond to the inlet on Church Street at station 27+12.75 and the control structure for the detention pond.
    b. The sewer main that services 950 East from the manhole at station 10+41.00 to the manhole at station 14+16.58.
    c. The 8-inch culinary water line from the valve at the intersection of Cottage Way and 950 East Street to the hydrant at the north end of 950 East.
    d. The 3-inch culinary service in 950 East line from the north side of the meter to the blow-off at the north end of 950 East.
    e. The secondary water line in 950 East as described in the Weber Basin memo dated August 13, 2013.

Streets

1. Additional asphalt may be required to be removed on Church Street to meet the cross slope requirement of a minimum 1.5% and a maximum of 3.0%. This should be noted on sheets 2 through 5.
2. The finished grade at the private street and the public street do not match on sheets 7 and 9. It appears that adjustments were made to the public street that weren't incorporated into the design of the private street. The proposed grades must match on the construction plans.

Sanitary Sewer

1. The rim elevations for the sewer manholes 1,2, and 3 are incorrect and must be adjusted to meet the proposed finished ground elevation.

Water

1. The culinary waterline shown on sheet 6 and sheet 8 must have 45° bends, rather than a 90° bend at station 21+17.75 and 11+32.32, installed to avoid conflicts with the secondary waterline shown on the plans. This has been redline on the plans.
2. The pipe material for the 3-inch service line must be added to the construction notes on sheets 7 and 9.
3. Fixture counts for the proposed private street must be submitted to verify the meter size will handle the demand from the homes on the private street.
4. With the proposed waterline configuration, the fire flow available is 1,620 gpm.
5. A portion of this parcel near the intersection of Church Street and Fairfield Road is in a "drinking water source protection zone 2". The prohibitions and restrictions as described in Layton City Municipal Code Chapter 19.20 must be adhered to.

Water Exaction

1. With the installation of secondary water throughout the subdivision, the water exaction requirement for this development is 5.0 acre-feet. Layton City accepts water from Davis Weber Canal Company, Kayscreek Irrigation, and Holmes Creek Irrigation. The water stock certificates must be transferred to Layton City prior to scheduling a pre-construction meeting.

Storm Drain

1. The grate on the storm drain detention pond control structure must allow overflow water to enter the control structure. This need to be clarified on the plans.
2. A private utility easement must be established in the name of the HOA of lot 101. The HOA will own and maintain the storm drain pipe from the inlet at station 11+50.74 to the detention pond.
3. The detention pond capacity will be verified prior to landscaping to ensure the proper detention volume. This must be coordinated with the public works inspectors.

SWPPP

1. This development will require a NOI permit from the Division of Water Quality. A copy of the permit must be submitted prior to scheduling a pre-construction meeting.

Secondary Water

1. The comments from the Weber Basin memo dated August 13, 2013 must be addressed.
2. A letter from Weber Basin approving the construction plans must be submitted for the secondary water system.
3. The secondary line shown through the sideyard of lot 128 on sheets 4 and 7 must be removed from the plans.

LAYTON City

Mayor • J. Stephen Curtis
City Manager • Alex R. Jensen
Asst. City Manager • James S. Mason

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

MEMORANDUM

TO: Community Development, Attention: Julie Jewell

FROM: Dean Hunt, Fire Marshal

RE: Cottages at Fairfield @ North East Corner of Fairfield Road and Church Street

CC:
1) Engineering
2) Chris Cave, ccave@reeve-assoc.com
3) Norm Frost, norm@ovationhomesutah.com
4) Brad Frost, frostappraisals@gmail.com

DATE: August 8, 2013

I have reviewed the site plan submitted on August 2, 2013 for the above referenced project. The Fire Prevention Division of this department has no further comments or concerns **and recommends granting final approval for this project.**

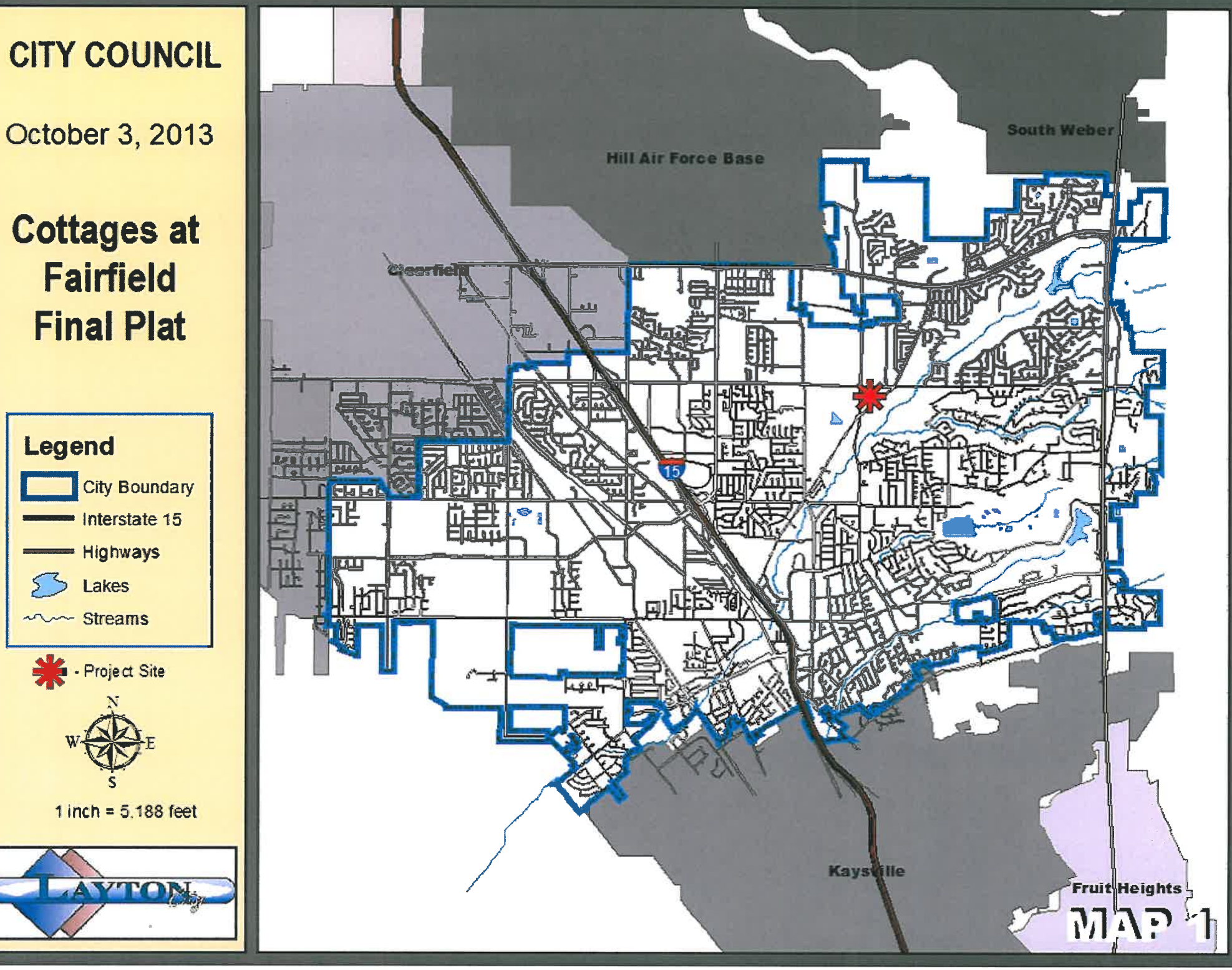
These plans have been reviewed for Fire Department requirements only. Other departments must review these plans and will have their requirements. This review by the Fire Department must not be construed as final approval from Layton City.

DBH\Cottages at Fairfield:kn
Plan #S13-112, District #22
Project Tracker #LAY 1307311391

CITY COUNCIL

October 3, 2013

Cottages at Fairfield Final Plat



CITY COUNCIL

October 3, 2013

Cottages at Fairfield Final Plat

Legend

- Centerlines
- City Boundary
- Interstate 15
- Highways
- Lakes
- Streams

N
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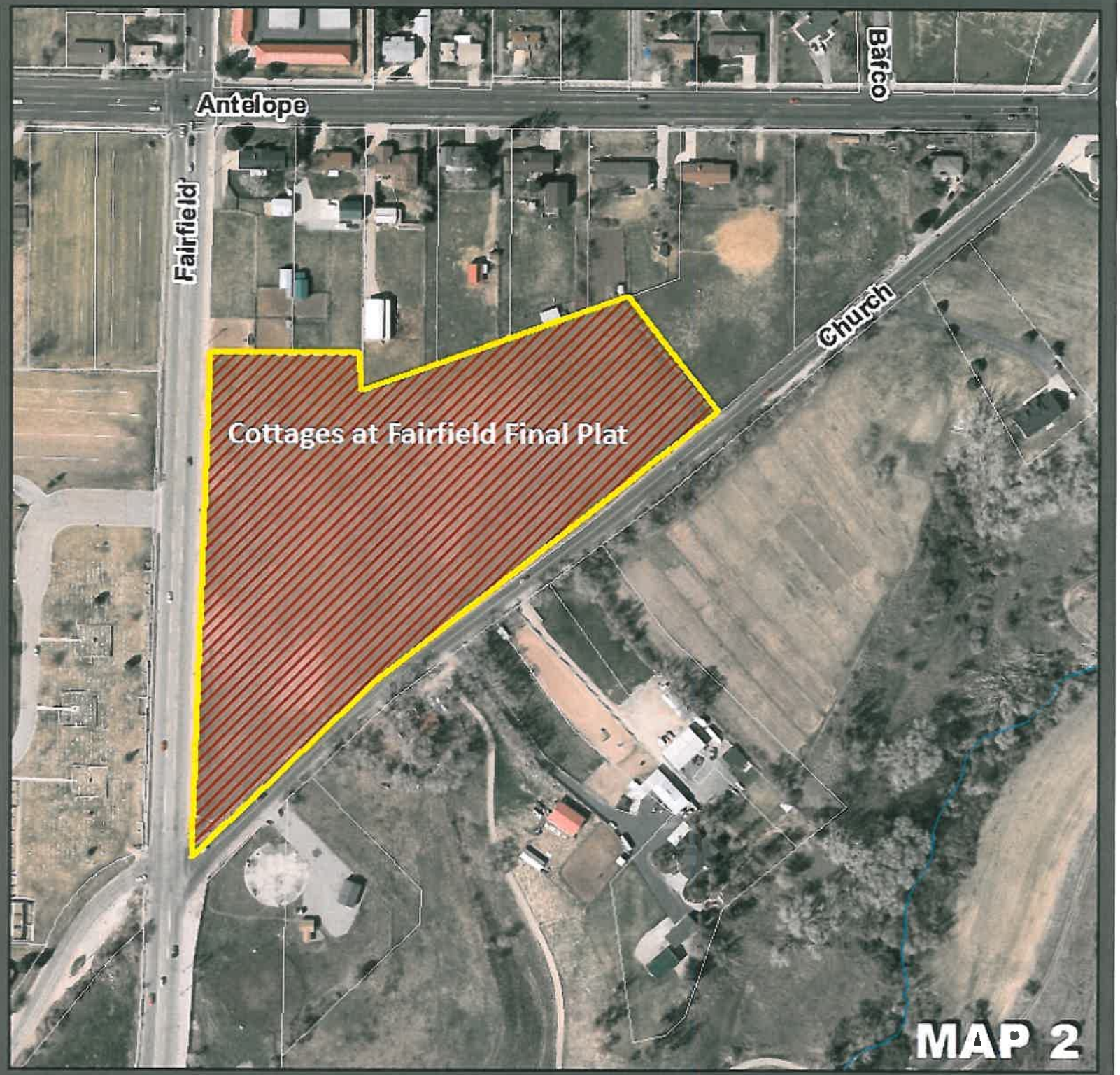
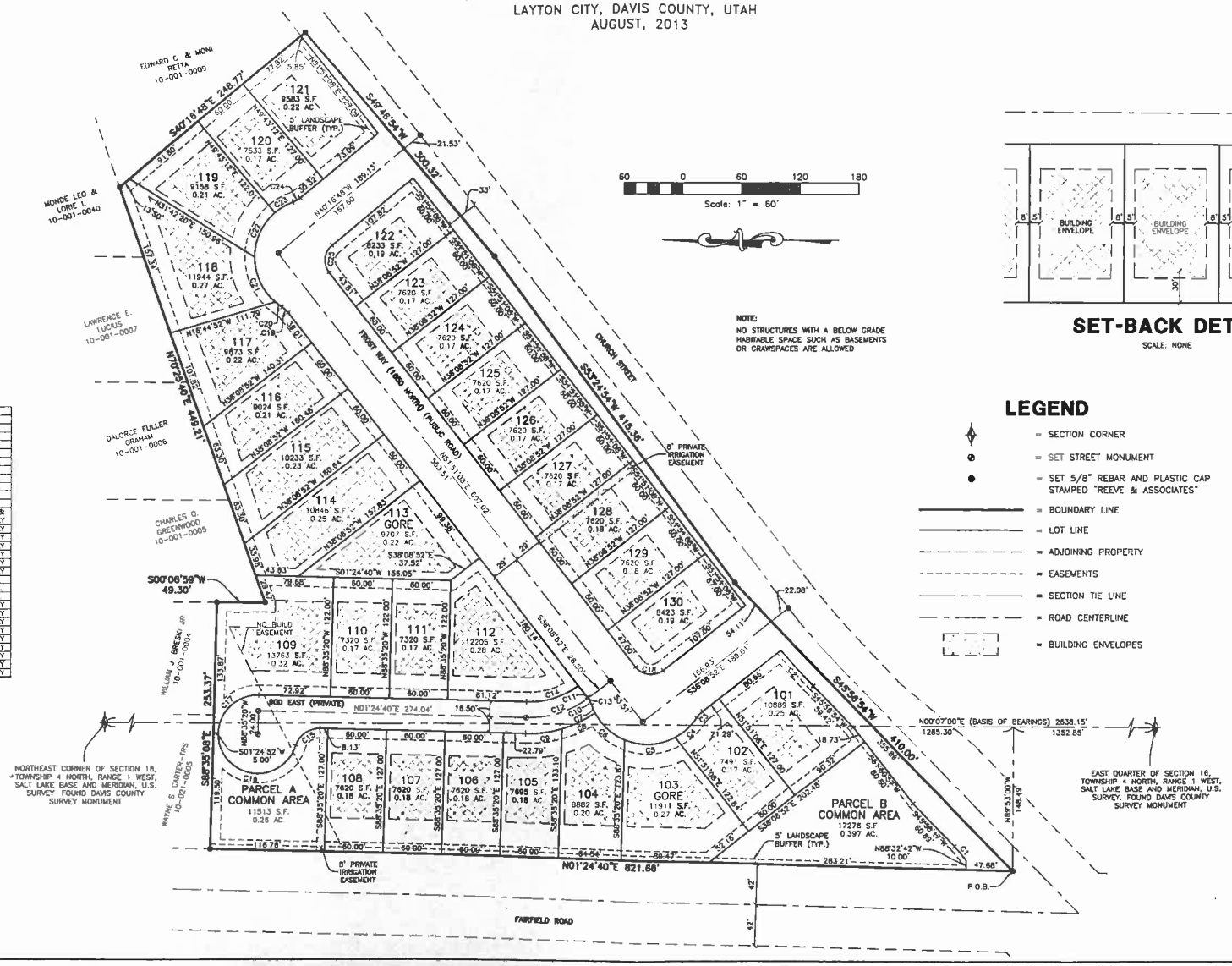
1 inch = 215 feet

LAYTON



THE COTTAGES AT FAIRFIELD

PART OF THE NE 1/4 OF SECTION 16 AND THE NW 1/4 OF SECTION 15, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY
LAYTON CITY, DAVIS COUNTY, UTAH
AUGUST, 2013



SET-BACK DETAIL
SCALE: NONE

ADDRESS TABLE

LOT	ADDRESS
101	1797 N. 900 E.
102	1829 N. 900 E.
103	1851 N. 900 E.
104	1855 N. 900 E.
105	1861 N. 900 E.
106	1865 N. 900 E.
107	1869 N. 900 E.
108	1873 N. 900 E.
109	1862 N. 900 E.
110	1874 N. 900 E.
111	1868 N. 900 E.
112	1867 N. 900 E. & 921 E. FROST WAY
113	941 E. FROST WAY
114	953 E. FROST WAY
115	961 E. FROST WAY
116	969 E. FROST WAY
117	979 E. FROST WAY
118	987 E. FROST WAY
119	1852 N. 1000 E.
120	1838 N. 1000 E.
121	1822 N. 1000 E.
122	984 E. FROST WAY
123	976 E. FROST WAY
124	958 E. FROST WAY
125	958 E. FROST WAY
126	948 E. FROST WAY
127	942 E. FROST WAY
128	932 E. FROST WAY
129	922 E. FROST WAY
130	914 E. FROST WAY

LEGEND

- SECTION CORNER
- SET STREET MONUMENT
- SET 5/8" REBAR AND PLASTIC CAP STAMPED "REEVE & ASSOCIATES"
- BOUNDARY LINE
- LOT LINE
- ADJOINING PROPERTY
- EASEMENTS
- SECTION TIE LINE
- ROAD CENTERLINE
- BUILDING ENVELOPES

PROJECT INFORMATION
Project Name: THE COTTAGES AT FAIRFIELD - Ph 1
Surveyor: R. KUNZ
Number: 5061-62
Designer: N. ANDERSON
Scale: 1"=60'
Begin Date: 07-30-13
Revision:
Checked:

Reeve & Associates, Inc.
Solutions You Can Build On

DAVIS COUNTY RECORDER
ENTRY NO. _____ FEE PAID _____ FILED FOR RECORD AND RECORDED. _____ AT _____ IN BOOK _____ OF THE OFFICIAL RECORDS. PAGE _____
RECORDED FOR:
DAVIS COUNTY RECORDER
DEPUTY

LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET

Item Number: 4D

Subject: Final Approval Extension Request – Howard's Farms Subdivision – Approximately 2597 East Gentile Street

Background: On April 17, 2012, the Council granted a one-year final approval extension for the Howard's Farm Subdivision. This final approval extension expired on April 17, 2013. Per Title 18, Chapter 18.16 Section 18.16.040 of the City Code, the zoning administrator may grant a single one-year final approval extension. Any further extensions must be granted by the Council. On June 22, 2009, the zoning administrator granted a one-year final approval extension for Howard's Farms Subdivision to April 17, 2010. Due to economic conditions, the developer, Rodney Charlesworth, requested and received from the Council an additional one-year final approval extension to April 17, 2011. Economic conditions continued to prevent Mr. Charlesworth from moving forward with the subdivision, and he requested and received from the Council an additional one-year final approval extension to April 17, 2012, and subsequently a one-year final approval extension to April 17, 2013.

Mr. Charlesworth has requested an additional final approval extension of the Howard's Farms Subdivision and states the funding to move ahead with the project will not be available until at least one of the two lots is under contract. Due to the economic difficulties the developer continues to experience, Staff is recommending a two-year extension of the final approval for the Howard's Farms Subdivision to April 17, 2015.

Alternatives: Alternatives are to 1) Grant final approval extension request for the Howard's Farms Subdivision to April 17, 2015, for good cause; or 2) Deny final approval extension request for the Howard's Farms Subdivision.

Recommendation: Staff recommends the Council grant final approval extension request for the Howard's Farms Subdivision to April 17, 2015, for good cause.

Bill Wright **2 April, 2013**

Director

Community & Economic Development

437 North Wasatch Drive, Layton, UT 84041

Mr. Wright,

I am formally asking for an extension of the final approval for Howards Farm in place for another year. We have had several interested parties, but have not had the funding to move ahead until at least one lot is under contract.

Thank you,

Rodney K. Charlesworth

CC Mr. Gary Crane

CITY COUNCIL MEETING

Oct. 3, 2013

HOWARD'S FARMS FINAL APPROVAL EXTENSION

LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET

Item Number: 4E

Subject: Proposal Award – Bowen, Collins and Associates, Inc. – Project 13-01 – Professional Engineering Services for the Layton City Water Master Plan Update 2013 – Resolution 13-54

Background: Resolution 13-54 authorizes the execution of an agreement between Layton City and Bowen, Collins & Associates, Inc. for consulting services for the Water Master Plan Update 2013, Project 13-01. This project will provide Layton City with an updated Water Master Plan, Impact Fee Facility Plan, and Impact Fee Analysis and Rate Study.

Request for proposals were sent to six consulting firms. Four companies submitted proposals on August 30, 2013, including Bowen, Collins & Associates, Inc., Hansen, Allen & Luce, Inc., Horrocks Engineers, and Stantec Consulting Services Inc. Public Works staff, comprising the City Engineer, Water Engineer, and Water Supervisor evaluated the proposals. The proposals were ranked and Bowen, Collins & Associates, Inc. was selected by the committee to perform the work for the Layton City Water Master Plan Update 2013 for $81,990. The design services are currently budgeted for this fiscal year 2013-2014.

Alternatives: Alternatives are to 1) Adopt Resolution 13-54 approving the agreement between Layton City and Bowen, Collins & Associates, Inc. for professional engineering services for the Layton City Water Master Plan Update 2013, Project 13-01; 2) Adopt Resolution 13-54 with any amendments the Council deems appropriate; or 3) Not adopt Resolution 13-54 and remand to Staff with directions.

Recommendation: Staff recommends the Council adopt Resolution 13-54 approving the agreement between Layton City and Bowen, Collins & Associates, Inc. for professional engineering services for the Layton City Water Master Plan Update 2013, Project 13-01 and authorize the Mayor to sign the necessary documents.

RESOLUTION 13-54

A RESOLUTION AUTHORIZING LAYTON CITY TO ADOPT AND APPROVE AN AGREEMENT WITH BOWEN, COLLINS & ASSOCIATES, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES TO THE CITY; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT.

WHEREAS, Layton City has elected to update the city water master plan to be known as the Layton City Water Master Plan Update 2013, Project 13-01; and

WHEREAS, the City received proposals from consultants to update the water master plan on August 30, 2013, with the results of these proposals attached hereto, for the Council's review; and

WHEREAS, City Staff has reviewed and evaluated each response to the Advertisement for Bids and has found it to be in the best interest of the City and citizens of Layton City to conditionally select Bowen, Collins & Associates, Inc. as the consultant for the Layton City Water Master Plan Update 2013, Project 13-01.

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

1. That Layton City enter into the Agreement between the City and Bowen, Collins & Associates, Inc. for the purpose of providing professional engineering services for updating the Layton City Water Master Plan Update 2013, Project 13-01. A copy of said Agreement is attached hereto and incorporated herein by this reference.

2. That the Mayor be authorized to execute the necessary documents.

PASSED AND ADOPTED by the City Council of Layton, Utah, this the **3rd day of October, 2013.**

ATTEST:

THIEDA WELLMAN, City Recorder

J. STEPHEN CURTIS, Mayor

SUBMITTING DEPARTMENT:

TERRY COBURN, Public Works Director

APPROVED AS TO FORM:

GARY CRANE, City Attorney

Layton City Water Master Plan Update 2013

Rating-See Below

Rating Criteria	Weighted %	Bowen Collins	Hansen Allen Luce	Stantec	Horrocks
Scope of Work to meet project goals	25%	3.75	3.75	2.50	1.88
Project Approach	15%	2.10	2.03	1.88	1.28
Project Schedule	15%	2.10	2.03	1.73	1.80
Master Plan Project Experience	20%	2.90	2.90	1.60	2.00
Team Experience & Qualifications	25%	3.63	3.50	2.00	2.50
Subtotal		**14.48**	**14.20**	**9.70**	**9.45**
Cost		$ 81,990	$ 96,500	$ 99,955	$ 93,797

AGREEMENT FOR PROFESSIONAL SERVICES
BOWEN, COLLINS & ASSOCIATES, INC.

This AGREEMENT, dated _____, is made and entered into between Bowen, Collins & Associates, Inc., a Utah Corporation (herein called ENGINEER) and Layton City (herein called OWNER). This AGREEMENT is for the Water Master Plan Upgrade (herein called PROJECT).

In consideration of the mutual promises herein contained, ENGINEER and OWNER agree as follows:

1. AUTHORIZATION TO PROCEED

Execution of this AGREEMENT by OWNER will be authorization for the ENGINEER to proceed with the PROJECT, pursuant to the terms and conditions of this AGREEMENT.

2. ENGINEER'S SERVICES

A. The ENGINEER agrees to provide the services as outlined in Attachment A "Scope of Services". The Scope of Services and project schedule described in Attachment A and the ENGINEER's compensation, identified in Attachment B. The ENGINEER will perform the aforementioned services in a professional manner using the degree of care and skill that is normally employed by professional engineers or consultants on similar projects of equal complexity.

B. The relationship of the ENGINEER to the OWNER is that of an independent contractor and nothing in this AGREEMENT or the attachments hereto, creates any other relationship. As an independent contractor, the ENGINEER shall have the sole responsibility for paying taxes, workers compensation, employee benefits (if any), and all similar obligations.

3. COMPENSATION AND PAYMENT

A. Compensation for ENGINEER's services is identified in Attachment B. Additionally, ENGINEER will be reimbursed for actual costs and expenses incurred in performance of the PROJECT.

B. Invoicing will occur following the last Friday of each month. Payments shall be due within 30 days of receipt of the invoice.

C. A service charge of 10 percent will be applied to expenses incurred in performance of the PROJECT. All sales, use, value added, business transfer, gross receipts, or other similar taxes will be reimbursed to ENGINEER.

D. An interest rate of 1.5% per month will be applied to all invoices that are not paid in full after 30 days following the invoice date. Payments will be applied to the outstanding interest first and then to the principal.

E. The ENGINEER may discontinue work on the PROJECT by issuing the OWNER a written seven-day notice if full payment for an invoice is not received within 60 days of the date of the invoice. Suspension of work will continue until full payment is made for all outstanding invoices including interest. The ENGINEER accepts no liability for damages or delays that result from its suspension of work. The OWNER may not use information or work product provided by the ENGINEER until full payment is made including applicable interest.

F. ANNUAL INFLATION ADJUSTMENT. Within the first sixty (60) days of every calendar year, Bowen, Collins & Associates, Inc. (BC&A) reserves the right to adjust established billing rates with OWNER to cover specific direct cost increases. BC&A will submit a revised Attachment A reflecting the billing rate adjustment at the effective date of change to the OWNER for documentation purposes. Any rate adjustment will be applicable on a go forward basis only.

4. INSURANCE

A. The ENGINEER will maintain insurance coverage throughout the term of the AGREEMENT. Insurance coverage will include:

1) Worker's Compensation	
State	Statutory
Employer's Liability	$1,000,000
2) Comprehensive General Liability	
Bodily Injury and Property Damage	$1,000,000
Combined Single Limit	$1,000,000
3) Automobile Liability	
Combined Single Limit	$1,000,000
4) Professional Liability	$2,000,000

5. LIMITATION OF LIABILITY

A. The ENGINEER shall not be liable for damages or delays resulting from actions or inaction of a third party that is not under the direct control of the ENGINEER, such as government agencies that have review and permit authority.

B. The OWNER shall defend, indemnify and hold harmless the ENGINEER, its subcontractors, agents and employees for all liability, other than that caused by the willful, intentional, or negligent acts, errors, or omissions of the ENGINEER.

C. The OWNER shall defend, indemnify and hold harmless the ENGINEER, its subcontractors, agents and employees for all liability resulting from construction of the PROJECT, if the ENGINEER is not retained to perform construction phase services on the PROJECT.

D. The ENGINEER's maximum extent of liability, for any cause or combination of causes, shall be limited to direct damages and shall not exceed the amount of the ENGINEER's professional liability coverage for the ENGINEER's services on the PROJECT.

E. The ENGINEER is not responsible for delays or damages caused by acts of God such as floods or earthquakes, or other circumstances beyond control of ENGINEER.

F. The ENGINEER, its subcontractors, agents and employees shall not be liable for consequential damages or indirect liability from a third party. The OWNER will defend, indemnify and hold harmless the ENGINEER, its subcontractors and agents from such an occurrence.

6. DEFECTS IN SERVICE

A. The OWNER shall promptly report to the ENGINEER any defects or suspected defects in the ENGINEER's services of which the OWNER becomes aware, so that the ENGINEER may take measures to minimize the consequences of such a defect. The OWNER further agrees to impose a similar notification requirement on all contractors in its OWNER/CONTRACTOR contract and shall require all subcontracts at any level to contain a like requirement. Failure by the OWNER and the OWNER's contractors or subcontractors to notify the ENGINEER shall relieve the ENGINEER of the costs of remedying the defects above the sum such remedy would have cost had prompt notification been given when such defects were first discovered.

7. TERMINATION

A. This Agreement may be terminated by either party in the event that the other party has not performed any material covenant or has otherwise breached any material term of this Agreement (i) upon receipt of written notice thereof if the nonperformance or breach is incapable of cure, or (ii) upon the expiration of ten (10) calendar days (or such additional cure period as the non-defaulting party may authorize) after receipt of written notice thereof if the nonperformance or breach is capable of cure and has not been cured.

B. Upon termination, ENGINEER is entitled to full compensation as computed under this Agreement for the work completed by ENGINEER before written notice was given.

C. Either party may terminate this Agreement without cause at any time upon thirty (30) days prior written notice to the other party.

8. ASSIGNMENT

This AGREEMENT shall be binding on the heirs, successors and assignees of the parties. This AGREEMENT may not be assigned, transferred, conveyed, or encumbered, whether voluntarily or by operation of law, by either party without the prior written consent of the other party. Unauthorized assignment is void and nonbinding.

9. OPINION OF PROBABLE CONSTRUCTION COST

Opinions of probable construction cost prepared by the ENGINEER are based on its experience with past projects of similar construction. It is understood that the ENGINEER has no control over economical factors or unknown conditions that may have a significant impact on actual PROJECT cost. The ENGINEER does not guarantee its cost estimates and accepts no liability for problems created by the difference in actual costs and opinions of probable construction cost.

10. DOCUMENTS

Contract documents, calculations, electronic information and survey information created by the ENGINEER as "instruments of service" are the property of the ENGINEER. OWNER's use of the documents and other "instruments of service" on any other project is prohibited and the ENGINEER accepts no liability for such action.

11. CONSTRUCTION PHASE SERVICES

A. The ENGINEER has based its cost to provide construction phase services,

on the ENGINEER, its employees, subcontractors and agents being named as additional insured under any construction contractor(s) (herein CONTRACTOR) General Liability and Builder's All Risk Insurance. The OWNER shall include in any contract with the CONTRACTOR a statement to defend, indemnify and hold harmless the ENGINEER; it's employees, subcontractors and agents for any and all action resulting from construction activity.

B. Observations performed by the ENGINEER or its agents are intended to assist the OWNER to obtain the best project possible and not to assume the CONTRACTOR's responsibility to comply with the requirements of any contract documents. The parties to this Agreement recognize that the CONTRACTOR has sole responsibility to ensure that any contract requirements are met. The CONTRACTOR is responsible for all methods used to complete the PROJECT and is responsible to follow all applicable safety procedures.

C. "Record" documents prepared by the ENGINEER are based on information supplied by the CONTRACTOR and its agents and are only as accurate as the information provided by the CONTRACTOR. The ENGINEER does not assume responsibility for the accuracy of the "record" documents.

12. ADHERENCE TO APPLICABLE LAWS

A. The laws of the State of Utah shall govern all aspects of this AGREEMENT.

B. The ENGINEER shall comply with the applicable requirements of the Equal Employment Opportunity Laws and the Fair Labor Standards Act.

13. HAZARDOUS WASTE

OWNER will indemnify ENGINEER from all claims, damages, losses, and costs, including attorney's fees, arising out of or relating to the presence, discharge, release, or escape of hazardous substances or contaminants from the PROJECT. OWNER recognizes that ENGINEER assumes no risk and/or liability for waste or the waste site.

14. ATTORNEY'S FEES

In the event any action or proceeding is brought by any party against any other party under this AGREEMENT, the prevailing party shall be entitled to recover attorney's fees and costs in such amount as the court may adjudge reasonable.

15. SEVERABILITY

The provisions of this AGREEMENT are severable, and should any provision hereof be void, overly broad or unenforceable, such void, overly broad or unenforceable provision shall not affect any other portion or provision of this AGREEMENT.

16. WAIVER

Any waiver by any party hereto of any breach of any kind or character whatsoever by any other party, whether such waiver be direct or implied, shall not be construed as a continuing waiver of or consent to any subsequent breach of this AGREEMENT on the part of the other party.

17. NOTICES

All notices, demands, and requests required or permitted to be given hereunder shall be in writing and shall be deemed duly given if delivered or if mailed by registered or certified mail, postage prepaid, addressed to the following:

ENGINEER	Tena Campbell, P.E. Bowen, Collins & Associates 154 East 14000 South Draper, Utah 84020
OWNER	James Woodruff Layton City Engineer 437 N. Wasatch Drive Layton, Utah 84041

Either party shall have the right to specify in writing another address to which subsequent notices to such party shall be given. Any notice given hereunder shall be deemed to have been given as of the date delivered or mailed to the other party.

18. ATTACHMENTS

The following attachments are included as part of the AGREEMENT:

Attachment A – Scope of Services
Attachment B – Compensation.

This AGREEMENT constitutes the entire understanding and agreement between the parties and supersedes all prior agreements and understandings, whether written or oral, and may only be changed by written amendment executed by both parties.

Approved for OWNER		Accepted for Bowen, Collins & Associates	
By	_____	By	Claire R. Bagley
Title	_____	Title	Vice President
Date	_____	Date	9/16/2013

Approved as to Form

By _____

Date 9/16/13

Attachment A
LAYTON CITY
Water Master Plan Update

SCOPE OF SERVICES

Background and Objective

As with many cities along the Wasatch Front, Layton City expects an increase in population over the next few decades that may strain existing water resources. In preparation for this growth, Layton City is examining all available options to meet future water needs. This includes both the augmentation of existing supply through the development of new water sources and the reduction of existing demand through conservation. One alternative that appears to be promising is the further expansion of secondary water service in the City. One purpose of this project will be to evaluate the best approach to meeting future water needs in the City, including the possibility of using additional secondary water. Once a recommended approach to future water supply is identified, a second purpose of this project is to update the City's master plans, impact fees, and rates for both culinary and secondary water service to reflect the recommended approach.

The Scope of Services presented herein describes the individual tasks that will be performed to accomplish this objective. It is recommended that the work be completed in three phases. The tasks in each step include:

Task	Description
Step 1	**Initial Data Collection and Supply Analysis**
Task 1	*Collect, Review, and Organize Data*
Task 2	*Evaluate Current and Projected Water Use Patterns*
Task 3	*Evaluate Water Supply, Existing and Future*
Step 2	**Master Plan and Impact Fee Facility Plan Development**
Task 4	*Assist with Hydraulic Model Updates*
Task 5	*Identify Existing Operating Deficiencies*
Task 6	*Identify Projected Future Operating Deficiencies*
Task 7	*Evaluate Improvements to Resolve Identified Deficiencies*
Task 8	*Develop a Water System Capital Facilities Plan*
Task 9	*Develop a Water System Impact Fee Facilities Plan*
Task 10	*Document Results*
Step 3	**Impact Fee Analysis and Rate Study**
Task 11	*Impact Fee Analysis*
Task 12	*Water Rate Analysis*
Task 13	*Document Results*

Step 1 – Initial Data Collection and Supply Analysis

Task 1 - Collect, Review, and Organize Data

Objective: To collect, review, and organize the data needed to evaluate system supply and to update and calibrate a digital model of the Layton City water system. This data will be used to simulate water system operation under different scenarios and identify system deficiencies and needed capital improvements.

Activities:

1. Review the following information that will be provided by Layton City:
   - Previous Water System Master Plan reports
   - Recent Layton City Water Annual Reports
   - Water use data from 2000 through 2012
   - Boundaries of water system pressure zones
   - Boundaries of Secondary Service Areas (both existing and future for all potential providers)
   - Local fire flow requirements
   - Existing water system maps and attributes in GIS format that includes pipe location, age, material, locations and sizes of existing fire hydrants, and location and sizes of water meters.
   - GIS information detailing locations and attributes of wells, springs, pumps, pressure reducing valves, reservoirs, and other pertinent system facilities
   - GIS data that can link historic water use (meter reading data) to addresses and model data for use in accurately allocating water system demands in the model of the City's water distribution system
   - Digital files containing aerial mapping and topographic data of the water system service area
   - GIS shape files of current City boundaries, water system service area, and parcel boundaries.
2. Prepare for and attend a project kickoff meeting to review the project objectives and schedule, develop project and data coordination procedures, and discuss questions regarding information to be provided by the City.

Product: Information and understanding needed to evaluate water supply and develop a master plan and computer model of the Layton City water system and use it in preparing a capital improvements plan.

Task 2 – Evaluate Current and Projected Water Use Patterns

Objective: To determine the potential quantity and distribution of different types of water use (indoor vs. outdoor) in the Layton City water system.

Activities:

1. Based on water use records, evaluate current water use patterns in Layton City. Specifically, determine how much water use occurs outdoors that could be serviced through a secondary system.
2. Examine land use and zoning maps to estimate future density and development in currently undeveloped areas.
3. With input from City personnel, consider any known plans for future increases in density in currently developed areas or potential annexations.

4. Develop projected demands for Layton City through 2050 based on the combined results of the activities described above.
5. Determine where secondary water use would occur and how its removal would affect the City's existing distribution system.

Product: Charts and tables as necessary to summarize the City's current water use patterns.

Task 3 – Evaluate Water Supply, Existing and Future

Objective: To determine how water supply (potable and secondary) could be most effectively used to supply both existing and future water demands at build-out.

Activities:

1. Meet with planning and engineering personnel as appropriate to discuss existing supply production and future supply alternatives. Determine the capacity of existing water rights to meet the needs of potable and secondary water demands. This will include an evaluation of which water supplies are appropriate to serve each type of demand.
2. Consider alternatives for meeting projected future demands. This will include a recommendation of what additional supplies, if any, would be necessary to supply the two types of demand. Develop a recommended approach to future water supply.
3. Prepare a technical memorandum summarizing the findings of this task.

Products:

1. Charts and tables as necessary to summarize the capacity of existing and future water supplies to serve both potable and secondary water demands.
2. Recommendation regarding what additional water supplies, if any, are needed.
3. Technical memorandum discussing water supply evaluation.

Step 2 – Master Plan and Impact Fee Facility Plan Development

Task 4 – Assist with Hydraulic Model Updates of the Existing Water Distribution System

Objective: Assist the City with hydraulic model updates. Layton City currently maintains an existing hydraulic model of its culinary distribution system. The City also has a schematic model of its secondary distribution pipes. It is assumed that Layton City will migrate its existing WaterCAD models into a standard coordinate system or develop a custom coordinate system so that it can be used with ArcGIS 10.0. The City will update pipes and components in its culinary system model so that it reflects its existing water system. The secondary water system model will also be updated by the City to reflect the best available information.

As part of this project, BC&A will assist with distributing demands into the existing model and developing peaking factors based on historic water use data. While not included in this scope of services, BC&A may provide additional modeling assistance as requested by the City.

Activities:

1. Utilize information from Layton City's GIS database to develop and distribute average daily water system demands throughout the City's water distribution system. It is assumed that this information will be available in the City's meter reading records and GIS Database.
2. Use information from City water records from 2000 to 2012 to develop typical seasonal demand patterns and peaking factors to be used in the water system analysis.
3. Use available system operational data to calibrate the hydraulic model to simulate field conditions.

Products:

1. A calibrated static-condition computer model of the existing Layton City culinary water system
2. A calibrated static-condition computer model of the existing secondary water system(s) serving Layton City
3. Water demand peaking factors based on historic water-use data

Task 5 – Identify Existing Operating Deficiencies

Objective: Identify portions of the existing Layton City water system that do not meet recommended operating criteria.

Activities:

1. BC&A will use the Layton City computer model to simulate operating conditions of the existing water system under peak hour demand as well as under peak day demand conditions with added fire flow demands defined by City personnel through various locations in the distribution system. Review computer output from the existing-condition model simulations to determine if the existing facilities meet recommended operating criteria. Recommended operating criteria will be based on minimum State criteria and BC&A's recommendations based on experience with other water systems. Identify facilities that do not meet the desired operating criteria.
2. Utilize information provided from City operations personnel to identify condition-related improvements that need to be implemented in the water system to mitigate existing problems.

Product: A list of existing water system deficiencies.

Task 6 – Identify Projected Future Operating Deficiencies

Objective: Identify portions of the existing Layton City water system that will not meet the recommended operating criteria under estimated demands from projected full build-out conditions.

Activities:

1. Revise the water demands in the steady state water system model to include future water system demands.
2. Use the computer model to simulate operating conditions of the existing water system facilities under projected future peak hour demand as well as with under projected future peak day demand conditions with added fire flow demands provided by City personnel distributed in various locations throughout the water system. Review computer output from the model simulations and identify facilities that do not meet desired operating criteria.
3. Evaluate the adequacy of existing water supply sources and water storage facilities to meet the future needs imposed on the water system.

Product: A list of existing water system facilities that will need to be improved in order to meet desired operating criteria for projected future water demands. This should be provided for both culinary and secondary facilities.

Task 7 – Evaluate Improvements to Resolve Identified Operating Deficiencies

Objective: Evaluate alternative system improvements that, if implemented, would resolve the identified water system deficiencies.

Activities:

1. Utilize the computer model to evaluate alternative water system improvements to resolve the system deficiencies.
2. With City personnel, identify the recommended water system capital improvement projects that will best resolve the identified system deficiencies. At this time, the City will also provide BC&A with a list of any additional condition related improvements it desires to include in the capital improvement plan.
3. Develop cost estimates for the recommended system improvements.

Products:

1. A list of alternative capital improvement projects with cost estimates that can be implemented to resolve the identified water system deficiencies.
2. Identified alternatives for potential implementation of an expanded secondary system within Layton City.

Task 8 – Develop a Water System Capital Facilities Plan

Objective: Develop a water system capital facilities plan for budgeting and planning purposes.

Activities:

1. Meet with City personnel to develop prioritization criteria for recommended water system improvement projects.

2. Develop a detailed water system improvements plan for Layton City. BC&A will also aid in developing a plan to coordinate capital improvements with irrigation.
3. Prioritize recommended improvements.

Product: A prioritized capital facilities plan.

Task 9 – Develop a Water System Impact Fee Facilities Plan

Objective: Develop a water system impact fee facilities plan in compliance with Utah law.

Activities:

1. Using the capital facilities plan in Task 8, develop a detailed 10-year water system impact fee facilities plan for Layton City. BC&A will also aid in developing a plan to coordinate capital improvements with irrigation companies to comply with impact fee laws. This scope of service does not include developing an impact fee facilities plan for irrigation companies.

2. Assist the City with understanding notification requirements associated with impact fee law. It is assumed that the City will complete all actual notification.

Product: A 10-year impact fee facilities plan consistent with State law.

Task 10 – Document Results

Objective: Prepare a report summarizing the results of the master plan, capital facilities plan, and impact fee facilities plan.

Activities:

1. Prepare a draft report that summarizes the results of the study and presents the recommended water system capital facilities plan and impact fee facilities plan.
2. Meet with City personnel to review comments on draft report.
3. Incorporate City comments into the final report.
4. Present the results of the plan at a public hearing (as required by impact fee law).

Products:

1. Five copies of the draft water system impact fee facilities plan report.
2. Ten copies of the final water system impact fee facilities plan report.
3. One copy of a technical appendix (if any) that contains pertinent technical data used in developing the master plan report.
4. Technical exhibits as required for the public hearing.

Step 3 – Impact Fee Analysis and Rate Study

Task 11 – Impact Fee Analysis

Objective: To prepare an impact fee analysis based on the impact fee facilities plan in accordance with Section 11-36 of the Utah Code.

Activities:

1. Document the actual value of existing components of the systems as provided by the City
2. Document existing capacity for various components of the system based on our evaluation of the City's existing system
3. Document required future capacity for various components of the culinary and secondary distribution system.
4. Document the cost of improvements required to meet future demands. This includes dividing the cost of all improvements between existing and future users and considering the cost of both buying-in to available existing capacity and constructing new facilities for future growth.
5. Calculate the total cost of providing system capacity to new development based on the data collected above. This will include consideration of the time value of money and debt service costs if any.

Product: Impact fee model in accordance with Utah Code.

Task 12 – Water Rate Analysis

Objective: To prepare a water rate analysis based on AWWA cost-of-service principles and Utah law to establish legal, fair, and equitable rates that will provide the City with the revenue required to run the system, while still providing good value for its customers.

Activities:

1. To identify the rate approach that will work best for the City, we will meet with City staff to review your existing rates, discuss policy objectives, and collect financial and system data (O&M costs, water billing data, water use trends by customer class, etc.). Based on input from City staff, we will develop a rate approach tailored to meet the unique needs of the City.
2. Based on the approach selected, we will develop a digital water rate model that accomplishes the following objectives:
    a. projects future revenue requirements over the next 5 years based on O&M cost projections provided by the City, debt service schedules, and capital improvement plans;
    b. distributes system costs to the City's various water user classes in accordance with their requirements for service based on cost of service approach as recommended by AWWA; and
    c. determines the rates required to recover from each class of water user the approximate cost of serving that class of water user.
    d. This will be performed for up to three different types of rate structure depending on the City's needs and interests. As needed, a strategy to implement the results over a period of time, will be developed.

3. The results of the tasks above will be documented in a separate rate and impact fee analysis report as described below. Special emphasis will be placed on demonstrating that the rates

are fair and equitable and were calculated using AWWA cost-of-service principles to avoid future legal challenges.

Product: Water rate model in accordance with objectives above.

Task 13 – Document Results

Objective: Prepare a report summarizing the results of the impact fee analysis and rate study.

Activities:

1. Prepare a draft report that summarizes the results of the study and presents the recommended water system capital improvements plan.
2. Meet with City personnel to review comments on draft report.
3. Incorporate City comments into the final report.
4. Present the results of the plan at a public hearing (as required by impact fee law).

Products:

1. Five copies of the draft water system master plan report.
2. Ten copies of the final water system master plan report.
3. One copy of a technical appendix (if any) that contains pertinent technical data used in developing the master plan report.
4. Technical exhibits as required for the public hearing.

Attachment B
Layton City
Water System Master Plan - Step 1
ENGINEERING FEE ESTIMATE

9/16/2013

	OFFICE STAFF		ENGINEERING TECHNICIANS			ENGINEERS				
	OFFICE	EDITOR	TECH 1	TECH 3	TECH 5	PE	PM	SR	SUBTOTAL	SUBTOTAL
LABOR	M. Skousen	A. Hansen		S.Riggs	R. Garcia	A. McKinnon	K.Larson	T.Campbell	HOURS	COST
Hourly Rate	$64.00	$64.00	$66.00	$90.00	$109.00	$96.00	$120.00	$131.00		
Step 1										
Task 1 - Collect, Review, and Organize Data										
Review available information	2					8	4		14	$1,376
Kickoff meeting						4	4		8	$864
Task 2 - Evaluate Current and Projected Water Use Patterns										
Evaluate current water use patterns						6	2		8	$816
Examine land use based on the City's general plan						8	2		10	$1,008
Consider redevelopment and annexation						2	1		3	$312
Project future water demands						16	2		18	$1,776
Consider effect of shifting demand to secondary system						12	4		16	$1,632
Task 3 - Evaluate Water Supply, Existing and Future										
Analysis of existing and future supply						14	4		18	$1,824
Evaluate alternatives for meet future demands						20	8		28	$2,880
Prepare technical memorandum		2				16	8	2	28	$2,886
TOTAL LABOR	2	2	0	0	0	106	39	2	151	$15,374
TOTAL LABOR COSTS	$128	$128	$0	$0	$0	$10,176	$4,680	$262	$15,374	

EXPENSES

Item	Unit	Rate	Total Cost
COMMUNICATION/COMPUTER			$1,057
GEOTECHNICAL			$0
PRINTING /GRAPHICS			$100
AUTO MILEAGE	200	$0.75	$150
TRAVEL			$0
MISC EXPENSES			$19
POSTAGE			
SUPPLIES			
SURVEY			
AERIAL MAPPING			
TOTAL EXPENSES			$1,326

Expenses include:
$7/hr communications/computer charge
Mileage reimbursement at $0.75/mile
10% Markup on Outside Services

TOTAL LABOR COST	$15,374
EXPENSES	$1,326
TOTAL COST	$16,700

Attachment B
Layton City
Water System Master Plan - Step 2
ENGINEERING FEE ESTIMATE

9/16/2013

	OFFICE STAFF		ENGINEERING TECHNICIANS			ENGINEERS				
	OFFICE	EDITOR	TECH 1	TECH 3	TECH 5	PE	PM	SR	SUBTOTAL	SUBTOTAL
LABOR	M. Skousen	A. Hansen		S.Riggs	R. Garcia	A. McKinnon	K.Larson	T.Campbell	HOURS	COST
Hourly Rate	$64.00	$64.00	$66.00	$90.00	$109.00	$96.00	$120.00	$131.00		
Step 2										
Task 4 - Assist with Hydraulic Model Updates										
Distribute demands	2					24	4		30	$2,912
Develop peaking factors						12	3		15	$1,512
Calibrate the models based on available system data						28	6		34	$3,408
Task 5 - Identify Existing Deficiencies										
Simulate existing operating conditions and identify deficiencies						16	4		20	$2,016
Work with City staff to identify condition related deficiencies						4	12		16	$1,824
Task 6 - Identify Future Deficiencies										
Create future demand scenario in model						8	2		10	$1,008
Simulate future operating conditions and identify deficiencies						16	4	2		$2,278
Evaluate adequacy of supply to meet future needs						8	4			$1,248
Task 7 - Evaluate Improvement Alternatives										
Evaluate improvement alternatives	2					16	8	2	28	$2,886
Select recommended improvements						8	2	2	12	$1,270
Cost estimates						12	2		14	$1,392
Task 8 - Develop Capital Facilities Plan										
Develop Prioritization Criteria						8	4		12	$1,248
Develop detailed improvement plan						12	4	2	18	$1,894
Prioritize improvements						8	2		10	$1,008
Task 9 - Develop Impact Fee Facilities Plan										
Develop detailed 10-year IFFP						12	4	2	18	$1,894
Assist with notification requirements	2						2		4	$368
Task 10 - Document Results										
Draft report	4	6		6		32	16	6	70	$6,958
Review comments						4	2		6	$624
Final Report	4	4		2		20	12	2	44	$4,314
Present Results				2		8	8		18	$1,908
TOTAL LABOR	**14**	**10**	**0**	**10**	**0**	**256**	**105**	**18**	**379**	**$41,970**
TOTAL LABOR COSTS	**$896**	**$640**	**$0**	**$900**	**$0**	**$24,576**	**$12,600**	**$2,358**	**$41,970**	

EXPENSES

Item	Unit	Rate	Total Cost
COMMUNICATION/COMPUTER			$2,653
GEOTECHNICAL			$0
PRINTING /GRAPHICS			$100
AUTO MILEAGE	250	$0.75	$188
TRAVEL			$0
MISC EXPENSES			$9
POSTAGE			
SUPPLIES			
SURVEY			
AERIAL MAPPING			
TOTAL EXPENSES			$2,950

Expenses include:
$7/hr communications/computer charge
Mileage reimbursement at $0.75/mile
10% Markup on Outside Services

TOTAL LABOR COST	$41,970
EXPENSES	$2,950
TOTAL COST	$44,920

Attachment B
Layton City
Water System Master Plan - Step 3
ENGINEERING FEE ESTIMATE

9/16/2013

	OFFICE STAFF		ENGINEERING TECHNICIANS			ENGINEERS					
	OFFICE	EDITOR	TECH 1	TECH 3	TECH 5	ZBPF	PE	PM	SR	SUBTOTAL	SUBTOTAL
LABOR	M. Skousen	A. Hansen		S.Riggs	R. Garcia	Various	A. McKinnon	K.Larson	T.Campbell	HOURS	COST
Hourly Rate	$64.00	$64.00	$66.00	$90.00	$109.00	$115.00	$96.00	$120.00	$131.00		
Step 3											
Task 11 - Impact Fee Analysis											
Document actual value of existing system						12				12	$1,380
Document existing capacity						2	4	2		8	$854
Document future capacity						2	4	1		7	$734
Document cost of improvements required for future demand						1				1	$115
Calculate total cost of service to provide system capacity						14				14	$1,610
Task 12 - Water Rate Analysis											
Identify rate objectives						6				6	$690
Develop digital rate model						42				42	$4,830
Document cost of service principles						8				8	$920
Task 13 - Document Results											
Draft report						20	4			24	$2,684
Review comments						3				3	$345
Final Report						15	2			17	$1,917
Present Results						11	2			13	$1,457
TOTAL LABOR	0	0	0	0	0	136	16	3	0	155	$17,536
TOTAL LABOR COSTS	$0	$0	$0	$0	$0	$15,640	$1,536	$360	$0	$17,536	

EXPENSES

Item	Unit	Rate	Total Cost
COMMUNICATION/COMPUTER			$1,085
GEOTECHNICAL			$0
PRINTING /GRAPHICS			$100
AUTO MILEAGE	100	$0.75	$75
TRAVEL			$0
MISC EXPENSES			$10
POSTAGE			
SUPPLIES			
SURVEY			
Mark Up ZBPF		10%	$1,564
TOTAL EXPENSES			$2,834

Expenses include:
$7/hr communications/computer charge
Mileage reimbursement at $0.75/mile
10% Markup on Outside Services

TOTAL LABOR COST	$17,536
EXPENSES	$2,834
TOTAL COST	$20,370

Step 1	$16,700
Step 2	$44,920
Step 3	$20,370
Total	$81,990

PROPOSAL

Layton City
Water Master Plan Update

08 | 2013

Presented by:

Bowen Collins & Associates, Inc.

Presented for:

Layton City

Draper, Utah Office:
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Phone: 801.495.2224
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August 30, 2013

Layton City
Stephen Jackson, P.E.
Public Works Engineering Department
437 North Wasatch Drive, Lower Level
Layton, Utah 84041

Subject **Proposal for Layton City Water Master Plan Update**

Thank you for the opportunity to submit this proposal to provide professional engineering services to develop a master plan for the Layton City culinary and secondary water systems. Bowen, Collins & Associates (BC&A) is water resource company headquartered in Salt Lake City, Utah. Although we have significant experience in many areas of engineering, our real specialty is water distribution, transmission, storage and treatment. By selecting BC&A, you can be confident that your water system master plan, impact fees, and rates will be:

- **Accurate** – BC&A has completed more capital facility plans and impact fee studies for cities throughout Utah than any other consultant has. We can offer the City the rare combination of technically minded engineers with a deep level understanding of the financial aspects and challenges associated with impact fees and rates.
- **Focused** – One of the first questions needing to be answered is how to best use existing culinary and secondary sources to supply future Layton City residents. It is this type of planning which BC&A distinguishes itself from its competitors. We will make sure you are comfortable with the big picture decisions of how to cost effectively supply water before jumping into the details of modeling.
- **Defensible** – We will provide defensible fees that will meet all State code requirements – to date, none of the utility rates or impact fees established by BC&A has ever been challenged after adoption.
- **Cost Effective** – Our company is a small, local firm with large national firm expertise, providing value and service to our clients.

I will serve as our primary point of contact with the City. I have personally been involved in most of the water master plans referenced in this proposal. As project manager, I will make sure our team listens, understands your needs, and develops planning documents that fit the vision and goals you have for your system.

Sincerely,
Bowen, Collins & Associates

Keith J. Larson, P. E.
Project Manager

A. Project Understanding

As with many cities along the Wasatch Front, Layton City expects an increase in population over the next few decades that may strain existing water resources. In preparation for this growth, Layton City is examining all available options to meet future water needs. This includes both the augmentation of existing supply through the development of new water sources and the reduction of existing demand through conservation. One alternative that appears to be promising is the further expansion of secondary water service in the City. One purpose of this project will be to evaluate the best approach to meeting future water needs in the City, including the possibility of using additional secondary water. Once a recommended approach to future water supply is identified, a second purpose of this project is to update the City's master plans, impact fees, and rates for both culinary and secondary water service to reflect the recommended approach.

B. Key Issues

Based on our understanding of the project and our experience with these studies, we have identified the following key issues critical to the success of your project:

- **Familiarity with the Layton Service Area –** Your project is an exciting opportunity for us because of the work we are just completing on your storm drain master plan. Through our recent work on that master plan, BC&A already has a good foundation for understanding of the Layton service area. We have examined land use requirements, understand existing and projected development patterns, and have developed growth and development projections for the service area. While all past information will be reviewed with the City, this provides BC&A with a head start on the project. This will be especially important relative to the preparation of impact fees. With the litigious atmosphere currently surrounding impact fees, it will be important that the approach used in the water master plan is consistent with what has been learned on the storm drain master plan. Using a consistent approach will allow Layton to develop more defensible impact fees and meet its project goals more cost-effectively than starting from scratch with another engineer.
- **Experience with Master Planning –** Our proposed project team members have spent a significant portion of their time working on various water master plans and related computer models during the last several decades. Master planning efforts in the past two years include projects for Weber Basin Water Conservancy District, Park City, Summit Water Distribution Company, Salt Lake City, Sandy City, Provo City, and Jordan Valley Water Conservancy District. In short, no other consultant has prepared water master plans affecting a larger number of residents in the State of Utah than BC&A. Because of this, we can use the knowledge we have gained working on dozens of other water master plans to help Layton achieve accurate and useful results in the way that is most efficient and cost effective.

- **Source of Supply Planning –** While many engineering firms can demonstrate some experience in operation of a water model, this is only one component of a master plan. Of equal importance is the ability to identify and understand issues associated with water supply sources. This will be very important in this study where one of the first questions needing to be answered is how to best use existing culinary and secondary sources to supply future Layton City residents. It is this type of planning, that BC&A distinguishes itself from its competitors. BC&A has pioneered many supply planning techniques in Utah including conjunctive use planning, secondary supply optimization, and seasonal supply and demand planning. Because of our proficiency in this type of planning, BC&A has been asked to prepare countywide supply and demand studies for Davis, Weber, Salt Lake, Box Elder, Morgan, and Summit Counties. Most pertinent to this study is the recent completion of a supply and demand study for Weber Basin Water Conservancy District. We will make sure you are comfortable with the big picture decisions of how to cost effectively supply water before jumping into the details of modeling and system layout.
- **Impact Fee Experience -** BC&A has completed dozens of Capital Facilities Plans, Impact Fees, and Rate Studies for cities throughout Utah. Our proposed project manager, Keith Larson, is a regional expert with these studies. He has presented formal papers on Impact Fees at numerous professional engineering conferences. Mr. Larson will offer the City the rare combination of a technically minded engineer with a deep level understanding of the financial aspects and challenges associated with the development of Impact Fees and rates for these utilities. In addition, BC&A has teamed with Zions Bank Public Finance for the Impact Fee Analysis and rate study portion of the project. BC&A has developed a strong working relationship with the staff at Zions through our previous teaming experience on numerous successful Impact Fee Facilities Plans and Impact Fee Studies.
- **Building Consensus with City Stakeholders –** From our experience with previous impact fee studies, we understand that careful, detailed attention to existing impact fee law will be a necessary part of the project. However, it will be equally important that the final approach be easily explainable and that it have the buy in of key stakeholders along the way. All these issues will be necessary to gain the confidence and support of the City Leadership and, ultimately, the system users. As part of our work, we will coordinate with the City early on in the project to identify "big picture" needs of the systems, create an overall plan that identifies goals and guiding principles for meeting those needs, and gain early in-sights and buy in from City Leadership and other key stakeholders. As a result, the final impact fee product will be one that all involved parties can support, and ultimately explain and defend to customers and developers.
- **Understanding Our Role in Your Long-Term Plans –** As the ones who work day in and day out with the system, we know that your staff is the best source of understanding for master planning of the system. What you need most is a consulting firm that can work as a member of your team to move your plans forward. We will function as an extension of the City's staff. We will partner with you to review the current state of the

City's system, make recommendations to move the system forward where gaps exist, and develop a comprehensive plan for system improvements that works both technically and financially. You provide the vision and direction for the system. We will help identify how to get there.

C. Firm Info

Bowen, Collins & Associates, Inc. (BC&A) is a regional engineering firm specializing in water, stormwater, wastewater, environmental, and related fields. The company was founded in 1997 by three partners with a combined 50 years consulting experience primarily in Idaho, Utah and Nevada. Our staff have performed numerous master plans, feasibility studies, and final designs, and provided construction management services on projects throughout the Intermountain West. Technical expertise and responsive client service form the foundation of our company.

We presently have over 60 staff members located in three area offices –Draper, Utah; St. George, Utah; and Eagle, Idaho. All work associated with Layton City will be performed out of our Draper, Utah office.

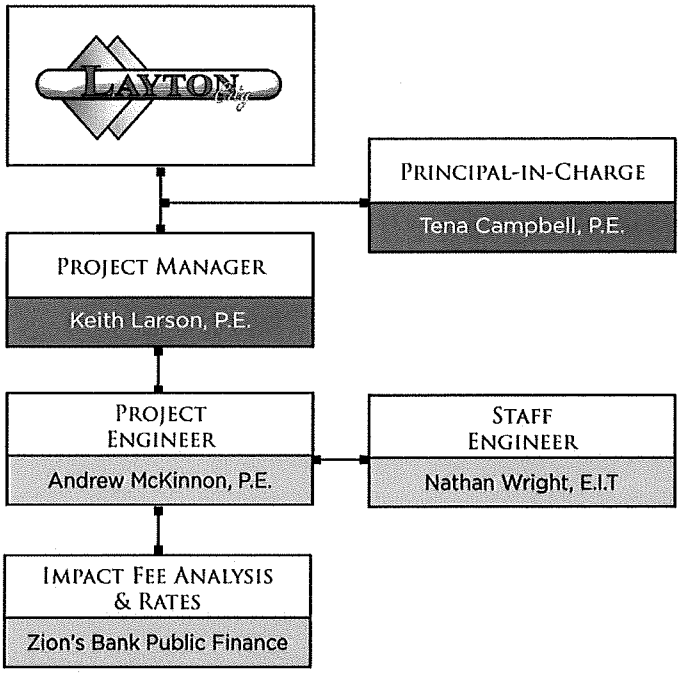
BC&A has full engineering production capabilities including the following:

- Full production capabilities with reproduction, graphics, drawing plotting, and technical specifications,
- Full Computer Aided Design (CAD) capabilities, including AutoCAD 2013, AutoCAD Land Development Desktop, MicroStation, and ArcGIS software,
- Networked computer system including latest Microsoft software,
- Experience with modeling software including WaterGEMS, EPANet, InfoWater, InfoSurge, HEC-1, HEC-HMS, HEC-2, HEC-RAS, AVWater, WaterCAD, H2OMap, StormCAD, Flowmaster, InfoWorks, InfoSWMM, MODFLOW, Aquifer Test, Groundwater Vistas, and various other hydraulic and hydrology modeling software.

D. Key Personnel

From experience, we know that people are the critical element to the successful completion of any project. Our proposed project team is illustrated in the organization chart below. As shown in the figure, BC&A will be entirely responsible for the master plan and IFFP with assistance from Zions Bank Public Finance on the financial aspects of the impact fee analysis and rate study. All of the personnel identified below are ready and available to work on the project at the levels identified in the attached fee proposal. This team has completed dozens of similar water master plans from which to draw experience. You can be confident you are getting the most for your money, knowing you have a team of seasoned experts instead of someone learning on the job.

Organization Chart

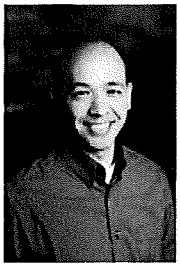


Experience and Expertise of Team Members

Brief resumes of key staff are listed below; full resumes are attached under Tab 4 for reference.

Keith Larson, P. E., Overall Project Manager. Our proposed Project Manager and primary point of contact with the City is Keith Larson. We would suggest that you contact some of the other clients outlined in his resume to determine how he has worked with and for his previous clients in delivering quality projects on time and on budget. Mr. Larson's greatest strength is in water, wastewater, and storm drain system master planning and design. He has served as project engineer on culinary and secondary water master plans for a large range of clients including Salt Lake City, Sandy City, Provo City, and Jordanelle Special Service District. He has also served as project manager for wastewater and storm drain master plans for clients such as Salt Lake City, Provo City, and Ogden City and at the University of Utah. Mr. Larson worked with Salt Lake City to improve its internal water and sewer modeling capabilities. He provided oversight and review services for City staff as they developed models of the City's water and sewer systems. During this process, he helped develop existing and future demand distributions, calibrated the models, added extended period modeling capability, and provided training on many aspects of the model. As part of these efforts, he performed an analysis of supply, major conveyance, and storage improvements needed in the City's transmission system through build out.

In addition to his knowledge of the engineering aspects of master planning, Mr. Larson is well versed in the financial aspects of master planning as well. He served as project manager on rate and impact fee studies for clients throughout Utah including Sandy City, Murray City, Logan City, Pleasant Grove City, American Fork City, South Valley Sewer District and Virgin Valley Water District in Mesquite, Nevada. His work included assessing existing rate structures, developing rate models, and recommending future changes in impact fees and water pricing. In each case, he has worked with city councils and residents to successfully adopt new rate and impact fee structures to support required capital improvement plans.



Andrew McKinnon, P.E., Staff Engineer. Mr. McKinnon will serve as our project engineer and will conduct most of the detailed modeling and system evaluation for the study. Mr. McKinnon has extensive experience with water system master plans, impact fees, and rate studies. Mr. McKinnon recently served as project engineer on the Herriman City Culinary and Secondary Water Master Plans. This lead to the operation of the first phase of the City's secondary system in 2012. Mr. McKinnon is well versed in multiple types of hydraulic modeling software packages including WaterGEMs by Bentley. Mr. McKinnon has setup and calibrated extended period simulations, multi-species tracing simulations (water quality), and transient models for multiple municipalities across the State of Utah. Mr. McKinnon also has experience training city or service district personnel in the use of hydraulic models to reduce project costs. Mr. McKinnon has coordinated worked with city or service district personnel to model water systems in-house to develop results needed for water system master plans.

Nathan W. Wright, E.I.T.., Staff Engineer. Our proposed staff engineer is Nathan Wright. Mr. Wright well versed in a number of hydraulic computer modeling programs including ASSA, HEC-HMS, HEC-RAS, SWMM, EPANet, and others. He has worked as a staff engineer on several master plans including Springville City's Storm Drain Master Plan and Saratoga Springs Storm Drain Master plan. Mr. Wright is currently working on Layton City's Storm Drain Master plan and understands the existing development patterns and future plans of the City. In each of his master plans, Mr. Wright has helped in developing and calibrating models, evaluating results and alternatives, and identifying system improvements. He has also helped develop impact fees for these cities.

Tena Campbell, P. E., Principal in Charge. Ms. Campbell has 21 years of comprehensive public works experience, much of this on water planning and design projects. She has provided project management for projects such as water treatment plants, water and wastewater pipelines, booster stations, reservoirs, wells, pump stations, sewage lift stations, source protection, road improvements, site grading and storm drainage.

Specifically, Ms. Campbell served as the project engineer for the Maple Mountain 4.0 MG Reservoir, Well Pump Station and Pipeline Project. For this project, she provided the design, coordinated with the developer's engineer on the road-rough grading; facilitated the easements with the surveyor; worked directly with local, county and state permitting officials to facilitate the required permits from Mapleton, the US Forest Service, Utah Division of Wildlife Resources, Utah Division of Drinking Water, and Rocky Mountain Power; oversaw inspectors for site. The project also included design and construction of a 4.0 million gallon buried concrete reservoir, a 1,800 gpm well pump station, 2.3 miles of 18-inch waterline and 0.8 miles of overflow storm drain sized from 12-inch to 30-inch.

Ms. Campbell also serves as City Engineer for Wendover, Utah. During her service, she acted as the project manager for a 1.0 MGD package water treatment plant with a 1.0-million-gallon buried concrete reservoir and a 2,800 gpm backwash booster station. This project involved process selection and design for the treatment equipment, site and civil design, a 1.0-million-gallon buried concrete reservoir, a 2,800 GPM backwash booster station, 14 miles of 14-inch ductile iron high pressure waterline and coordination funding agency involvement from the state SRF program, STAG Grants and U.S.D.A. Rural Development.

Matt Millis, Vice President, Zions Bank Public Finance. Matt offers over eleven years of experience in municipal consulting including rate analyses, impact fees, financial feasibility analyses; capital facilities finance plans, and many other types of financial analyses for public utilities. Matt has provided service to the largest water districts in the state and many large communities. Matt has acted as Project Manager on the following list of sample projects:

- Riverton City, Impact Fee Analysis
- Herriman City, Culinary and Secondary Water Impact Fee Analysis
- Hi-Country Estates II, User Rate Analysis
- Jordan Valley Water Conservancy District, Capital Charge Analysis
- Ogden City, User Rate Analysis
- Sandy Suburban Improvement District, Impact Fee Analysis
- North Ogden City, User Rate and Impact Fee Analysis
- Kearns Oquirrh Park Fitness Center, Asset Management Analysis
- Washington County Water Conservancy District, Water Availability Charge Analysis and Capital Facilities Plan
- South Valley Sewer District, Impact Fee Analysis
- Weber Basin Water Conservancy District, Block 2 Rates
- Unified Fire Authority, Impact Fee Analysis and Capital Facilities Planning
- Roy Water Conservancy District, Revenue Requirement Analysis

Matt has a bachelor's degree in finance. He has expertise in financial modeling including: forecasting, Monte Carlo simulations, cash flow analysis and risk analysis. Mr. Millis has a great deal of analytical and consulting experience.

Tenille Tingey, Financial Analyst, Zions Bank Public Finance. Tenille joined Zions Bank Public Finance in2011 bringing four years of experience in municipal consulting. Tenille's professional focus has been Impact Fee Analyses and User Rate Studies. Tenille has experience working with cities and special districts throughout the State of Utah. Listed below are sample projects on which Tenille worked jointly or as project lead:

- North Summit Fire District, Impact Fee Analysis
- Herriman City, Culinary and Secondary Water Impact Fee Analysis
- Cottonwood Improvement District, Sewer Impact Fee Analysis
- West Point City, Impact Fee Analysis
- South Valley Sewer District, Impact Fee Analysis
- Tooele City Culinary Water Impact Fee Analysis
- Roy Water Conservancy District, Revenue Requirement Analysis

Tenille has a Master's of Business Administration degree from the University of Phoenix. She has a great deal of analytical experience, modeling and financial calculations.

Megan Weber, Financial Analyst, Zions Bank Public Finance. Megan has experience with Impact Fee and User Rate Analyses for water, secondary water, sewer, and storm systems as well as Impact Fee Analyses for public safety and parks and recreation. Megan's primary focus is report writing, presentation preparation, and familiarity with the Utah Impact Fee Act in order to ensure all Impact Fee Analyses completed by our team are done so in accordance with the Act. Megan ensures Act compliance from noticing to adoption. Sample projects Megan has worked on are listed below:

- Herriman City, Capital Facilities Finance Plan and Long Range Funding Analysis
- Hi-Country Estates II, User Rate Analysis
- North Ogden City, User Rate and Impact Fee Analysis
- West Point City, Impact Fee Analysis
- Riverton City, Impact Fee Analysis
- Unified Fire Authority, Impact Fee Analysis and Capital Facilities Plan
- Roy Water Conservancy District, Revenue Requirement Analysis

Megan graduated from Brigham Young University-Idaho in 2007 with a Bachelor of Social Work. She provides quality control and Impact Fee Act compliance.

Office Locations

This project will be executed out of BC&A's Draper Utah office. All engineering and planning work will take place in this local office. The financial analysis portions of the project will be developed in Zions Bank Public Finance office. Locations and contact information for each office are provided below.

Bowen Collins & Associates
154 East 14000 South
Draper, Utah 84020
http://www. bowencollins.com
Phone: 801-495-2224
Fax: 801-495-2225

Zions Bank Public Finance
Municipal Consulting Group
One S Main St 18th Fl
Salt Lake City UT 84133-1109
Phone: 801.844.8310
Fax: 801.844.4484

E. Project Qualifications

BC&A personnel have completed numerous master plans, impact fee facility studies, and rate studies. Brief project descriptions and references for a few related projects are presented below. Table C-1 provides a larger list of similar master plans and impact fee studies completed by BC&A. Additionally, the personnel for BC&A's teaming partner, Zions Bank Public Finance, has completed over 150 impact fee studies in the State of Utah including work with Riverton City, Central Utah Water Conservancy District, Unified Fire Authority, Jordan Valley Water Conservancy District, Herriman and Taylorsville. This will benefit the City greatly as our team will be able to draw on our vast experience to address any unique challenges faced by the City.

Snyderville Basin Water Transport Study – Snyderville Basin Water Reclamation District. The Snyderville Basin is growing rapidly and local water supplies are exhausted. The nine major water agencies in the Basin are looking to two import projects to supply future water supplies. The Snyderville Basin Water Transport Study examined ways to deliver these imported supplies throughout the basin. The project developed recommendations on how to connect the various systems, including development of pre-designs for two connections between Park City and other agencies. It also developed a preliminary design for a raw/reuse system for the entire basin to distribute raw water imported into the basin and reuse water from the Basin's two wastewater treatment plants.

Reference: Mr. Darren Hess, Weber Basin Water Conservancy District, (801) 771-1677.
Approximate Population of System: 30,000

Water System Master Plan Update and Rate Study – Sandy City. BC&A recently completed an update to Sandy City's Water Master Plan. BC&A originally completed a master plan for the City in 2001 and was then selected to do a 2010 update. Both the original study and the update including updating the City's water system model, developing a capital improvement plan for proposed improvements to the system for the next 40 years, a conservation plan, and a rate study

to look at rate options for funding long-term improvements. In the original study, our staff worked closely with City staff, the administration, and City Council to develop a long-term rate plan to allow funding of needed improvements.

Reference: Mr. Rod Sorensen, Sandy City, (801) 568-7297.
Approximate Population of System: 102,000

Herriman City Culinary and Secondary Water Master Plan Update – Herriman City. BC&A prepared master plans for the Herriman City culinary and secondary water systems. This update included developing new growth projections in Herriman City to reflect changes to its General Plan. BC&A assisted with hydraulic modeling of both the culinary and secondary water systems using the City's hydraulic model (Bentley WaterGEMS). BC&A developed a detailed phasing plan for installing secondary water system pipes through existing City streets through build-out. Phases were broken into roughly $1 million increments to help prioritize funds. The results of water supply analysis and hydraulic evaluation were used to revise recommendations for capital improvements from a previous master plan, as well as to prioritize improvement projects to address existing and future water system deficiencies. A 10-year impact fee facilities plan was prepared as part of the master plan process to aid in an impact fee analysis.

Reference: Mr. Mark Jensen, Herriman City, (801) 446-5323.
Approximate Population of System: 22,000

Water System Master Plan, Impact Fee Study, and Rate Study – Murray City. BC&A prepared a Water System Master Plan for Murray City. The major tasks completed for this project included developing and calibrating a computer model of the City's water distribution system, projecting future water demands, identifying system deficiencies, and developing a capital improvements plan that would mitigate the identified deficiencies. The master plan evaluated water sources, storage, and distribution system needs. The hydraulic computer model that was developed as part of this project operates as an extension of ArcView. The model was used to simulate operating conditions under a range of demands as well as simulate fire flow demands.

BC&A also completed a water rate and impact fee study for Murray City. One important component of the project was an analysis of the financial effects of drought and conservation on the City's water utility. The study recommended significant increases in impact fees and the adoption of a seasonal rate structure. BC&A also worked with City personnel in implementing the recommendations contained in the study. Since the initial study was completed, BC&A has been asked by the City to provide periodic updates to the study. Because BC&A is familiar with the City's rates and water system, updates can be performed quickly and cost effectively to keep rates in line with the City's financial needs.

Reference: Mr. Danny Astill, Murray City, (801) 270-2443.
Approximate Population of System: 36,000

Master Plan Update – Metropolitan Water District of Salt Lake & Sandy (MWDSLS). BC&A assisted MWDSLS in developing an update to its 1987 Master Plan. The update identified a need for additional water treatment and conveyance system capacity for the MWDSLS system so it can provide water service through the year 2025. Twenty-two improvement alternatives were examined for obtaining the additional treatment and conveyance capacity and a final alternative was recommended for implementation. The selected alternative included a new water treatment plant and conveyance system to deliver an additional 70 mgd by the year 2005. The total cost of the recommended improvements was estimated to be $200 million.

Reference: Mr. Mike Wilson, MWDSLS, (801) 942-1391.
Approximate Population of System: 399,000

Major Conveyance Facilities Master Plan – Jordan Valley Water Conservancy District (JVWCD). JVWCD is planning for the future water supply needs of its customer agencies. BC&A assisted the District in developing master planning to project future population within the District service area, the required water supply for that population, water supply options available to meet that need, and examining major conveyance facilities to deliver the needed water. BC&A also developed cost estimates for needed project facilities.

Reference: Mr. Todd Marti, JVWCD, (801) 565-4300.
Approximate Population of System: 500,000

Provo City Water Rights and Source of Supply Master Plan – Provo City. BC&A assisted Provo City in developing a water resource master plan that examines potential sources of supply, future water needs, existing and potential water rights, and the conveyance capacity of the City's water distribution system. The plan evaluates Provo City's water needs until the year 2050 and assesses the adequacy of the City's water rights to meet future needs. The plan also examines marketing excess water, if available, allowing the City to potentially generate revenue from its water resources.

Reference: Mr. Brad Jorgensen, Provo City, (801) 852-7772.
Approximate Population of System: 115,000

Secondary System Master Plan – Provo City. BC&A assisted Provo City in studying the feasibility of installing a secondary water system within the City. BC&A reviewed system demands, source of supply, and developed cost estimates. The study examined a secondary system for the entire City as well as examined smaller areas within the City to determine overall feasibility of converting the City to a secondary system.

Reference: Mr. Brad Jorgensen, Provo City, (801) 852-7772.
Approximate Population of System: 115,000

Table C-1 - Summary of Related Project Experience

Client	Project Name	Project Manager	Short Project Description	Year Completed
Provo City, Utah	System Master Plan	Keith Larson	Cost of service rate and impact fee study	2011
Sandy City, Utah	Water Rate Study Update	Keith Larson	Prepared comprehensive water system master plan and prepared an analysis of water rates in 2003 and updating in 2009.	2011
Virgin Valley Water District (VVWD)	Water Rate and Impact Fee Study	Keith Larson	Completed water rate and impact fee studies for VVWD in 2001, 2006, and 2009.	2009
Murray City, Utah	Water Rate and Impact Fee Study	Keith Larson	Completed water rate and impact fee study	2006
Salt Lake City Department of Airports	Utility Master Plan	Keith Larson	Prepared a utility master plan and analysis of existing utilities and projected utility infrastructure need for all utilities at the Airport including water, sanitary sewer, storm drainage, natural gas, power, and communications	2008
Weber Basin Water Conservancy District	Supply and Demand Study	Keith Larson	Developed long-term demand projections and examined long-term supplies available to the District to meet that demand for the District's service area within the Wasatch Front and Wasatch Back.	2008
Ogden City, Utah	Major Water Conveyance Facility Study	Keith Larson	Performed master planning of major water conveyance facilities in Ogden City's water system	2008
Salt Lake City, Utah	Major Conveyance Master Plan Study	Keith Larson	Developed a master plan for all major conveyance facilities	2007
Jordan Valley Water Conservancy District (JVWCD)/Sandy City/Midvale City	Retail Service Area Exchange	Keith Larson	Developed alternatives for the exchange and evaluate the effects of the proposed alternatives on each entity	2006

Client	Project Name	Project Manager	Short Project Description	Year Completed
Metropolitan Water District of Salt Lake and Sandy (MWDSLS)	Master Planning, Engineering Design, and Program Management - Metro Water Project	Michael Collins	Provided a full scope of engineering services to MWDSLS for $300 million project by assisting with master planning services, capital cost and budgeting analysis, conceptual planning, preliminary design, final design, construction management and overall program management	2006
Jordan Valley Water Conservancy District	Major conveyance Facilities Master Plan	Keith Larson	Assisted in developing master planning to project future population	2005
Holliday Water Company	Holladay Water Sys. Master Plan Update	Gregory Loscher	Completed an update of a Water System Master Plan	2003
Provo River Water Users Association (PRWUA)	Provo Reservoir Canal (PRC) Master Planning	Michael Collins	Assisted in master planning the canal	2003
Provo River Water Users Association (PRWUA)	System Master Plan	Michael Collins	Serving as a Master Plan Coordinator	2002
Sandy City Department of Public Utilities	Water System Master Plan Update	Keith Larson	Developed an update to 1995 Water Master Plan	2002
Bona Vista Water Improvement District	Water System Master Plan Update	Ken Spiers	Developed a Water System Master Plan	2001
Metropolitan Water District of Salt Lake and Sandy (MWDSLS)	1998 Master Plan Update	Michael Collins	Assisted in developing a 1998 update to the 1987 Master Plan	2001
North Logan City, Utah	Water System Master Plan	Ken Spiers	Prepared a Water System Master Plan	2001

Client	Project Name	Project Manager	Short Project Description	Year Completed
Uintah Water Conservancy District (UWCD)	Water Supply and Conservation Master Plan	Keith Larson	Prepared supply master plan and conservation plan for the District that examined water supply, water use, and ability to provide for additional water conservation	2001
Logan City, Utah	Water Rate Study	Keith Larson	Cost of service rate study	2006
Pleasant Grove, Utah	Water Rate Study and Impact Fee	Keith Larson	Cost of service water rate study	2006
American Fork City, Utah	Water Rate Study	Keith Larson	Cost of service water rate study	2012
Provo City, Utah	Provo City Water Rights and Source of Supply Master Plan	Craig Bagley	Assisted in developing water resource master plan that examines potential sources of supply, future water needs, existing and potential water rights, and conveyance capacity of water distribution system	2000
Murray City, Utah	Water System Master Plan	Craig Bagley	Prepared Water System Master Plan	1999 & 2009
Virgin Valley Water District (VVWD)	Water System Master Plan	Ken Spiers	Completed a Water System Master Plan	1999
Provo City, Utah	Secondary System Master Plan	Keith Larson	Assisting in studying feasibility of installing secondary water system within the City	2008
Herriman City, Utah	Secondary System Master Plan	Keith Larson	Developing a master plan for all secondary facilities	2012
Eagle Mountain City, Utah	Secondary System Master Plan	Jeff Beckman	Examined the feasibility of implementing reuse at the City's wastewater treatment plant for development of the first phase of a secondary system.	2011
Park City, Utah	Secondary Feasibility Study	Keith Larson	Evaluated and master planned major conveyance facilities for a new secondary and reuse system.	2009

Client	Project Name	Project Manager	Short Project Description	Year Completed
Bluffdale City, Utah	Avalon Estates Secondary Water System Evaluation	Kirk Bagley	Performed preliminary engineering design services to determine feasibility of creating an irrigation special improvement district for residences	2006
West Valley City, Utah	Westridge Golf Course Irrigation System Evaluation	Craig Bagley	Performed evaluation of irrigation system at Westridge Golf Course	1998
American Fork City, Utah	Culinary and Secondary Water Rate Study	Keith Larson	Calculated secondary system user rates and fees.	2012

It should be noted that the experience listed above is for BC&A alone. In addition to these projects, our teaming partner (Zions Bank Public Finance) has completed hundreds of additional rate and impact fee studies for communities throughout Utah and the intermountain area.

F. Scope Of Services

BC&A helped develop the scope of services used by the City in the RFP. As a result, we would propose following the scope exactly as written. The scope of services has been restated here for reference purposes. We have included the additional services added since we originally developed the scope (secondary water model and capital facilities plan for both culinary and secondary water system improvements).

The work to be completed will be done in three steps. The tasks in each step include:

Task	Description
Step 1	**Initial Data Collection and Supply Analysis**
Task 1	*Collect, Review, and Organize Data*
Task 2	*Evaluate Current and Projected Water Use Patterns*
Task 3	*Evaluate Water Supply, Existing and Future*
Step 2	**Master Plan and Impact Fee Facility Plan Development**
Task 4	*Assist with Hydraulic Model Updates*
Task 5	*Identify Existing Operating Deficiencies*
Task 6	*Identify Projected Future Operating Deficiencies*
Task 7	*Evaluate Improvements to Resolve Identified Deficiencies*
Task 8	*Develop a Water System Capital Facilities Plan*
Task 9	*Develop a Water System Impact Fee Facilities Plan*
Task 10	*Document Results*
Step 3	**Impact Fee Analysis and Rate Study**
Task 11	*Impact Fee Analysis*
Task 12	*Water Rate Analysis*
Task 13	*Document Results*

Step 1 – Initial Data Collection and Supply Analysis

Task 1 - Collect, Review, and Organize Data

Objective: To collect, review, and organize the data needed to evaluate system supply and to update and calibrate a digital model of the Layton City water system. This data will be used to simulate water system operation under different scenarios and identify system deficiencies and needed capital improvements.

Activities:

1. Review the following information that will be provided by Layton City:
   - Previous Water System Master Plan reports
   - Recent Layton City Water Annual Reports
   - Water use data from 2000 through 2012
   - Boundaries of water system pressure zones
   - Boundaries of Secondary Service Areas (both existing and future for all potential providers)
   - Local fire flow requirements
   - Existing water system maps and attributes in GIS format that includes pipe location, age, material, locations and sizes of existing fire hydrants, and location and sizes of water meters.
   - GIS information detailing locations and attributes of wells, springs, pumps, pressure reducing valves, reservoirs, and other pertinent system facilities
   - GIS data that can link historic water use (meter reading data) to addresses and model data for use in accurately allocating water system demands in the model of the City's water distribution system
   - Digital files containing aerial mapping and topographic data of the water system service area
   - GIS shape files of current City boundaries, water system service area, and parcel boundaries.
2. Prepare for and attend a project kickoff meeting to review the project objectives and schedule, develop project and data coordination procedures, and discuss questions regarding information to be provided by the City.

Product: Information and understanding needed to evaluate water supply and develop a master plan and computer model of the Layton City water system and use it in preparing a capital improvements plan.

Task 2 – Evaluate Current and Projected Water Use Patterns

Objective: To determine the potential quantity and distribution of different types of water use (indoor vs. outdoor) in the Layton City water system.

Activities:

1. Based on water use records, evaluate current water use patterns in Layton City. Specifically, determine how much water use occurs outdoors that could be serviced through a secondary system.

2. Examine land use and zoning maps to estimate future density and development in currently undeveloped areas.
3. With input from City personnel, consider any known plans for future increases in density in currently developed areas or potential annexations.
4. Develop projected demands for Layton City through 2050 based on the combined results of the activities described above.
5. Determine where secondary water use would occur and how its removal would affect the City's existing distribution system.

Product: Charts and tables as necessary to summarize the City's current water use patterns.

Task 3 – Evaluate Water Supply, Existing and Future

Objective: To determine how water supply (potable and secondary) could be most effectively used to supply both existing and future water demands at build-out.

Activities:

1. Meet with planning and engineering personnel as appropriate to discuss existing supply production and future supply alternatives. Determine the capacity of existing water rights to meet the needs of potable and secondary water demands. This will include an evaluation of which water supplies are appropriate to serve each type of demand.
2. Consider alternatives for meeting projected future demands. This will include a recommendation of what additional supplies, if any, would be necessary to supply the two types of demand. Develop a recommended approach to future water supply.
3. Prepare a technical memorandum summarizing the findings of this task.

Products:

1. Charts and tables as necessary to summarize the capacity of existing and future water supplies to serve both potable and secondary water demands.
2. Recommendation regarding what additional water supplies, if any, are needed.
3. Technical memorandum discussing water supply evaluation.

Step 2 – Master Plan and Impact Fee Facility Plan Development

Task 4 – Assist with Hydraulic Model Updates of the Existing Water Distribution System

Objective: Assist the City with hydraulic model updates. Layton City currently maintains an existing hydraulic model of its culinary distribution system. The City also has a schematic model of its secondary distribution pipes. It is assumed that Layton City will migrate its existing WaterCAD models into a standard coordinate system or develop a custom coordinate system so that it can be used with ArcGIS 10.0. The City will update pipes and components in its culinary system model so that it reflects its existing water system. The secondary water system model will also be updated by the City to reflect the best available information.

As part of this project, BC&A will assist with distributing demands into the existing model and developing peaking factors based on historic water use data. While not included in this scope of services, BC&A may provide additional modeling assistance as requested by the City.

Activities:

1. Utilize information from Layton City's GIS database to develop and distribute average daily water system demands throughout the City's water distribution system. It is assumed that this information will be available in the City's meter reading records and GIS Database.
2. Use information from City water records from 2000 to 2012 to develop typical seasonal demand patterns and peaking factors to be used in the water system analysis.
3. Use available system operational data to calibrate the hydraulic model to simulate field conditions.

Products:

1. A calibrated static-condition computer model of the existing Layton City culinary water system
2. A calibrated static-condition computer model of the existing secondary water system(s) serving Layton City
3. Water demand peaking factors based on historic water-use data

Task 5 – Identify Existing Operating Deficiencies

Objective: Identify portions of the existing Layton City water system that do not meet recommended operating criteria.

Activities:

1. BC&A will use the Layton City computer model to simulate operating conditions of the existing water system under peak hour demand as well as under peak day demand conditions with added fire flow demands defined by City personnel through various locations in the distribution system. Review computer output from the existing-condition model simulations to determine if the existing facilities meet recommended operating criteria. Recommended operating criteria will be based on minimum State criteria and BC&A's recommendations based on experience with other water systems. Identify facilities that do not meet the desired operating criteria.
2. Utilize information provided from City operations personnel to identify condition-related improvements that need to be implemented in the water system to mitigate existing problems.

Product: A list of existing water system deficiencies.

Task 6 – Identify Projected Future Operating Deficiencies

Objective: Identify portions of the existing Layton City water system that will not meet the recommended operating criteria under estimated demands from projected full build-out conditions.

Activities:

1. Revise the water demands in the steady state water system model to include future water system demands.
2. Use the computer model to simulate operating conditions of the existing water system facilities under projected future peak hour demand as well as with under projected future peak day demand conditions with added fire flow demands provided by City personnel distributed in various locations throughout the water system. Review computer output from the model simulations and identify facilities that do not meet desired operating criteria.
3. Evaluate the adequacy of existing water supply sources and water storage facilities to meet the future needs imposed on the water system.

Product: A list of existing water system facilities that will need to be improved in order to meet desired operating criteria for projected future water demands. This should be provided for both culinary and secondary facilities.

Task 7 – Evaluate Improvements to Resolve Identified Operating Deficiencies

Objective: Evaluate alternative system improvements that, if implemented, would resolve the identified water system deficiencies.

Activities:

1. Utilize the computer model to evaluate alternative water system improvements to resolve the system deficiencies.
2. With City personnel, identify the recommended water system capital improvement projects that will best resolve the identified system deficiencies. At this time, the City will also provide BC&A with a list of any additional condition related improvements it desires to include in the capital improvement plan.
3. Develop cost estimates for the recommended system improvements.

Products:

1. A list of alternative capital improvement projects with cost estimates that can be implemented to resolve the identified water system deficiencies.
2. Identified alternatives for potential implementation of an expanded secondary system within Layton City.

Task 8 – Develop a Water System Capital Facilities Plan

Objective: Develop a water system capital facilities plan for budgeting and planning purposes.

Activities:

1. Meet with City personnel to develop prioritization criteria for recommended water system improvement projects.

2. Develop a detailed water system improvements plan for Layton City. BC&A will also aid in developing a plan to coordinate capital improvements with irrigation.
3. Prioritize recommended improvements.

Product: A prioritized capital facilities plan.

Task 9 – Develop a Water System Impact Fee Facilities Plan

Objective: Develop a water system impact fee facilities plan in compliance with Utah law.

Activities:

1. Using the capital facilities plan in Task 8, develop a detailed 10-year water system impact fee facilities plan for Layton City. BC&A will also aid in developing a plan to coordinate capital improvements with irrigation companies to comply with impact fee laws. This scope of service does not include developing an impact fee facilities plan for irrigation companies.

2. Assist the City with understanding notification requirements associated with impact fee law. It is assumed that the City will complete all actual notification.

Product: A 10-year impact fee facilities plan consistent with State law.

Task 10 – Document Results

Objective: Prepare a report summarizing the results of the master plan, capital facilities plan, and impact fee facilities plan.

Activities:

1. Prepare a draft report that summarizes the results of the study and presents the recommended water system capital facilities plan and impact fee facilities plan.
2. Meet with City personnel to review comments on draft report.
3. Incorporate City comments into the final report.
4. Present the results of the plan at a public hearing (as required by impact fee law).

Products:

1. Five copies of the draft water system impact fee facilities plan report.
2. Ten copies of the final water system impact fee facilities plan report.

3. One copy of a technical appendix (if any) that contains pertinent technical data used in developing the master plan report.
4. Technical exhibits as required for the public hearing.

Step 3 – Impact Fee Analysis and Rate Study

Task 11 – Impact Fee Analysis

Objective: To prepare an impact fee analysis based on the impact fee facilities plan in accordance with Section 11-36 of the Utah Code.

Activities:

1. Document the actual value of existing components of the systems as provided by the City
2. Document existing capacity for various components of the system based on our evaluation of the City's existing system
3. Document required future capacity for various components of the culinary and secondary distribution system.
4. Document the cost of improvements required to meet future demands. This includes dividing the cost of all improvements between existing and future users and considering the cost of both buying-in to available existing capacity and constructing new facilities for future growth.
5. Calculate the total cost of providing system capacity to new development based on the data collected above. This will include consideration of the time value of money and debt service costs if any.

Product: Impact fee model in accordance with Utah Code.

Task 12 – Water Rate Analysis

Objective: To prepare a water rate analysis based on AWWA cost-of-service principles and Utah law to establish legal, fair, and equitable rates that will provide the City with the revenue required to run the system, while still providing good value for its customers.

Activities:

1. To identify the rate approach that will work best for the City, we will meet with City staff to review your existing rates, discuss policy objectives, and collect financial and system data (O&M costs, water billing data, water use trends by customer class, etc.). Based on input from City staff, we will develop a rate approach tailored to meet the unique needs of the City.
2. Based on the approach selected, we will develop a digital water rate model that accomplishes the following objectives:
    a. projects future revenue requirements over the next 5 years based on O&M cost projections provided by the City, debt service schedules, and capital improvement plans;

b. distributes system costs to the City's various water user classes in accordance with their requirements for service based on cost of service approach as recommended by AWWA; and
c. determines the rates required to recover from each class of water user the approximate cost of serving that class of water user.
d. This will be performed for up to three different types of rate structure depending on the City's needs and interests. As needed, a strategy to implement the results over a period of time, will be developed.

3. The results of the tasks above will be documented in a separate rate and impact fee analysis report as described below. Special emphasis will be placed on demonstrating that the rates are fair and equitable and were calculated using AWWA cost-of-service principles to avoid future legal challenges.

Product: Water rate model in accordance with objectives above.

Task 13 – Document Results

Objective: Prepare a report summarizing the results of the impact fee analysis and rate study.

Activities:

1. Prepare a draft report that summarizes the results of the study and presents the recommended water system capital improvements plan.
2. Meet with City personnel to review comments on draft report.
3. Incorporate City comments into the final report.
4. Present the results of the plan at a public hearing (as required by impact fee law).

Products:

1. Five copies of the draft water system master plan report.
2. Ten copies of the final water system master plan report.
3. One copy of a technical appendix (if any) that contains pertinent technical data used in developing the master plan report.
4. Technical exhibits as required for the public hearing.

COST PROPOSAL

Bowen Collins & Associates is committed to providing high quality engineering services at reasonable rates. It is proposed that BC&A provide this work on a time and materials basis for a fee not to exceed $81,990.00 for the scope of work identified in this proposal. A detailed breakdown of the proposed fee for this project is attached. Totals for the various steps are as follows.

Step 1	$16,700
Step 2	$44,920
Step 3	$20,370
Total	**$81,990**

It will be noted that this fee is a little higher than the fee provided to the City originally. This reflects the additional scope added associated with the secondary water modeling and capital facilities plans. There have also been a few modifications associated with incorporating Zions Bank Public Finance as a subconsultant and a few hours removed based on what we have already learned through our work on the storm drain master plan. Our other estimated hours are essentially identical to what was originally proposed. Please note that BC&A tries to be as flexible as possible when working with clients to define project scopes and associated fees. As such, we are willing to make adjustments to any point of our proposed scope or fee to better meet the City's needs.

Attachment B
Layton City
Water System Master Plan - Step 1
ENGINEERING FEE ESTIMATE

12/10/2012

	OFFICE STAFF		ENGINEERING TECHNICIANS			ENGINEERS				
	OFFICE	EDITOR	TECH 1	TECH 3	TECH 5	PE	PM	SR	SUBTOTAL	SUBTOTAL
LABOR	M. Skousen	A. Hansen		S.Riggs	R. Garcia	A. McKinnon	K.Larson	T.Campbell	HOURS	COST
Hourly Rate	$64.00	$64.00	$66.00	$90.00	$109.00	$96.00	$120.00	$131.00		
Step 1										
Task 1 - Collect, Review, and Organize Data										
Review available information	2					8	4		14	$1,376
Kickoff meeting						4	4		8	$864
Task 2 - Evaluate Current and Projected Water Use Patterns										
Evaluate current water use patterns						6	2		8	$816
Examine land use based on the City's general plan						8	2		10	$1,008
Consider redevelopment and annexation						2	1		3	$312
Project future water demands						16	2		18	$1,776
Consider effect of shifting demand to secondary system						12	4		16	$1,632
Task 3 - Evaluate Water Supply, Existing and Future										
Analysis of existing and future supply						14	4		18	$1,824
Evaluate alternatives for meet future demands						20	8		28	$2,880
Prepare technical memorandum		2				16	8	2	28	$2,886
TOTAL LABOR	2	2	0	0	0	106	39	2	151	$15,374
TOTAL LABOR COSTS	$128	$128	$0	$0	$0	$10,176	$4,680	$262	$15,374	

EXPENSES

Item	Unit	Rate	Total Cost
COMMUNICATION/COMPUTER			$1,057
GEOTECHNICAL			$0
PRINTING /GRAPHICS			$100
AUTO MILEAGE	200	$0.75	$150
TRAVEL			$0
MISC EXPENSES			$19
POSTAGE			
SUPPLIES			
SURVEY			
AERIAL MAPPING			
TOTAL EXPENSES			$1,326

Expenses include:
$7/hr communications/computer charge
Mileage reimbursement at $0.75/mile
10% Markup on Outside Services

TOTAL LABOR COST	$15,374
EXPENSES	$1,326
TOTAL COST	$16,700

Attachment B
Layton City
Water System Master Plan - Step 2
ENGINEERING FEE ESTIMATE

12/10/2012

	OFFICE STAFF		ENGINEERING TECHNICIANS			ENGINEERS				
	OFFICE	EDITOR	TECH 1	TECH 3	TECH 5	PE	PM	SR	SUBTOTAL	SUBTOTAL
LABOR	M. Skousen	A. Hansen		S.Riggs	R. Garcia	A. McKinnon	K.Larson	T.Campbell	HOURS	COST
Hourly Rate	$64.00	$64.00	$66.00	$90.00	$109.00	$96.00	$120.00	$131.00		
Step 2										
Task 4 - Assist with Hydraulic Model Updates										
Distribute demands	2					24	4		30	$2,912
Develop peaking factors						12	3		15	$1,512
Calibrate the models based on available system data						28	6		34	$3,408
Task 5 - Identify Existing Deficiencies										
Simulate existing operating conditions and identify deficiencies						16	4		20	$2,016
Work with City staff to identify condition related deficiencies						4	12		16	$1,824
Task 6 - Identify Future Deficiencies										
Create future demand scenario in model						8	2		10	$1,008
Simulate future operating conditions and identify deficiencies						16	4	2		$2,278
Evaluate adequacy of supply to meet future needs						8	4			$1,248
Task 7 - Evaluate Improvement Alternatives										
Evaluate improvement alternatives	2					16	8	2	28	$2,886
Select recommended improvements						8	2	2	12	$1,270
Cost estimates						12	2		14	$1,392
Task 8 - Develop Capital Facilities Plan										
Develop Prioritization Criteria						8	4		12	$1,248
Develop detailed improvement plan						12	4	2	18	$1,894
Prioritize improvements						8	2		10	$1,008
Task 9 - Develop Impact Fee Facilities Plan										
Develop detailed 10-year IFFP						12	4	2	18	$1,894
Assist with notification requirements	2						2		4	$368
Task 10 - Document Results										
Draft report	4	6		6		32	16	6	70	$6,958
Review comments						4	2		6	$624
Final Report	4	4		2		20	12	2	44	$4,314
Present Results				2		8	8		18	$1,908
TOTAL LABOR	**14**	**10**	**0**	**10**	**0**	**256**	**105**	**18**	**379**	**$41,970**
TOTAL LABOR COSTS	**$896**	**$640**	**$0**	**$900**	**$0**	**$24,576**	**$12,600**	**$2,358**	**$41,970**	

EXPENSES

Item	Unit	Rate	Total Cost
COMMUNICATION/COMPUTER			$2,653
GEOTECHNICAL			$0
PRINTING /GRAPHICS			$100
AUTO MILEAGE	250	$0.75	$188
TRAVEL			$0
MISC EXPENSES			$9
POSTAGE			
SUPPLIES			
SURVEY			
AERIAL MAPPING			
TOTAL EXPENSES			$2,950

Expenses include:
$7/hr communications/computer charge
Mileage reimbursement at $0.75/mile
10% Markup on Outside Services

TOTAL LABOR COST	$41,970
EXPENSES	$2,950
TOTAL COST	$44,920

Attachment B
Layton City
Water System Master Plan - Step 3
ENGINEERING FEE ESTIMATE

12/10/2012

	OFFICE STAFF		ENGINEERING TECHNICIANS			ENGINEERS					
	OFFICE	EDITOR	TECH 1	TECH 3	TECH 5	ZBPF	PE	PM	SR	SUBTOTAL	SUBTOTAL
LABOR	M. Skousen	A. Hansen		S.Riggs	R. Garcia	Various	A. McKinnon	K.Larson	T.Campbell	HOURS	COST
Hourly Rate	$64.00	$64.00	$66.00	$90.00	$109.00	$115.00	$96.00	$120.00	$131.00		
Step 3											
Task 11 - Impact Fee Analysis											
Document actual value of existing system						12				12	$1,380
Document existing capacity						2	4	2		8	$854
Document future capacity						2	4	1		7	$734
Document cost of improvements required for future demand						1				1	$115
Calculate total cost of service to provide system capacity						14				14	$1,610
Task 12 - Water Rate Analysis											
Identify rate objectives						6				6	$690
Develop digital rate model						42				42	$4,830
Document cost of service principles						8				8	$920
Task 13 - Document Results											
Draft report						20	4			24	$2,684
Review comments						3				3	$345
Final Report						15	2			17	$1,917
Present Results						11	2			13	$1,457
TOTAL LABOR	0	0	0	0	0	136	16	3	0	155	$17,536
TOTAL LABOR COSTS	$0	$0	$0	$0	$0	$15,640	$1,536	$360	$0	$17,536	

EXPENSES

Item	Unit	Rate	Total Cost
COMMUNICATION/COMPUTER			$1,085
GEOTECHNICAL			$0
PRINTING /GRAPHICS			$100
AUTO MILEAGE	100	$0.75	$75
TRAVEL			$0
MISC EXPENSES			$10
POSTAGE			
SUPPLIES			
SURVEY			
Mark Up ZBPF		10%	$1,564
TOTAL EXPENSES			$2,834

Expenses include:
$7/hr communications/computer charge
Mileage reimbursement at $0.75/mile
10% Markup on Outside Services

TOTAL LABOR COST	$17,536
EXPENSES	$2,834
TOTAL COST	$20,370

KEITH J. LARSON, P.E.

PRINCIPAL/PROJECT MANAGER

Bowen Collins & Associates, Inc.
CONSULTING ENGINEERS

DISTINGUISHING QUALIFICATIONS

- Recognized in the region as a leading expert in water, wastewater, and storm drain master plan and impact fee facility plan studies
- Project manager for the planning, design, and construction management of a wide variety of water, wastewater, and storm drain related projects including over 500,000 feet of new pipeline.
- Extensive experience with hydraulic and hydrologic computer modeling applications
- Detailed training and experience in the evaluation and design of hydraulic surge protection facilities
- Broad experience completing water, wastewater, and storm drain rate and impact fee studies in Utah and Nevada.
- Capable of providing unique engineering insight in the areas of asset management and utility finances

EDUCATION

M.S., Civil and Environmental Engineering, University of California – Davis, 2000

B.S., Civil and Environmental Engineering, University of Utah, 1998

EXPERIENCE

Master Planning

Mr. Larson has extensive experience in the master planning of water, wastewater and storm drain facilities. He has served as Project Manager or Project Engineer on numerous master plans including:

- 2013 Layton City Water and Storm Drain Master Plans
- 2013 American Fork Storm Drain Impact Fee Facility Plan
- 2012 Herriman City Potable and Secondary Water System Master Plans
- 2012 Saratoga Spring Sewer and Storm Drain Capital Facility and Impact Fee Plans
- 2011 and 2002 Provo City Sewer and Water Master Plans
- 2010 Salt Lake City Sewer Master Plan
- 2010 and 2001 Sandy City Water Master Plan
- 2010 Weber Basin Water Conservancy District Supply and Demand Study
- 2009 Ogden City Major Conveyance Study
- 2009 Ashley Valley Wastewater Collection System Master Plan
- 2009 Park City Water Master Plan
- 2008 Salt Lake County Supply and Demand Study
- 2007 Salt Lake City Major Conveyance Study
- 2006 Snyderville Basin Water Transport Study
- 2006 Metropolitan Water District of Salt Lake and Sandy Supply and Demand Study

- 2005 Major Conveyance Master Plan for Jordan Valley Water Conservancy District
- 2003 Ogden City Sanitary Sewer Master Plan
- 1998 master plans for water, high temperature water and storm drain at the University of Utah

In each of these projects, his work included master planning activities such as network system development, model calibration, population growth and development projections, recommendations for capital improvements, asset management, cost estimates, project scheduling, and training.

Mr. Larson also has experience in the conjunctive use planning of ground and surface water. His work has included optimization planning for the Westlands Water District near Fresno, California. The results of this project were published by the University of California's Water Resources Research Center and the Journal of Hydrology.

Rate and Impact Fee Analysis

Mr. Larson has extensive experience in water, sewer, and storm drain rate and impact fee studies. He served as Project Engineer on water rate studies for Cedar Hills, American Fork City, Kearns Improvement District, Sandy City, Murray City, Provo City, Logan City, Pleasant Grove City, and Virgin Valley Water District in Mesquite, Nevada. His work included assessing existing rate structures, developing water rate models, and recommending future changes in impact fees and water pricing. In each case, he has worked with city councils and residents to successfully implement new conservation-oriented rate structures. He has also been the Project Engineer for sewer rate and impact fee studies for Provo City, Cedar Hills, Kearns Improvement District, Mount Olympus Improvement District, Sandy Suburban Improvement District, and South Valley Sewer District. These projects included the development of rate and impact fees models for multiple service areas within each of the entities analyzed.

Design - Pipelines

Mr. Larson has designed a large number of culinary water, sewer, and storm drain pipelines. He has recently served as project manager or project engineer on the following projects:

- Southwest Groundwater Project (JVWCD) – As part of a larger water supply project, designed 35,000 linear feet of 24- through 10-inch PVC feed water collection pipelines and an 18-inch HDPE byproduct disposal pipeline from the District's treatment plant in West Jordan to the Great Salt Lake (over 110,000 linear feet)
- Waterline Replacement Projects – Project manager for a large number of waterline replacement projects. These projects have consisted of coordinating the design and construction management efforts of multiple engineers in the design of water line upgrades and replacements. Projects covered under this category:
    - Millcreek Fire Flow Improvement Project (Salt Lake County) – 100,000 linear feet of 8- and 12-inch waterline, 350 fire hydrants, and 2000 service connections
    - Big Cottonwood Tanner Fire Flow Projects (Salt Lake City) – 75,000 linear feet of 8- and 12-inch waterline, 185 fire hydrants, and 600 service connections
    - Misc. Waterline Replacement Projects (Murray City) – Replacing 20,000 linear feet of 8- and 12-inch ductile iron pipeline along various roads in Murray City including a busy section of State Street
    - Misc. Waterline Replacement Projects (Sandy City) – Replacing 30,000 linear feet of 8- and 12-inch ductile iron pipeline along various roads in Sandy City including a busy section of State Street
- Bell Canyon Aqueduct (Sandy City) – 5,000 linear feet of 24-inch raw water aqueduct on Wasatch Bvld.
- 300 East Pipeline (Salt Lake City) – 5,000 linear feet of 32-inch HDPE sliplined inside a 36-inch steel transmission pipeline for culinary water

- Zone D Pipeline (JVWCD) – 6,500 linear feet of 30-inch steel waterline with control, metering, water quality testing vaults.
- Wilmington Avenue Storm Drain (Salt Lake City) – 3,200 feet of 15- to 48-inch storm drain
- Briar Avenue Storm Drain (Provo City) – 3,300 feet of storm drain 18- to 36-inch
- Airport Number II Infrastructure Expansion (SLC Department of Airports) – A broad range of utility expansion upgrades including 8,900 feet of 18- to 42-inch storm drain, 5,800 feet of 8- and 12-inch sewer, 1,700 feet of 10-inch water main, along with electrical, communications, and detention basin improvements.

Design – Hydraulic Structures

In addition to pipeline design, Mr. Larson also has experience in the design of other types of water and wastewater related facilities. A few of his recent projects include:

- Granite Divide Diversion (Sandy City) – A new diversion structure and aqueduct between Bell Canyon Creek and Little Cottonwood Creek in Sandy City, Utah including a Coanda screening structure and hydraulic control to multiple entities taking water from the Diversion
- New Screening Facilities (PRWUA) – Project engineer on five separate projects to construct or upgrade screening structures for the Association. This included:
    - Provo Reservoir Canal - Two new facilities at the Dry Creek Siphon and the Point-of-the-Mountain for screening up to 550 cfs of canal water using traveling screens. Also one new temporary screening structure as part of the Provo Reservoir Canal Enclosure Project.
    - Beaver Creek Diversion - Renovation of an existing diversion structure on Beaver Creek in Summit County to add screening and control features for water diverted into the Weber-Provo Canal.
    - Little Deer Creek Water Supply Project – Renovation of an existing diversion structure and installation of a new 42-inch pipeline to divert water between Little Deer Creek and the Duchesne Diversion Tunnel. Project included a microhydro power generation unit. Special construction techniques were required based on the remote nature of the diversion in the High Uintas.
- Middle Fork Diversion (JVWCD) – A new diversion structure and 30-inch pipeline on the Middle Fork of Dry Creek in Sandy City, Utah.
- Brigham Young Diversion (East Millcreek Water Company) – A new diversion structure and 24-inch pipeline on East Mill Creek in Salt Lake County, Utah.
- Gillespie Weir House and Pump Station (Provo City) – A hydraulic control structure and 4,000-gpm pump station that meters and controls the major water source for Provo City.
- Hydraulic Surge Protection Facilities – Performed hydraulic evaluation and design of hydraulic surge protection facilities for numerous water and wastewater pump stations. A few recent projects include Boothill Pump Station (Park City), Island Ditch Pump Station (Uintah WCD), Green River Pump Station (Uintah WCD), Moapa Valley Arsenic Improvements (Moapa Valley WD), Lost Creek Canyon Pump Station (Mountain Regional SSD), Byproduct Pump Station (JVWCD), East Canyon Pump Station (Summit Water Distribution Company), Jordan Basin Sewer Lift Station (South Valley SD), and West Regional Sewer Lift Station (Logan City).
- Little Cottonwood Water Treatment Plant Expansion and On-site Improvements (MWDSLS) – Served as Assistant Project Manager for this project that included the construction of a new 10 million gallon finished water reservoir, a new 110 mgd pump station, and thousands of feet of steel yard piping in diameters ranging from 36 to 84 inches.

Other Experience

Mr. Larson has broad experience in a number of additional aspects of civil and environmental engineering. A few examples of other areas of expertise include:

- Mr. Larson has an extensive working knowledge of water rights and the water right process. He has perform many water right assessments and evaluations and has served as an expert witness on multiple water right disputes. He has prepared water right change applications or proofs for many clients including Sandy City, Provo City, the LDS Church, Sandy Irrigation Company, Jordan Valley Water Conservancy District, and the Metropolitan Water District of Salt Lake and Sandy.
- Mr. Larson has formed a successful working relationship with personnel at FEMA. This includes successfully obtaining many letters of map revision for projects in Utah, Nevada, and Wyoming and completing a flood insurance study for FEMA in Summit County.
- As part of the projects above, Mr. Larson is routinely involved in road design and replacement. Most recently, he served as Project Manager for the road rebuild of 4800 South in Murray City. This project included complete replacement of the existing road section along with utility replacement and drainage improvements.
- In addition to the larger master planning efforts noted above, Mr. Larson has completed dozens of other smaller planning and feasibility studies. This includes consideration of issues such as:
  - Distribution system improvements (fire flow analysis, rezoning recommendations, etc.)
  - Secondary system feasibility
  - Spring development
  - Storage analysis and reservoir siting studies
  - Water rights analysis, evaluation, and proofing
- Mr. Larson has experience in construction management and on-site inspection. He has participated in the construction management and inspection of many of the projects listed above. He also served as Assistant Project Manager for two large construction projects at Metropolitan Water District of Salt Lake & Sandy's Little Cottonwood Treatment Plant. One project involved renovation and expansion of the plant's intake facilities to increase capacity at the plant to 150 mgd. The other project included the construction of a new 9 MG finished water reservoir and a 110 mgd pump station at the plant.

PROFESSIONAL REGISTRATION

Licensed Professional Engineer, Utah

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS

American Water Works Association

TENA CAMPBELL, P.E.

PRINCIPAL

Bowen Collins & Associates, Inc.
CONSULTING ENGINEERS

DISTINGUISHING QUALIFICATIONS

- Principal Engineer with twenty one years of experience with planning, design, and construction management services for water, wastewater, and water resource infrastructure projects
- Senior engineer providing project management for water treatment plants, water and wastewater pipelines, booster stations, reservoirs, wells, pump stations, sewage lift stations, source protection, road improvements, site grading and storm drainage
- Experienced with the evaluation and design of water treatment facilities, including chlorination facilities, membrane treatment, direct filtration, flocculation and sedimentation, and water treatment plant hydraulic evaluations
- City Engineer for Wendover City, Utah
- Experienced with district and general engineering for water suppliers such as LDS Church, Community Water Company, Summit Water Distribution Company, and Park City
- Experienced with rural infrastructure evaluation, planning, design and construction including water, wastewater, roads, and storm drain

EDUCATION

B.S., Civil Engineering, 1992, University of Utah

EXPERIENCE

Water Treatment

- **East Canyon SWDC Microfiltration Water Treatment Plant, Summit County, UT.** Project Manager for all phases of 5.5-MGD (expandable to 22-MGD) microfiltration membrane water treatment plant.
- **Huntington Water Treatment Plant, Emery County, UT.** Project Engineer for 900 GPM package treatment plant, chlorination system, pumping systems, and interconnect booster station.
- **Wendover Water Treatment Plant, Backwash Booster Station and 1.0-Million-Gallon Reservoir, Wendover, UT.** Project Manager for all phases of the 1.0-MGD (expandable to 2.0-MGD) water treatment plant, backwash booster station and 1-million-gallon buried concrete reservoir project for the City's spring source water from Pilot Peak. Included was on-site sodium hypochlorite generation for disinfection.
- **Wendover Water Treatment Plant Technology Evaluation, Wendover, UT.** Project Manager over project to solicit, evaluate and pre-qualify equipment suppliers for the Wendover Water Treatment Plant.
- **Community Water Company Water Treatment Plant Consulting, Summit County, UT.** Project Manager for the process evaluation and preparation of the surface water source protection plan for the Willow Creek Water Treatment Plant.

Water Booster Stations

- **Boothill Pump Station, Park City, UT.** Project Manager for new 2,200 gpm pump station including three 300 HP booster pumps with variable frequency drives; pressure reducing valve to bypass the pumps rated for 350 psi to 50 psi pressure drop; 12" suction and discharge piping; surge control; a structure built into the hillside; noise control with acoustic louver, sound wall and sound panels; HVAC; SCADA and electrical.
- **Solamere Pump Station, Park City, UT.** Project Manager for replacing two existing 20 HP pumps with two 60 HP pumps and upgrading the existing piping inside the pump station from 3-inch to 6-inch.
- **Fairway Hills Pump Station, Park City, UT.** Project Manager for replacing two existing 15 HP pumps with two 40 HP pumps and upgrading the existing piping inside the pump station from 3-inch to 6-inch.
- **Riter Canal Irrigation Pump Station and Pipeline, West Valley City, UT.** Project Manager for a new 3,500 gpm irrigation pump station and 1,500 feet of 20-inch outside diameter HDPE pipe from the Riter Canal to the Ridgeland Canal.
- **Jordan Narrows Pump Station Improvements, Bluffdale, UT.** Project Engineer for rehabilitation of the pump station to include refurbishment of five vertical turbine pumps ranging from 500 to 700 HP, refurbishment of five 18- and 20-inch diameter cone valves, installation of two 48-inch diameter butterfly valves, HVAC upgrades and complete electrical system replacement.
- **Fire Booster and Domestic Booster Pump Stations, Wasatch County, UT.** Project Manager for design of a water system to service a 25,000 sf residence, caretaker's home, barn and yurt. The property required a 50 gpm domestic booster station with 7,500 gallons of storage; a 1,500 gpm fire pump station drawing from a 1.0-million gallon on-site pond to supply two fire hydrants; and a 60 gpm fire sprinkler/domestic booster station with hydro-pneumatic tank storage for the main structure.
- **Backwash Booster Station for Water Treatment Plant, Wendover, UT.** Project Manager for the 2,800 GPM booster station to draw water from the 1.0 MG storage reservoir and feed backwash water into the Wendover Water Treatment Plant.
- **East Canyon Booster Stations, Morgan County, UT.** Project Manager for preliminary design of the 5.5-MGD (expandable to 22-MGD) intermediate booster pump station and intake pump station on East Canyon Reservoir. The project included VFD modeling for matching pressures and flow to feed the East Canyon Microfiltration Water Treatment Plant
- **Creek Booster Station at WTP, Summit County, UT.** Project Manager for the 2,250 GPM booster station, East Canyon Creek intake, and 12-inch waterline to feed the SWDC East Canyon Microfiltration Water Treatment Plant. The pump station, and wet well were constructed below grade to minimize visual impacts of the East Canyon Creek corridor.
- **Spring Creek Springs Booster and Chlorination Station, Summit County, UT.** Project Manager for the 1,700 GPM booster and 70,000-gallon chlorination station including a 12-inch waterline along Sun Peak Drive connecting the facility to the distribution system. The project included an on-site sodium hypochlorite generation system for disinfection.
- **The Canyons IHC Booster Station Design, Summit County, UT.** Project Manager for a high pressure, 4,000 GPM booster station with 12-inch pressure reducing bypass used to move water to an upper pressure zone to service the Canyons Ski Resort in Summit County.
- **Ranch Place and IHC Booster Stations Upgrade, Summit County, UT.** Project Manager for the design of a 1,000 GPM pump upgrade for each booster station to include all connecting piping and valves.
- **Trailside Booster Pump Station, Summit County, Utah.** Project Engineer for a 600 GPM, expandable to 3,000 GPM, booster station with pressure reducing/sustaining valve bypass.

- **Booster Station for the Legacy Mountain Development, Fairview, UT.** Project Manager for upgrading the developments water system with a new infrastructure including a 70 gpm package booster station, 70 gpm well, two 20,000 gallon fiberglass reservoirs, and 500 feet of HDPE waterlines.
- **High Country Estates Booster Pump Consulting, Herriman, UT.** Project Engineer for the review of a well pump station configuration and problems in pressure zone one.

Waterlines

- **Bowling Avenue Waterline Replacement, Taylorsville, UT.** Project Manager for the replacement of 6,600 feet of 6-inch waterline with 8-inch PVC waterline within the Bowling Avenue residential service area for Taylorsville-Bennion Improvement District.
- **4100 South Waterline Replacement, Taylorsville, UT.** Project Manager for the replacement of 2,655 feet of 6-inch waterline with 10-inch PVC waterline along the south side of 4100 South serving residential and commercial development for Taylorsville-Bennion Improvement District.
- **Section 27 Waterline Extension for Summit Water Distribution Company, Summit County, UT.** Project Manager for design of 24,000 linear feet of 16-inch ductile iron waterline to extend the SWDC water system to Quinn's Junction, East of Park City, Utah including easements from private property owners; permits from UDOT for U.S. Highway 40 crossing; use of existing steel and CMP casings under the highway.
- **Boothill Transmission Line, Park City, UT.** Project Manager for 5,800 feet of 12-inch ductile iron waterline under pressures up to 350 psi to convey water pumped from the Boothill Pump Station to the Woodside Reservoir pressure zone. A pressure reducing valve station at the intersection 12th Street and Deer Valley Drive was part of the project. This project involved working with DDW for exception to water-sewer separation regulations.
- **Bonanza Drive Phases 1 and 2, Park City, UT.** Project Manager for replacement of 6-, 8- and 12-inch distribution waterlines with 8-, 12- and 16-inch ductile iron waterlines within the Bonanza Drive reconstruction area including fire hydrants, water services, lift station decommissioning, and pressure reducing valve station reconnection. Portions of the waterlines were encased in 24-inch steel casing crossing under the two pedestrian tunnel locations. This project involved working with DDW for exception to water-sewer separation regulations.
- **Fairway Hills Finished Waterline, Park City, UT.** Project Manager for design and construction of 2,600 feet of 12-inch ductile iron waterline with pressures up to 200 psi to convey water from the Quinn's Water Treatment Plant to the Fairway Hills pressure zone.
- **Empire Avenue Waterline Replacement, Park City, UT.** Project Manager for the replacement of 1,870 feet of 6-inch piping with 8-inch ductile iron waterline including working with DDW for exception to water-sewer separation regulations. Storm drain will also be installed along the alignment.
- **Ontario Avenue Waterline Replacement, Park City, UT.** Project Manager for the replacement of 1,000 feet of 6-inch piping with 10-inch ductile iron waterline along Ontario Avenue including fire hydrants and water services. A pressure reducing valve station was designed at Stonebridge Circle. This project involved working with DDW for exception to water-sewer separation regulations.
- **Hillside Avenue Waterline Replacement, Park City, UT.** Project Manager for the replacement of 500 feet of 6-inch piping with 10-inch ductile iron waterline including fire hydrants and water services along Hillside Avenue as part of the road reconstruction project. This project involved working with DDW for exception to water-sewer separation regulations.
- **Sandridge Road Waterline Replacement, Park City, UT.** Project Manager for the replacement of 450 feet of 6-inch piping with 8-inch ductile iron waterline including fire hydrants and water services along Sandridge Avenue as part of the road reconstruction project.

- **Wendover Airport Terminal Waterline, Wendover, UT.** Project Manager for design and construction of 2,250 feet of 12-inch PVC C-900 waterline to improve fire flow pressures by conveying water from the existing Wendover water system to the newly constructed Airport Terminal Building.
- **Railroad Waterline Crossing, Wendover, UT.** Project Manager for the design of 400 linear feet of 12-inch PVC waterline with 24-inch steel casing under the Union Pacific Railroad to connect the north side of the City to the south side of the railroad tracks to increase water pressure and capacity.
- **Pilot Peak Waterline Phases 1 and 2, Wendover, UT.** Project Manager for the replacement of 13.2 miles of 8-inch steel pipe with 14-inch ductile iron, high pressure, raw water pipeline.
- **Well No. 8 to Well No. 14 Waterline for Granger Hunter Improvement District, West Valley City, Utah.** Project Engineer for 8,160 feet of 16-inch PVC C905 DR-18 waterline located along 4100 South from 2200 West to 1000 West. Also included was 1,485 feet of 20-inch HDPE pipeline directionally drilled under the Jordan River, Brighton Canal, and Redwood Road.
- **By-Product Pipeline Routing Analysis for the JVWCD Southwest Groundwater Project, Salt Lake City, Utah.** Project Engineer for evaluation of alignments for the 15- to 18-mile long, 16-inch to 18-inch fusible HDPE/PVC pipeline from the JVWCD office/wtp site to the Great Salt Lake.
- **Bell Canyon Irrigation System, Sandy, Utah.** Project Engineer preparing preliminary plans and specifications for HDPE irrigation pipeline to be located within the existing canal.
- **SWDC 30-inch East Canyon Pipeline, Summit/Morgan Counties, UT.** Project Manager for the 14 mile, high pressure, 30-inch ductile iron raw water pipeline. Phase I consisted of 6,800 feet of 150 PSI waterline placed in Jeremy Ranch Road. Phase II consisted of 63,200 feet of waterline with pressures up to 350 PSI, transmitting water pumped from East Canyon Reservoir to the SWDC Water Treatment Plant.
- **SWDC/Park City Interconnecting Pipeline, Summit County, UT.** Project Manager for investigation of options to provide an emergency connection between two water companies. Options included 12- and 16-inch diameter waterlines, pressure reducing valves, fire flow modeling, and cost estimating.
- **Redwood Villas, Hewwood Estates and Marian Meadows No. 4 Waterline Replacement, Taylorsville, UT.** Project Manager for the replacement of 20,200 feet of 8-inch PVC waterline within several residential service areas for Taylorsville-Bennion Improvement District.
- **3600 West Valley Heights Waterline Replacement, Taylorsville, UT.** Project Manager for the replacement of 6,600 feet of 8-inch PVC waterline to include an elementary school and church meter replacements for Taylorsville-Bennion Improvement District.
- **Rasmussen Road Waterline, Summit County, UT.** Project Engineer for 17,300 linear feet of 16-inch ductile iron waterline to expand the distribution system.
- **16-Inch Waterline from Burns Fire Station to Old Ranch Road, Summit County, UT.** Project Engineer for 5,200 linear feet of 16 inch ductile iron waterline to connect the distribution system to east side of the county.
- **Trailside Waterline, Summit County, UT.** Project Engineer for 3,500 linear feet of 16-inch ductile iron waterline running from Old Ranch Road to the Trailside Reservoir.
- **16-inch Waterline from Trailside Reservoir to Section 27, Summit County, UT.** Project Manager for 6,560 linear feet of 16-inch ductile iron waterline with pressures in excess of 200 PSI.
- **Best View Waterline Replacement, Taylorsville, Utah.** Project Engineer for the replacement of 14,400 feet of 8-inch PVC waterline within the Best View residential service area for Taylorsville-Bennion Improvement District.

- **4700 South, 2200 West to Redwood Road Waterline Replacement, Taylorsville, Utah.** Project Engineer for the replacement smaller waterlines with a 24 inch ductile iron waterline located within Redwood Road from 4700 South to 4850 South, and within 4700 South from 2200 West to Redwood Road.
- **I-80 Boring for Waterline at Kmart, Summit County, UT.** Project Engineer for 250 feet of 30-inch steel casing to bore under I-80 near Kimball Junction and 1,270 feet of 16-inch ductile iron waterline.
- **10-Inch Waterline on East End of Town, Wendover, UT.** Project Engineer for 2,100 feet of 10-inch ductile iron waterline to provide service to new development.

Water Reservoirs

- **Maple Mountain 4.0 MG Reservoir, Well Pump Station and Pipeline, Mapleton, Utah.** Project Engineer for design of a 4.0 million-gallon buried concrete reservoir, 1,800 gpm well pump station and 2.3 miles of 18-inch waterline and 0.8 miles of overflow storm drain sized from 12-inch to 30-inch.
- **Trailside Reservoir, Summit County, Utah.** Project Engineer for a 1.5-million-gallon buried concrete water storage reservoir.
- **Section 27 Reservoir, Summit County, Utah.** Project Engineer for a 750,000-gallon-buried concrete water storage reservoir.
- **Olympeak Reservoir and Well Pump Station, Huntsville, Weber County, UT.** Project Manager for a 500,000-gallon buried concrete reservoir, and a 40-GPM well pump station including the well pump.

Water System Planning/Design/Mapping/Modeling/Consulting

- **SWDC General Consulting, Summit County, UT.** District Engineer from 1995 to present for the client, a culinary water provider, performing plan review, and all engineering design and construction service required for projects developed and directly funded by client.
- **Wendover General Consulting, Wendover, UT.** City Engineer from 1995 to present, performing plan review, and providing all engineering, design and construction services required for projects developed and funded directly by the City.
- **Park City General Consulting, Park City, UT.** General Services Engineer from 2006 to present for Park City's Water Department, performing engineering design and construction service required for projects developed and directly funded by the City.
- **Community Water Company Consulting, Summit County, UT.** District Engineer from 1995 to present for the client, a culinary water provider, performing system evaluation, and all engineering design and construction service required for projects developed and directly funded by client.
- **Legacy Mountain Development Water System Upgrade, Fairview, UT.** Project Manager for upgrading the developments water system with a new infrastructure including a 70 gpm well, two 20,000 gallon fiberglass reservoirs, 70 gpm package booster station, and 500 feet of HDPE waterlines.
- **Brighton Camp Water System Improvements, Brighton, UT.** Project Manager for upgrading the treatment system for the Brighton Camp spring fed water system. The project included an 8,000 gallon water tank, addition of additional cartridge filtration, and modifications to the disinfection and UV systems serving the LDS Church Brighton Camp.
- **Big Cottonwood Fire Station Water and Sewer, Big Cottonwood Canyon, UT.** Project Manager for the fire station pressurized water and sewer services connecting to Camp Tuttle's water system and Solitude Improvement District's sewer system. Work included a 20,000 gallon fiberglass reservoir, 67 gpm water booster station, package sewer lift station, with directional

drilling under the Big Cottonwood Creek. Coordination with the Unified Fire Authority, Solitude Resort, Camp Tuttle, Salt Lake City, US Forest Service and the DEQ was required.

- **Helaman Hollow Camp Water System Upgrade, Schofield, UT.** Project Manager for design and construction of a chlorination and iron/manganese removal system for the existing 10 gpm camp well. Design for a well house, 1,500 feet of 3-inch waterline, and drainage modifications were required to bring the existing system into compliance with DDW standards.
- **Camp Piuta Water System Upgrade, Woodland, UT.** Project Manager for the replacement of deteriorated and asbestos waterlines throughout the LDS Church camp's water system to HDPE and PVC pipe materials.
- **Meter Geocoding, Park City, UT.** Project Manager to work with the City's existing GIS database to link parcels by address to the water meters, billing addresses, and billing water meter identification numbers. A review and comparison of the latest water meter reading technology was provided for fixed network type reading systems.
- **Wolf Creek Ranch Water System Review, Wasatch County, UT.** Project Manager for review of a high-pressure water system for a NINE-lot subdivision, to include a booster station, surge analysis, fire storage and pressure relief.
- **Wendover Water Conservation Plan, Wendover, UT.** Project Manager for preparation of the City's water conservation plan in accordance with State requirements.
- **Aspen Highlands Water System Model, Summit County, UT.** Project Manager for modeling reservoir storage, fire flow, water quality impacts, system pressure, waterline sizing, and future development connections for a 43-lot subdivision.
- **La Sal Elementary School Water System for San Juan School District, La Sal, UT.** Project Engineer for a 45-gpm water system to service a 100-student elementary school located remotely in La Sal. The water system included a submersible well pump with pitless adapter, pump control vault, hydro-pneumatic tank storage in the school, and 600 feet of 2-inch poly waterline.
- **Mika Residence, Lot 77, Wolf Creek Ranch, Wasatch County, UT.** Project Manager for design of a water system to service a 25,000 sf residence, caretaker's home, barn and yurt. The property required a 50 gpm domestic booster station with 7,500 gallons of storage; a 1,500 gpm fire pump station drawing from a 1.0-million gallon on-site pond to supply two fire hydrants; and a 60 gpm fire sprinkler/domestic booster station with hydro-pneumatic tank storage for the main structure.
- **Saunders Residence Water System, Summit County, UT.** Project Manager for the analysis of converting the water system from a high-pressure connection to a low-pressure connection to include installation of a fire booster station and domestic booster with hydro-pneumatic tank storage to service a 12,000 sf residence and out buildings.
- **East Canyon Water System Master Plan, Summit/Morgan Counties, UT.** Project Engineer for the master plan for developing the East Canyon water importation project for Davis and Weber Counties Canal Company.
- **System Map for SWDC, Summit County, UT.** Project Manager for the preparation of a GIS compatible water system map and water model using existing record drawings and installation plans for all connected users.
- **SWDC, Community Water Company and the Canyons Water Master Plan, Summit County, UT.** Project Engineer for the investigation of the existing water systems, interconnection points and future structures and elevations to master plan the development of the Canyons Ski Resort and the water system that serves it.
- **High County Estates Water Master Plan, Herriman, UT.** Project Engineer for the evaluation of existing and future pressure zones and well locations for Phases 1 and 2.

- **Community Water Company Water System Mapping, Summit County, UT.** Project Engineer for the water system map using existing record drawings and installation plans for all connected users. Made field visits to verify locations of revised system improvements.

Water Studies

- **Summit County Concurrency Report, Summit Water Distribution Company.** Project Manager for the annual report to quantify water source and storage capacity along with water quality reporting for each of SWDC's ten (10) groundwater wells, one (1) spring, and their East Canyon Water Treatment Plant. Source capacity is compared to water service commitments to provide an annual available water supply for future development and connections.
- **Summit County Concurrency Report, Community Water Company.** Project Manager for the annual report to quantify water source and storage capacity along with water quality reporting for each of CWC's two (2) active groundwater wells, and their Willow Draw Water Treatment Plant. Source capacity is compared to water service commitments to provide an annual available water supply for future development and connections.
- **Snyderville Basin Water Transport Study, Summit County, UT.** Project Engineer for the study and preliminary design of infrastructure to convey imported water supplies and reuse supplies to water providers within the Snyderville Basin area of Summit County.
- **Snyderville Basin Water Supply Study, Summit County, UT.** Project Engineer for Phase one of the study to develop, import and enhance water supplies in the Snyderville Basin area of Summit County.
- **Drinking Water System Evaluations, PacifiCorp.** Project Engineer for drinking water system evaluations for five PacifiCorp power plants located in Utah and Wyoming. Evaluation included review of existing equipment, monitoring and maintenance practices and comparing that to existing and future EPA and State regulations. Recommendations on compliance issues were provided in report format.
- **Study of Relocation of the Point of the Mountain Aqueducts, Salt Lake and Utah Counties, UT.** Project Engineer for the evaluation of alignments for relocating 3,200 feet of the 72-inch siphon and the 48-inch penstock to facilitate further gravel excavation in the area.
- **Arsenic Study for Taylorsville Bennion Improvement District, Taylorsville, UT.** Project Manager for the preliminary investigation of methods and equipment to remove arsenic from two wells.
- **Spring Creek Springs Water Rights Study, Summit County, UT.** Project Engineer for the mapping of land use for all decreed water rights within the Spring Creek Springs.
- **Preliminary Engineering Report for Wendover Water Systems, Wendover, UT.** Project Engineer for the preliminary engineering report for water system upgrade and development including demographics, water rights and commitments, agreements to service, costs for purchase, and capital improvements.
- **Review of Community Water Company, Summit County, UT.** Project Engineer for the review of water source, storage, water rights, pipeline condition, capacity, future expansion, source development, and water treatment plant operation and maintenance.
- **Wendover Airport Waterline Analysis, Wendover, UT.** Project Manager for a feasibility analysis to upgrade the existing waterline service to accommodate new construction of a manufacturing facility for Tooele County.

Well and Source Protection

- **Cottonwood Well Pump Station, Cedar Hills, UT.** Project Manager for equipping the 1,700 gpm Cottonwood Well. Design and construction included a pump station, pump to waste meter vault, back up generator installation and an extensive landscaping plan. The pump station was designed for future installation of an on-site hypochlorite generation system.

- **Hilliard Well #2, Hilliard, WY.** Project Manager for drilling, equipping and constructing a pump station for a 20 gpm replacement well serving the LDS Church Hilliard Ward Meeting House. The well was located in a shallow aquifer to improve the water quality with UV disinfection and a cartridge filtration system.

- **Sugarhouse Camp Replacement Well, Utah County, UT.** Project Manager for drilling, equipping and constructing a pump station and 22,000 gallon storage reservoir for a 50 gpm replacement well serving the LDS Church Sugarhouse Camp.

- **River Oaks Golf Course Well and Pump Station, Sandy, UT.** Project Manager for the drilling, equipping and pump house construction for a 600 gpm irrigation well to fill Pond #1 at the River Oaks Golf Course.

- **Well Equipping for the JVWCD Southwest Groundwater Project, Salt Lake County, UT.** Project Engineer for equipping of eight-deep well pump stations and one-shallow well pump station ranging from 250 to 1,500 gpm production capacity including conditional use, design, and construction services.

- **Rest Stop Well #2 Drill, Equip and Pump Station, Summit County, UT.** Project Manager for the development and final completion of a 1,000 GPM well with pump station vault and connection to the existing Rest Stop Well #1 piping.

- **U224 Well Pump Station, Summit County, UT.** Project Manager for a 250 GPM well complete with pump station and 2,000 feet of 12-inch ductile iron pipeline.

- **Storage Well and Pump Station, Summit County, UT.** Project Engineer to drill and construct the 1,000 GPM well, pump house and waterline connections to the Storage Well located on Rasmussen Road adjacent to East Canyon Creek. The project included an on-site sodium hypochlorite generation system for disinfection.

- **Saratoga Springs Well No. 1 and Pump Station, Saratoga Springs City, UT.** Project Engineer to drill and construct the 1700 GPM well, pump house and waterline connections to the Well No. 1 located adjacent to Utah Lake.

- **Church Well Pump Station, Summit County, UT.** Project Engineer for a 250 GPM well complete with buried pump station vault and 12-inch ductile iron pipeline. The project included on-site sodium hypochlorite generation for disinfection.

- **F-7 Wells and Pump Station, Summit County, UT.** Project Engineer for one 185 GPM well and one 600 GPM well including a 12-inch ductile iron pipeline.

- **Community Water Source Protection Plans and Well Consulting, Summit County, UT.** Project Manager for the preparation state required source protection plans for four culinary water well sources for the water company serving approximately 500 connections.

- **Source Protection Plans and Well Consulting for SWDC, Summit County, UT.** Project Manager for the preparation of state required source protection plans for ten culinary water wells and surface water treatment plant that supply source water for a local culinary water provider serving a population of 5,500.

- **Source Protection Plans for South Davis Water Improvement District, Davis County, UT.** Project Engineer for the preparation of state required source protection plans for six culinary water wells and four springs that supply source water for a local culinary water provider serving southern Davis County.

- **Source Protection for Well D near Cedar City, Washington County, UT.** Project Manager for the preparation of state required source protection plan for a culinary water well source for the local water company in New Harmony.

- **Wadman Wells #2 and #3 Source Protection and Construction, Huntsville, Weber County, UT.** Project Manager for the preparation of state required preliminary evaluation source protection plans for two new culinary water well sources for the developer of a 350-lot subdivision.

- **East Canyon Well Field, Summit County, UT.** Project Manager for preliminary investigation of a possible deep and/or shallow well field in East Canyon.

Wastewater

- **Helaman Hollow Camp Sewer Improvements, Schofield, UT.** Project Manager for the study for a wastewater system expansion to serve the existing camp and its expansion. Evaluated package treatment, piping off site and onsite collection with drain fields. Managed the percolation testing and soils analysis for the site.
- **Railroad Sewer Crossing, Wendover, UT.** Project Manager for the design of 320 linear feet of 8-inch SDR 35 PVC sewer line with 24-inch steel casing under the Union Pacific Railroad to replace a critical section of sewer that had numerous failures. Emergency CDBG funding was obtained for this project as well as a permit from the Union Pacific Railroad.
- **Bonanza Drive Phases 1 and 2 Sewer Replacement, Park City, Utah.** Project Manager for design and construction of 2,300 feet of 10-inch and 8-inch PVC replacement sewer located along Bonanza Drive for the Snyderville Basin Water Reclamation District. The project was done in conjunction with the road reconstruction.
- **Provo Water Reclamation Facility Upgrades, Provo, UT.** Project Engineer for preliminary assessment of primary and secondary clarifiers, head works, and odor control for the plant.
- **Salt Lake City Airport #3 Master Plan, Tooele County, UT.** Project Engineer for evaluating the existing septic and drain field compared with new on-site wastewater systems and/or sewer system connection to service airport expansion over 50 years.
- **Offsite Utilities for Grantsville Retail Distribution Center, Grantsville, UT.** Project Manager for 2,000 feet of road improvements to service a 1.1-million square feet retail distribution center including additional lanes, traffic control, culvert replacement, and a 200 GPM sewage lift station with 8,000 feet of 4-inch force sewer main.
- **Battlefield Rest Area, Little Bighorn Battlefield National Monument, MT.** Project Engineer for the evaluation of alternatives for servicing a 12,000 gallon per day rest area with a sewage treatment system.
- **Olympeak Subdivision, Weber County, UT.** Project Engineer for the evaluation of alternatives for servicing 350 residential lots with a sewage distribution and treatment system with sewage lagoons versus a package tertiary treatment system with effluent used to irrigate the proposed golf course.
- **Wendover Sewage Lagoons Evaluation, Wendover, UT.** Project Engineer for a sewage lagoon capacity study to determine the need for expansion of the existing facilities.
- **Wendover Lift Station and Pressure Line, Wendover, UT.** Project Engineer for a 150 GPM sewer lift station, 3,200 linear feet of 8-inch pressure sewer main and 900 linear feet of 4-inch pressure sewer main to transfer sewage from Wendover, Utah to sewage lagoons in West Wendover, Nevada.

Process Facilities

- **Beta Carotene Extraction Facility, Grantsville, UT.** Project Engineer for the process plant, growth ponds, utilities, access roads, and chemical treatment systems required to process Beta Carotene. Included agency coordination and approvals.

General Plans

- **Wendover General Plan Implementation, Wendover, UT.** Project Manager for development of strategies, ordinances and enforcement techniques for the City implement their recently adopted General Plan.

Municipal Facilities

- **Wendover Fire Station Expansion, Wendover, UT.** Project Manager for design and construction of a single story 1250 square feet masonry truck bay addition. Also included, the kitchen area and restrooms were upgraded to one restroom / laundry and a break room, the training room was updated, and Pilot Avenue was realigned around the north side of the new structure. The project was funded using the Community Development Block Grant (CDBG) program.

Grading & Drainage

- **2012 Road and Waterline Projects, Wendover City.** Project Manager for road improvements for Airport Way consisting of 2,200 linear feet of 25 foot wide asphalt. The design included pulverizing the existing asphalt and reusing it as base material and repaving over the pulverized base. Also included was new road improvements for Bonneville Way (1100 East) including 425 linear feet of 30 foot wide asphalt pavement, curb, gutter, and sidewalk. The project also included replacement of 1,200 feet of 12" PVC waterline in Aria Blvd.
- **Wendover Road Projects 2011, Wendover UT.** Project Manager for improvements to Uinta Avenue consisting of 670 linear feet of road pavement improvements at 30 feet wide. The work included pulverization of the existing pavement and repaving over the pulverized base.
- **Mt. Aire Flume Replacement, Park City, UT.** Project Manager for design and construction to remove the existing flume on McLeod Creek near Holiday Ranch Loop Road and install a new flume on the same creek behind the Post Office. A rock lined bypass channel was provided for higher flows.
- **Canal Irrigation Study, Taylorsville, UT.** Project Manager for study of alternatives to convey existing water shares from the South Jordan Canal to Vista Park for Taylorsville City. The study included cost estimates and cost/benefit analysis of all options.
- **Rippetoe Property Clean Up and Site Grading, Wendover, UT.** Project Manager for contracting to clean up and grade the three parcels know as the Rippetoe Property using CDBG funding.
- **Millrace Park Court Drainage Improvements, Taylorsville, UT.** Project Manager for design of a drainage sump for a two lot subdivision sized for the 100 year storm. Included hydrologic calculations, sump sizing and design, and permitting from Taylorsville City.
- **Wendover Road Projects 2007, Wendover UT.** Project Manager for improvements to Moriah Ave, Uintah Ave, and Pilot Ave consisting of 2,270 linear feet of road pavement improvements ranging from 20 to 36 feet wide.
- **Wendover Road Projects 2009, Wendover UT.** Project Manager for improvements to Upper Aria Blvd, First Street, and 200 East consisting of 2,840 linear feet of road pavement improvements ranging from 27 to 40 feet wide.
- **Wendover Road Projects 2010, Wendover UT.** Project Manager for improvements to Lower Aria Blvd, Wildcat Blvd, and Moriah Ave consisting of 1,400 linear feet of road pavement

improvements ranging from 24 to 45 feet wide. Fill along Moriah Ave was required to slope the roadway from north to south to match existing curb and gutter.

- **Wendover Boulevard Curb, Gutter and Sidewalk, Wendover, UT.** Project Manager for improvements along Wendover Boulevard consisting of 3,900 linear feet of curb, gutter, and sidewalk on both sides of the roadway. Included permitting through UDOT's safe sidewalk funding program.
- **Moriah Avenue Curb, Gutter, Sidewalk and Road Paving, Wendover, UT.** Project Manager for improvements along Moriah Avenue consisting of 600 feet of curb, gutter, sidewalk and complete paving of the 35-feet wide roadway.
- **Family Dollar Store, Wendover, UT.** Project Manager for site grading, drainage, and utility design for the 1.4-acre Family Dollar Store property located north of Wendover Boulevard.
- **UTA Light Rail Yard Expansion, Salt Lake City, UT.** Project Engineer for the grading, drainage and utility plans for the site expansion to include a detention pond, parking lot, utility services to the new maintenance away building and access roadway into the site.
- **US-93 Pablo, Lake County, MT.** Project Engineer for the final design for culverts, storm drain improvements through the town of Pablo, and detention facilities along 36,400 feet of state highway.
- **Uinta Ave, Wildcat Blvd, and Pequop Ave Road Improvements, Wendover, UT.** Project Engineer for improvements along three roads to include 1,820 linear feet of curb, gutter and sidewalk on both sides of the roadway, 1200 feet of 15" storm drain, and 8" PVC C900 waterline.
- **Aria Boulevard Curb, Gutter and Sidewalk, Wendover, UT.** Project Manager for improvements along Aria Boulevard from Wendover Boulevard to the Anna Smith Elementary School consisting of 2,900 linear feet of curb, gutter, and sidewalk.
- **Skyhawk Drive - Wendover City.** Project Manager for design of 1,000 linear feet of curb, gutter and road improvements to Skyhawk Drive. The project was required to facilitate improvements by developing property owners with street frontage.
- **Mendocino Landslide Repair, Mendocino National Forest, Glenn County, CA.** Project Engineer for design of retaining structures and drainage controls for 500 feet of roadway that was compromised by a landslide.
- **Lincoln Lane Condominiums, Salt Lake City, UT.** Project Engineer for the grading and drainage of a building site to include a parking lot and access roadway into the site.
- **Lakeview Apartments, Tooele, UT.** Project Engineer for the grading, drainage and utility plans for the eight-building site to include a detention area, parking lot, water, sewer and utility services to the buildings and looped access roadway into the site.
- **Commercial Site Near Wal-Mart, Tooele, UT.** Project Engineer for the grading, drainage, sidewalk with curb and gutter for a retail strip located between the Wal-Mart and Smith's Food King large retail stores in Tooele.
- **South Temple and E Street Site Improvements, Salt Lake City, UT.** Project Engineer for the grading, drainage, water, sewer, sidewalk, curb and gutter design for a restaurant style building located in historic downtown Salt Lake City.
- **Deland Swim School, Salt Lake City, UT.** Project Engineer for the grading, drainage, parking, sidewalk, curb and gutter design for a flat building site.
- **AMT Labs, North Salt Lake City, UT.** Project Engineer for the grading, drainage, parking, sidewalk, curb and gutter design for a building site located in the industrial area of North Salt Lake City.
- **Droubay Road Improvements, Tooele, UT.** Project Engineer for improvements to Droubay Road adjacent to the Oquirrh Hills Subdivision.

PROFESSIONAL REGISTRATION

Registered Professional Engineer, Utah, Montana, Nevada, and Idaho

Certified at Levels I and II in the Utah DEQ's Onsite Wastewater Systems Program

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS

American Public Works Association, President Elect and Awards Committee Chair

American Water Works Association, Southeastern Idaho Subsection Committee Member

American Society of Civil Engineers, Member

Rural Water Association of Utah, Associate Member

American Water Resources Association, Member

Utah On-Site Wastewater Association, Member

Utah City Engineers Association, Member

PROFESSIONAL AWARDS

ACEC Utah Engineering Excellence 2002 – Grand Award for Water/Wastewater Category

APWA Public Works Designed by a Consultant Award Nominee 2003

COMMUNITY INVOLVEMENT

Syracuse City Planning Commissioner – 2005 to 2010

Weber County Township Planning Commissioner – 1998 to 2004

Weber County Hillside Review Board – Chairman – 2004

PUBLICATIONS

"Planning for Future Water Needs of Small Rural Communities in the West", American Public Works Association Reporter, Volume 75, No. 2, February 2008.

"Innovative Backwash Recycling in a Microfiltration Plant: Reduce Waste to 2 Percent of Production", AWWA 2003 Membrane Technology Conference Proceedings.

"Managing a Microfiltration Water Treatment Plant's Residuals by Recycling Backwash Waste", American Membrane Technology Association Newsletter, Volume 19, Fall 2003.

ANDREW MCKINNON, P.E.

STAFF ENGINEER

Bowen Collins & Associates, Inc.
CONSULTING ENGINEERS

DISTINGUISHING QUALIFICATIONS

- Water, storm water, and sewer master planning
- Flood Plain Modeling and Map Delineation
- Hydraulic and hydrologic computer modeling applications
- Planning and designing water, sewer, and storm drain pipelines
- System Optimization studies
- Design of hydraulic structures

EDUCATION

M.S., Water Resource Engineering, University of Utah, 2008
B.S., Civil and Environmental Engineering, University of Utah, 2005

EXPERIENCE

Mr. McKinnon has experience with water and sewer master planning. His experience with sewer master plans includes projects for the Ashley Valley Sewer Management Board, Salt Lake City, and Provo City. His experience with these projects includes coordinating data collection and analysis with city staff and report preparation. Mr. McKinnon's water and sewer modeling experience includes work with free EPA software, InfoSewer, H20SWMM, InfoSWMM, InfoWater, InfoSurge, InfoWorks C.S., MikeUrban, WaterCAD, and StormCAD.

Mr. McKinnon has experience in Flood Plain Modeling and Map Delineation. Most recently, Mr. McKinnon has been involved with the hydraulic modeling of La Verkin Creek in southern Utah. La Verkin Creek contributes to the Virgin River that flooded homes in January 2005. Modeling of La Verkin Creek included comparing the current channel configuration to past configuration to determine channel and flood plain changes. Mr. McKinnon also has had experience with the hydraulic modeling of creeks in Wasatch County.

Mr. McKinnon has experience in hydraulic and hydrologic computer modeling applications. Mr. McKinnon has been involved with watershed delineation and hydrologic modeling of many residential and commercial developments in Wasatch and Salt Lake County. These projects involved mapping and determining 100-Year storm water runoff flows for pre and post development. The projects included the hydraulic modeling and design of inlet and storm drain systems to safely convey these flows while preventing erosion to natural streams and channels.

Mr. McKinnon has experience with water, sewer, and storm drain line designs. Mr. McKinnon has conducted the surge analysis for water pump station, sewer lift stations, and their associated pipelines. He also has been involved with water and sewer line design in Uintah, Wasatch, and Salt Lake County.

Mr. McKinnon has experience with design of Hydraulic Structures. Most recently, he has been involved with the design of the Little Deer Creek Diversion project. The project includes the design of improvements to an existing diversion structure along with capacity improvements to the associated pipeline. He has also coordinated research and design of a proposed hydroelectric turbine to help power data collection and SCADA systems for this project.

Mr. McKinnon has experience with system optimization and energy efficiency studies. He has developed extended period simulations for water systems to identify potential sources of energy savings. He has designed pump stations with variable frequency drives or as constant speed pumps to best optimize energy use for specific pressure zones.

PROFESSIONAL REGISTRATION

Professional Engineer, Utah

NATHAN WRIGHT, E.I.T.

STAFF ENGINEER

Bowen Collins & Associates, Inc.
CONSULTING ENGINEERS

DISTINGUISHING QUALIFICATIONS

- Experience in Hydrology, Hydraulics and Water Resources
- Experienced with Arc-GIS, Autodesk Storm and Sanitary Analysis (ASSA), HEC-RAS, HEC-HMS, EPANet, and EPA SWMM

EDUCATION

B.S. & M.S., Civil Engineering, Utah State University

EXPERIENCE

Mr. Wright is currently a staff engineer with Bowen Collins & Associates working on several water related projects. Mr. Wright is experienced in master planning, design of stormwater, and construction management. These projects have required the use of GIS analysis, hydrologic and hydraulic modeling, and master planning.

Springville Storm Drain Master Plan

Mr. Wright worked on the storm drain master plan for Springville City which consisted of over 200 subbasins. Hydraulic analysis of the storm drain system was performed using ASSA. Deficiencies for both existing and future conditions were identified. Alternatives were proposed to fix both existing and future deficiencies. He also assisted in developing an impact fee facility plan.

Layton City Storm Drain Master Plan

He is currently assisting Layton City in their storm drain master plan. He has helped develop FEMA floodplain maps to show the max flows expected in the city. Both hydrologic and hydraulic modeling is being performed to understand both existing and future deficiencies.

Adams Street Storm Drain Design

Mr. Wright is currently helping in the design of section of storm drain pipe in Midvale City which was experiencing flooding due to a lack of storm drain facilities. This consisted of developing a model to show the deficiencies in the system as well as analyzing the hydraulics of the new storm drain.

HMGP Riverside Trailhead Erosion Protection

Mr. Wright has also helped in developing flood plain maps that identified structures that were at risk of future erosion damage. He assisted in the preparation of the Hazard Mitigation Grant Application to help the City of St. George receive funding to mitigate future erosion in the area.

Spanish Fork Bank Stabilization

Mr. Wright has experience in construction management. He oversaw the construction at several bank stabilization sites. These sites consisted of installing cross veins, j-hooks, rip rap, and bio engineered landscaping to help stabilize the bank to prevent future erosion.

Proposer Resumes – Zions Bank Public Finance

Matt Millis

Vice President
Zions Bank Public Finance
Municipal Consulting Group

Mr. Millis offers over thirteen years of experience in municipal consulting including rate analyses, impact fees, financial feasibility analyses; capital facilities finance plans, and many other types of financial analyses for public utilities. Mr. Millis has provided service to the largest water districts in the state and many large communities.

He has expertise in financial modeling including: forecasting, Monte Carlo simulations, cash flow analysis and risk analysis. Mr. Millis has a great deal of analytical and consulting experience. Matt is a licensed municipal securities representative and is also a member of the American Water Works Association (AWWA) National Rates and Charges Committee and the National Growth & Infrastructure Consortium (formerly the Impact Fee Roundtable). Locally Matt volunteers in the AWWA Intermountain Section as a Section Chair of the Water For People committee and serves as a member of the AWWA Management and Development Committee.

In his free time Matt provides volunteer service to Water For People, the charity of AWWA, which promotes water development and sanitation projects in Central and South America, Africa, and India. Matt has participated in a system monitoring assignment in Honduras in 2008 and led a team in 2009 to Bolivia. Recently Matt's efforts have been focused on developing simple financial and monitoring models for Water for People and the LDS Church to use to ensure that each system will remain sustainable indefinitely.

Education

Bachelor of Business Administration, Economics, University of Iowa

Public Service and Affiliations

- Municipal Securities Registered Representative
- American Water Works Association, National Rates and Charges Committee
- AWWA, National Growth & Infrastructure Consortium
- AWWA Intermountain Section Chair, Water for People Committee, Management and Development Committee

Recent Relevant Projects

- Riverton City, Impact Fee Analysis
- Herriman City, Culinary and Secondary Water Impact Fee Analysis
- Hi-Country Estates II, User Rate Analysis
- Jordan Valley Water Conservancy District, Capital Charge Analysis
- Ogden City, User Rate Analysis
- Sandy Suburban Improvement District, Impact Fee Analysis
- North Ogden City, User Rate and Impact Fee Analysis
- Kearns Oquirrh Park Fitness Center, Asset Management Analysis
- Washington County Water Conservancy District, Water Availability Charge Analysis and Capital Facilities Plan
- South Valley Sewer District, Impact Fee Analysis
- Weber Basin Water Conservancy District, Block 2 Rates
- Salt Lake Valley Fire Service Area, Impact Fee Analysis and Capital Facilities Plan
- Roy Water Conservancy District, Revenue Requirement Analysis

Tenille Tingey

Financial Analyst
Zions Bank Public Finance
Municipal Consulting Group

Ms. Tingey joined Zions Bank Public Finance Department in 2011. Ms. Tingey has over six years' experience in municipal consulting.

Ms. Tingey's professional focus has been Impact Fee Analyses and User Rate studies. Ms. Tingey has experience working with cities and special districts throughout the State of Utah.

Ms. Tingey graduated from Utah State University with a B.S. degree in Family and Human Development in 2003 and an MBA degree from the University of Phoenix in 2008.

In her free time Ms. Tingey is a Tooele County Children's Justice Center Friends Board Member. Ms. Tingey has been involved with the committee for the Intermountain Section of Water for People, the charity of the American Water Works Association.

Education

Master of Business Administration, University of Phoenix
Bachelor of Science, Family and Human Development, Utah State University

Relevant Experience

Park City Fire Service District Impact Fee Analysis and Impact Fee Facilities Plan
Pleasant Grove Parks and Recreation Impact Fee Facilities Plan and Impact Fee Analysis
American Fork City Parks and Recreation Impact Fee Facilities Plan and Impact Fee Analysis
American Fork City Sanitary Sewer Impact Fee Analysis

Megan Weber

Financial Analyst
Zions Bank Public Finance
Municipal Consulting Group

Ms. Weber joined the Zions Bank Public Finance Municipal Consulting Group in 2011. Ms. Weber has experience with Impact Fee and User Rate Analyses for water, secondary water, sewer, and storm systems as well as Impact Fee Analyses for public safety. Ms. Weber's primary focus is report writing, presentation preparation, and familiarity with the Utah Impact Fees Act in order to ensure all Impact Fee Analyses completed by our team are done so in accordance with the Act.

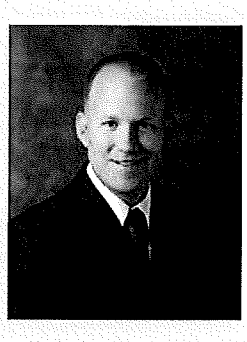
Ms. Weber graduated from Brigham Young University-Idaho in 2007 with a Bachelor of Social Work.

Education

Bachelor of Science, Brigham Young University - Idaho

Relevant Experience

Herriman City, Capital Facilities Finance Plan and Long Range Funding Analysis
Hi-Country Estates II, User Rate Analysis
North Ogden City, User Rate and Impact Fee Analysis
West Point City, Impact Fee Analysis
Riverton City, Impact Fee Analysis
Salt Lake Valley Fire Service Area, Impact Fee Analysis and Capital Facilities Plan
Roy Water Conservancy District, Revenue Requirement Analysis



Kirby Snideman

Financial Analyst
Zions Bank Public Finance
Municipal Consulting Group

Education

Master of Planning, University of Utah

Bachelor of Science, Business and Management, Brigham Young University

Notable Recent Studies

Salt Lake Valley Fire Service Area Impact Fee Analysis Updates; Midvale and Eagle Mountain incorporation

Santaquin City Public Safety Impact Fee Analysis and Impact Fee Facilities Plan

American Fork City Public Safety Impact Fee Analysis and Impact Fee Facilities Plan

Mr. Snideman joined Zions Bank Public Finance Department in 2011. Mr. Snideman has general experience with fire and police service response time analysis, land use and demographic analysis, municipal financial audits, housing and population studies, fiscal impact analysis, economic development, redevelopment, ordinance and master plan review, community planning, NEPA documentation, taxation studies, grant writing and feasibility/market studies. Mr. Snideman also specializes in Geographic Information Systems (GIS), creating cartographic images as well as conducting geospatial analysis.

Mr. Snideman graduated from Brigham Young University with a Bachelor's degree in business and management. He is currently completing a Master's program in Planning at the University of Utah's Department of City and Metropolitan Planning and will soon be seeking AICP certification through the American Planning Association.

In his free time Mr. Snideman volunteers weekly at the Utah Food and Care Coalition. Additionally, Mr. Snideman trains service animals for mainly volunteer service. He regularly visits elementary schools and hospitals where his dog Parley works with children with special needs.

LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET

Item Number: 4F

Subject: License Agreement between Layton City and Utah Transit Authority (UTA) – Storm Drain Pipe Installation – Resolution 13-55 – D&RGW Rail Trail – Approximately 700 South and 400 West

Background: Resolution 13-55 authorizes the execution of a license agreement between Layton City and UTA for installation of a 30-inch storm pipe in a 36-inch steel pipe casing under the D&RGW Rail Trail. The new connection to Kay's Creek will facilitate greater flows, reduce potential flooding and resolve drainage concerns with Davis County Flood Control.

Alternatives: Alternatives are to 1) Adopt Resolution 13-55 approving the agreement between Layton City and Utah Transit Authority for the installation of a storm drain pipe to be installed under the D&RGW Rail Trail; 2) Adopt Resolution 13-55 with any amendments the Council deems appropriate; or 3) Not adopt Resolution 13-55 and remand to Staff with directions.

Recommendation: Staff recommends the Council adopt Resolution 13-55 approving the agreement between Layton City and Utah Transit Authority for the installation of a storm drain pipe to be installed under the D&RGW Rail Trail and authorize the City Manager to execute the agreement.

RESOLUTION 13-55

A RESOLUTION ADOPTING AND APPROVING A LICENSE AGREEMENT BETWEEN LAYTON CITY AND UTAH TRANSIT AUTHORITY (UTA), FOR THE INSTALLATION OF A STORM DRAIN PIPE TO BE INSTALLED UNDER THE D&RGW TRAIL AT APPROXIMATELY 700 SOUTH AND 400 WEST.

WHEREAS, the City would like to install a 30-inch HDPE storm drain pipe encased in a 36-inch steel casing, which will cross underneath the D&RGW Rail Trail owned by UTA; and

WHEREAS, the City Staff has prepared the design and will request bids from qualified construction companies for the installation of the new storm drain line as a separate project; and

WHEREAS, the new storm drain line will be constructed under the UTA right-of-way to facilitate greater flows, reduce potential flooding and resolve drainage concerns with Davis County Flood Control; and

WHEREAS, the parties have agreed to the terms and conditions contained in the Agreement, which is attached hereto and incorporated herein; and

WHEREAS, it is deemed to be in the best interest of the citizens of Layton City to adopt and approve the Agreement.

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

1. The City Manager is directed to conduct negotiations with UTA for the License Agreement with Utah Transit Authority (herein the "Agreement"). The terms of the Agreement shall address the terms and conditions that are consistent with the intent of the Agreement. The Agreement shall include such other provisions as are deemed necessary to accomplish the purposes of the City in entering the Agreement.

2. At such time as the Agreement is in a form acceptable to the City Manager and City Attorney, the City Manager is authorized to execute the Agreement on behalf of the City. Execution of the Agreement by UTA shall constitute UTA and the City for Services, pursuant to the terms and conditions of the Agreement. Execution of the Agreement by the City Manager shall constitute the City's acceptance of UTA's Agreement, pursuant to the terms and conditions of the Agreement.

PASSED AND ADOPTED by the City Council of Layton, Utah, this **3rd day of October, 2013.**

ATTEST:

THIEDA WELLMAN, City Recorder

J. STEPHEN CURTIS, Mayor

APPROVED AS TO FORM:

GARY CRANE, City Attorney

SUBMITTING DEPARTMENT

TERRY COBURN, Public Works Director

UTAH TRANSIT AUTHORITY

UTA

669 West 200 South

Salt Lake City, UT 84101

August 30, 2013

Layton City Corporation
Attn: James Woodruff
437 North Wasatch Drive
Layton, UT 84041

Dear James:

Enclosed please find two original copies of the License Agreement between Layton City Corporation and Utah Transit Authority (UTA) for the work to be performed in conjunction with the Pipeline License DR/D/2460/P. Please review the Agreement and have the appropriate individual sign and return both copies to me for final execution by UTA. Also include the one time real estate usage charge described in 2.3 of the Agreement and a copy of (Licensee)'s insurance certificate described in Article XI. It is **important** that the railroad exclusion be removed from the policy. Please send this certificate to my attention, for UTA can not execute the Agreement until an acceptable insurance certificate is submitted.

Licensee Fees include a one-time real estate usage charge of **$7,345.00($5,531.00 for the encroachment and $1,814.00 for the crossing)** payable on or before the date of execution. Licensee also to pay an upfront Flagging cost of **$0** and Special Inspection cost of **$280.88** (these fees are more clearly described in Section 5.1 of the License Agreement).

Before any work can begin there are a few important issues that must be completed. First, we will need to enter into a Contractor Right of Entry Agreement with your contractor. We will need a copy of the Contractors insurance certificate which meets the appropriate UTA insurance requirements. It is **important** that the railroad exclusion be removed from the policy. They will need to detail that this exclusion has been removed on the certificate. Your Contractor will also have to provide UTA with proof of Railroad Protective Liability Insurance. This coverage is detailed out in Exhibit "B".

Second, Safety along the Railroad Right-of-Way is a priority of UTA's. There is a Roadway Workers Safety course that the contractor will be required to take. The details of this class can be found on UTA's website under the Roadway Worker Training tab.

http://www.rideuta.com/PropertyManagement

Thank you for your assistance. If you have any questions, please contact me at (801) 237-1991.

Sincerely,

Shelley Nielsen
Property Administrator
snielsen@rideuta.com

Enclosures

PIPELINE CROSSING AND ENCROACHMENT AGREEMENT
(Interlocal Municipal Pipeline and Encroachment Form)

UTA Contract #DR/D/2460/P
Mile Post Location: MP 766.45
Latitude: 41.048998
Longitude: -111.976167
Layton, Utah

THIS PIPELINE CROSSING AND ENCROACHMENT AGREEMENT (the "Agreement") is made and entered into as of the _____ day of _____, 20__ **(to be dated after the final executing signature by UTA)**, by and between UTAH TRANSIT AUTHORITY, a public transit district organized pursuant to the laws of the State of Utah (hereinafter "UTA"), and Layton City Corporation, a political subdivision of the state of Utah, with a principal address of 437 North Wasatch Drive, Layton, UT 84041 (hereinafter "Licensee").

RECITALS

WHEREAS, UTA is the owner of the entirety of a certain railroad corridor known as the Denver & Rio Grande Western Rail Corridor (the "Right of Way") acquired by UTA for the development and expansion of its public transportation system;

WHEREAS, Licensee intends to construct a 30-inch fuse HDPE storm drain with a 36" steel casing pipe line (the "Pipeline") which will cross at approximately mile post 766.45 a minimum of 7.5 feet below the lowest point on the surface of the Right of Way; and

WHEREAS, Licensee intends to connect to an existing 305' linear pipeline encroachment consisting of a 36" storm drain line (the "Encroachment") which will connect at approximately mile post 766.45 a minimum of 7.5 feet below the lowest point on the surface of the Right of Way. Thirty Five feet of the pipeline encroachment will be capped and abandoned in place; and

WHEREAS, Licensee desires a license for the construction, operation and maintenance of the Pipeline and Encroachment.

AGREEMENT

NOW THEREFORE, on the stated Recitals, which are incorporated herein by reference, and for and in consideration of the mutual covenants and agreements hereinafter set forth, the mutual benefits to the Parties to be derived herefrom, and for other valuable consideration, the receipt and sufficiency of which the Parties acknowledge, it is hereby agreed as follows:

ARTICLE I
INCORPORATED TERMS AND DEFINITIONS

For purposes of this Agreement, the following definitions shall apply:

1.1 "Construct" and "Construction" mean the initial installation of the Pipeline and Encroachment (or any improvements to the Pipeline and Encroachment) in or otherwise

materially affecting the Right of Way, as well as any subsequent reconstruction, relocation, restoration or rehabilitation of the Pipeline and Encroachment (or any improvements to the Pipeline and Encroachment) in or otherwise materially affecting the Right of Way.

1.2 "Encroachment" means the 305' linear pipeline encroachment consisting of a 36" storm drain line to be connected to the Pipeline, 35 feet of the Encroachment will be capped and abandoned in place by Licensee pursuant to this Agreement and located a minimum of 7.5 feet below the lowest point on the surface of the Right of Way via open trench cut method at approximately Milepost Number 766.45 (Latitude 41.048998, Longitude -111.976167) of the entirety of the Denver & Rio Grande Western Rail Corridor in Layton, Utah. The term "Encroachment" shall also apply to any and all rearrangements, modifications, reconstruction, relocations, removals and extensions or additions concerning the Encroachment that are authorized and approved by UTA pursuant to this Agreement (unless they are the subject of a separate agreement that does not incorporate the terms hereof).

1.3 "Emergency Access Manager" means the person or office responsible for controlling emergency Construction and Maintenance access to the Right of Way. The Emergency Access Manager as of the execution of this Agreement is Control Room at (801) 287-5455. UTA may change the designated Emergency Access Manager from time to time by delivery of notice in accordance with Article XVI of this Agreement.

1.4 "Freight Operator" means any entity using the Right of Way, or any portion thereof, to provide common carrier freight operations.

1.5 "Governmental Authority" means any federal, state, municipal, local or other division of government, or any agency thereof, having or asserting jurisdiction with respect to any matter related to this Agreement.

1.6 "Hazardous Materials" mean any materials or substances: (i) which are present in quantities and in forms which require investigation, removal, cleanup, transportation, disposal, response or remedial action (as the terms "response" and "remedial action" are defined in Section 101 of the Comprehensive Environmental Compensation and Liability Act of 1980, as amended, 42 U.S.C. §9601 (23) and (24)) under any applicable federal, state or local environmental law, regulation, ordinance, rule or bylaw, as such are amended from time to time, whether existing as of the date hereof, previously enforced or subsequently amended (each hereafter an "Environmental Law"); or (ii) which are defined as "hazardous wastes," "hazardous substances," "pollutants" or "contaminants" under any Environmental Law.

1.7 "Losses" mean any losses, damages, claims, demands, actions, causes of action, penalties, expenses, litigation costs, attorneys' fees, expert witness fees, court costs, amounts paid in settlement, judgments, interest or other costs resulting from: (i) loss of or damage to the property of any Party or Third Person; (ii) death or personal injury to the agents of any Party or to any Third Person; or (iii) the cleanup or other requirements regarding any incident involving Hazardous Materials. The term "Losses" shall not include any losses, damages, claims, demands, actions, causes of action, penalties, expenses, litigation costs, attorneys' fees, expert witness fees, court costs, amounts paid in settlement, judgments, interest or other costs excluded from Licensee's indemnification obligations and assumed by UTA pursuant to Sections 8.1 and 8.2 of this Agreement.

1.8 "Maintain" and "Maintenance" mean the performance of any repair, restoration, rehabilitation, refurbishment, retrofitting, inspection, monitoring, observation, testing, or similar

work with respect to the Pipeline and Encroachment (or any improvements to the Pipeline and Encroachment) in or otherwise materially affecting the Right of Way.

1.9 "Master Interlocal Agreement" means that certain Master Interlocal Agreement Regarding Fixed Guideway Systems Located Within Railroad Corridors, effective February 13, 2004, entered by and among UTA and the various municipalities and counties within which UTA's rights of way are situated.

1.10 "Party" and "Parties" mean UTA or Licensee, and UTA and Licensee, respectively.

1.11 "Pipeline" means the 30-inch fuse HDPE storm drain with a 36" steel casing pipe line to be installed by Licensee pursuant to this Agreement and located a minimum of 7.5 feet below the lowest point on the surface of the Right of Way via open trench cut method and connecting to the Encroachment at approximately Milepost Number 766.45 (Latitude 41.048998, Longitude -111.976167) of the entirety of the Denver & Rio Grande Western Rail Corridor in Layton, Utah. The term "Pipeline" shall also apply to any and all rearrangements, modifications, reconstruction, relocations, removals and extensions or additions concerning the Pipeline that are authorized and approved by UTA pursuant to this Agreement (unless they are the subject of a separate agreement that does not incorporate the terms hereof).

1.12 "Third Person" means any individual, corporation or legal entity other than UTA and Licensee.

1.13 "Track Improvements" mean any and all tracks, rails, ties, switches, frogs, end of track barricades or bumpers and other barricades or bumpers, derail devices, tie plates, spikes, wires, fastenings and any other appurtenances related thereto, drainage structures, grading, ballast, subgrade stabilization, crossings, tunnels, bridges, trestles, culverts, structures, facilities, leads, spurs, turnouts, tails, sidings, signals, crossing protection devices, communications systems or facilities, catenary systems and wires, poles and all other operating and non-operating appurtenances located within the Right of Way.

1.14 "UTA System" means any light rail, commuter rail, trolley, guided busway, or similar public transportation system constructed by UTA in the Right of Way as contemplated in the Master Interlocal Agreement.

1.15 "Utility" and "Utilities" mean and include all properties, facilities, utilities, crossings, encroachments, lines and similar appurtenances located within the Right of Way by permissive or prescriptive authority including, but not limited to, pipelines, tubelines, water and gas lines or mains, electrical conduits, ditches and other drainage facilities, wires, fiber optics, communication lines, sewer pipes, overhead wiring and supporting structures and appurtenances, and all similar installations.

1.16 "Work Window" means the time period designated by UTA during which Construction, Maintenance and any other work with respect to the Pipeline and Encroachment within the Right of Way is permissible. UTA may, at any time and at UTA's sole discretion, determine that the Work Window shall not be concurrent with any passenger operations within the Right of Way.

ARTICLE II
GRANT OF LICENSE AND REAL ESTATE USAGE CHARGE

2.1 UTA customarily assesses a standard administrative fee reflecting the clerical, administrative and handling expense incurred in connection with the processing of this Agreement. The standard administrative fee has been waived consistent with the provisions of the Master Interlocal Agreement.

2.2 In consideration of the real estate usage charge to be paid by Licensee, and in further consideration of the covenants and agreements to be kept, observed and performed by Licensee hereunder, UTA hereby grants Licensee a license to Construct, Maintain and operate the Pipeline and Encroachment in the location shown and in conformity with the dimensions and specifications indicated on the attached print dated 4/15/13 and UTA Engineer approved 8/20/13 and marked Exhibit "A" (Exhibit "A" is attached hereto and hereby incorporated into and made a part of this Agreement by reference).

2.3 Licensee agrees to pay UTA a one-time **real estate usage charge of $7,345.00** payable on or before the date of execution. Licensee also agrees to pay an upfront Flagging cost of $ 0 and **Special Inspection cost of $280.88** (these fees are more clearly described in Section 5.1).

ARTICLE III
ACCESS TO THE RIGHT OF WAY

3.1 Except in the event of an emergency (as provided in Section 3.2 below), Licensee shall request permission from UTA at least ten days (or such shorter period as may be approved by UTA) prior to performing any Construction or Maintenance in or otherwise materially affecting the Right of Way. Licensee's request to access the Right of Way shall be specific as to the time, date and activities for which Licensee seeks permission. The request shall also include a summary of the method and manner in which the Construction or Maintenance will be performed. As part of the application process, UTA may require Licensee (and its contractors or other agents seeking access to the Right of Way) to attend any track access coordination meetings, safety training or other instruction as may be deemed necessary by UTA. Once granted, UTA's permission to enter the Right of Way shall be formalized in writing and delivered to Licensee. After permission has been granted, Licensee shall comply with all conditions, instructions and requirements of such permit and with all instructions or directions given by UTA including, if required, daily telephone notification to the applicable rail dispatch center prior to each entry into the Right of Way. All contact with UTA shall be coordinated through the person designated by UTA from time to time as set forth in Article XVI of this Agreement. Provided that Licensee complies with the provisions of this Section, UTA agrees not to unreasonably withhold, condition, or delay its approval of Licensee's request.

3.2 Licensee shall have the right to enter the Right of Way in the event of an emergency to make repairs necessary to protect against imminent and serious injury or damage to persons or property. Licensee shall take all precautions necessary to ensure that such emergency entry does not compromise the safety of any operations conducted in the Right of Way by UTA or the Freight Operator. Licensee must notify the Emergency Access Manager of the emergency access and the work being performed prior to entering the Right of Way.

ARTICLE IV
CONSTRUCTION AND MAINTENANCE OF THE PIPELINE AND ENCROACHMENT

4.1 All Construction and Maintenance with respect to the Pipeline and Encroachment shall be performed to the satisfaction of UTA and in accordance with the conceptual, engineering and/or design plans ("Design Plans") previously approved by UTA and attached hereto as Exhibit "A." All Construction and Maintenance with respect to the Pipeline and Encroachment shall be performed in a workmanlike manner, in compliance with all applicable industry standards and in compliance with the requirements of any applicable Governmental Authority. UTA may impose requirements in addition to or more stringent than industry or legal standards if UTA deems such requirements necessary for the safety of operations conducted in the Right of Way. UTA may also require additional fabrication methods, staging requirements or other precautions. All Construction and Maintenance with respect to the Pipeline and Encroachment shall be performed during the designated Work Window. UTA shall have the right, but not the obligation, to observe any and all work performed in or otherwise materially affecting the Right of Way in connection with the Pipeline and Encroachment to ensure that such work is performed in accordance with the requirements set forth in this Agreement. In its Construction or Maintenance of the Pipeline and Encroachment, Licensee shall not make any material deviation from the Design Plans without UTA's prior written approval. Licensee shall submit to UTA plans setting out the method and manner of handling all work to be performed under the Track Improvements including, without limitation, the shoring and cribbing, if any, required to protect the operations of UTA, the Freight Operator or the owner of any adjacent tracks. Licensee shall not proceed with any such work until Licensee's proposed methods have been approved by UTA. The Pipeline and Encroachment shall be placed at the depth acceptable to UTA and shall not interfere with any Track Improvements. The Pipeline and Encroachment shall maintain a side clearance that is as great as reasonably possible but in no event less than eleven (11) feet from the center line of any rail.

4.2 Various Utilities exist on, over and under the surface of the Right of Way. Prior to commencing any Construction or Maintenance with respect to the Pipeline and Encroachment, Licensee shall properly investigate and determine the location of all such Utilities. In addition to the required investigation, Licensee shall have all Utilities in the area of the Pipeline and Encroachment "blue-staked" and clearly marked prior to any excavation. Licensee shall make arrangements for the protection of all Utilities and shall commence no excavation, boring or other penetration in the Right of Way until all such protection has been accomplished.

4.3 Fiber optic cable systems may be buried in the Right of Way. Protection of the fiber optic cable systems is of extreme importance since any break could disrupt service to users resulting in business interruption and loss of revenue and profits. Licensee shall be solely responsible for contacting UNION PACIFIC RAILROAD COMPANY during normal business hours (7:00 a.m. to 9:00 p.m. Central Time, Monday through Friday, except holidays) at 1-800-336-9193 (also a 24-hour, 7-day number for emergency calls) and for determining if fiber optic cable is buried near the location of the Pipeline and Encroachment. If so, Licensee will contact the telecommunications company(ies) involved, make arrangements for a cable locator and, if applicable, make arrangements for relocation or other protection of the fiber optic cable. Licensee shall not commence any work until all such protection and/or relocation have been accomplished. Licensee shall be solely responsible for all coordination with Union Pacific and any telecommunications companies. In coordinating the relocation or protection of fiber optic cable, Licensee shall not rely on any statements, engineering drawings or other oral or written representations of UTA or its representatives. In addition to other indemnity provisions in this Agreement, Licensee shall indemnify, defend and hold the UTA Indemnitees (as defined in Section 8.1 of this Agreement) harmless from and against all Losses arising out of: (a) any damage to or destruction of any telecommunications system proximately caused by any Construction, Maintenance or other work performed by Licensee or its agents relative to the Pipeline and Encroachment; and/or (b) any injury to or death of any person employed by or on

behalf of any telecommunications company proximately caused by any Construction, Maintenance or other work performed by Licensee or its agents relative to the Pipeline and Encroachment. Except to the extent that liability is assumed by UTA as set forth in Sections 8.1 and 8.2 of this Agreement, Licensee shall not have or seek recourse against UTA for any claim or cause of action for alleged loss of profits or revenue or loss of service or other consequential damage to a telecommunication company using UTA's Right of Way or a customer or user of services of the fiber optic cable on UTA's Right of Way.

4.4 Licensee shall be solely responsible for obtaining any property rights, easements, licenses, rights of way or other permission from Third Persons (collectively "Third Person Property Rights") as may be necessary to Construct, Maintain or operate the Pipeline and Encroachment including, without limitation, any needed permission from the owner of any adjacent railroad corridor. Licensee shall also be solely responsible for obtaining any necessary franchises, permits or other necessary approvals from Governmental Authorities (collectively "Approvals"). Licensee agrees to pay any and all costs and expenses relating to such Third Person Property Rights or Approvals, and to assume any and all liability therefore.

4.5 Except as authorized in this Agreement or as may be immediately required for (and only at the actual time of) performance of any Construction or Maintenance contemplated under this Agreement, and then only in full compliance with all clearance standards and other safety requirements, Licensee shall not place, permit to be placed, erect, pile, store, stack, park, suffer or permit any line, building, platform, fence, gate, vehicle, car, pole, or other structure, obstruction, or material of any kind within the Right of Way.

4.6 Licensee shall Construct, Maintain and operate the Pipeline and Encroachment in compliance with all requirements imposed by any Governmental Authority including, without limitation, the requirements of the Federal Railroad Administration, the Occupational Safety and Health Administration and the Utah Department of Transportation. Licensee shall also Construct, Maintain and operate the Pipeline and Encroachment in compliance with all applicable environmental laws. The Pipeline and Encroachment shall be sleeved. Licensee shall take all suitable precautions to prevent any leakage or other interference with the operation of the Track Improvements or any other UTA or Third Person installations or facilities. If for any reason the Construction of the Pipeline and Encroachment causes interference with the operation of Track Improvements or any other UTA or Third Person installations or facilities existing prior to the Construction of the Pipeline and Encroachment, Licensee shall, upon notification by UTA and at Licensee's sole cost and expense, take such action as is necessary to eliminate the interference.

4.7 If, in connection with the performance of any Construction or Maintenance work, Licensee or its Contractor damages any Track Improvements, Utilities, or any other facilities, Licensee shall repair or replace such facilities with the same or similar materials, if available, as reasonably required by the Licensor, consistent with applicable Federal and State laws and regulations and to the satisfaction of the Licensor.

4.8 At the request of UTA, Licensee shall install markers identifying the location of the Pipeline and Encroachment and related appurtenances at the Right of Way boundaries (where the Pipeline and Encroachment enters and exits the Right of Way) or other locations where UTA may designate. Markers shall be installed in a form and size as may be determined by UTA and at the sole cost and expense of Licensee. UTA hereby expressly reserves the right to require Licensee to erect and maintain, at Licensee's sole cost and expense, any and all signs of any

character and nature whatsoever (e.g. location of Pipeline and Encroachment, precautionary and/or warning signs, etc.) that UTA deems necessary or advisable in connection with the operation of the Pipeline and Encroachment. Licensee shall install and/or erect any marker or sign that may be required under this Section within thirty (30) days after receiving written instructions from UTA.

4.9 Upon completion of any Construction or Maintenance relating to the Pipeline and Encroachment, Licensee shall restore the surface of the Right of Way to its prior condition including, but not limited to, replacing any soil that was removed and thoroughly compacting it level with the adjacent surface of the ground and restoring any fences or other property that Licensee disturbed or removed from the Right of Way.

4.10 If a contractor is to perform any Construction or Maintenance contemplated in this Agreement, then the Licensee shall cause its contractor to comply with all applicable provisions of this Agreement. Additionally, Licensee shall require its contractor to execute UTA's form Contractor's Right of Entry Agreement (the "Contractor Agreement"). Licensee acknowledges receipt of a copy of the Contractor Agreement and will inform its contractor of the need to execute the Contractor Agreement. Any and all contractors used by Licensee in the Construction or Maintenance of the Pipeline and Encroachment are subject to the approval of UTA, which approval shall not be unreasonably withheld, conditioned or delayed.

ARTICLE V
CONSTRUCTION OBSERVATION BY UTA – LICENSEE TO BEAR ALL COSTS

5.1 The current cost of flagging is $688.84/day for an eight (8) hour day and $921.83/day for a (12) hour day. . The current cost for a special inspector is $70.22/hour with a two hour daily minimum. UTA has determined that 0-hour days of flagging and Two 4-hour days of Special Inspection will be needed for the construction of this Pipeline and Encroachment. Licensee will pre-pay $280.88 for Flagging and a Special Inspection at or before the execution of this agreement. If after the construction of the Pipeline and Encroachment extra days of Flagging or Special Inspection have been collected, Licensee may submit in writing for a refund from UTA. Submission for refund will need to be submitted to UTA within 30 days of the date of completion of the Pipeline and Encroachment. Refunds will only be issued after confirmation from UTA operations that the flagging and special inspection days were not used.

5.2 In the event that UTA, in its sole discretion, determines that any other inspectors (technical or special), monitors, observers, safety personnel, additional flaggers or other persons are required given the nature of the Construction or Maintenance to be performed, UTA may, at its sole discretion, provide such personnel and Licensee shall, within 30 days, reimburse UTA for the reasonable costs thereby incurred.

ARTICLE VI
LICENSEE TO BEAR ALL COSTS RELATED TO PIPELINE AND ENCROACHMENT

Except as otherwise set forth in the Master Interlocal Agreement, or in Sections 7.1 and 8.1 of this Agreement, Licensee shall be solely responsible for any and all costs incurred with respect to any Construction, Maintenance or other work related to the Pipeline and Encroachment.

ARTICLE VII

SUBORDINATION OF RIGHTS GRANTED - RELOCATION OF PIPELINE AND ENCROACHMENT

7.1 The rights granted pursuant to this Agreement shall be subject and subordinate to the prior and continuing right and obligation of UTA to fully use the Right of Way, including the right and power of UTA to construct, maintain, repair, renew, use, operate, modify, or relocate new or existing Track Improvements upon, along, above, or across any or all parts of the Right of Way and other UTA property, all or any of which may be freely done at any time or times by UTA. The grant of license for the Pipeline and Encroachment is made without covenants of title or quiet enjoyment. UTA makes no warranties, either express or implied, regarding the nature, extent or status of its title to the Right of Way or regarding the existence or nonexistence of Third Person rights which may be superior to the license granted pursuant to this Agreement.

7.2 Licensee shall, within 60 days after receipt of written notice from UTA, modify or relocate (or, if agreed between the Parties, allow UTA to modify or relocate) all or any portion of the Pipeline and Encroachment as UTA may reasonably designate. To the extent that the modification or relocation of the Pipeline and Encroachment is necessitated by the construction, reconstruction, modification or relocation of any UTA System, UTA shall be responsible for the costs of such relocation. To the extent that the modification or relocation of the Pipeline and Encroachment is necessitated because the Pipeline and Encroachment is conflicting with or causing interference with any UTA or Third Person Track Improvements or Utilities existing prior to the Construction of the Pipeline and Encroachment, then Licensee shall be responsible for the costs of such relocation. All the terms, conditions and stipulations herein expressed with reference to the Pipeline and Encroachment in the location described herein shall, so far as the Pipeline and Encroachment remains on UTA property, apply to the Pipeline and Encroachment as modified or relocated pursuant to this Section.

7.3 The foregoing grant is also subject to the outstanding superior rights previously conveyed or granted to Third Persons by UTA, or its predecessors in interest, and the right of UTA to renew and extend the same.

ARTICLE VIII
INDEMNITY AND RELEASE

8.1 Licensee agrees to protect, defend, release, indemnify and hold harmless UTA, and any successors, contractors, officers, directors, agents and employees of UTA (the "UTA Indemnitees"), from and against any and all Losses resulting from: (a) negligence on the part of Licensee, or any employees, principals, contractors or agents of Licensee, in conjunction with any Construction, Maintenance or other work performed by or on behalf of Licensee with respect to the Pipeline and Encroachment; (b) negligence on the part of Licensee, or any employees, principals, contractors or agents of Licensee, in the use or operation of the Pipeline and Encroachment; (c) claims by trail users during the period of Construction; or (d) Licensee's breach of any provision of this Agreement. Notwithstanding the foregoing, Licensee shall not be required to indemnify UTA for, and UTA hereby assumes responsibility for, any losses, damages, claims, demands, actions, causes of action, penalties, expenses, litigation costs, attorneys' fees, expert witness fees, court costs, amounts paid in settlement, judgments, interest or other costs that are proximately caused by the negligence, recklessness or willful misconduct of UTA with respect to the construction, maintenance or operation of any UTA System.

8.2 Licensee acknowledges that the Right of Way may be subject to prospective purchaser agreements and covenants not to sue that UTA has entered with the Utah Department

of Environmental Quality and the United States Environmental Protection Agency. Pursuant to such agreements, UTA is required to characterize any excavated soil that appears to contain (or has the potential to contain) Hazardous Materials and to handle and dispose of any such soil in compliance with applicable state and federal laws. Under these agreements, UTA is not required to excavate any soil except as required for construction related to the installation of a UTA System. Accordingly, any excavation that Licensee performs with respect to the Pipeline and Encroachment exposes UTA to potential environmental liability that would not otherwise be present. As consideration for the rights granted to Licensee hereunder, Licensee agrees to assume all potential liability and responsibility for, and to indemnify and hold UTA harmless with respect to, any Losses related to the characterization and removal of any Hazardous Materials discovered during Construction or Maintenance. Licensee agrees to perform any such characterization and removal in full compliance with all applicable state and federal environmental laws. Notwithstanding the foregoing, Licensee shall not be required to indemnify UTA for, and UTA hereby assumes responsibility for, any losses, damages, claims, demands, actions, causes of action, penalties, expenses, litigation costs, attorneys' fees, expert witness fees, court costs, amounts paid in settlement, judgments, interest or other costs related to any Hazardous Materials discovered as the result of modification or relocation work performed by or on behalf of Licensee in conjunction with the construction, reconstruction, modification or relocation of any UTA System. To the extent that either Party actually causes a release of Hazardous Materials into the Right of Way, such party shall be responsible for the characterization and removal of such Hazardous Materials and shall indemnify the other Party with respect to all losses resulting therefrom.

8.3 Licensee hereby releases UTA from, and agrees not to seek recourse against UTA with respect to, any claims, damages, fees, expenses or other losses proximately caused by Third Persons including, without limitation, Third Persons having licenses or other interests in the Right of Way. Nothing contained herein shall be construed or deemed to be a release of any Third Persons by Licensee.

8.4 The provisions of this Article shall survive the termination of this Agreement.

ARTICLE IX
CLAIMS AND LIENS FOR LABOR AND MATERIALS; TAXES

9.1 Licensee shall fully pay for all materials joined or affixed to the Right of Way in connection with the Pipeline and Encroachment, and for all labor performed with respect to the Pipeline and Encroachment. Licensee shall not permit or suffer any mechanic's or materialman's lien of any kind or nature to be enforced against the property for any work done or materials furnished thereon at the instance or request or on behalf of Licensee.

9.2 Licensee shall promptly pay or discharge all taxes, charges and assessments assessed or levied upon, in respect to, or on account of the Pipeline and Encroachment to prevent the same from becoming a charge or lien upon the Right of Way and so that any taxes, charges and assessments levied upon or with respect to such property shall not be increased because of the Pipeline and Encroachment or any improvements, appliances, or fixtures connected therewith.

ARTICLE X
TERMINATION

10.1 UTA may terminate this Agreement if: (a) Licensee ceases to use the Pipeline and Encroachment in an active and substantial way for any continuous period of 1 year; (b)

Licensee continues in default with respect to any provision of this Agreement for a period of 30 days after UTA delivers written notice to Licensee identifying the nature of Licensee's breach of this Agreement; provided, however that if the nature of Licensee's breach is such that it cannot be cured within such 30-day period, Licensee shall not be deemed in default if Licensee commences to cure the breach within 30 days and thereafter diligently continues to remedy the breach; or (c) Licensee removes the Pipeline and Encroachment from the Right of Way.

10.2 Termination of this Agreement for any reason shall not affect any of the rights, obligations or liabilities that have accrued prior to or concurrent with such termination.

ARTICLE XI
INSURANCE

11.1 During the life of this Agreement, Licensee shall, at its sole cost and expense, obtain and maintain the insurance described in Exhibit "B" (Exhibit "B" is attached hereto and hereby incorporated into and made a part of this Agreement by reference). Licensee will also provide to UTA a Certificate of Insurance, identifying **UTA Contract Number DR/D/2460/P**, issued by its insurance carrier confirming the existence of such insurance and indicating that the policy or policies contain the following endorsement:

> "Utah Transit Authority is named as an additional insured with respect to all liabilities arising out of the existence, use or any work performed on or associated with the pipeline crossing and encroachment located on railroad right of way at approximately Mile Post 766.45 at or near Layton, Davis County, Utah"

11.2 Failure to maintain insurance as required shall entitle, but not require UTA to terminate this License immediately.

11.3 If Licensee is a public entity subject to any applicable statutory governmental immunity laws, the limits of insurance described in Exhibit "B" shall be the limits the Licensee then has in effect or that are required by applicable current or subsequent law, whichever is greater, a portion of which may be self insured with the consent and approval of UTA. Licensee does not waive any of its rights of entitlements to governmental immunity and limitations on liability to Third Persons under the Utah Governmental Immunity Act.

11.4 Licensee hereby acknowledges that it has reviewed the requirements of Exhibit "B", including without limitation the requirement for Railroad Protective Liability Insurance during construction, maintenance, installation, repair or removal of the Pipeline and Encroachment which is the subject of this Agreement.

ARTICLE XII
REMOVAL OF PIPELINE AND ENCROACHMENT UPON TERMINATION OF AGREEMENT

Upon termination of this Agreement pursuant to Article X hereof, Licensee shall, if requested in writing by UTA and at Licensee's sole cost and expense, remove the Pipeline and Encroachment from the Right of Way and shall restore, to the satisfaction of UTA, such portions of the Right of Way to at least as good a condition as such were in at the time that Licensee first entered the Right of Way. If Licensee fails to do the foregoing within a reasonable time, UTA

may, at its option, perform such removal and restoration work at the expense of Licensee. Licensee shall reimburse UTA for the costs incurred in any restoration or removal work performed under this Article within 30 days after receipt of the bill therefore. In the event UTA removes the Pipeline and Encroachment pursuant to this Article, UTA shall in no manner be liable to the Licensee for any damage sustained by Licensee for or on account thereof, and such removal and restoration shall in no manner prejudice or impair any other right of action, including the recovery of damages, that UTA may have against the Licensee. The provisions of this Article shall survive the termination of this Agreement.

ARTICLE XIII
ASSIGNMENT

Licensee may not assign this Agreement, in whole or in part, or any rights herein granted, without UTA's written consent, which consent shall not be unreasonably withheld, conditioned, or delayed. Notwithstanding the foregoing, Licensee may assign this Agreement and its rights hereunder as part of a consolidation with an entity that: (a) is a successor governmental entity to Licensee; (b) is annexed with, merged into or consolidated with Licensee; or (c) that acquires substantially all of the assets of Licensee provided, however, that in any of the above instances such entity seeking an assignment under this Article must, as a condition to such assignment, assume all terms and conditions of this Agreement without limitation.

ARTICLE XIV
SUCCESSORS AND ASSIGNS

Subject to the provisions of Article XIII, this Agreement shall be binding upon and inure to the benefit of the Parties hereto, their officers, employees, representatives, successors and assigns.

ARTICLE XV
SEVERABILITY

This Agreement is executed by the Parties under current interpretation of any and all applicable federal, state, county, municipal, or other local statutes, ordinances, or laws. Furthermore, each and every separate division hereof shall have independent and severable status from each other division, or combination thereof, for the determination of legality, so that if any separate division herein is determined to be unconstitutional, illegal, violative of trade or commerce, in contravention of public policy, void, invalid or unenforceable for any reason, that separate division shall be treated as a nullity but such holding or determination shall have no effect upon the validity or enforceability of each and every other division, or other combination thereof.

ARTICLE XVI
NOTICES

Except as specifically provided elsewhere in this Agreement, all notices, requests, demands and other communications hereunder shall be in writing and shall be deemed given if personally delivered or mailed, certified mail, return receipt requested, or sent by overnight carrier to the addresses set forth herein. Addresses for notice may be changed by giving ten (10) days written notice of the change in the manner set forth herein.

If to UTA:

Utah Transit Authority
Attn: Property Manager
P.O. Box 30810
Salt Lake City, UT 84130-0810

With a Copy to:

Utah Transit Authority
Attn: General Counsel
P.O. Box 30810
Salt Lake City, UT 84130-0810

If to Licensee:

Layton City Corporation
Attn: James Woodruff/City Engineer
437 North Wasatch Drive
Layton, UT 84041

ARTICLE XVII
NO IMPLIED WAIVER

The waiver by UTA of the breach by Licensee of any condition, covenant or agreement herein contained shall not impair any future ability of UTA to avail itself of any remedy or right set forth in this Agreement. Neither the right of supervision by UTA, nor the exercise or failure to exercise such right, nor the approval or failure to disapprove, nor the election by UTA to repair or reconstruct all or any part of the work contemplated by this Agreement shall be deemed a waiver of any of the obligations of Licensee contained or set forth in this Agreement.

ARTICLE XVIII
ENTIRE AGREEMENT - COUNTERPARTS

This Agreement shall constitute the entire agreement and understanding of the Parties with respect to the subject matter hereof, and shall supersede all offers, negotiations and other agreements with respect thereto. Any amendment to this Agreement must be in writing and executed by an authorized representatives of each Party. This Agreement may be executed in any number of counterparts and by each of the Parties hereto on separate counterparts, each of which when so executed and delivered shall be an original, but all such counterparts shall together constitute but one and the same instrument. Any signature page of this Agreement may be detached from any counterpart and reattached to any other counterpart hereof. The facsimile transmission of a signed original of this Agreement or any counterpart hereof and the retransmission of any signed facsimile transmission hereof shall be the same as delivery of an original.

ARTICLE XIX
FORUM SELECTION AND CHOICE OF LAW

This Agreement shall be construed and interpreted under the laws of the State of Utah and the parties agree that any action or proceeding brought concerning this Agreement may be brought only in the courts of Salt Lake County, Utah, and each party hereto hereby consents to the jurisdiction of such courts.

ARTICLE XX
SPECIAL PROVISIONS

Special provisions, if any, are included in the attached Exhibit "C" (Exhibit "C" is attached hereto and hereby incorporated into and made a part of this Agreement by reference).

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed in duplicate as of the date first herein written.

UTAH TRANSIT AUTHORITY

Reviewed and Approved as to Form for UTA

By: _____
Paul Edwards
Senior Program Manager

_____
UTA Engineering

_____
UTA Legal

By: _____
Mailia Lauto'o
Manager, Property Administration

By: _____
Shelley Nielsen
Property Administrator

LICENSEE

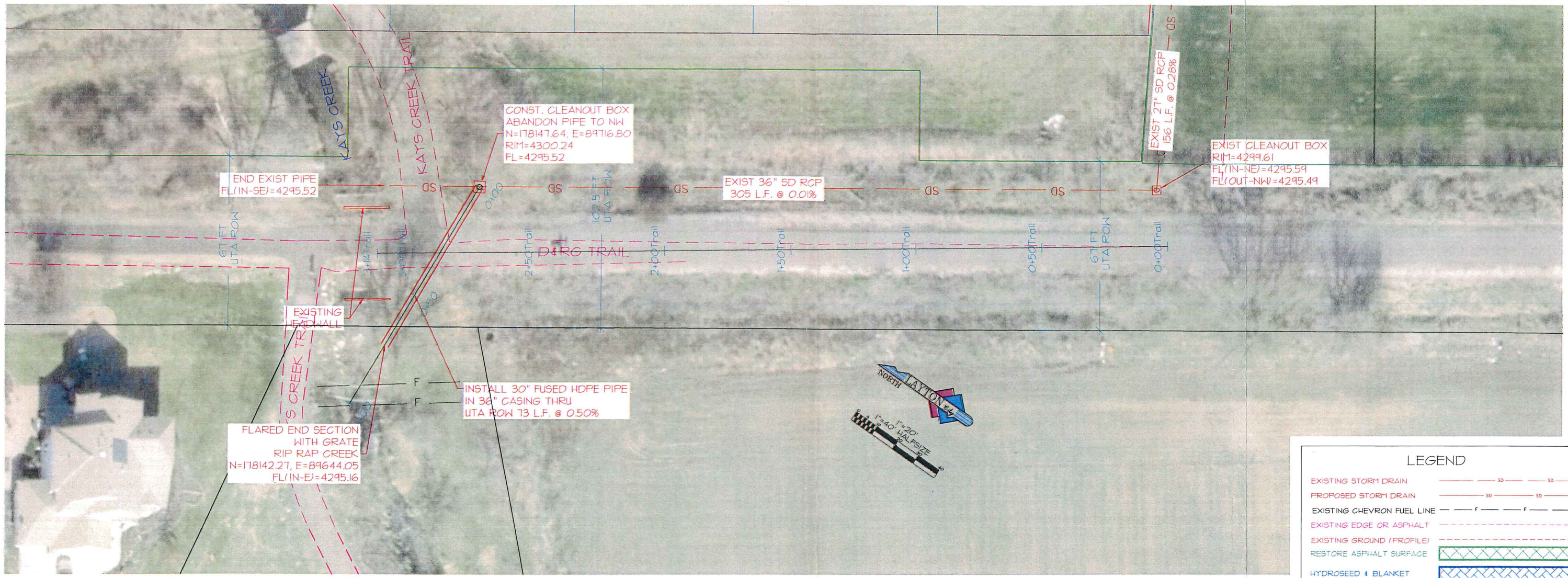
By: _____

Its: _____

Approved as to Form
By
Date 9/10/13

EXHIBIT "A"
DESIGN PLANS

[Insert engineering drawings showing the proposed crossing including proposed construction methods, shoring and cribbing requirements and milepost location]

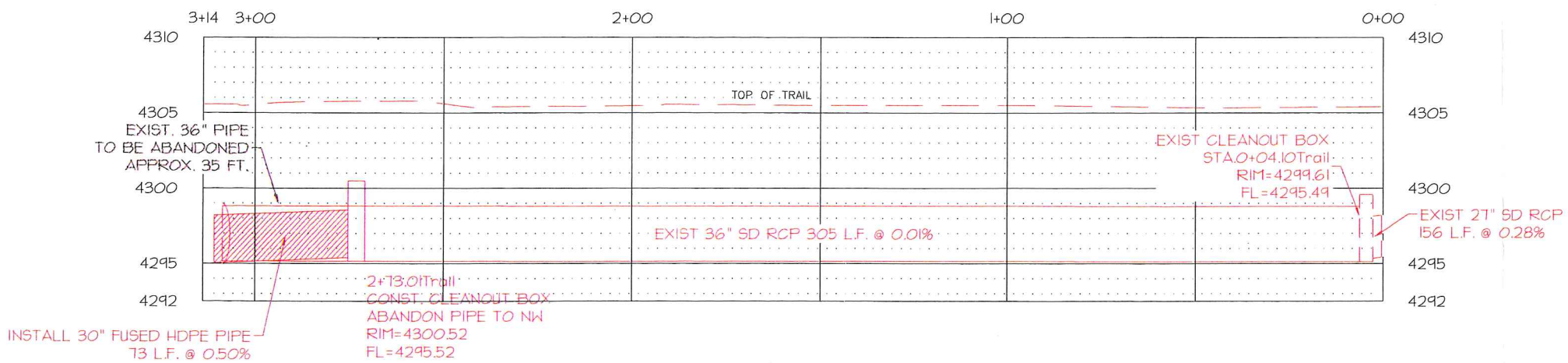


LEGEND

- EXISTING STORM DRAIN — SD — SD —
- PROPOSED STORM DRAIN — SD — SD —
- EXISTING CHEVRON FUEL LINE — F — F — F —
- EXISTING EDGE OR ASPHALT
- EXISTING GROUND (PROFILE)
- RESTORE ASPHALT SURFACE
- HYDROSEED & BLANKET
- EXISTING STORM DRAIN CLEANOUT BOX (D)
- PROPOSED STORM DRAIN CLEANOUT BOX (D)

BENCHMARK
SSMH NORTH END
350 WEST
N=177971.37, E=90040.98
ELEV=4301.849

POTHOLE UTILITIES AT CROSSINGS PRIOR TO CONSTRUCTION TO VERIFY DEPTHS



LAYTON City ENGINEERING

PRELIMINARY—NOT FOR CONSTRUCTION

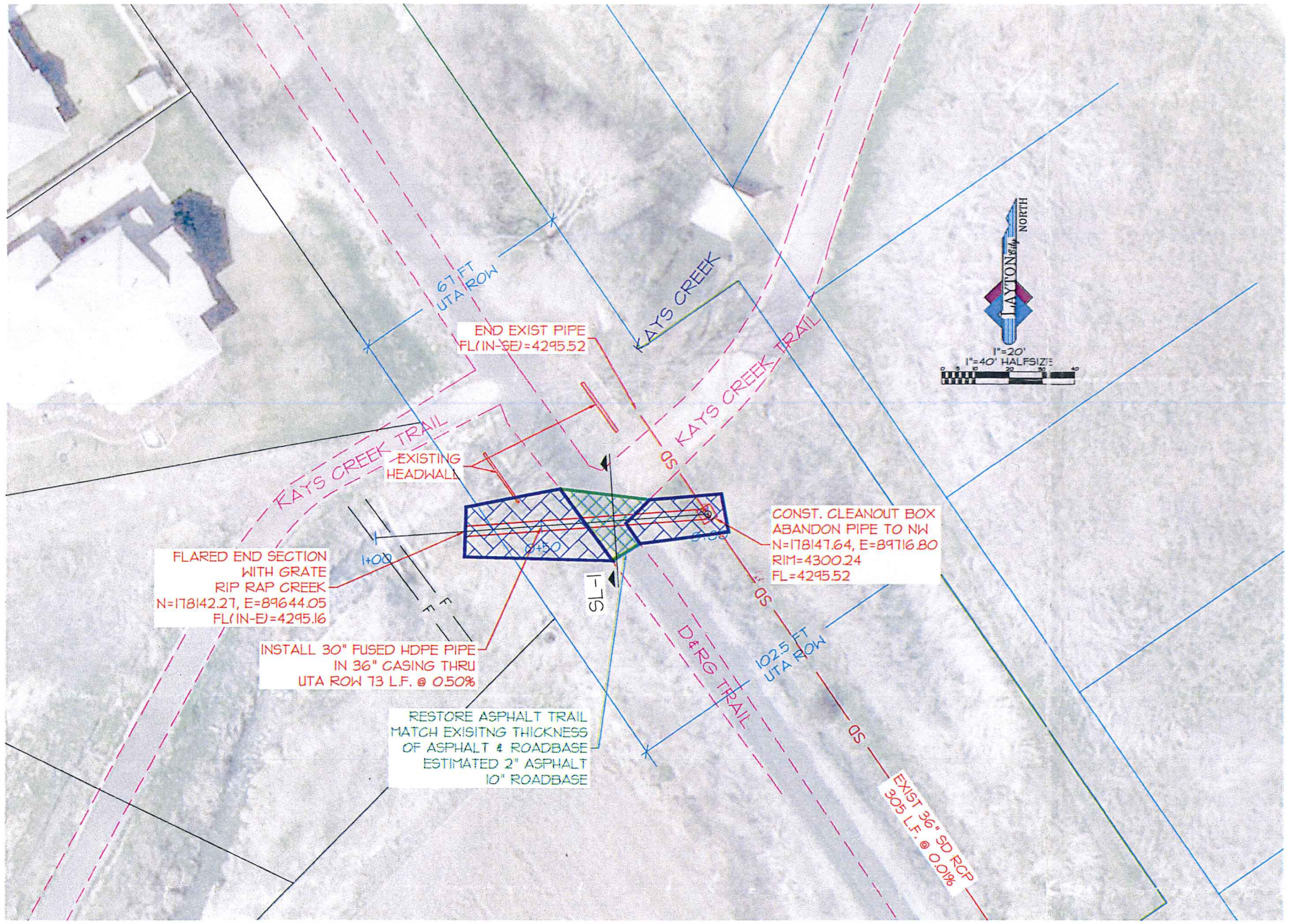
REVISION	BY	DATE

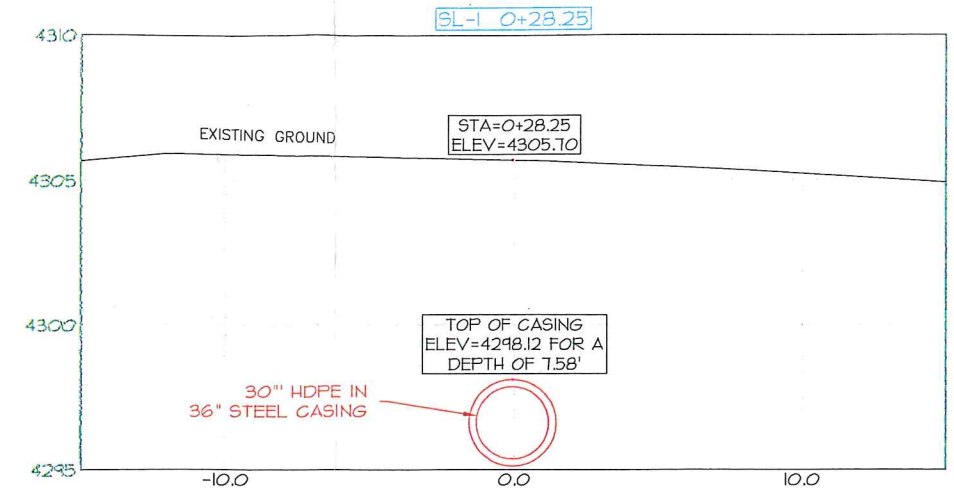
DESIGNED BY	S HANSEN	DATE	4/9/13
DRAWN BY	S HANSEN	DATE	4/15/13
APPROVED BY	J WOODRUFF	DATE	Today
HORIZONTAL SCALE	1" = 40'		
VERTICAL SCALE	1" = 5'		
VIEW NAME	PLOT		

WHISPERING WILLOW OUTFALL RELOCATION

KAYS CREEK & D&RG TRAIL
EXISTING ALIGNMENT

DRAWING # 1 OF 1





LEGEND

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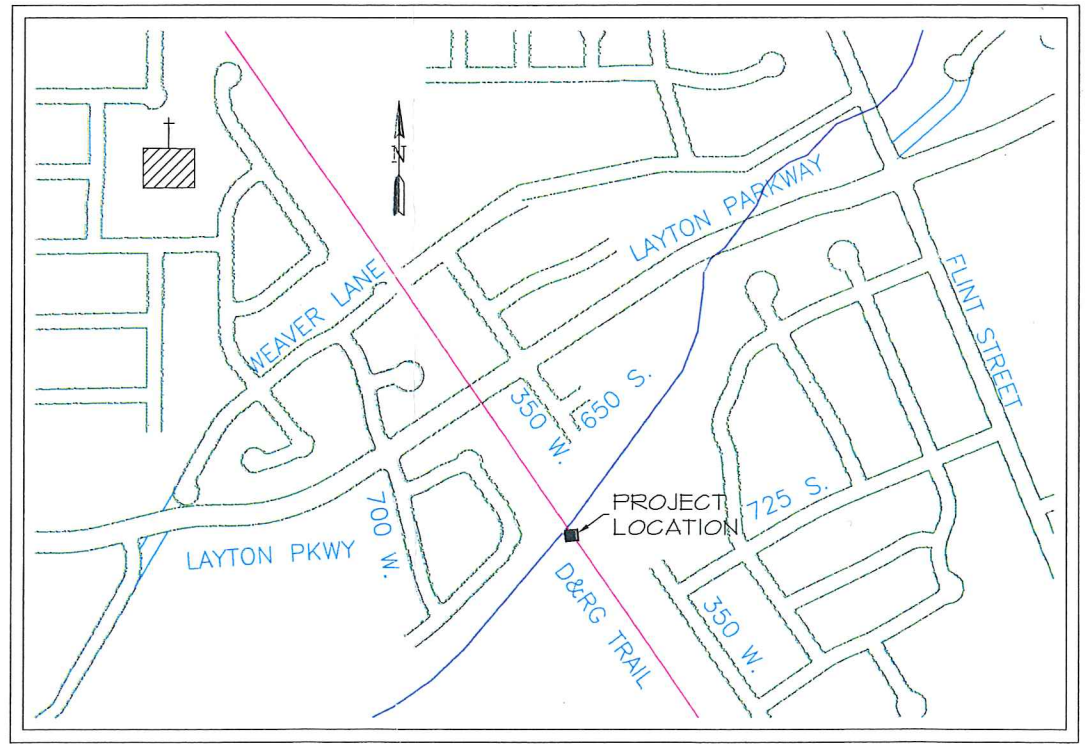
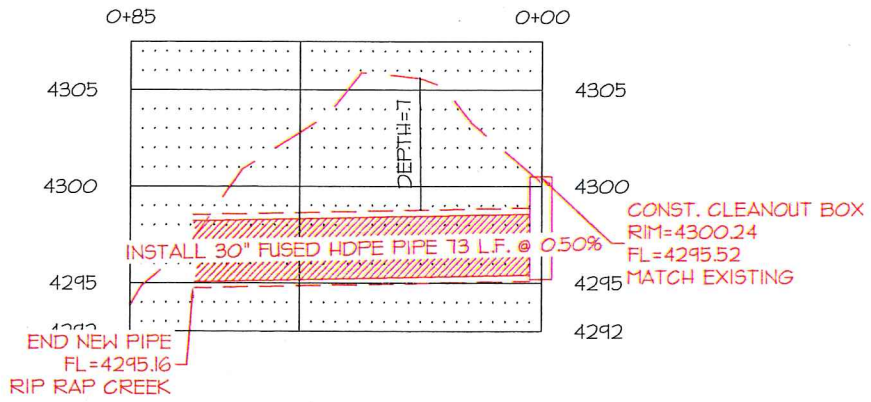
- PROPOSED STORM DRAIN
- EXISTING CHEVRON FUEL LINE
- EXISTING EDGE OF ASPHALT
- EXISTING GROUND (PROFILE)
- RESTORE ASPHALT SURFACE
- HYDROSEED & BLANKET
- EXISTING STORM DRAIN CLEANOUT BOX
- PROPOSED STORM DRAIN CLEANOUT BOX



GENERAL NOTES:

1. RIP RAP TO BE D50-12" WITH A D MAXIMUM OF 18"
2. RIP RAP TO EXTEND UP THE SIDES OF THE CREEK BED.
3. RIP RAP TO BE 2' DEEP.



BENCHMARK
SSMH NORTH END
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ELEV=4301.849

POTHOLE UTILITIES AT CROSSINGS PRIOR TO CONSTRUCTION TO VERIFY DEPTHS

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HORIZONTAL SCALE: 1" = 20'
VERTICAL SCALE: 1" = 5'
VIEW NAME: PLOT

WHISPERING WILLOW OUTFALL RELOCATION

KAYS CREEK & D&RG TRAIL

DRAWING # 1 OF 1

EXHIBIT "B"
INSURANCE REQUIREMENTS

Licensee shall, at its sole cost and expense, procure and maintain during the life of this Agreement the following insurance coverage:

A. **Commercial General Liability Insurance:** Policy providing coverage for death, personal injury and property damage with a combined single limit of at least $2,000,000 each occurrence or claim and an aggregate limit of at least $4,000,000. The policy shall contain broad form contractual liability insurance covering the indemnity obligations assumed by Licensee in the Agreement. Exclusions for railroads (except where the Pipeline and Encroachment is in all places more than 50 feet from any railroad tracks, bridges, trestles, roadbeds, terminals, underpasses or crossings), and explosion, collapse and underground hazard shall be removed. Coverage provided on a "claims made" form shall provide for at least a two-year extended reporting and discovery period if (a) the coverage changes from a claims made form to an occurrence form, (b) there is a lapse/cancellation of coverage, or (c) the succeeding claims made policy retroactive date is different for the expiring policy.

    a. The policy must also contain the following endorsement, WHICH MUST BE STATED ON THE CERTIFICATE OF INSURANCE: "Contractual Liability Railroads" ISO from CG 24 17 10 01 (or a substitute form providing equivalent coverage) showing "Utah Transit Authority Property" as the Designated Job Site.

B. **Automobile Liability Insurance:** Policy providing bodily injury, property damage and uninsured vehicles coverage with a combined single limit of at least $2,000,000 each occurrence or claim. This insurance shall cover all motor vehicles including hired and non-owned, and mobile equipment if excluded from coverage under the commercial general liability insurance.

C. **Worker's Compensation and Employer's Liability Insurance:** Policy covering Licensee's statutory liability under the laws of the State of Utah. If Licensee is self-insured, evidence of State approval must be provided.

D. **Railroad Protective Liability Insurance:** Licensee must maintain "Railroad Protective Liability" insurance on behalf of UTA only as named insured, with a limit of not less than $2,000,000 per occurrence and an aggregate of $6,000,000.

    a. The definition of "JOB LOCATION" AND "WORK" on the declaration page of the policy shall refer to this Agreement and shall describe all WORK or OPERATIONS performed under this agreement.

E. **Umbrella or Excess Insurance:** If Licensee utilizes umbrella or excess policies, and these policies must "follow form" and afford no less coverage than the primary policy.

F. **Other Insurance Provisions:**

    a. Licensee and their insurers shall endorse the required insurance policy(ies) to waive their right of subrogation against UTA. Licensee's insurance shall be primary with respect to any insurance carried by UTA. Contractor

will furnish UTA at least 30 days advance written notice of any cancellation or non-renewal of any required coverage that is not replaced.

b. The required insurance policy(ies) shall be written by a reputable insurance company with a current AM Best's Insurance Guide Rate of A better, or as may otherwise be acceptable to UTA. Such insurance company shall be authorized to transact business in the State of Utah.

c. The fact that insurance is obtained by Licensee shall not be deemed to release or diminish the liability of Licensee including, without limitation, liability under the indemnity provisions of this Agreement. Damages recoverable by UTA shall not be limited by the amount of the required insurance coverage.

SUBMITTING REQUESTS FOR
RAILROAD PROTECTIVE LIABILITY INSURANCE
($2,000,000 per occurance/ $6,000,000 aggregate)

Application forms for inclusion in Utah Transit Authority's Blanket Railroad Protective Liability Insurance Policy may be obtained from a Property Administrator.

If you have questions regarding railroad protective insurance (i.e. premium quotes, application) please contact David Pitcher at:

Phone: (801) 287-2371
Email: dcpitcher@rideuta.com

Send Checks and Applications to the following address:

Utah Transit Authority
Attn: David Pitcher
3600 South 700 West
P.O. Box 30810
Salt Lake City, UT 84130-0810

EXHIBIT "C"
SPECIAL PROVISIONS

1. Right of Way Access Permit. Licensee or Licensee's Contractor must first obtain a Right of Way Access Permit from UTA before any access will be allowed on UTA property. The contact person for obtaining a Right of Way Track Access Permit is Dave Hancock at (801) 615-9855.

   Note: Track Access Permits will not be issued without first having an executed Contractor's Right of Entry Agreement, UTA having received proof of insurance as provided in the Right of Entry Agreement, and verification that the Contractor and all of the Contractor's Employees have gone through UTA's Roadway Worker Training.

2. Trails. UTA previously entered into an agreement with Layton City ("City") to allow the City to use the Right of Way for a recreational trail. As a condition to this license, Licensee shall coordinate with the City regarding any trail closures or detours.

   a. Licensee or Licensee's Contractor will post notice to trail users a minimum of 7 days before any trail closure. Licensee or Licensee's Contractor will also provide a public relations contact on the notice for any questions from the public.

3. Open Cut Procedures and Requirements.

   a. Licensee or Licensee's Contractor is authorized to OPEN CUT only during the initial installation of the Pipeline and connection to the Encroachment.
   b. All soil handling to be dust free. "Meaning strictly dust free."
   c. Aggregate/Soil in ballast section to be segregated and handled separately from embankment soil.
   d. Licensee or Licensee's Contractor to restore the soil structure to similar properties and resilience as before being disturbed.
   e. Licensee or Licensee's Contractor to restore the surface of the trail/ property to meet or exceed the original design of the trail.
   f. After construction and restoration, Licensee or Licensee's Contractor will slurry seal the affected trail section from cross street to cross street to maintain a continuous smooth surface.

LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET

Item Number: 4G

Subject: Adamswood Road Sanitary Sewer Payback – 450 North Adamswood Road to 400 North Adamswood Road Running West to Fairfield Road along the North Boundary of the Fairfield Road Storm Water Detention Facility and Connecting to the Existing North Davis Sewer District Sanitary Sewer Main at 350 North Fairfield Road – Resolution 13-53

Background: The City has installed a sanitary sewer main in Adamswood Road from 450 North to 400 North, then west along the north boundary of the Fairfield Road Storm Water Detention Facility and connecting to the existing North Davis Sewer District sanitary sewer main at 350 North Fairfield Road. The pipe was installed with Project 11-40 and was completed in September of 2011. The installation of this sanitary sewer main provides sanitary sewer service to approximately 12.07 acres of developable property located along Adamswood Road from 575 North to 400 North.

The purpose of Resolution 13-53 is to require new development within the sanitary sewer service area to pay for the sanitary sewer project improvements, installed previously by the City in advance of the development.

Alternatives: Alternatives are to 1) Adopt Resolution 13-53 requiring new development to pay for the sanitary sewer project improvements, installed previously by the City in advance of the development; or 2) Not Adopt Resolution 13-53.

Recommendation: Staff recommends the Council adopt Resolution 13-53 requiring new development to pay for the sanitary sewer project improvements, installed previously by the City in advance of the development.

RESOLUTION 13-53

A RESOLUTION REQUIRING NEW DEVELOPMENT TO PAY FOR SANITARY SEWER PROJECT IMPROVEMENTS, INSTALLED PREVIOUSLY BY THE CITY IN ADVANCE OF THE DEVELOPMENT, FOR THE ADAMSWOOD SEWER LINE CONSTRUCTION PROJECT 11-40.

WHEREAS, the City has constructed a sanitary sewer line, Project 11-40, from 450 North Adamswood Road to 400 North Adamswood Road, thence running west to Fairfield Road, along the north boundary of the Fairfield Road Storm Water Detention Facility and connecting to the existing North Davis Sewer District Sanitary Sewer line at 350 North Fairfield Road; and

WHEREAS, consistent with the City's policy and Section 12.24.060 of the Layton Municipal Code, the City has determined that new development should pay its proportional share of the costs of infrastructure and improvements that constitute "project improvements" and that specifically benefit development activity within the City; and

WHEREAS, the City has calculated the costs of those improvements, based on actual costs incurred by the City in making those improvements and, pursuant to the above ordinance, desires to impose, by resolution, those costs on future development; and

WHEREAS, the City Council of Layton City deems it to be in the best interest of the citizens of Layton City, to pass this resolution, requiring that those costs attributable to new development, be properly assessed to new development.

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

1. That the owners of properties tax serial #11-003-0015, #11-003-0018, #11-003-0142 and #11-003-0151 identified in Exhibit "A", that have been benefited by the City's installation of "project improvements", specifically sanitary sewer improvements to those properties, be assessed their proportional share of the costs of those improvements only when development occurs on the property as provided in Exhibit "B" to this resolution, which is attached hereto and incorporated herein by this reference.

2. That, pursuant to Section 12.24.060 of the Layton Municipal Code, the payment of these costs become a condition precedent to any development approval or permit requested or applied for.

3. That a copy of this resolution be recorded upon each parcel of property identified in Exhibit "A", to be assessed their proportional share of the costs of those improvements, as identified in Exhibit "B", which attachments are attached hereto and incorporated herein by this reference.

PASSED AND ADOPTED by the City Council of Layton, Utah, this ___ **day of** _____ **2013.**

ATTEST:

_____
THEIDA WELLMAN, City Recorder

_____
STEPHEN CURTIS, Mayor

SUBMITTING DEPARTMENT:

_____
TERRY COBURN, Public Works Director

APPROVED AS TO FORM:

_____
GARY CRANE, City Attorney

Exhibit "A"

Adamswood Road Sanitary Sewer Payback

Owner	Parcel ID	Address	Zone/# units	Cost
Dale Corporation	11-003-0015	575 N. Adamswood	RM-1/16	$14,048.00
Barlow Realty	11-003-0018	500 N. Adamswood	RM-1/13	$11,414.00
Adams, Charles Parley, Trustee	11-003-0142	400 N. Adamswood	R1-10/24	$21,072.00
Maynard, Charlene and Gary, Trustees	11-003-0151	412 N. Adamswood	A/1	$878.00
TOTAL			**54**	**$47,412.00**

The cost per unit benefited by the sanitary sewer pipe installation is $878.00. This calculation was based on the actual construction cost of $57,970.00 to install the 8 inch sanitary sewer pipe from Adamswood Road to Fairfield Road, as shown in Exhibit "B", divided by the total number of proposed units (based on current zoning), that benefit from the new sanitary sewer line (66 units). In addition to the properties shown above, the Adamswood PRUD with 12 units was included in the number of units that benefited from the sanitary sewer pipe installation (54+12=66).

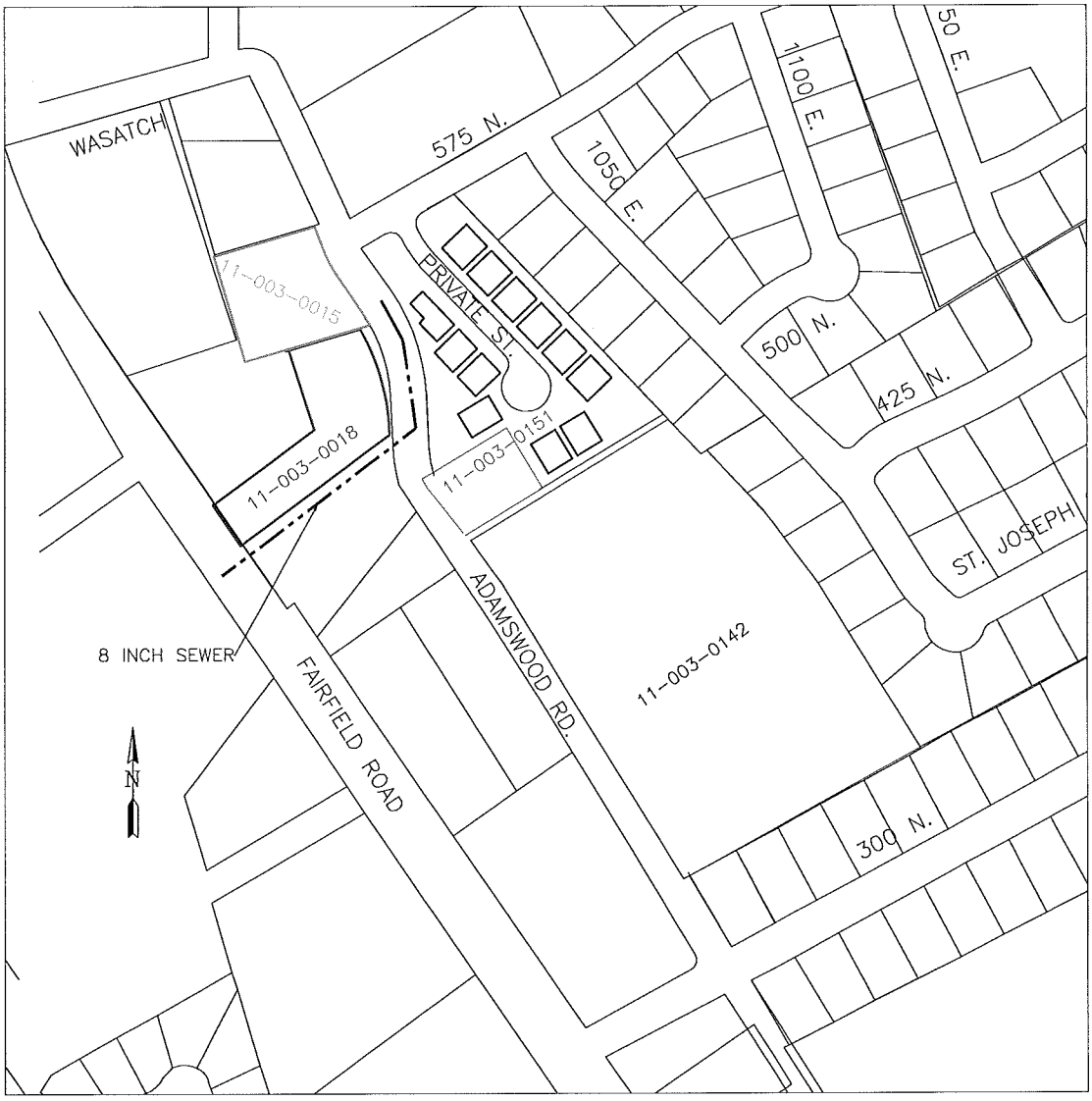


EXHIBIT "B"

ADAMSWOOD SANITARY SEWER PAYBACK AREA

LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET

Item Number: 5A

Subject: On-Premise Restaurant Liquor License – China Hill – 2704 North Hill Field Road, Suite 1

Background: The owner of China Hill, Zuo Feng Shi, is requesting an on-premise restaurant liquor license. Section 5.16.020 of the Layton City Code regulates liquor licenses with the following location criteria.

(1) Restaurant liquor license premises may not be established within 600 feet of any public or private school, church, public library, public playground, school playground or park measured following the shortest pedestrian or vehicular route.

(2) Restaurant liquor license premises may not be established within 200 feet of any public or private school, church, public library, public playground, school playground or park measured in a straight line from the nearest entrance of the restaurant to the nearest property line.

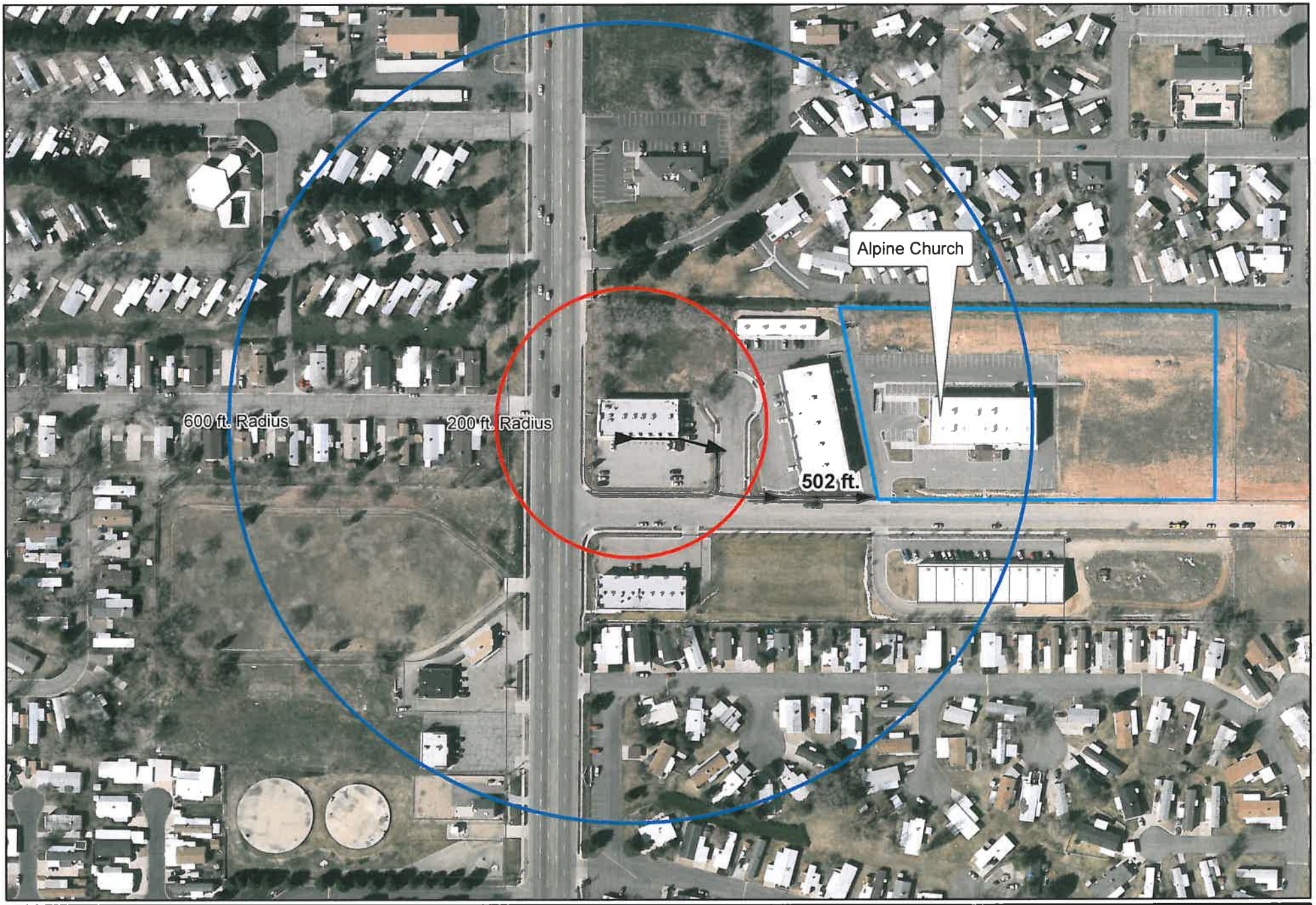
The attached buffer map illustrates that a church, Alpine Church, 254 West 2675 North, is located within the 600-foot safe walking distance regulation. The Alpine Church is located in a commercial CP-2 zoning district. The restaurant is oriented to North Hill Field Road, and Alpine Church is oriented to 2675 North Street. The pastor has been notified of the request for the on-premise restaurant liquor license and has no objections to the approval of the license. Section 5.16.100 (5) states that the buffer restrictions govern unless the Council finds, "that compliance with the distance requirements would result in peculiar and exceptional practical difficulties or exception and undue hardships in the granting of a restaurant liquor license. Additional circumstances may be considered and include topography, existing permanent physical barriers, sight distance, land-use issues, compatibility, travel distance, etc."

The Council may, following a public hearing, "authorize a variance from the distance requirements to relieve the difficulties or hardships if the variance may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this Chapter. If such a variance is granted, the Council may impose additional restrictions upon the licensee to ensure the purpose of the intended restrictions."

A copy of the criminal background check on Zuo Feng Shi has been submitted to the Police Department for review and has been approved.

Alternatives: Alternatives are to 1) Approve the on-premise restaurant liquor license for China Hill granting a variance to the 600-foot rule for the shortest pedestrian route; or 2) Deny the request.

Recommendation: Staff recommends the Council approve the on-premise restaurant liquor license for China Hill granting a variance to the 600-foot rule for the shortest pedestrian route.



LAYTON City	**FengSheng Corp.** **DBA China Hill** **2704 N. Hill Field Rd., Suite #1**	N

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