

**CITY OF SARATOGA SPRINGS  
CITY COUNCIL MEETING**

Tuesday, February 4, 2014

Meeting held at the City of Saratoga Springs City Offices  
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

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**CITY COUNCIL AGENDA**

Councilmembers may participate in this meeting electronically via video or telephonic conferencing.

**POLICY SESSION- Commencing at 6:00 p.m.**

- Call to Order.
- Roll Call.
- Invocation / Reverence.
- Pledge of Allegiance.
- Public Input - Time has been set aside for the public to express ideas, concerns, and comments. Please limit repetitive comments.
- Awards, Recognitions and Introductions.
  - i. Swearing in of Officer Christopher Morgan and Officer Thomas Potts.

**POLICY ITEMS**

1. Consent Calendar:
  - a. Bid Award for the Pioneer Crossing sewer.
  - b. Resolution R14-6 (2-4-14): appointing a City Treasurer and City Recorder for the City of Saratoga Springs.
  - c. Resolution R14-7 (2-4-14): amending the consolidated fee schedule.
2. Public Hearing: Amendment of the City of Saratoga Springs FY 2013-2014 Budget.
  - a. Resolution R14-8 (2-4-14): amending the City of Saratoga Springs budget for 2013-2014.
3. Financial Quarterly update.
4. Resolution R14-9 (2-4-14): approving the City of Saratoga Springs Library Bylaws.
5. Resolution R14-10 (2-4-14): appointing a Mayor Pro-tempore for the City of Saratoga Springs.
6. Resolution R14-11 (2-4-14): approving the termination of a utility easement.
7. Additional sign request for Taco Bell.
8. Subdivision Exception for Fox Hollow Neighborhood 6.
9. Reports:
  - a. Mayor.
  - b. City Council.
  - c. Administration communication with Council.

**WORK SESSION**

1. Update from Laura Hanson with Jordan River Commission.
2. Discussion with Zions bank regarding water/sewer rates.
3. Motion to enter into closed session for the purchase, exchange, or lease of property, pending or reasonably imminent litigation, the character, professional competence, or physical or mental health of an individual.
4. Adjournment.

**Notice to those in attendance:**

- Please be respectful to others and refrain from disruptions during the meeting.
- Please refrain from conversing with others in the audience as the microphones are sensitive and can pick up whispers in the back of the room.
- Keep comments constructive and not disruptive.
- Avoid verbal approval or dissatisfaction of the ongoing discussion (e.g., applauding or booing).
- Please silence all cell phones, tablets, beepers, pagers, or other noise making devices.
- Refrain from congregating near the doors to talk as it can be noisy and disruptive.

**City Council  
Staff Report**

**Author: Mark T. Edwards**  
**Subject: Pioneer Crossing Sewer Betterments**  
**Date: February 4, 2014**  
**Type of Item: Contract Award**



**Description: Award of Bid**

**A. Topic:**

This item is for the approval of a contract for the construction of the Sewer Betterments on the Pioneer Crossing Project.

**B. Background:**

At the City Council meeting on November 19, 2013, Staff worked with the Council to identify various "Betterment" projects that could be completed with the Pioneer Crossing Extension Project. On January 7, 2014 the City Council approved a design contract with Epic Engineering to design a section of sewer line that would be technically difficult to construct in a relative short time frame. The new sewer line will be installed perpendicular to CUWCD's water line and depending on conditions that the contractor encounters when they uncover CUWCD's water line, they may have to jack and bore a portion of the sewer. The Contractors were asked to provide a contingency cost for this activity as part of their bid which was included in Additive Alternate #1.

Staff engaged in a rigorous prequalification process, after which four contractors were selected to bid on this project. On January 28, 2014 the City held a bid opening, receiving bids from all four prequalified bidders. The low bidder, Allied Construction reanalyzed their bid after the opening and discovered that they had made significant mathematical errors and quickly withdrew their bid. The next lowest bid came from Whitaker Construction.

**C. Recommendation**

Staff recommends that the City Council award the Pioneer Crossing Sewer line Project to Whitaker Construction for the amount of \$223,700 and if necessary, the cost of the Additive Alternate #1 for \$12,000.

January 30, 2014

Mark Edwards  
Capital Projects Manager  
City of Saratoga Springs  
1307 North Commerce Drive, #200  
Saratoga Springs, UT 84045

**Subject: Pioneer Crossing Sewer main – Award Recommendation**

Dear Mark,

Bids were opened for the construction of the **Pioneer Crossing Sewer Main** project on Tuesday, January 28, 2013 at 4:00 p.m. Four bids were submitted by the pre-qualified contractors and read out loud. The bids have been summarized in the table below.

	<b>Contractor</b>	<b>Bid Schedule</b>	<b>Bid Alternate</b>	<b>Total for Both Bids</b>
1	Knife River	\$ 252,053.45	\$ 15,939.39	\$ 267,992.84
2	Allied Construction	\$ 140,953.76	\$ 39,900.00	\$ 180,853.76
3	Whitaker Construction	\$ 223,700.00	\$ 12,000.00	\$ 235,700.00
4	Condie Construction	\$ 251,950.00	\$ 99,850.00	\$ 351,800.00
	<b>ENGINEERS ESTIMATE</b>	\$ 177,000.00	\$ 50,000.00	\$ 227,000.00

Allied Construction is the apparent low bidder however there are mistakes in their bid estimate causing them to be much lower than the next lowest bidder. They have requested that their bid be withdrawn due to a mathematical error in their bid.

The next lowest bidder is Whitaker Construction. Whitaker Construction has a properly filled out and included all the requested information and has provided bid bonding for the correct amount of 5% of the bid price.

The engineer's estimate for the Bid Total is approximately 10% less than the lowest qualified bidder. The main reason for the discrepancy is due to the pipe unit price.

We recommend awarding the bid schedule to Whitaker Construction Co. in the amount of **\$223,700.00** . We have drafted a copy of the Notice of Award and Agreement for Bid Schedule and included them with this letter (4 copies), along with a notice of award letter to Whitaker Construction Company.

If you have any questions or comments please contact our office.

Sincerely,

**EPIC ENGINEERING, P.C.**



Clint Dilley, P.E.  
Project Manager

**RESOLUTION NO. R14-6 (2-4-14)**

**A RESOLUTION APPOINTING A CITY  
RECORDER AND A CITY TREASURER FOR  
THE CITY OF SARATOGA SPRINGS AND  
ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the City of Saratoga Springs has a qualified person serving as the City Recorder and a qualified person serving as the City Treasurer.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SARATOGA SPRINGS, UTAH, THAT:

1. Lori Yates be re-appointed to the office of City Recorder.
2. Debra Elms be re-appointed to the office of City Treasurer.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage.

Passed and effective this 4<sup>th</sup> day of February, 2014.

CITY OF SARATOGA SPRINGS  
A UTAH MUNICIPAL CORPORATION

Signed: \_\_\_\_\_  
Jim Miller, Mayor

Attest: \_\_\_\_\_  
Lori Yates, City Recorder

\_\_\_\_\_  
Date

# City Council Staff Report

**Author:** Melissa Grygla, Library Director  
**Subject:** Library Fines & Fees  
**Date:** January 22, 2014  
**Type of Item:** Resolution



Summary Recommendations: The City Council should adopt the attached fines and fees schedule, to allow the library to collect revenues to recoup costs for the library.

## **Description:**

**A. Topic:** Library Fines & Fees Schedule

**B. Background:** The Saratoga Springs Library is seeking permission to collect the necessary fines and fees to collect revenues, promised to the City Council when the library's budget was increased. Currently the library is collecting overdue book fines of \$0.25 per a day and overdue DVD fines of \$0.25 per a day. We are seeking permission to lower the fine for overdue books to \$0.10 per a day.

We are also seeking to decrease the fines for copies. Currently black and white copies are \$0.25 and color copies are \$0.50. This will allow us to charge \$0.10 per black and white copies and \$0.25 for colored copies.

**C. Analysis:** Currently the library is charging \$0.25 per a day for overdue books. We have found that this small amount is not enough to encourage patrons to promptly return materials. Currently there are around 100 individuals with overdue materials. We expend staff time calling these people with overdue materials every two weeks for the first 8 weeks that materials are overdue. It is our hope that decreasing this fine to a figure \$0.10 per a day, which is aligned with the fines charged by many other libraries in the state, will encourage patrons to return materials in a timely manner.

We are also seeking to decrease the fines for copies. Attaching the copy machine to the public computers will reduce the copy costs. Currently black and white copies are \$0.25 and color copies are \$0.50. This will allow us to charge \$0.10 per black and white copies and \$0.25 for colored copies. These fee amounts will align with other libraries in the state.

**D. Department Review:** City Manager, Library

## **Alternatives:**

**A. Approve the Request:** Staff recommends that the City Council approve the attached resolution to allow the library to collect the fines and fees, to encourage prompt return of library materials.

**B. Deny the Request:** The City Council could deny the request and not approve the increase of the library fines. We would then not be able to encourage patrons to return materials as promptly.

**C. Continue the Item:** The City Council could continue the request until a later date and time. The result being that the library would have to delay the collection of additional revenues.

**D. Hybrid:** The City Council could approve the increase of fines or the waiving of volunteer fines and deny the request for the other. Council should provide direction to staff regarding which fines are approved and which are denied should this alternative be chosen.

**Recommendation:** Staff recommends the approval of the attached Resolution.

## Library Fines & Fees

*Proposed Changes are italicized*

### Copies

Black & White \$0.25 per a page *\$0.10 per a page*

Color \$0.50 per a page *\$0.25 per a page*

### Inter-Library Loans

Postage Fee \$3.00

### Library Card Fee

Non-Resident Library Card Fee \$10.00 every 6 Months

Replacement Cards \$1.00

Resident New Library Card Registration Fee \$1.00

### Library Totes

Bags \$8.00

### Lost or Damaged Materials

Lost or Damaged Materials \$5.00 (or current replacement cost)

Processing Fee (Barcode Sticker Removed) \$2.00

Processing Fee (Call Number Sticker Removed) \$1.00

Processing Fee (Charged on all Lost or Damaged Materials) \$3.00

### Overdue Fines

Books \$0.25 per a day *proposed change \$0.10*

DVD's \$0.25 per a day

### Proctoring

Resident: A free appointment can be scheduled 48 hours in advance and based on availability. If an appointment is not made 48 hours in advance, residents will be required to pay a \$5.00 fee.

Non-Residents: For non-residents proctoring is available for a \$5.00 fee. An appointment is required 48 hours in advance and based on availability.

### Used Books

Children's \$0.25

Adult's \$0.50

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**RESOLUTION NO. R14-7 (2-4-14)**

**A RESOLUTION AMENDING THE CONSOLIDATED FEE SCHEDULE FOR THE CITY OF SARATOGA SPRINGS PERTAINING TO LIBRARY FINES AND FEES; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Saratoga Springs is empowered pursuant to Utah law to adopt a resolution establishing fees and has previously established an equitable system of fees to cover certain costs of providing municipal services; and

**WHEREAS**, the City Council finds it necessary to amend the fee schedule pertaining to library fines and fees and that such amendment is an equitable manner of covering the costs of providing library services to City residents; and

**WHEREAS**, the City Council finds that it is in the public interest to amend the fee schedule with regard to library fines and fees only.

**NOW, THEREFORE** be it resolved by the City Council of the City of Saratoga Springs that the City's Consolidated Fee Schedule is hereby amended to include the following fees and changes:

Library Fines and Fees

1. Overdue book fine: \$0.10 per day
2. Overdue audio book fine: \$0.25 per day
3. DVD's: \$0.25 per day
4. Black & White copies \$0.25: per page
5. Color copies: \$0.50 per page
6. Inter-Library Loans: \$3.00 postage fee
7. Non-resident Library Card Fee: \$10.00 every 6 months
8. Replacement Cards: \$1.00
9. Resident New Library Card: \$1.00 (registration fee)
10. Used books (Children paperback): \$0.25
11. Used books (Adult hardback): \$0.50
12. Proctoring:
  - a. Residents: A free appointment can be scheduled 48 hours in advance and based on availability. If an appointment is not made 48 hours in advance, residents will be required to pay a \$5.00 fee.
  - b. Non-residents: Proctoring is available for a \$5.00 fee. An appointment is required 48 hours in advance and based on availability.

This resolution shall take effect immediately upon passage.

ADOPTED AND PASSED by the Governing Body of the City of Saratoga Springs, Utah, this 4th day of February, 2014.

CITY OF SARATOGA SPRINGS

A UTAH MUNICIPAL CORPORATION

Signed: \_\_\_\_\_  
Jim Miller, Mayor

Attest: \_\_\_\_\_  
City Recorder

\_\_\_\_\_  
Date

# City Council Staff Report

**Author:** Chelese M. Rawlings, Finance Manager  
**Subject:** Budget Amendments  
**Date:** February 4, 2014  
**Type of Item:** Resolution



**Summary Recommendation:** Staff recommends approval of the following by resolution amending the budget for the fiscal year 2013-14.

## Description

### A. Topic

This is the second budget amendment for the fiscal year 2013-2014.

### B. Background

The first budgeted amendment was brought to council and approved on August 8, 2013 for fiscal year 2013-14. Attached is the detail of the requested budget amendments for this budget amendment.

### C. Analysis

Additional budgeted expenditures and budgeted revenues are detailed on the following spreadsheet.

**Recommendation:** Staff recommends approval of the resolution amending the budget for the fiscal year 2013-14.

G/L Account	Department	Description	Current FY 2014 Budget	New Budget Amount	Increase (Decrease)	Notes/Comments
<b>General Fund</b>						
10-4560-570	Recreation	Miss Saratoga Pageant	3,000	7,011	4,011	previous accountant did not carry forward revenues from pageant
10-4160-260	General Government Bldgs & Grounds	Bldgs & Grounds - Supply/Maint	3,090	6,090	3,000	repair of bathroom counters in upstairs bathroom
10-4160-281	General Government Bldgs & Grounds	Utilities - Power	42,000	48,500	6,500	budget was not increased for the addition of the public works bldg
10-4160-283	General Government Bldgs & Grounds	Utilities - Telephone	32,395	84,000	51,605	budget was taken from police cell line item but not increased in general bldgs and grounds cell phone plan
10-4140-110	Administration Department	Salaries and Wages	357,621	377,702	20,081	increase in salary and bonus
10-4140-130	Administration Department	Employee Benefits	133,974	137,506	3,532	benefits increase due to salary increase and bonus
10-4143-540	Treasurer Department	Admin Bank Charges	56,889	63,889	7,000	increase in CC usage and increased fees
<b>Total for General Fund</b>					<b>95,729</b>	
<b>SSD Street Light SID</b>						
<u>Expenditures</u>						
new code	SSD Street Light SID S.R. Fund	Street Lights	-	50,000	50,000	Street Lights in SSD
<b>Total for SSD Street Light SID</b>					<b>50,000</b>	
<b>General Capital Projects</b>						
<u>Revenues</u>						
35-3350-100	General Capital Projects	Grants	-	(2,456,284)	(2,456,284)	NRCS Grant Project
<u>Expenditures</u>						
35-4000-710	General Capital Projects	Federal Grant Project	750,000	3,218,064	2,468,064	NRCS Grant Project
35-4000-780	General Capital Projects	Work Order Software	140,000	170,000	30,000	Implementation Costs
35-4000-755	General Capital Projects	Five Year CIP	624,515	574,515	(50,000)	Community Strategic Planning
new code	General Capital Projects	Community Strategic Planning	-	50,000	50,000	Community Strategic Planning
<b>Total for General Capital Projects</b>					<b>41,780</b>	
<b>Roads Impact Fund</b>						
<u>Expenditures</u>						
33-4000-749	Capital Projects	Pioneer Crossing Extention Betterments	-	825,000	825,000	Pioneer Crossing Betterments
33-4000-710	Capital Projects	Transportation Planning	138,638	53,638	(85,000)	Reallocate budgeted funds for future projects
33-4000-736	Capital Projects	200 East (4th South to Pioneer)	3,500,000	2,650,000	(850,000)	Pioneer Crossing Betterments
<b>Total for Roads Impact Fund</b>					<b>(110,000)</b>	
<b>Public Safety Impact Fund</b>						
<u>Expenditures</u>						
34-4000-600	Capital Projects	Public Safety Master Plans	-	30,000	30,000	Public Safety Capital Facilities Plan
34-4000-739	Capital Projects	Police Station Land AC and Design	300,000	800,000	500,000	Land Purchase and Plans for Public Safety Facility
<b>Total for Pulic Safety Impact Fund</b>					<b>530,000</b>	

G/L Account	Department	Description	Current FY 2014 Budget	New Budget Amount	Increase (Decrease)	Notes/Comments
<b>Culinary Water Impact Fund</b>						
<u>Expenditures</u>						
new account	Capital Projects	Crossroads Blvd 18 inch Water Line	-	101,000	101,000	Engineering for Crossroads Blvd 18 inch water line and booster
new account	Capital Projects	Pioneer Crossing Extention	-	50,000	50,000	Pioneer Crossing Extention 18 inch water line stub to CUWCD
<b>Total for Culinary Water Impact Fund</b>					<b>151,000</b>	
<b>Secondary Water Impact Fund</b>						
<u>Expenditures</u>						
57-4000-710	Capital Projects	Secondary Water Capital Projects	79,130	26,515	(52,615)	defund existing projects for reallocation
57-4000-792	Capital Projects	Pond 6 Expansion	565,000	268,669	(296,331)	Pond 6 expansion (Funded from 2011 Sales Tax Bond Revenues) Move 1/2 of the expense to non impact fee Fund 51.
<b>Total for Secondary Water Impact Fund</b>					<b>(348,946)</b>	
<b>Water Fund</b>						
<u>Expenditures</u>						
51-4000-792	Capital Projects	Pond 6 Expansion	-	296,331	296,331	Pond 6 expansion (Funded from 2011 Sales Tax Bond Revenues) Move 1/2 of the expense to non impact fee Fund 51.
<b>Total for Water Fund</b>					<b>296,331</b>	
<b>Sewer Fund</b>						
<u>Expenditures</u>						
52-5200-405	Sewer Operating Fund	Shop and Maintenance Collection	184,000	124,000	(60,000)	move existing funds to budget for sewer manhole rehab
52-5200-406	Sewer Operating Fund	Gravity Sewer Manhole rehabilitation	-	60,000	60,000	fund sewer manhole rehabilitation
52-5200-740	Sewer Operating Fund	capital outlay	105,000	117,000	12,000	lift 7 road access improvements
<b>Total for Sewer Fund</b>					<b>12,000</b>	
<b>Storm Drain Fund</b>						
<u>Expenditures</u>						
new code	Storm Drain Operating Fund	MS4 permitting	-	40,000	40,000	MS4 Permitting budget
<b>Total for Storm Drain Fund</b>					<b>40,000</b>	
<b>Storm Drain Impact Fund</b>						
<u>Expenditures</u>						
new code	Capital Projects	Pioneer Crossing	-	49,000	49,000	1200 N Stormdrain under Pioneer Crossing
<b>Total for Storm Drain Impact Fund</b>					<b>49,000</b>	
<b>Parks Impact Fund</b>						
<u>Expenditures</u>						
32-4000-710	Capital Proejects	Parks and Recreation Master Plan	202,771	53,000	(149,771)	reallocate budgeted funds for future projects
32-4000-720	Capital Proejects	South Marina - Capital Expend	60,653	2,000	(58,653)	reallocate budgeted funds for future projects
<b>Total for Parks Impact Fund</b>					<b>(208,424)</b>	
<b>Grand Total</b>					<b>598,469</b>	

**RESOLUTION NO. R14-8 (2-4-14)**

**A RESOLUTION AMENDING THE CITY OF SARATOGA SPRINGS BUDGET FOR FISCAL YEAR 2013-2014 AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the City Council of the City of Saratoga Springs has found it necessary to amend the City's current 2013-2014 fiscal year budget;

WHEREAS, pursuant to state law, the City Council has conducted a public hearing on the proposed amended budget; and,

WHEREAS, the City Council has determined that the proposed budget amendment is in the best interests of the public, will further the public health, safety, and welfare, and will assist in the efficient administration of City government.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SARATOGA SPRINGS, UTAH, THAT:

1. The City of Saratoga Springs does hereby adopt the amended 2013-2014 fiscal year budget as set forth and attached hereto.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage.

Passed this 4<sup>th</sup> day of February, 2014.

CITY OF SARATOGA SPRINGS  
A UTAH MUNICIPAL CORPORATION

Signed: \_\_\_\_\_  
Jim Miller, Mayor

Attest: \_\_\_\_\_  
City Recorder

\_\_\_\_\_ Date

# City Council Staff Report

**Author:** Chelese Rawlings, Finance Manager  
**Subject:** Second Quarter Budget Financial Statements  
**Date:** February 4, 2014  
**Type of Item:** Informational



## Description

### A. Topic

Attached are the second quarter budget financial statements for the fiscal year 2013-2014.

### B. Background

The budget document was adopted by the Council on June 18, 2013. The attached reports show the actuals in comparison to the budget up to December 31, 2013.

### C. Analysis/Overview of the General Fund

Revenues in comparison to last year second quarter:

- Property Tax revenue collected approximately the same as last fiscal year
- Sales tax revenue collection is more by over \$130,840
- Franchise and energy taxes are more by \$47,200
- Licenses and Permits are higher by more than \$10,500
- Collected over \$58,500 more in charges for services, a majority in plan checking fees, protective inspection fees, and ambulance service revenue
- Collected about \$106,500 more in other revenue, a majority in law enforcement fines/citations, and miscellaneous revenue.

Expenditures in comparison to last year second quarter:

- Total General Fund expenditures increased by \$559,809. This is mainly due to an increase in general liability insurance, membership dues (some not paid in first quarter last year), justice court fees paid being moved from a revenue to a budgeted line item in the court department, increased cost of utilities with the public works building and the fire station, increased personnel in communications, planning, parks, and building.
- Another reason for the increase is benefits that incrementally increase every year that are not controlled by council or staff, such benefits are: URS retirement, health benefits, dental benefits, etc.

#### **D. Summary**

The City of Saratoga Springs is under the 50 percent threshold of expenditures to date. The threshold is determined to be 50 percent because the first quarter reflects a quarter of our budget. In the General Fund we are currently at 43.6 percent of budgeted expenses.

The revenues are over the 50 percent threshold, mainly because the City has received a majority of our property tax revenues budgeted. These taxes are mostly collected in December. In the General Fund we are currently at 55.5 percent of budgeted revenues.

CITY OF SARATOGA SPRINGS  
FUND SUMMARY  
FOR THE 6 MONTHS ENDING DECEMBER 31, 2013

GENERAL FUND

	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>				
TAX REVENUE	3,260,688	5,773,595	2,512,907	56.5
LICENSES AND PERMITS	264,180	482,100	217,920	54.8
INTERGOVERNMENTAL REVENUE	197,358	782,202	584,844	25.2
CHARGES FOR SERVICES	739,914	1,252,495	512,581	59.1
OTHER REVENUE	923,932	1,282,274	358,342	72.1
ADMINISTRATIVE CHARGES	654,330	1,308,658	654,328	50.0
TOTAL FUND REVENUE	6,040,402	10,881,324	4,840,922	55.5
<u>EXPENDITURES</u>				
LEGISLATIVE DEPARTMENT	65,321	106,428	41,107	61.4
ADMINISTRATIVE DEPARTMENT	260,450	534,506	274,056	48.7
UTILITY BILLING DEPARTMENT	30,131	74,478	44,347	40.5
TREASURER DEPARTMENT	64,884	135,802	70,918	47.8
RECORDER DEPARTMENT	43,668	95,003	51,335	46.0
ATTORNEY DEPARTMENT	90,635	261,265	170,630	34.7
JUSTICE COURT DEPARTMENT	125,338	228,316	102,978	54.9
NON-DEPARTMENTAL	249,767	317,176	67,409	78.8
GENERAL GOV'T BLDGS & GROUNDS	71,192	120,627	49,435	59.0
ELECTIONS DEPARTMENT	9,328	8,000	( 1,328 )	116.6
PLANNING AND ZONING DEPARTMENT	124,213	306,595	182,382	40.5
COMMUNICATIONS DEPARTMENT	38,902	94,918	56,016	41.0
POLICE DEPARTMENT	1,202,240	2,680,878	1,478,638	44.9
POLICE DEPARTMENT - BLUFFDALE	388,688	707,430	318,742	54.9
FIRE DEPARTMENT	679,551	1,509,294	829,743	45.0
BUILDING INSPECTION	190,156	454,044	263,888	41.9
GRANT EXPENDITURES	500	109,463	108,963	.5
STREETS DEPARTMENT	161,905	680,014	518,109	23.8
PUBLIC WORKS DEPARTMENT	130,662	295,767	165,105	44.2
ENGINEERING DEPARTMENT	307,591	723,404	415,813	42.5
PARKS & OPEN SPACES DEPT	252,362	723,499	471,137	34.9
RECREATION DEPARTMENT	91,242	232,868	141,627	39.2
COMMUNITY & ECONOMIC DEVELOPMT	5,397	15,000	9,603	36.0
LIBRARY SERVICES	57,454	153,062	95,608	37.5
OTHER USES	0	103,974	103,974	.0
TRANSFERS	104,754	209,513	104,759	50.0
TOTAL FUND EXPENDITURES	4,746,330	10,881,324	6,134,994	43.6
NET REVENUE OVER EXPENDITURES	1,294,073	0	( 1,294,073 )	.0

CITY OF SARATOGA SPRINGS  
 FUND SUMMARY  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2013

STREET LIGHTING SID S.R. FUND

	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>PCNT</u>
<u>REVENUE</u>				
STREET LIGHTING SID REVENUE	74,345	125,000	50,655	59.5
INTEREST REVENUE	503	61,912	61,409	.8
	<u>74,848</u>	<u>186,912</u>	<u>112,064</u>	<u>40.0</u>
<u>EXPENDITURES</u>				
STREET LIGHTING SID EXPENDITUR	46,842	121,970	75,128	38.4
TRANSFERS AND OTHER USES	0	64,942	64,942	.0
	<u>46,842</u>	<u>186,912</u>	<u>140,070</u>	<u>25.1</u>
NET REVENUE OVER EXPENDITURES	<u>28,006</u>	<u>0</u>	<u>( 28,006 )</u>	<u>.0</u>

CITY OF SARATOGA SPRINGS  
 FUND SUMMARY  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2013

SSD STREET LIGHT SID S.R. FUND

	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>PCNT</u>
<u>REVENUE</u>				
SSD STREET LIGHT SID REVENUE	12,849	22,500	9,651	57.1
INTEREST REVENUE	169	4,786	4,617	3.5
	<u>13,018</u>	<u>27,286</u>	<u>14,268</u>	<u>47.7</u>
<u>EXPENDITURES</u>				
SSD STREET LIGHT SID EXPENDIT	9,671	27,286	17,615	35.4
	<u>9,671</u>	<u>27,286</u>	<u>17,615</u>	<u>35.4</u>
NET REVENUE OVER EXPENDITURES	<u>3,348</u>	<u>0 (</u>	<u>3,348 )</u>	<u>.0</u>

CITY OF SARATOGA SPRINGS  
 FUND SUMMARY  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2013

ZONE 2 WATER IMPROVEMENT SID

	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>PCNT</u>
<u>REVENUE</u>				
WATER SID REVENUE	298,486	400,000	101,514	74.6
OTHER REVENUE	54	0 (	54 )	.0
INTEREST REVENUE	1,292	0 (	1,292 )	.0
	<u>299,831</u>	<u>400,000</u>	<u>100,169</u>	<u>75.0</u>
<u>EXPENDITURES</u>				
WATER SID EXPENSES	33,266	267,582	234,316	12.4
TRANSFERS AND OTHER USES	0	132,418	132,418	.0
	<u>33,266</u>	<u>400,000</u>	<u>366,734</u>	<u>8.3</u>
NET REVENUE OVER EXPENDITURES	<u><u>266,565</u></u>	<u><u>0 (</u></u>	<u><u>266,565 )</u></u>	<u><u>.0</u></u>

CITY OF SARATOGA SPRINGS  
 FUND SUMMARY  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2013

STORM DRAIN-CAPITAL PROJ FUND

	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>PCNT</u>
<u>REVENUE</u>				
IMPACT FEES REVENUE	94,580	899,895	805,315	10.5
TOTAL FUND REVENUE	<u>94,580</u>	<u>899,895</u>	<u>805,315</u>	<u>10.5</u>
<u>EXPENDITURES</u>				
CAPITAL PROJECT EXPENDITURES	4,600	614,973	610,373	.8
TRANSFERS AND OTHER USES	0	284,922	284,922	.0
TOTAL FUND EXPENDITURES	<u>4,600</u>	<u>899,895</u>	<u>895,295</u>	<u>.5</u>
NET REVENUE OVER EXPENDITURES	<u>89,980</u>	<u>0</u>	<u>( 89,980 )</u>	<u>.0</u>

CITY OF SARATOGA SPRINGS  
 FUND SUMMARY  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2013

PARKS - CAPITAL PROJECTS FUND

	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>PCNT</u>
<u>REVENUE</u>				
INTERGOVERNMENTAL REVENUE	0	132,891	132,891	.0
IMPACT FEES REVENUE	298,094	1,925,721	1,627,627	15.5
	<u>298,094</u>	<u>2,058,612</u>	<u>1,760,518</u>	<u>14.5</u>
<u>EXPENDITURES</u>				
CAPITAL PROJECT EXPENDITURES	236,637	1,845,688	1,609,051	12.8
TRANSFERS AND OTHER USES	0	212,924	212,924	.0
	<u>236,637</u>	<u>2,058,612</u>	<u>1,821,975</u>	<u>11.5</u>
NET REVENUE OVER EXPENDITURES	<u>61,457</u>	<u>0</u>	<u>( 61,457 )</u>	<u>.0</u>

CITY OF SARATOGA SPRINGS  
 FUND SUMMARY  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2013

ROADS - CAPITAL PROJECTS FUND

	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>PCNT</u>
<u>REVENUE</u>				
IMPACT FEES REVENUE	446,424	5,265,223	4,818,799	8.5
TOTAL FUND REVENUE	446,424	5,265,223	4,818,799	8.5
<u>EXPENDITURES</u>				
CAPITAL PROJECT EXPENDITURES	166,081	5,265,223	5,099,142	3.2
TOTAL FUND EXPENDITURES	166,081	5,265,223	5,099,142	3.2
NET REVENUE OVER EXPENDITURES	<u>280,343</u>	<u>0</u>	<u>( 280,343 )</u>	<u>.0</u>

CITY OF SARATOGA SPRINGS  
 FUND SUMMARY  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2013

PUBLIC SAFE-CAPITAL PROJ FUND

	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>PCNT</u>
<u>REVENUE</u>				
IMPACT FEES REVENUE	144,822	396,198	251,376	36.6
TOTAL FUND REVENUE	<u>144,822</u>	<u>396,198</u>	<u>251,376</u>	<u>36.6</u>
<u>EXPENDITURES</u>				
CAPITAL PROJECT EXPENDITURES	438	300,000	299,563	.2
TRANSFERS AND OTHER USES	0	96,198	96,198	.0
TOTAL FUND EXPENDITURES	<u>438</u>	<u>396,198</u>	<u>395,761</u>	<u>.1</u>
NET REVENUE OVER EXPENDITURES	<u>144,384</u>	<u>0</u>	<u>( 144,384 )</u>	<u>.0</u>

CITY OF SARATOGA SPRINGS  
 FUND SUMMARY  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2013

CAPITAL PROJECTS FUND

	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>				
CONTRIBUTIONS & OTHER SOURCES	347,879	0 (	347,879 )	.0
TRANSFERS AND OTHER SOURCES	84,438	1,935,488	1,851,050	4.4
CONTRIBUTIONS & OTHER REVENUE	5,685	1,786,189	1,780,504	.3
TOTAL FUND REVENUE	438,001	3,721,677	3,283,676	11.8
<u>EXPENDITURES</u>				
CAPITAL PROJECT EXPENDITURES	2,497,230	3,690,798	1,193,568	67.7
TRANSFERS AND OTHER USES	0	22,984	22,984	.0
CAPITAL PROJECT EXPENDITURES	7,895	7,895	0	100.0
TOTAL FUND EXPENDITURES	2,505,125	3,721,677	1,216,552	67.3
NET REVENUE OVER EXPENDITURES	( 2,067,123 )	0	2,067,123	.0

CITY OF SARATOGA SPRINGS  
 FUND SUMMARY  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2013

DEBT SERVICE FUND

	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>PCNT</u>
<u>REVENUE</u>				
CONTRIBUTIONS AND TRANSFERS	145,896	291,800	145,904	50.0
CONTRIBUTIONS AND TRANSFERS	0	650	650	.0
	<u>145,896</u>	<u>292,450</u>	<u>146,554</u>	<u>49.9</u>
<u>EXPENDITURES</u>				
DEBT SERVICE	69,902	292,450	222,548	23.9
	<u>69,902</u>	<u>292,450</u>	<u>222,548</u>	<u>23.9</u>
NET REVENUE OVER EXPENDITURES	<u>75,994</u>	<u>0</u>	<u>( 75,994 )</u>	<u>.0</u>

CITY OF SARATOGA SPRINGS  
 FUND SUMMARY  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2013

WATER FUND

	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>				
UTILITY OPERATING REVENUE	1,475,277	2,550,850	1,075,573	57.8
UTILITY OPERATING REVENUE	0	30,848	30,848	.0
TOTAL FUND REVENUE	1,475,277	2,581,698	1,106,421	57.1
 <u>EXPENDITURES</u>				
TRANSFERS	0	17,106	17,106	.0
WATER OPERATIONS	706,211	1,559,339	853,128	45.3
SECONDARY WATER OPERATIONS	429,585	796,303	366,718	54.0
TRANSFERS	0	90,391	90,391	.0
TRANSFERS AND OTHER SOURCES	59,280	118,559	59,279	50.0
TOTAL FUND EXPENDITURES	1,195,076	2,581,698	1,386,622	46.3
NET REVENUE OVER EXPENDITURES	280,201	0	( 280,201 )	.0

CITY OF SARATOGA SPRINGS  
 FUND SUMMARY  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2013

SEWER FUND

	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>PCNT</u>
<u>REVENUE</u>				
OPERATING & NON-OPERATING REV	1,156,314	2,016,000	859,686	57.4
CONTRIBUTIONS & TRANSFERS	0	410,167	410,167	.0
	<u>1,156,314</u>	<u>2,426,167</u>	<u>1,269,853</u>	<u>47.7</u>
<u>EXPENDITURES</u>				
SEWER OPERATIONS	787,981	2,378,560	1,590,579	33.1
TRANSFERS AND OTHER USES	23,802	47,607	23,805	50.0
	<u>811,783</u>	<u>2,426,167</u>	<u>1,614,384</u>	<u>33.5</u>
NET REVENUE OVER EXPENDITURES	<u>344,532</u>	<u>0</u>	<u>( 344,532 )</u>	<u>.0</u>

CITY OF SARATOGA SPRINGS  
 FUND SUMMARY  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2013

WASTEWATER CAPITAL PROJ FUND

	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>PCNT</u>
<u>REVENUE</u>				
IMPACT FEES REVENUE	232,722	1,453,041	1,220,318	16.0
TOTAL FUND REVENUE	<u>232,722</u>	<u>1,453,041</u>	<u>1,220,318</u>	<u>16.0</u>
<u>EXPENDITURES</u>				
CAPITAL PROJECT EXPENDITURES	539,357	1,453,041	913,683	37.1
TOTAL FUND EXPENDITURES	<u>539,357</u>	<u>1,453,041</u>	<u>913,683</u>	<u>37.1</u>
NET REVENUE OVER EXPENDITURES	<u>( 306,635 )</u>	<u>0</u>	<u>306,635</u>	<u>.0</u>

CITY OF SARATOGA SPRINGS  
 FUND SUMMARY  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2013

STORM DRAIN ENTERPRISE FUND

	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>PCNT</u>
<u>REVENUE</u>				
OPERATING REVENUE	201,370	361,000	159,630	55.8
CONTRIBUTIONS & OTHER SOURCES	622	28,634	28,012	2.2
	<u>201,992</u>	<u>389,634</u>	<u>187,642</u>	<u>51.8</u>
<u>EXPENDITURES</u>				
STORM DRAIN OPERATIONS	106,712	342,027	235,315	31.2
TRANSFERS AND OTHER USES	23,802	47,607	23,805	50.0
	<u>130,514</u>	<u>389,634</u>	<u>259,120</u>	<u>33.5</u>
NET REVENUE OVER EXPENDITURES	<u>71,478</u>	<u>0</u>	<u>( 71,478 )</u>	<u>.0</u>

CITY OF SARATOGA SPRINGS  
 FUND SUMMARY  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2013

GARBAGE UTILITY FUND

	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>PCNT</u>
<u>REVENUE</u>				
OPERATING REVENUE	453,939	851,768	397,829	53.3
INTEREST REVENUE	1,172	0	( 1,172 )	.0
	<u>455,111</u>	<u>851,768</u>	<u>396,657</u>	<u>53.4</u>
<u>EXPENDITURES</u>				
GARBAGE OPERATIONS	520,524	754,518	233,994	69.0
TRANSFERS AND OTHER USES	0	97,250	97,250	.0
	<u>520,524</u>	<u>851,768</u>	<u>331,244</u>	<u>61.1</u>
NET REVENUE OVER EXPENDITURES	<u>( 65,412 )</u>	<u>0</u>	<u>65,412</u>	<u>.0</u>

CITY OF SARATOGA SPRINGS  
 FUND SUMMARY  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2013

CUL WATER CAPITAL PROJ FUND

	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>PCNT</u>
<u>REVENUE</u>				
CONNECTION FEES REVENUE	494,652	1,939,529	1,444,877	25.5
TOTAL FUND REVENUE	<u>494,652</u>	<u>1,939,529</u>	<u>1,444,877</u>	<u>25.5</u>
<u>EXPENDITURES</u>				
CAPITAL PROJECT EXPENDITURES	434,673	1,910,462	1,475,789	22.8
TRANSFERS AND OTHER USES	0	29,066	29,066	.0
TOTAL FUND EXPENDITURES	<u>434,673</u>	<u>1,939,529</u>	<u>1,504,856</u>	<u>22.4</u>
NET REVENUE OVER EXPENDITURES	<u>59,978</u>	<u>0</u>	<u>( 59,978 )</u>	<u>.0</u>

CITY OF SARATOGA SPRINGS  
 FUND SUMMARY  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2013

2NDARY WATER CAPITAL PROJ FUND

	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>PCNT</u>
<u>REVENUE</u>				
CONNECTION FEES REVENUE	145,341	751,288	605,947	19.4
TOTAL FUND REVENUE	145,341	751,288	605,947	19.4
<u>EXPENDITURES</u>				
CAPITAL PROJECT EXPENDITURES	120,235	751,288	631,053	16.0
TOTAL FUND EXPENDITURES	120,235	751,288	631,053	16.0
NET REVENUE OVER EXPENDITURES	25,106	0	( 25,106 )	.0

CITY OF SARATOGA SPRINGS  
 FUND SUMMARY  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2013

WATER RIGHTS FUND

	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>VARIANCE</u>	<u>PCNT</u>
<u>REVENUE</u>				
WATER RIGHTS - DEVELOPER FEES	445,954	250,000	( 195,954 )	178.4
INTEREST REVENUE	5,513	320,000	314,487	1.7
	<u>451,466</u>	<u>570,000</u>	<u>118,534</u>	<u>79.2</u>
<u>EXPENDITURES</u>				
DEPARTMENT 5800	234,512	570,000	335,488	41.1
	<u>234,512</u>	<u>570,000</u>	<u>335,488</u>	<u>41.1</u>
NET REVENUE OVER EXPENDITURES	<u>216,954</u>	<u>0</u>	<u>( 216,954 )</u>	<u>.0</u>

# City Council Staff Report

**Author:** Melissa Grygla, Library Director  
**Subject:** Library Board Bylaws  
**Date:** December 18, 2013  
**Type of Item:** Library Board Bylaws Resolution



Summary Recommendations: The City Council should approve the revised library board bylaws.

## Description:

- A. Topic:** Library Board Bylaws
- B. Background:** The Saratoga Springs Library Board was originally established to help support and open the library. Within the last several months, we have revised the library board bylaws to reflect our individual board, including the individual roles and responsibilities as well as the meeting schedule.
- C. Analysis:** The library board bylaws which were originally adopted were a set of generic bylaws provided to us by the Utah State Library. It is recommended that we change these bylaws' to reflect our specific goals. This version of the Library Board Bylaws has been reviewed by the City Attorney and the Library Board.
- D. Department Review:** City Manager, Library

## Alternatives:

- A. Approve the Request:** Staff recommends that the City Council approve the drafted set of library board bylaws.
- B. Deny the Request:** The City Council could deny the request for the approval of the Library Board Bylaws.
- C. Continue the Item:** The City Council could continue the request until a later date and time. The result being that the library would have to delay changing their hours of operation

**Recommendation:** Staff recommends the approval of the library board bylaws.

## **Bylaws of the Saratoga Springs Public Library Board**

**Revised November 2013**

### **Establishment and Name of the Library Board**

The Saratoga Springs Library Advisory Board (hereinafter “Library Board”) was established for the purpose of enhancing the community’s education, cultural, and personal interests.

### **Regular Meetings**

The regular meetings of the Library Board shall be on the days specified in the Library Boards regular meeting schedule as adopted on an annual basis per state law. Regular meeting shall be at the City of Saratoga Springs Building in the Conference Room starting at 7:30 PM. Any regularly scheduled meeting may be cancelled by the chairman at any time due to extenuating circumstances such as lack of quorum, emergencies, or lack of business to conduct.

The meetings shall be open to the public and noticed in advance. At the beginning of each fiscal year, the Library Board shall specify regular meeting dates and times. The Library Director shall work with the City Recorder to ensure that (1) the local newspaper is informed of the scheduled regular meetings of the Library Board for the ensuing fiscal year, (2) the schedule of meetings is posted in the principal offices of the Library Board, and (3) the schedule of the meetings is posted on the Utah Public Notice Website. Notices shall have dates, times, and places of such meetings.

These meetings are held in accordance to the Utah Open and Public Meetings Act (“OPMA”), UCA 52-4-101 *et seq.* The Library Board may hold electronic meetings. The Library Board hereby adopts by reference the same procedures as the City Council found in Chapter 2.07 of the City Code for conducting electronic meetings.

The agenda and/or information packet for the meetings will be distributed by the Library Board Secretary at least 24 hours prior to meetings, or as otherwise allowed by the OPMA. Any Library Board member wishing to have an item placed on the agenda must contact the Library Board Secretary in sufficient time preceding the meeting to have the item placed on the agenda as approved by the Library Board Chair. Any Library Board member who is unable to attend a meeting should notify the Library Director to indicate that he or she will be absent. Due to the fact that a quorum is required for each meeting, this notice should be given as far in advance as possible.

### **Special Meetings**

Special Library Board meetings shall be held at any time when called by the Chair or Vice Chair, if representing the Chair, or by any three Library Board members, provided that notice with the agenda of the special meeting is given at least 24 hours in advance, except for emergency meetings as provided for in OPMA § 52-4-202, to Library Board members and provided to, but

not published, to a newspaper of general circulation in the City. No business except that stated in the notice and agenda shall be transacted. Notice and agenda shall be posted 24 hours in advance the City Offices except as otherwise allowed for emergency meetings under the OPMA.

### **Annual Meeting**

An annual Library Board meeting shall be held in July for the purpose of hearing the annual reports of the Librarian and committees. The report should include a summary of the previous fiscal year's work to date with a detailed account of the receipts and expenditures, a budget for the following year, and other information according to statute. A copy of this report shall be forwarded to the Utah State Library in accordance with the law. A copy should also be on file in the library or on the library website.

### **Quorum**

A quorum at any meeting shall consist of a majority of the Library Board members consistent with OPMA § 52-4-202.

### **Library Board Responsibilities**

The Library Board is charged with the responsibility of the governance of the library and shall establish policies, rules and regulations for governing the library's operations. So long as such policies are consistent with these bylaws, City ordinances, and Utah law, City Council approval is not necessary.

Library Board members are not to be compensated pursuant to City ordinances, but may be reimbursed for necessary and related expenses pursuant to City policies. To be effective, Library Board members must attend most meetings, read materials presented for review, and actively contribute to board meetings and projects.

It is the goal of the Library board to have each member attend a minimum of one Library System (or other library related) workshop, seminar, or meeting during each calendar year. The Library Director will make the dates of these workshops known to the Library Board in a timely manner. Library Board members using their own vehicle will be reimbursed at the rate allowed pursuant to City policy for travel to and from any Library System (or other library related) workshop, seminar, or meeting. All training, workshops, seminars, or meetings will be paid for in accordance with City policies through the library budget.

Library Board members are not exempt from late fees, fines, or other user fees.

### **Library Board Membership**

The Library Board should consist of seven members appointed by the Mayor, with the advice and consent of the City Council, from the residents of Saratoga Springs or surrounding cities. A Library Board member shall serve a three-year term, expiring the 30<sup>th</sup> day of June at the end of

each term, and may be reappointed for two (2) consecutive terms subject to the discretion of the Mayor, with the advice and consent of the City Council.

A representative of the Friends of the Library may serve as an ex-officio member of the Library Board. The Library Director shall attend meetings of the Library Board but does not serve as a voting member of the Library Board.

A Library Board member may be removed by a majority vote of the quorum at a regular Library Board meeting. Removal would be based on lack of attendance at Library Board meetings, behavior or statements detrimental to the Library Board, or failure to declare conflicts of interest.

### **Officers and Elections**

The officers of the Library Board shall be a Chair, Vice-Chair, and Secretary. These officers shall be elected by a majority vote of Library Board members for one year term at the regular meeting in the month of May. In the event of a resignation of an officer, an election to fill the unexpired term of that officer will be conducted by vote at the next regular Library Board meeting.

**Chair.** The chair shall preside at all Library Board meetings, appoint all standing and special committees, serve as ex-officio member of all committees, and perform all other such duties as may be assigned by the Library Board. The chair or designee shall be the only spokesperson for the Library Board in all advisory action directed to the staff.

**Vice-Chair.** The Vice-Chair, in the absence of the Chair, shall assume all duties of the Chair.

**Secretary.** The secretary shall keep minutes of all board meetings, record attendance, record a roll call on all votes (except when a ballot vote is taken). The secretary shall perform all other such clerical duties as may be assigned by the Board.

### **Special Committees**

Special committees may be appointed by the Chair, with the approval of the Library Board at a regular meeting, to present reports or recommendations to the Library Board and shall serve until completion of the work for which they were appointed.

### **Parliamentary Procedure**

The Library Board shall adopt a set of parliamentary procedures. So long as those procedures are consistent with state law and City ordinances, City Council approval is not necessary.

### **Amendments**

Amendments to these Bylaws and changes to library policies or any other procedural document may be proposed at any regular meeting of the Library Board and will become effective when adopted by a majority of those members present providing they represent a quorum. If such

amendments are consistent with City policies and procedures, the City Code (including § 3.06.03), and Utah State law, City Council approval is not necessary.

**RESOLUTION NO. R14-9 (2-4-14)**

**A RESOLUTION ADOPTING LIBRARY BOARD BYLAWS, TO ESTABLISH PROCEDURES REGARDING PUBLIC MEETINGS AND THE CONDUCT OF MEMBERS OF THE LIBRARY BOARD; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the Library Board is authorized by law to propose bylaws, to govern the conducting of public meetings of the Library Board and to govern the conduct of its members; and

**WHEREAS**, Section 3.06.03 of the City Code provides that the Library Board serves in an advisory capacity to the City Council and;

**WHEREAS**, Section 2.04.03 of the City Code provides that rules and policies of the Library Board must be passed by resolution of the City Council; and

**WHEREAS**, the Library Board wishes to establish bylaws, to govern the conducting of Library Board meetings and the conduct of its members.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SARATOGA SPRINGS, UTAH, THAT:**

1. The bylaws, rules of order, and procedures attached hereto as Exhibit A and incorporated herein by this reference are hereby adopted to govern the conducting of Library Board meetings and the conduct of Library Board members.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage.

Passed this 4<sup>th</sup> day of February, 2014.

Signed: \_\_\_\_\_  
Jim Miller, Mayor

Attest: \_\_\_\_\_  
Lori Yates, City Recorder

\_\_\_\_\_  
Date

**RESOLUTION NO. R14-10 (2-4-13)**

**A RESOLUTION APPOINTING A MAYOR  
PRO TEMPORE FOR THE CITY OF  
SARATOGA SPRINGS AND  
ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the City of Saratoga Springs Municipal Code Section 2.02.010(3) states that at the first City Council meeting in February of each year the Council shall elect from among its members a Mayor Pro Tempore; and

WHEREAS, the City Council wishes to elect a Mayor Pro Tempore at its first meeting in February.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SARATOGA SPRINGS, UTAH, THAT:

1. \_\_\_\_\_ be appointed as the Mayor Pro Tempore.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage.

Passed and effective this 4th day of February, 2014.

CITY OF SARATOGA SPRINGS  
A UTAH MUNICIPAL CORPORATION

Signed: \_\_\_\_\_  
Jim Miller, Mayor

Attest: \_\_\_\_\_  
City Recorder

\_\_\_\_\_  
Date

# City Council Staff Report

**Author:** Jeremy D. Lapin, P.E., City Engineer

**Subject:** Vacation of a secondary waterline easement

**Date:** February 4, 2014

**Type of Item:** Resolution approving the vacation of an easement



## **Description:**

### **A. Topic:**

This item is for a resolution approving the vacation of a secondary waterline easement provided by Utah Valley Turf Farm Limited Partnership for the Gateway at Saratoga project (Wendy's and Taco bell).

### **B. Background:**

TerraForm Companies, the developer of the Gateway at Saratoga project, provided an easement to the City for an offsite Irrigation and Storm Drain Pipeline based on the design location provided for in the approved construction drawings. After these facilities were built, it was discovered that they were located slightly out of the recorded easement. The developer has coordinated with the property owner, Utah Valley Turf Farm Limited Partnership, to obtain a replacement easement that for the as-constructed location of the facilities. The property owner has agreed to record this new easement contingent on the existing easement being vacated.

### **C. Analysis:**

With the recordation of a new easement for the as-constructed location of the facilities, the City will no longer need the existing easement.

### **D. Recommendation:**

I recommend that the City Council approve resolution R14-11 for the vacation the existing easement.

WHEN RECORDED, RETURN TO:

Saratoga Springs City Recorder  
1307 North Commerce Drive, Suite 200  
Saratoga Springs, Utah 84045

**TERMINATION OF EASEMENT**

In consideration of the sum of ten dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City of Saratoga Springs (the "City"), does hereby terminate, vacate, void, and relinquish all right, title, and interest to that certain Irrigation and Storm Drainage Pipeline easement (the "Easement"), wherein Utah Valley Turf Farm Limited Partnership, was Grantor, and the City was Grantee, which Easement was previously established and created by that certain Easement dated August 30, 2013, and recorded on \_\_\_\_\_, \_\_\_\_\_, as Entry No. \_\_\_\_\_ of the Official Records of the Utah County Recorder's Office, a copy of which is attached hereto as Exhibit "B."

The easement, as reflected in the aforementioned Easement pertains to certain strips of land located in Utah County, State of Utah, and is more particularly described as follows:

See Exhibit "A"

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

City of Saratoga Springs

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Lori Yates, City Recorder

EXHIBIT "A"

[Legal descriptions of easements to be terminated]

EXHIBIT "B"  
[Copy of the Easement]

ENT 85054:2013 PG 1 of 6  
JEFFERY SMITH  
UTAH COUNTY RECORDER  
2013 Sep 05 11:41 am FEE 0.00 BY EO  
RECORDED FOR SARATOGA SPRINGS CITY

**WHEN RECORDED MAIL TO:**  
Saratoga Springs City Recorder  
1307 North Commerce Drive, Suite 200  
Saratoga Springs, Utah 84045

PARCEL I.D. #: 58-032-0136

**IRRIGATION AND STORM DRAINAGE PIPELINE EASEMENT**

For the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Utah Valley Turf Farm Limited Partnership (“Grantor”) hereby grants and conveys to the City of Saratoga Springs, a body politic of the State of Utah (“Grantee”), (a) a ten (10) foot wide perpetual non-exclusive easement to construct, maintain, operate, repair, inspect, protect, install, remove, and replace an underground pressurized irrigation water pipeline under and through the portion of the Grantor’s land described in Exhibit A, attached hereto and incorporated herein (the “Water Line Easement Area”); and (b) a twenty (20) foot wide perpetual non-exclusive easement to construct, maintain, operate, repair, inspect, protect, install, remove, and replace an underground storm drainage pipeline under and through the portion of the Grantor’s land described in Exhibit B, attached hereto and incorporated herein (the “Storm Drainage Easement Area”). The Water Line Easement Area and the Storm Drainage Easement Area are collectively referred to herein as the “Easement Area.” The pressurized irrigation water pipeline, the storm drainage pipeline and associated facilities are collectively referred to herein as the “Facilities.”

TO HAVE AND TO HOLD the same unto the said Grantee so long as the irrigation water pipeline and the storm drainage pipeline shall be maintained and operated on the Easement Area. Grantee shall have the reasonable right to access the Easement Area over any paved access drives and/or parking areas located on Grantor’s adjacent property, over any unimproved common areas or land to the extent necessary for access to the Easement Area, and over any improved common areas or land so long as GRANTEE restores such land to its original or better condition.

SUBJECT TO: (a) current taxes and assessments, reservations, easements, rights of way, covenants, conditions, restrictions, zoning matters, liens, and encumbrances which are (i) of record, and (ii) enforceable at law or in equity; and (b) any items or matters that would be disclosed by an accurate and complete survey and/or physical inspection of the premises.

GRANTEE’S RIGHT to use the Easement Area shall be subject to the following, which shall be deemed contractual obligations of the Grantee, and material covenants, conditions, and restrictions running with the Easement Area, and which upon the recordation of this instrument or the use of the Easement Area by Grantee shall be deemed agreed and acknowledged to by Grantee: (a) Grantee, and its successors and assigns, contractors, agents, servants, and employees (“Grantee’s Parties”) shall enter and use the Easement Area at their sole risk, and Grantee hereby releases Grantor from any claims relating to the condition of the Easement Area by Grantee and any entity. (b) Grantee shall properly design, install, construct, maintain and repair the Facilities located on the

Easement Area. (c) All Facilities shall be located underground (except for any manholes) and only under and across such portion of the Easement Area as may be hereafter selected by Grantee. (d) If any fence or barrier to Grantor's property is disturbed as a result of Grantee's activities on the Easement Area, Grantee will place a temporary fence on Grantor's property to prevent unauthorized access onto Grantor's property. (e) Grantee shall take all necessary acts and precautions to prevent any loss, damage, harm, or injury to any person or property on the Easement Area or Grantor's adjacent property that may arise from the use of the Facilities or activities on the Easement Area. (f) If any irrigation system on Grantor's property is disturbed by Grantee, or Grantee's Parties, Grantee shall immediately repair such irrigation system to ensure that the adjacent property of Grantor is properly irrigated. (g) Grantee shall ensure continual and uninterrupted pedestrian access to Grantor's adjacent property. (h) Grantee shall repair any portion of the Easement Area or Grantor's adjacent property damaged in the prosecution of any work by Grantee or Grantee's Parties or use of the Facilities, and shall otherwise restore the surface condition to the same or better condition that it was in prior to such work by Grantee or Grantee's Parties. (i) The prevailing party in any legal proceedings shall be entitled to its reasonable attorneys' fees and costs from the other party.

Grantor retains the right to use the Easement Area for any and all purposes not inconsistent with the purpose for which the above easements are granted to Grantor, including, but not limited to, the right to place asphalt, curbs, gutters, sidewalks, walkways, landscaping, trees, shrubs, utilities and other improvements on the Easement Area; provided, however, Grantor shall not have the right to construct any permanent buildings or structures on the Easement Area without the prior consent of Grantee. It is represented and acknowledged that a paved access drive, parking areas, and landscaped areas will be placed and located over the Easement Area. Notwithstanding the placement of the private drive, no public rights are granted herein to use the private drive and the existence of the private drive over the Easement Area shall not be constructed or intended to be a public dedication of the private drive or the surface of the Easement Area.

Grantee hereby agrees to allow Grantor to connect into the Facilities as well as any utilities stubbed into Grantor's property surrounding the property known as the Gateway at Saratoga Springs subdivision plat insofar as said utility lines have sufficient capacity to handle Grantor's future request to connect and Grantor pays all connection and impact fees that are imposed on development activity within the City.

This right-of-way and easement grant shall be binding upon, and inure to the benefit of, the successors and assigns of the Grantor and the successors and assigns of the Grantee, and may be assigned in whole, but not in part, by Grantee.

**IN WITNESS WHEREOF**, the Grantor and Grantee have executed this Irrigation and Storm Drainage Pipeline Easement this 30<sup>th</sup> day of August, 2013.

GRANTOR: Utah Valley Turf Farm Limited Partnership

By:   
Name (Print): Mark Horne  
Title: Trustee, WD Horne Trust, General Partner

GRANTEE: Saratoga Springs City

By:   
Name (Print): Mark Christensen  
Title: City Manager

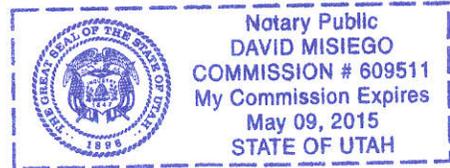
STATE OF UTAH )  
 :ss.  
 COUNTY OF UTAH )

On the 30 day of August, 2013, personally appeared before me Mark Horne, for and in behalf of Utah Valley Turf Farm Limited Partnership, who being by me duly sworn, did say that (s)he is the signer(s) of the foregoing instrument, and that the (s)he executed the same.

My Commission Expires: May - 09 - 15

David Misiego  
Notary Public

Residing In: Utah



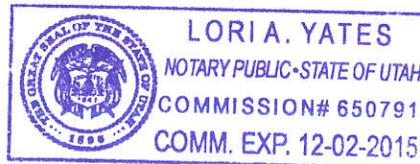
STATE OF UTAH )  
 :ss.  
 COUNTY OF UTAH )

On the 5 day of September, 2013, personally appeared before me Mark Christensen, for and in behalf of Saratoga Springs City, who being by me duly sworn, did say that (s)he is the signer(s) of the foregoing instrument, and that the (s)he executed the same.

My Commission Expires: 12-2-2015

Loria Yates  
Notary Public

Residing In: Utah County



**Exhibit A****PRESSURIZED IRRIGATION WATERLINE EASEMENT LEGAL DESCRIPTION  
ALONG THE SOUTH SIDE OF SR-73**

A 10' wide waterline easement located in a portion of the NW1/4 of Section 14, Township 5 South, Range 1 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point on the southerly right-of-way line of SR-73 located  $S0^{\circ}19'58''W$  along the  $\frac{1}{4}$  Section line 1,456.87 feet and West 375.51 feet from the North  $\frac{1}{4}$  Corner of Section 14, T5S, R1W, S.L.B. & M.; thence  $S0^{\circ}06'55''E$  10.00 feet; thence  $N89^{\circ}44'45''W$  39.47 feet; thence  $N85^{\circ}44'30''W$  375.40 feet; thence  $N89^{\circ}39'24''W$  933.42 feet; thence  $N0^{\circ}20'36''E$  10.00 feet, more or less, to the south line of SR-73; thence along said right-of-way the following 3 (three) courses and distances:  $S89^{\circ}39'24''E$  933.76 feet to a UDOT right-of-way marker; thence  $S85^{\circ}44'30''E$  375.39 feet; thence  $S89^{\circ}44'45''E$  39.06 feet to the point of beginning.

(Contains: .31+/- acres; 13,483+/- s.f.)

**Exhibit B****PROPOSED DRAINAGE EASEMENT  
ALONG THE WEST SIDE OF  
SR-68 (REDWOOD ROAD)**

A 20' wide drainage easement located in a portion of the NW1/4 of Section 14, Township 5 South, Range 1 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point on the westerly right-of-way line of SR-68 (Redwood Road) located S0°19'58"W along the ¼ Section line 1,734.91 feet and West 49.92 feet from the North ¼ Corner of Section 14, T5S, R1W, S.L.B.& M.; thence along said right-of-way line the following 3 (three) courses and distances: thence S0°14'08"W 483.46 feet to a UDOT right-of-way marker; thence S1°07'43"W 300.11 feet; thence S0°06'19"W 140.68 feet, more or less, to the south line of the NW1/4 of said Section 14 at a point located N0°06'19"E 32.44 feet from a UDOT right-of-way marker; thence N89°35'10"W along said line 20.00 feet; thence N0°06'19"E 140.75 feet; thence N1°07'43"E 300.13 feet; thence N0°14'08"E 483.34 feet; thence S89°39'12"E 20.00 feet to the point of beginning.

**RESOLUTION NO. R14-11 (2-4-14)**

**RESOLUTION APPROVING THE VACATION OF AN  
IRRIGATION AND STORM DRAINAGE PIPELINE  
EASEMENT; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City of Saratoga Springs (“City”) requires Public Utility Easements (PUE) to be recorded on all lots within the City; and

**WHEREAS**, TerraForm Companies, the developer of the Gateway at Saratoga project, provided an easement to the City for an offsite Irrigation and Storm Drain Pipeline based on the designed location provided for in the approved construction drawings. After the utilities were installed, it was discovered that the utilities were installed outside of the recorded easement; and

**WHEREAS**, TerraForm Companies has coordinated with the property owner, Utah Valley Turf Farm Limited Partnership, to obtain a replacement easement for the as-constructed location of the utilities; and

**WHEREAS**, Utah law requires the City Council to receive fair market value for disposition of property or property rights; and

**WHEREAS**, the City Council finds that the replacement PUE is fair market value for the vacation of the PUE.

**NOW THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:**

1. The vacation of the easement, attached as Exhibit A, is hereby approved, provided that a replacement PUE is recorded simultaneously with the vacation.
2. Per Utah law, the City Council finds that it is receiving fair market value in return for the vacation of the PUE.

This Resolution shall take effect immediately upon passage.

DATED this 4th day of February, 2014.

Signed: \_\_\_\_\_  
Jim Miller, Mayor

Attest: \_\_\_\_\_  
Lori Yates, City Recorder

\_\_\_\_\_  
Date



## City Council

### Memorandum

**Author:** Sarah Carroll  
**Date:** February 4, 2014  
**Re:** Taco Bell Wall Signs

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Applicant/Owner:	Elliot Smith / TFC Saratoga, LLC
Location:	27 West SR 73
Land area:	Approximately 0.85 acres
Land Use Plan Designation:	Regional Commercial
Zone:	Regional Commercial
Zoning of Adjacent Parcels:	Regional Commercial
Current Use:	Commercial Development: Taco Bell
Adjacent Uses:	Commercial Development, Agricultural
Prior Approvals:	Site Plan: Approved by City Council 8/6/2013

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#### **Background:**

The City Council approved the Site Plan for The Gateway at Saratoga Springs which included Taco Bell on August 6, 2013. During the Site Plan review Taco Bell requested a wall sign on all four elevations. The City Council determined that three wall signs would be adequate and that Taco Bell could return and request a fourth wall sign once the surrounding area to the west and south had developed. Staff was recently informed that some City Council members may like to reconsider this decision and review the fourth wall sign again. The Taco Bell elevations with the wall signs included are attached. Wall signs are currently in place on the North, East and West elevations. The fourth wall sign would be located on the south elevation.

#### **Process for approving third and fourth wall signs:**

The total number of elevations with wall signs shall not exceed two unless otherwise approved through the site plan process for a new project.

1. Third or Fourth Wall Signs for Retail/Commercial Uses. These signs must be located on elevations which face a public or private street or a non-residential parking lot. These signs are not allowed on elevations which face undeveloped property, service alleys or driveways, or separate residential areas not included with a planned area.
2. Reduction in Size. The Director may determine that a reduction in size of a sign for a third or fourth wall sign is necessary. The applicant may be required to submit a sign study which includes all other signage on adjacent buildings

within 500'. Signs located on elevations or walls less than 90 degrees apart must be reduced by a minimum of fifteen percent.

3. Approval/Denial. The Director may approve or deny any request for a third or fourth wall sign. The applicant may appeal an administrative decision to the Planning Commission for a final interpretation and decision.

**Review:**

The existing and proposed wall signs comply with the size requirements listed in 19.18.08.3.e. The sign on the north elevation is a maximum of 3' tall and is 22.92 square feet. The sign on the West Elevation is 73.04 square feet and each row is no taller than 3'. The sign on the east elevation is 3' tall and is 22.92 square feet. The proposed sign on the south elevation is 12" tall and 13.04 square feet.

**Staff finding: complies.** The third and fourth wall signs are smaller than 3' tall and these signs face the parking lot associated with the business rather than undeveloped property. The property surrounding these sites is also zoned commercial. The signs do not face undeveloped property, service alleys or driveways, or separate residential areas not included with a planned area.

**Recommended Motion:**

"I move to approve the fourth wall sign for Taco Bell which is to be located on the south elevation of the building located at 27 West State Road 73, subject to the findings listed below:"

**Findings:**

1. The fourth wall sign is proposed for the south elevation.
2. The fourth wall sign is smaller than three feet tall.
3. The fourth wall sign complies with the size requirements outlined in Section 19.18.08(3)(e).
4. The fourth wall sign faces the parking lot associated with the business rather than undeveloped property.
5. The location of the fourth wall sign does not create a potential for the wall sign to face service alleys or driveways, or separate residential areas.

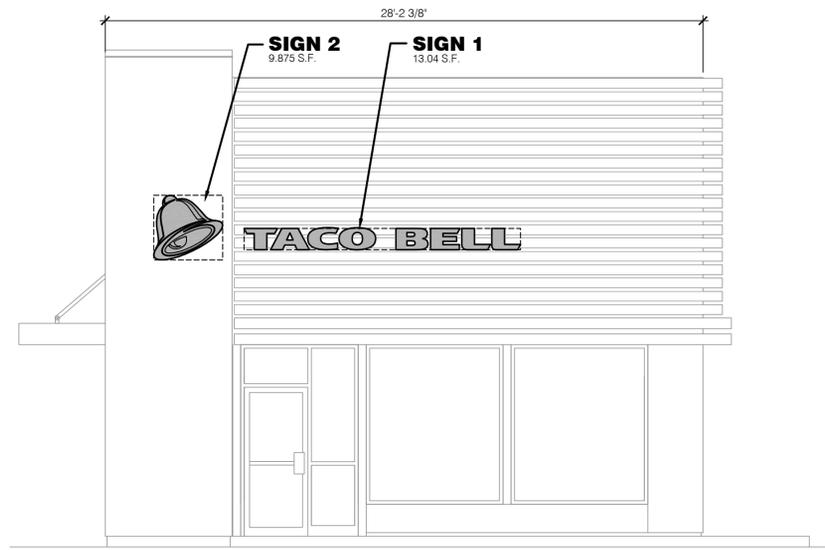
**Conditions:**

1. A building permit shall be required prior to the installation of this sign.

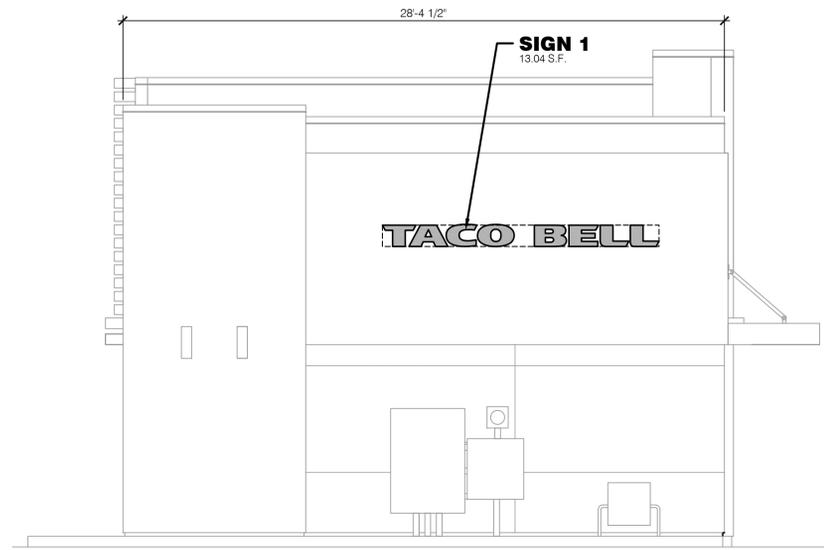
**Exhibits:**

- A. Taco Bell Elevations

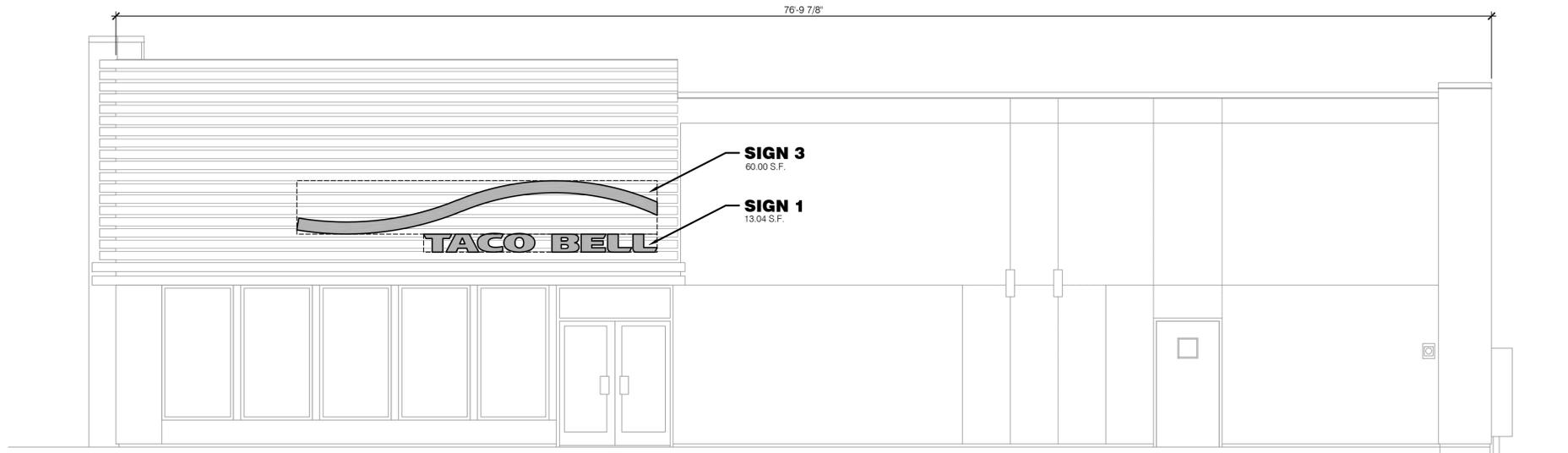
The drawing is the property of the architect and unauthorized reproduction is prohibited under the Copyright Act. Electronic files when provided are instruments of service and the sole property of Hitchens Associates Architects. No alteration or reproduction shall be made without written authorization from Hitchens Associates Architects. The Contractor shall check and verify all dimensions and report any discrepancies to the Architect prior to construction. Do not scale this drawing.



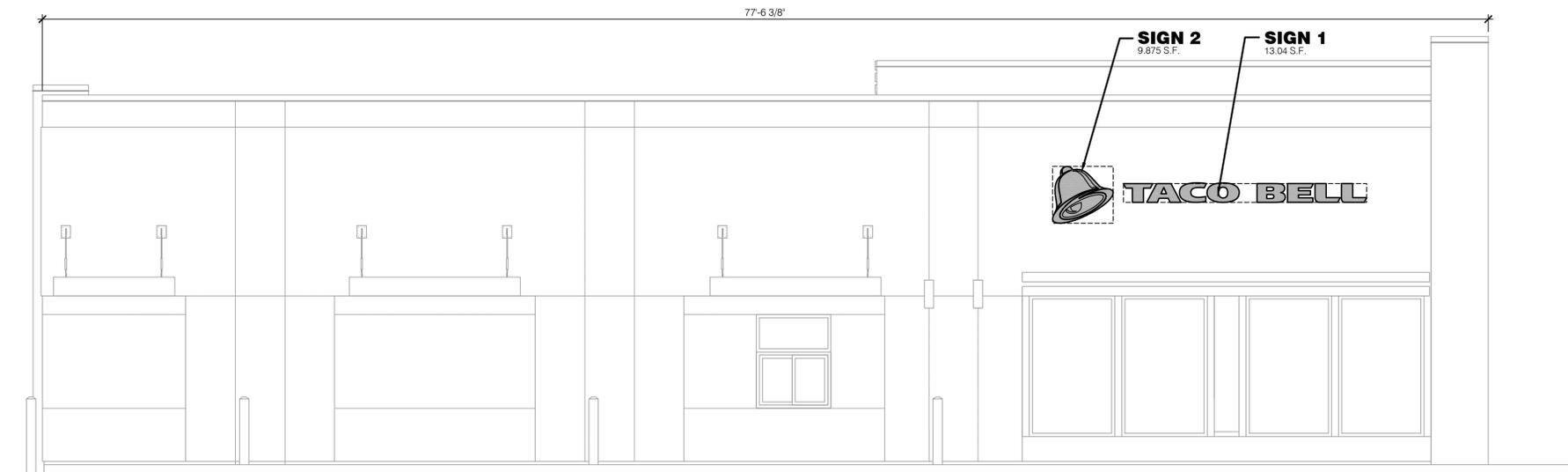
**NORTH ELEVATION**  
1/4" = 1'-0"



**SOUTH ELEVATION**  
1/4" = 1'-0"



**WEST ELEVATION**  
1/4" = 1'-0"



**EAST ELEVATION**  
1/4" = 1'-0"

**BUILDING SIGNS:**

<b>SIGN 1</b>	TACO BELL LETTERS:	13.04 S.F.
<b>SIGN 2</b>	SWINGING BELL:	9.875 S.F.
<b>SIGN 3</b>	SWOOSH:	60.00 S.F.

**NORTH ELEVATION:**

ALLOWABLE SIGNAGE AREA:	28'-2 3/8" =	28 S.F.
SIGNAGE REQUESTED:		
SIGN 1 (TACO BELL LETTERS)	13.04 X 1 =	13.04 S.F.
SIGN 2 (SWINGING BELL)	9.875 X 1 =	9.875 S.F.
TOTAL NORTH ELEVATION SIGNAGE:		22.915 S.F.

**SOUTH ELEVATION:**

ALLOWABLE SIGNAGE AREA:	28'-4 1/2" =	28 S.F.
SIGNAGE REQUESTED:		
SIGN 1 (TACO BELL LETTERS)	13.04 X 1 =	13.04 S.F.
TOTAL SOUTH ELEVATION SIGNAGE:		13.04 S.F.

**WEST ELEVATION:**

ALLOWABLE SIGNAGE AREA:	76'-9 7/8" =	76 S.F.
SIGNAGE REQUESTED:		
SIGN 1 (TACO BELL LETTERS)	13.04 X 1 =	13.04 S.F.
SIGN 3 (SWOOSH)	60.00 X 1 =	60.00 S.F.
TOTAL WEST ELEVATION SIGNAGE:		73.04 S.F.

**EAST ELEVATION:**

ALLOWABLE SIGNAGE AREA:	77'-6 3/8" =	77 S.F.
SIGNAGE REQUESTED:		
SIGN 1 (TACO BELL LETTERS)	13.04 X 1 =	13.04 S.F.
SIGN 2 (SWINGING BELL)	9.875 X 1 =	9.875 S.F.
TOTAL EAST ELEVATION SIGNAGE:		22.915 S.F.

**TOTAL BUILDING SIGNAGE BREAKDOWN:**

TACO BELL LETTERS:	13.04 X 4 =	52.16 S.F.
SWINGING BELL:	9.875 X 2 =	19.75 S.F.
SWOOSH:	60.00 X 1 =	60.00 S.F.
TOTAL BUILDING SIGNAGE:		131.91 S.F.

**HITCHENS ASSOCIATES ARCHITECTS**  
 2857 NORTH NORFOLK  
 MESA, ARIZONA 85215  
 TELEPHONE: 480.844.8313



**RECORD DATES**

DD SUBMITTAL:	-
BLDG. SUBMITTAL:	-
SITE NO.:	309581
ENTITY NO.:	-

**REVISIONS**


**CLIENT:** Desert De Oro Foods  
 P.O. Box 4179  
 Kingman, AZ 86402  
 Contact: Mark Peterson  
 Phone: 928.681.3344

**TACO BELL RESTAURANT**  
 SITE #xxxxxxx, ENTITY#xxxxxxx  
 Main Street & Redwood Road  
 Saratoga Springs, Utah



**Medium 54 'New Image'**  
 PROJECT NO: 2012007  
 DRAWN BY: P.C.  
 DATE: 07-22-2013

**SIGNAGE PLAN ELEVATIONS**  
**SP.02**



**Fox Hollow Neighborhood 6 – Subdivision Exception  
February 4, 2014  
Discussion and Possible Action**

Report Date:	January 27, 2014
Applicant:	Paul Watson, P.E.
Owner:	Cardinal Land Holdings IV, LLC
Location:	South Village Parkway
Major Street Access:	Redwood
Parcel Number(s) & Size:	59:013:0034, 12.48 acres
Parcel Zoning:	R-3
Adjacent Zoning:	R-3
Current Use of Parcel:	Vacant
Adjacent Uses:	Residential, Vacant
Previous Approvals:	Villages / Fox Hollow MDA
Land Use Authority:	Council
Author:	Kimber Gabryszak, Planning Director

**A. Executive Summary:**

The applicant, Paul Watson on behalf of Cardinal Land Holdings IV, LLC (Cardinal), is requesting a legislative exception from the City Council to permit a three-parcel split of a parcel in anticipation of future development. The 12.48 acre parcel is currently owned by Cardinal, and the MDA anticipates that a portion of the parcel will be used for civic uses.

The Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints (the Church) would like to purchase the civic portion to move forward with design work for a Church building on the site. Due to outstanding infrastructure issues, the applicant is not ready to move forward with a subdivision plat; this request is to allow the civic parcel to be deeded to the Church ahead of the official subdivision process.

**Recommendation:**

**Staff recommends that the Council review the application and vote to approve the exception with the Findings and Conditions in Section F of this report.**

- B. Background:** The Fox Hollow MDA was approved in 2002, and has been extended and modified several times since, with the most recent approval occurring in April of 2013. The MDA contemplates residential uses, commercial uses, parks and trails, open space, and civic uses (Exhibit 4). The parcel in questions is partially identified as residential and partially identified as civic. The applicant would like to move forward with the civic portion of the parcel, and deed that portion to the Church. Prior to obtaining site plan approval and building permit approval, the related subdivision plat(s) must be approved and recorded.
- C. Specific Request:** The specific request is to divide the parcel into three pieces; a 9.46 acre piece would be deeded to the Church, and two parcels consisting of 0.78 acres and 2.24 acres would remain in the ownership of Cardinal in anticipation of residential subdivision plats (Exhibit 5).
- D. Process and Criteria:** There is no process called out in the City Code, however Section 10-9a-103 of the State Code includes an exception to the subdivision definition, and states that subdivisions do not include

(v) a bona fide division or partition of land by deed or other instrument where the land use authority expressly approves in writing the division in anticipation of further land use approvals on the parcel or parcels;"

The requested division of land is in anticipation of further land use approvals consisting of subdivision plats to officially create residential lots and the Church lot. All parties are aware that all other approvals, including but not limited to subdivision approval, must be obtained prior to any construction.

- E. Community Review:** This item has been placed on the agenda for potential action, but no public hearing is required.
- F. Recommendation:**  
Staff recommends that the Council discuss the application and make the following motion:

"I move to **APPROVE** the Fox Hollow Neighborhood 6 Subdivision Exception with the Findings and Conditions below:

**Findings**

1. Utah Code § 10-9a-103(52)(c)(v) excludes from the definition of a "subdivision" the "division or partition of land by deed or other instrument where the land use authority expressly approves in writing the division in anticipation of further land use approvals on the parcel or parcels."
2. The exception reflects the anticipated Fox Hollow MDA land uses.

3. The exception reflects anticipated further land use approvals consisting of subdivision plat(s) for residential and civic uses and a site plan along with other required permits for the Church building.

**Conditions:**

1. The Owner’s Covenant shall be recorded concurrently with the recordation of deeds creating the proposed parcels.
2. The Notice of Approval of Exchange of Title shall be recorded concurrently with the recordation of deeds creating the proposed parcels.
3. All required subdivision approvals and site plan approvals shall be obtained prior to construction on the Church parcel, identified as Parcel #1 in the attached Exhibit 5.
4. All required subdivision approvals shall be obtained prior to construction on the remainder parcels, identified as Parcels #2 and #3 in the attached Exhibit 5.
5. *Any other conditions as articulated by the Council.* \_\_\_\_\_

**G. Alternatives**

**Alternative Motion A**

“I move to **continue** the item to another meeting, with direction to the applicant and Staff on information and / or changes needed to render a decision, as follows:

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**Alternative Motion B**

“I move to **deny** the Fox Hollow Neighborhood 6 Church Parcel exception. Specifically, I find the application **does not** merit an exception, based upon the following finding(s):

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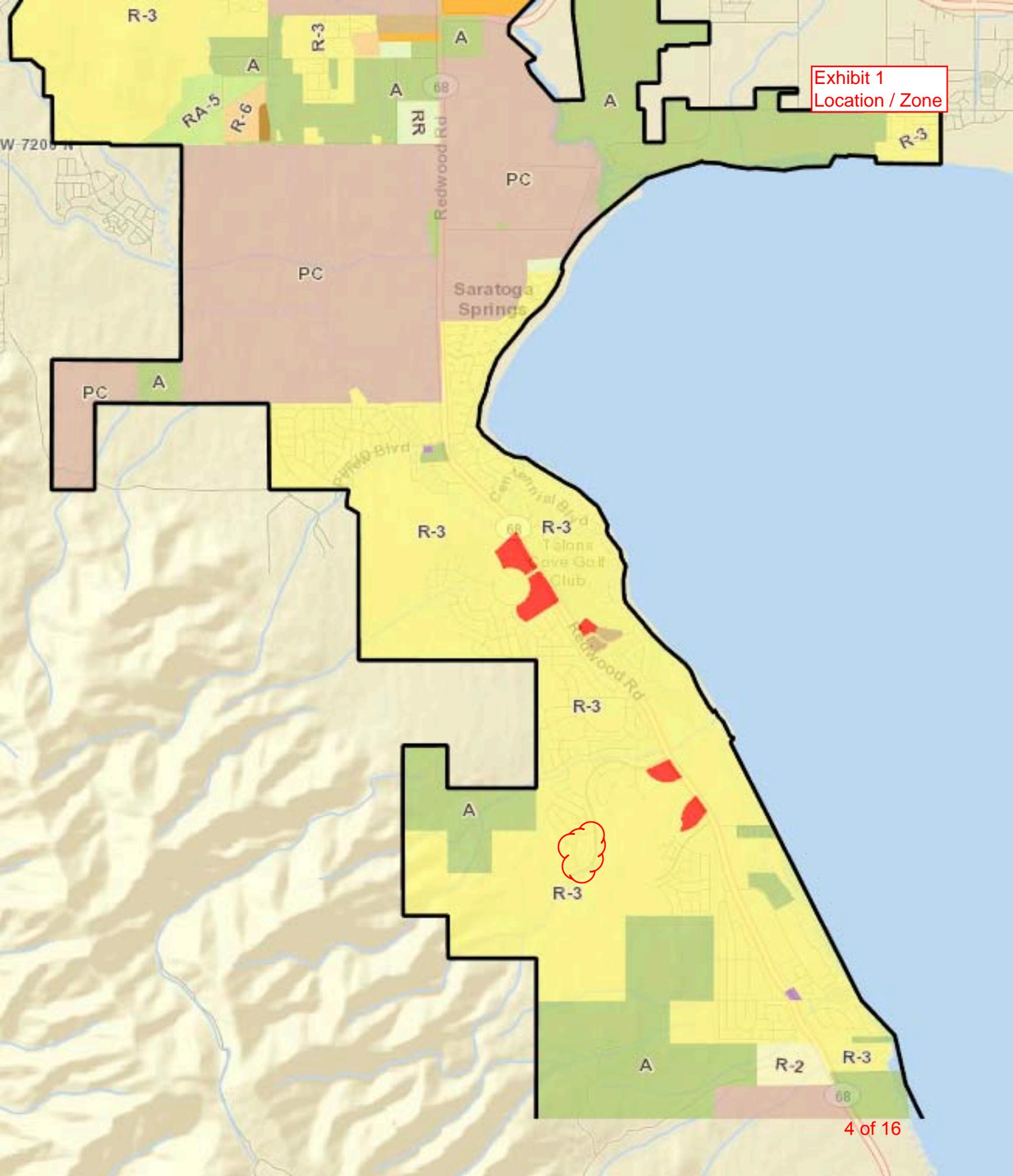


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**H. Exhibits:**

- |  |               |
|--|---------------|
| 1. Location & Zone Map                     | (page 4)      |
| 2. Parcel Map                              | (page 5)      |
| 3. Applicant’s Letter                      | (page 6)      |
| 4. MDA Exhibit D-1                         | (page 7)      |
| 5. Drawing of proposed lots                | (page 8)      |
| 6. Owner’s Covenant                        | (pages 9-10)  |
| 7. Notice of Approval of Exchange of Title | (pages 11-16) |

Exhibit 1  
Location / Zone





**Saratoga Springs**

59:012:0108  
SCP FOX HOLLOW LLC...  
Value: \$71,700 -- 7.95 acres

59:013:0054  
PRONOVA HOLDINGS 4 LLC...  
Value: \$180,700 -- 21.05 acres

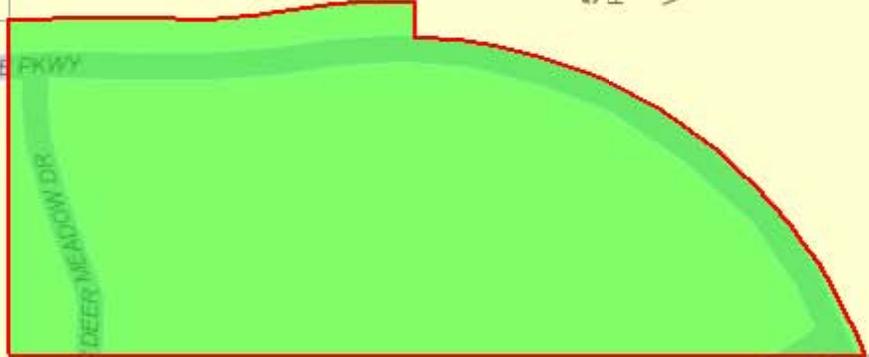
59:013:0045  
PRONOVA HOLDINGS 5 LLC...  
Value: \$550,800 -- 68.02 acres

12:0117  
SCP FOX HOLLOW LLC...  
Value: \$123,500 -- 14.1 acres

59:013:0037  
SCP FOX HOLLOW LLC...  
Value: \$181,800 -- 21.17 acres

59:013:0035  
SCP FOX HOLLOW LLC...  
Value: \$150,600 -- 17.37 acres

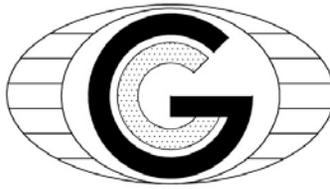
59:013:0036  
PRONOVA HOLDINGS IV LLC...  
Value: \$1,000,000 -- 42.68 acres



**Utah County Parcel Tax Map**

**cardinal church parcel tax map**





## **GATEWAY CONSULTING, Inc.**

CIVIL ENGINEERING • CONSULTING • LAND PLANNING  
CONSTRUCTION MANAGEMENT

P.O. BOX 951005 SOUTH JORDAN, UT 84095  
PH: (801) 694-5848 FAX: (801) 432-7050

January 16, 2014

Kimber Gabryszak  
Saratoga Springs Planning Staff  
1307 N Commerce Drive #200  
Saratoga Springs, UT. 84045

RE: parcel split and land exchange agreement for church site.

Dear Kimber,

Cardinal Land Holdings IV LLC presently owns parcel 59-013-0034 (the majority of the church site in Neighborhood 6 Fox Hollow). The intent of this application is to split the parcel into 3 parcels through a land exchange agreement (Utah code 10-9a-608) between Cardinal Land Holdings IV LLC and CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole (the "Church"). One parcel would be deeded to the "Church". The remaining 2 parcels would revert back to Cardinal Land Holdings IV LLC. The newly created parcels would still need to go through normal platting procedures for building permit. I would like to have this item herded by the appropriate city body, at its earliest convenience.

If you have any questions regarding my concerns please give me a call at 801-694-5848.

Thanks

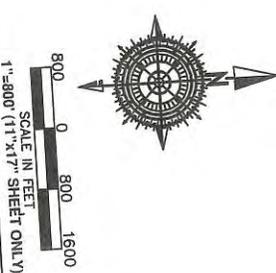
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Paul Watson P.E.  
Gateway Consulting  
Project Engineer

# EXHIBIT "D-1" MASTER DEVELOPMENT PLAN

NOTE:  
THE MASTER DEVELOPMENT PLAN IS A REFERENCE  
DOCUMENT ONLY PER THE ORIGINAL MASTER  
DEVELOPMENT AGREEMENT

NOTE:  
1) DENSITY IS TO BE PER R-3 ZONE WITH PUD OVERLAY.  
2) URBAN WILDLIFE INTERFACE APPLIES TO ALL NEIGHBORHOODS.  
3) PROPERTIES THAT IS SUBJECT TO THIS MDA EXTENSION ARE SHOWN  
ON EXHIBIT "A."  
4) THIS MAP SPECIFIES LAND USES ONLY. REFER TO EXHIBIT "D"  
UNIT SUMMARY FOR DENSITIES AND UNIT COUNTS.  
5) EXCEPT AS OTHERWISE NOTED, THE ZONING FOR ALL PROPERTY  
IS R-3 PUD OVERLAY.



**Land-Use Table**

[Green]	regional open space - parks
[Light Green]	regional open space - corridors and preserve
[Yellow]	schools
[Light Yellow]	chic site/ church
[Light Green]	churches/ chic site
[Light Green]	VLDR 1-3.0 u/a
[Light Green]	LDR 3.1- 5.0 u/a
[Light Green]	MDR 5.1-9.0 u/a
[Light Green]	VDR 9.1-15.0 u/a
[Light Green]	commercial
[Light Green]	arterial roadways - 225 ft or 180 ft right of way
[Light Green]	major collector roads - 96.5 ft right of way
[Light Green]	minor (neighborhood) collector roads - 74 ft or 77 ft right of way

**Land-Use Inventory**

1076.67 acres in The Villages at Saratoga Springs
20.00 acres for Commercial space
66.55 acre Business Park - N-7 (alternative use)
10.01 acres for school site
19.83 acres for Church / Chic uses
239.22 acres for open space
798.66 acres for residential development
3252 homes in The Villages at Saratoga Springs

**Neighborhood Densities**

Neighborhood	Acres	Units/acre	# of Units
1	45.28	4	181
2	25.23	10	252
3	22.30	3	67
4	37.16	15	552
5	36.43	4	146
6	46.29	3.5	162
7	66.55	3	200
8	82.85	4	331
9	21.81	3.5	76
10	11.88	12	142
11	26.32	10	263
12	63.81	3.5	223
13	20.89	6	123
14	65.73	2	132
15	14.72	6	88
16	55.35	2	110
17	60.15	3	180
			<b>TOTAL-3,230</b>

\* PER 12-9-2008 MDA AMENDMENT  
\*\* Neighborhood 7 dual zoning use as a Business Park

VILLAGES OF FOX HOLLOW VILLAGES AT SARATOGA SPRINGS HAWKS LANDING <b>EXHIBIT D-1                  MASTER DEVELOPMENT PLAN</b>	GATEWAY CONSULTING, inc. P.O. BOX 951003 SOUTH JORDAN, UT 84095 PH: (801) 494-5848 FAX: (801) 432-7030 new@gatewayconsulting.com	ORG. DATE: 03-01-09 SURVEY BY: EPW DRAWN BY: EPW DESIGNED BY: EPW CHECKED BY: EPW SCALE: 1"=800'	DATE: _____ APPD: _____ NO. DESCRIPTION: _____
	CIVIL ENGINEERING • CONSULTING • LAND PLANNING CONSTRUCTION MANAGEMENT	SHEET NO. <b>D-1</b> 4-2-13 2008.01 PROJECT NUMBER EXHIBIT D COVERING FILE	7 of 16



**OWNER'S COVENANT**

Recorded at the request of, and  
after recording please return to:

Cardinal Land Holdings IV  
999 Murray Holladay Road  
Salt Lake City, UT 84117  
Attn: Doug Towler

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**OWNER'S COVENANT**

Cardinal Land Holdings IV, LLC, a Delaware limited liability company ("*Owner*"), and its successors and assigns, hereby covenants as follows:

Owner acknowledges that the parcel described in **Exhibit A** (the "*Parcel*") has been created with the approval of the City of Saratoga Springs in connection with Utah Code § 10-9a-103(52)(c)(v), which excludes from the definition of a "subdivision" the division or partition of land by deed or other instrument where the land use authority expressly approves in writing the division in anticipation of further land use approvals on the parcel or parcels, thus relieving an owner of the requirement of recording a plat to subdivide land upon the condition that further land use approvals will be made. Accordingly, Owner acknowledges and agrees that prior to erecting any building on the Parcel, Owner will be required to obtain further land use approvals from the City of Saratoga Springs, as required by the ordinances of the City of Saratoga Springs and applicable law. Upon obtaining any such land use approvals (including the recording of a subdivision plat or similar document) this covenant shall be of no further force or effect.

Owner is signing this Covenant as of the date set forth below.

**CARDINAL LAND HOLDINGS IV, LLC**  
a Delaware limited liability company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF UTAH                    )  
  SS:  
COUNTY OF UTAH                )

On the \_\_\_\_\_ day of January, 2014 personally appeared before me \_\_\_\_\_, who being by me duly sworn, did say that he is the \_\_\_\_\_ of **CARDINAL LAND HOLDINGS IV, LLC**, a Delaware limited liability company, and duly acknowledged to me that he is authorized to sign the foregoing instrument on behalf of said company, and duly acknowledged to me that said limited liability company executed the same.

Commission expires:

Residing at:

\_\_\_\_\_  
NOTARY PUBLIC

**EXHIBIT A**

The following described tract of land in Utah County, State of Utah, to wit:

A parcel of land located in the Northwest Quarter of Section 13, Township 6 South, Range 1 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point that is S 89°46'43" E 1,375.30 feet along the Section line feet from the Northwest Quarter Corner of Section 13, Township 6 South, Range 1 West, Salt Lake Base and Meridian, and running thence along said section line S 89°46'43" E 504.86 feet to a point on 2,553.50' radius curve to the right, thence along arc of said 248.82 feet through a delta of 5°34'59" (Chord bears S 00°09'13" E 248.71 feet) to a point on a 696.50' reverse radius curve to the left, thence along arc of said curve 123.30 feet through a delta of 10°08'35" (chord bears S 02°26'01" E 123.14 feet), thence S 07°30'18" E 102.36 feet to a point on a 803.50' radius curve to the right, thence along arc of said curve 133.95 feet through a delta of 9°33'05" (chord bears S 02°43'46" E 133.79 feet), thence N 87°57'13" W 53.50 feet to a point on a non-tangent 750.00' radius curve to the right, thence along arc of said curve 877.85 feet through a delta of 67°03'47" (chord bears S 35°34'40" W 828.59 feet) to the quarter quarter section line, thence along said line N 00°13'35" E 1280.83 feet to the point of beginning. Parcel contains 12.48 ac.

WHEN RECORDED MAIL TO:

CARDINAL LAND HOLDINGS IV, LLC  
999 Murray Holladay Road, Suite I09,  
Salt Lake City, Utah 84117  
Attn: Doug Towler

**CITY OF SARATOGA SPRINGS**  
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

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**NOTICE OF APPROVAL OF EXCHANGE OF TITLE**  
*Conveyances from CARDINAL to CHURCH*

**January \_\_, 2014**

Cardinal Land Holdings IV, LLC (“Cardinal”) and CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole (“Church”) have agreed to exchange certain real property located in Utah County, Utah, according to a land exchange agreement between the parties (the “Land Exchange Agreement”). Pursuant to Utah Code § 10-9a-608, the City of Saratoga Springs (the “City”) hereby approves the land exchange described below and certifies that the exchange of title will not result in a violation of any land use ordinance.

*Property Prior to Land Exchange*

The real property involved in this land exchange, as presently constituted, is one parcel, fully described in the attached Exhibit A. Upon completion of the land exchange, three separate parcels will exist. Two parcels will be owned by Cardinal, the other parcel will be owned by Church. All three new parcels are described below.

*Conveyance from Cardinal to Church*

Cardinal acknowledges that in exchange for certain real estate described in the Land Exchange Agreement, Cardinal will convey to Church a parcel of land containing 9.46 acres, more or less, located in the Northwest Quarter of Section 13, Township 6 South, Range 1 West, SLB&M, more particularly described as follows:

Beginning at a point that is S 89°46’43” E 1,783.51 feet along the Section line feet from the Northwest Quarter Corner of Section 13, Township 6 South, Range 1 West, Salt Lake Base and Meridian, and running thence along said section line S 89°46’43” E 96.65 feet to a point on a non-tangent 2,553.50’ radius curve to the right, thence along arc of said curve 163.35 feet through a delta of 3°39’55” (chord bears S 01°06’44” E 163.32 feet) to a point on a 2,553.50’ radius curve to the right, thence along arc of said curve 85.47 feet through a delta of 1°55’04” (chord bears S 01°40’45” W 85.45 feet) to a point on a reverse 696.50’ radius curve to the left, thence along arc of said curve 123.30 feet through a delta of

10°08'35" (chord bears S 02°26'01" E 123.14 feet), thence S 07°30'18" E 102.36 feet to a point on a 803.50' radius curve to the right, thence along arc of said curve 133.95 feet through a delta of 9°33'05" (chord bears S 02°43'46" E 133.79 feet), thence N 87°57'13" W 53.50 feet to a point on a 750.00' radius curve to the right, thence along arc of said curve 646.62 feet through a delta of 49°23'52" (chord bears S 26°44'43" W 626.77 feet), thence N 38°33'21" W 43.00 feet, thence N 44°39'53" W 89.61 feet, thence N 46°43'14" W 80.00 feet, thence N 38°14'05" W 79.74 feet, thence N 29°09'34" W 2.73 feet to the quarter quarter section line, thence along said line N 00°13'35" E 553.88 feet, thence N 40°53'07" E 151.00 feet, thence N 57°16'51" E 114.73 feet, thence N 67°05'19" E 72.34 feet, thence N 79°48'34" E 153.52 feet to a point on a 2,457.00' radius curve to the left, thence along arc of said curve 162.52 feet through a delta of 3°47'237" (chord bears N 01°10'28" W 162.49 feet) to the point of Beginning. Parcel contains 9.46 acres.

*Conveyance from Cardinal to Cardinal*

Cardinal acknowledges that in exchange for certain real estate described in the Land Exchange Agreement, Cardinal conveyed to Cardinal a parcel of land containing 2.24 acres, more or less, located in the Northwest Quarter of Section 13, Township 6 South, Range 1 West, SLB&M, described more particularly as follows:

Beginning at a point that is S 89°46'43" E 1,375.30 feet along the Section line from the Northwest Quarter Corner of Section 13, Township 6 South, Range 1 West, Salt Lake Base and Meridian, and running thence along said section line S 89°46'43" E 408.20 feet to a point on a non-tangent 2,457.00' radius curve to the right, thence along arc of said curve 162.52 feet through a delta of 3°47'23" (chord bears S 01°10'28" E 162.49 feet), thence S 79°48'34" W 153.52 feet, thence S 67°05'19" W 72.34 feet, thence S 57°16'51" W 114.73 feet, thence S 40°53'07" W 151.00 feet to the quarter quarter section line, thence along said line N 00°13'35" E 395.53 feet to the point of BEGINNING. Parcel contains 2.24 ac.

AND INCLUDING

*Conveyance from Cardinal to Cardinal*

Cardinal acknowledges that in exchange for certain real estate described in the Land Exchange Agreement, Cardinal conveyed to Cardinal a parcel of land containing 0.78 acres, more or less, located in the Northwest Quarter of Section 13, Township 6 South, Range 1 West, SLB&M, described more particularly as follows:

Beginning at a point that is S 89°46'43" E 1,375.30 feet along the Section line and S 00°13'35" W 949.41 feet along the quarter quarter section line from the Northwest Quarter Corner of Section 13, Township 6 South, Range 1 West, Salt Lake Base and Meridian, and running thence S 29°09'34" E 2.73 feet, thence S 38°14'05" E 79.74 feet, thence S 46°43'14" E 80.00 feet, thence S 44°39'53" E 89.61 feet, thence S 38°33'21" E 43.00 feet to a point on a non-tangent 750.00' radius curve to the right, thence along arc of said curve 231.24 feet through a delta of 17°39'55" (chord bears S 60°16'37" W 230.32 feet) to the quarter quarter section line, thence along said line N 00°13'35" E 331.42 feet to the point of beginning. Parcel contains 0.78 ac.

*Final Ownership After Land Exchange*

Upon completion of the exchange between Cardinal and Church, as described in the Land Exchange Agreement, Church will own the above-described parcel, containing 9.46 acres, more or less. Upon completion of the exchange between Cardinal and Cardinal, as described in the Land Exchange Agreement, Cardinal will own the above-described parcel, containing 2.24 acres and 0.78 acres, and the exchanges of title will not alter the property descriptions set forth above.

IN WITNESS WHEREOF the parties have executed this notice by their duly authorized officers as of the date first above written.

*{Signatures follow on next page.}*

ATTEST:

CITY OF SARATOGA SPRINGS  
A Utah Municipal Corporation

By: \_\_\_\_\_  
\_\_\_\_\_, City Mayor

By: \_\_\_\_\_  
\_\_\_\_\_, City Manager

By: \_\_\_\_\_  
Lori Yates, City Recorder

CARDINAL LAND HOLDINGS IV, LLC  
a Delaware limited liability company

By: CARDINAL LAND HOLDINGS, IV, LLC

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

By: CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS  
CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF UTAH )  
 )ss  
COUNTY OF UTAH )

The foregoing instrument was acknowledged before me this \_\_\_ day of January, 2014, by \_\_\_\_\_, as \_\_\_\_\_ of the City of Saratoga Springs, a Utah municipal corporation, on behalf of said corporation.

\_\_\_\_\_  
NOTARY PUBLIC  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

STATE OF UTAH )  
 )ss  
COUNTY OF UTAH )

The foregoing instrument was acknowledged before me this \_\_\_ day of September, 2011, by \_\_\_\_\_, as \_\_\_\_\_ of Cardinal Land Holdings IV, LLC, a Delaware limited liability company, on behalf of said company.

\_\_\_\_\_  
NOTARY PUBLIC  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

STATE OF UTAH )  
 )ss  
COUNTY OF UTAH )

The foregoing instrument was acknowledged before me this \_\_\_ day of December, 2011, by \_\_\_\_\_, as \_\_\_\_\_ of the CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, on behalf of said entity.

\_\_\_\_\_  
NOTARY PUBLIC  
Residing at \_\_\_\_\_  
My commission expires \_\_\_\_\_

## EXHIBIT A

### Legal description of old CARDINAL parcel 59-013-0034

A parcel of land located in the Northwest Quarter of Section 13, Township 6 South, Range 1 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point that is S 89°46'43" E 1,375.30 feet along the Section line feet from the Northwest Quarter Corner of Section 13, Township 6 South, Range 1 West, Salt Lake Base and Meridian, and running thence along said section line S 89°46'43" E 504.86 feet to a point on 2,553.50' radius curve to the right, thence along arc of said 248.82 feet through a delta of 5°34'59" (Chord bears S 00°09'13" E 248.71 feet) to a point on a 696.50' reverse radius curve to the left, thence along arc of said curve 123.30 feet through a delta of 10°08'35" (chord bears S 02°26'01" E 123.14 feet), thence S 07°30'18" E 102.36 feet to a point on a 803.50' radius curve to the right, thence along arc of said curve 133.95 feet through a delta of 9°33'05" (chord bears S 02°43'46" E 133.79 feet), thence N 87°57'13" W 53.50 feet to a point on a non-tangent 750.00' radius curve to the right, thence along arc of said curve 877.85 feet through a delta of 67°03'47" (chord bears S 35°34'40" W 828.59 feet) to the quarter quarter section line, thence along said line N 00°13'35" E 1280.83 feet to the point of beginning. Parcel contains 12.48 ac.