



EAGLE MOUNTAIN CITY COUNCIL MEETING

March 21, 2023, 4:00 PM

Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

4:00 P.M. WORK SESSION - CITY COUNCIL CHAMBERS

1. CITY ADMINISTRATOR INFORMATION ITEMS

This is an opportunity for the City Administrator to provide information to the City Council. These items are for information only and do not require action by the City Council.

1.A UPDATE - City Administrator Items

2. AGENDA REVIEW

The City Council will review items on the Consent Agenda and Policy Session Agenda.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION

The City Council will adjourn into a Closed Executive Session for the purpose of discussing reasonably imminent litigation, the purchase, lease or exchange of real property pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

7:00 P.M. POLICY SESSION - CITY COUNCIL CHAMBERS

4. CALL TO ORDER

5. PLEDGE OF ALLEGIANCE

6. INFORMATION ITEMS/UPCOMING EVENTS

7. PUBLIC COMMENTS

Time has been set aside for the public to express their ideas, concerns and comments. (Please limit your comments to three minutes each.)

8. CITY COUNCIL/MAYOR'S ITEMS

Time has been set aside for the City Council and Mayor to make comments.

CONSENT AGENDA

9. BID AWARDS

9.A [Well #7 Drilling - Grimshaw Drilling](#)
[Eagle Mountain Well #7 Bid](#)

10. BOND RELEASES

- 10.A Eagle Point Plat E - Into Warranty
Bond Release Letter
Recorded Plat

11. MINUTES

- 11.A March 7, 2023 Minutes - Regular City Council Meeting
03.07.2023 City Council Minutes - DRAFT

12. PRELIMINARY PLATS & SITE PLANS

- 12.A SITE PLAN - 100' Monolithic Cell Tower for AT&T
Tower Location Map and Pictures
Applicant Narrative/Response Letter
Tower Plans

13. RESOLUTIONS

- 13.A RESOLUTION - A Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Consolidated Fee Schedule.
RES--Consolidated Fee Schedule - Parking Fines, Hydrant Rentals, Utility Accounts
Consolidated Fee Schedule - REDLINES
- 13.B RESOLUTION - A Resolution of Eagle Mountain City, Utah, Approving an Interlocal Cooperation Agreement with Utah County for the Administration of the 2023 Municipal Election.
RES--Interlocal Cooperation Agreement for the Administration of the 2023 Municipal Election
Interlocal Agreement

SCHEDULED ITEMS

14. POLE CANYON

- 14.A ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain, City, Utah, Approving the First Amendment to the Pole Canyon Master Development Plan, Now Known as Firefly.

This item has been removed from the agenda at the applicant's request and will not be discussed during the meeting.

15. ORDINANCE/PUBLIC HEARING

- 15.A ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah,

[Amending the Eagle Mountain Municipal Code, Chapter 17.65 Home Businesses.](#)

BACKGROUND: *(Presented by Management Analyst/Grants Coordinator Natalie Winterton)* The proposed Ordinance amends EMMC Section 17.65.060 Generally Applicable Standards for All Homes Businesses to remove restrictions for home business owners as it relates to parking personal vehicles with business signage.

[ORD--EMMC 17.65 Home Businesses - Parking](#)
[EMMC 17.65 Home Businesses - REDLINES](#)

16. RESOLUTION

- 16.A [RESOLUTION - A Resolution of Eagle Mountain City, Utah, Approving an Economic Development Master Plan.](#)

BACKGROUND: *(Presented by Economic Development Director/Assistant to the City Administrator Evan Berrett)* The proposed Resolution adopts the Economic Development Master Plan as a guide to the overall approach and various strategies to be used for economic development within Eagle Mountain City. Information compiled within the document helps to identify strengths, weaknesses, and opportunities. The Plan also calls out specific needs and desired outcomes. The City Council was presented a previous draft and its feedback was implemented into this current proposal.

[RES--Economic Development Master Plan](#)
[Economic Development Master Plan - DRAFT](#)

17. CITY COUNCIL/MAYOR'S BUSINESS

This time is set aside for the City Council's and Mayor's comments on City business.

18. CITY COUNCIL BOARD LIAISON REPORTS

This time is set aside for Councilmembers to report on the boards they are assigned to as liaisons to the City Council.

19. COMMUNICATION ITEMS

- 19.A Upcoming Agenda Items
[Upcoming Agenda Items](#)

20. ADJOURNMENT

THE PUBLIC IS INVITED TO PARTICIPATE IN PUBLIC MEETINGS FOR ALL AGENDAS.

In accordance with the Americans with Disabilities Act, Eagle Mountain City will make reasonable accommodation for participation in all Public Meetings and Work Sessions. Please call the City Recorder's Office at least 3 working days prior to the meeting at 801-789-6610. This meeting may be held telephonically to allow a member of the public body to participate. This agenda is subject to change with a minimum 24-hour notice.

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above agenda notice was posted on this the 16th day of March, 2023, on the Eagle Mountain City bulletin boards, the Eagle Mountain City website www.emcity.org, posted to the Utah State public notice website <http://www.utah.gov/pmn/index.html>, and was emailed to at least one newspaper of general circulation within the jurisdiction of the public body.

Fionnuala B. Kofoed, MMC, City Recorder



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
MARCH 21, 2023**

TITLE:	Well #7 Drilling - Grimshaw Drilling		
ITEM TYPE:	Bid Award		
FISCAL IMPACT:	\$3,979,515.00		
APPLICANT:	Chris Trusty		
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

No

PREPARED BY:

Chris Trusty, Public Works

PRESENTED BY:

Chris Trusty

RECOMMENDATION:

Staff recommends the City Council award the Well #7 Drilling bid award to Grimshaw Drilling in the amount of \$3,979,515, and authorize the Mayor to sign the contract.

BACKGROUND:

In an effort to get additional bids for drilling a new well at the Hidden Hollow site, the City issued an RFP which decreased the size of the lower section of the well shaft. The RFP allowed the driller to drill a 20 inch hole down to 900 feet and then either a 16 inch or a 10 inch below that. In making this accommodation, it was hoped that the RFP generate more interest.

The City received only one bid, from Grimshaw Drilling, which was bid based on a 16 inch shaft. It is estimated that this could provide the City with up to 5,000 gpm from the well. The previous bid the City received from Boart Longyear was for \$3.2M, so this price is higher, but with the drilling conditions being what they are, staff isn't confident in securing a lower bid.

The proposal is attached.

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

[Eagle Mountain Well #7 Bid](#)

Eagle Mountain City



EAGLE MOUNTAIN

BID REQUEST NO. EMC-FY23-15

Re-Bid Well Drilling #7 Unity Pass

Bid Due Date: February 23, by 2:00 P.M.

Bid Administrator: Melissa Yates, Procurement Officer
P: (801) 789-6641
E: MYates@emcity.org

Interested parties may obtain a copy of this invitation to bid and submit responses through the State of Utah's Public Procurement Portal:

purchasing.utah.gov

Issued: February 2, 2023

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OVERVIEW

I. INTRODUCTION

Eagle Mountain City is requesting bids from responsible firms or individuals for Drilling Well #7 (Unity Pass).

II. SCOPE OF SERVICES

This project will consist of drilling a new well to be used as a culinary supply for the City. The site for the well has been prepared to accommodate the drilling.

We realize that all drillers tooling, bit sizes, and approach may be different for this well. With that in mind we have left leeway for each driller to bid on the hole in a manner they see fit for their equipment. The final product must, however, comply with all DDW and DWR regulations. We anticipate the water table at being approximately 520 feet. We also realize that hole conditions may dictate the approach once drilling the approach may change. The final well will be a 20" well that telescope to a 16" or 10" minimum casing and screen at 900 feet. As such, the minimum hole diameter to 900 feet should be 24". If desired by driller a surface casing and/or an intermediate casing can be set to depths desired by the driller or that the hole conditions dictate.

If the driller has limited pullback he can downsize hole, casing, and screen to a hole size fitting a maximum of 16" and minimum casing and screen diameter of 10". There must be a minimum 2" annulus space between the casing or screen and borehole wall. If the driller's rig is borderline at a TD of 1500' for this size hole, driller may submit bid for the depth he is comfortable with.

The pump set in the well will be a deep-set line shaft, hole deviation down to 800 feet should be minimal. The AWWA A100 requirement for tolerance is maximum horizontal deviation of well from vertical shall not exceed 2/3 of the well casing inside diameter per 100 feet of depth. However, the city will work with the driller on this depending on where the deviations come in and to what extent.

This will be a bedrock hole, predominantly limestone similar to Eagle Mountain Well 5. The Drillers log for Well 5 can be found at; <https://waterrights.utah.gov/cgi-bin/docview.exe?Folder=welllog430695>

The daily penetration rates for Well 5 for the 24" hole were:

10/19 131-230

10/20 230-404

10/21 404-516

10/22 516-635

10/23 635-826

10/24 826-988

10/25 986-1066

10/26 1066-1178
 10/27 1178-1375
 10/28- 1379 1527
 10/29 1527-1680
 10/30 1680-1752 TD

Below is a section on Plumbness and Alignment from a different bid

1.1 QUALITY CONTROL TESTING

- A. Plumbness: Perform after casing is installed and in accordance with AWWA A100.
1. Test: Type of test is up to driller, but City must approve method and frequency.
 2. Tolerance: Maximum horizontal deviation of well from vertical shall not exceed two thirds of well casing inside diameter per 100 feet of depth.
 3. If Plumbness does not meet tolerance, make corrections and re-test. It would be recommended that plumbness is tested periodically down to 800'.
 4. City is willing to accept tolerances outside the AWWA A 100 standard depending on the magnitude and where in the hole the deviations are.

A site walk meeting will not be conducted.

III. BID SCHEDULE

IV. Item No.	Description	Quantity	Units	Unit Cost	Total Cost
Project	Median Project				
1	Mobilization and Demobilization	1	LS	245,000	245,000
2	Drill or auger 1500 foot deep well per included engineering specifications	1	LS	2,310,000	2,310,000
3	Furnish 20 inch casing from 0-780'	780	LF	387.00	301,860
4	Furnish and install 20-inch SS screen 780-820'; 840-880'	80	LF	872.50	69,800
5	Furnish and Install 20-inch steel casing 820-840'; 880-900'	40	LF	387.00	15,480
6a	Furnish and install 16-inch SS screen 1090-1490'	400	LF	645.00	258,000
6b	Furnish and install 10-inch SS screen 1090-1490'	400	LF	0	0
7a	Furnish and install 16-inch steel casing 900-1090'	110	LF	297.00	32,670
7b	Furnish and install 10-inch steel casing 900-1090'	110	LF	0	0
8a	20X16 reducer	1	EA	8,250.00	8,250.00
8b	20X10 reducer	1	EA	0	0
9	Furnish and install 1/8x1/4 SRI gravel	2550	CF	98.50	251,175

10	Cement and grout from surface to 110 feet (sanitary seal)	900	CF	35.00	31,500
11	Develop well (airlift) 50 hrs.	1	LS	36,250	36,250
12	Test pump, incl install and removal of test pump and discharge pipe; est 100 hrs	1	LS	145,000	145,000
13	Sound Panels	1	LS	85,000	85,000
14	5% contingency	1	LS	189,500	189,500
	BID SCHEDULE TOTAL (1-14)	3,979,515.00			
BID SCHEDULE TOTAL (IN WORD FORM)					
Three million Nine Seventy Nine Five Hundred Fifteen					

V. BID RESPONSE OUTLINE

Bids must be concise and, in an outline, format not exceeding 15 pages. Pertinent supplemental information should be referenced and provided as attachments. All bids must be organized and tabbed to comply with the following sections:

Tab 1 - LETTER OF TRANSMITTAL. The letter of transmittal should include an introduction of the Project Team: the name, address, telephone number, and email address of the person to be contacted along with others who are authorized to represent the company in dealing with this bid.

Tab 2 - EXECUTIVE SUMMARY. Should include an introduction of the Firm: the name, address, telephone number, email address, and Federal Tax Identification. Along with a brief statement that summarizes the unique qualifications of the Firm in relation to the unique and general requirements of this project.

Tab 3 - COST PROPOSAL The Firm must submit a cost proposal allowing costs to be evaluated independently. The cost proposal should include the method of determining compensation for the required services with a not-to-exceed cost estimate. It should also include the estimated cost to complete all of the Firm's Basic Services.

Tab 4 - BID FORM (Attachment A) AND MISCELLANEOUS additional information and attachments, including company literature and catalogs.

IV. INSURANCE REQUIREMENTS

The Contractor / Consultant shall furnish Eagle Mountain a Certificate of Insurance applying to the contract for each type of insurance required, to be approved by Eagle Mountain City. The Consultant's insurer must be authorized to do business in Utah and must meet the specified A.M. Best rating or better at the time this contract is executed. The following insurance shall be

maintained in force until all activities which are required by the Contract or as changed by contract modification are completed and accepted by Eagle Mountain:

- a. General Liability insurance with a limit of not less than \$1,000,000 per occurrence and not less than \$3,000,000 aggregate and having an A.M. Best rating of A-class VIII or better. If this coverage is written on a claims-made basis, the Certificate of Insurance shall so indicate. Consultant represents that as long as commercially available the insurance shall remain in effect such that claims reported up to three (3) years beyond the date of substantial completion of this contract are covered.
- b. Commercial Automobile insurance with a minimum combined single limit of \$1,000,000 per occurrence OR \$500,000 liability per person, \$1,000,000 per occurrence, \$250,000 Property Damage, and having an A.M. Best rate of A-class VIII or better.
- c. Architect and/or Engineers Professional Liability (errors and omissions) insurance having an A.M. Best rating of A-class VIII or better, is required at the coverage amount of \$1,000,000 per claim and \$3,000,000 aggregate. If this coverage is written on a claims-made basis, the Certificate of Insurance shall so indicate. Consultant represents that as long as commercially available the insurance shall remain in effect such that claims reported up to three (3) years beyond the date of substantial completion of this contract are covered (on construction contracts or modifications for construction management the insurance, shall remain in effect for one (1) year after completion of the project).
- d. Valuable Papers & Records Coverage and/or Electronic Data Processing (Data and Media) Coverage for the physical loss or destruction of the work product including drawings, plans, specifications and electronic data and media. Such insurance shall be of a sufficient limit to protect Consultant, its sub-consultants and Eagle Mountain from the loss of said information.
- e. Workers Compensation Insurance: Consultant shall provide evidence that his employees and sub-consultant employees are covered by Workers Compensation. If they are covered by Workers Compensation Fund of Utah, then the A.M. Best rating is not required in this area
- f. Consultant shall require the insurance company that issues the Certificates of Insurance for the evidence of the required insurance coverage to endeavor to provide Eagle Mountain with 30-days written notice in the event that coverage is canceled before the policy expiration date stated in the Certificate. Consultant further agrees to provide Eagle Mountain with 30 days written notice prior to making an alternation or material change to the required insurance coverage.
- g. Policies referred to in 9(a) and 9(b) above are required to be endorsed naming Eagle Mountain as Additional Insured and, on General Liability, indicate they are primary and not contributing coverage. All required policies, endorsements, insurance companies issuing same, and self-insured programs are subject to review and approval by Eagle Mountain.

V. TIMELINE

The following is a tentative schedule of this entire bid process. While the City will attempt to apply the necessary resources to maintain this schedule, the following dates are merely projections. The City reserves the right to modify this schedule as needed to accommodate the completion of this bid process.

TENTATIVE PROJECT SCHEDULE	
Bid Published	02/02/2023
Site Walk	N/A
Questions from Firms Due	02/16/2023
Questions and Answers Posted	02/17/2023
Bid Due	02/23/2023, at 2:00 PM
Anticipated Contract Award	March 2023

VI. ADMINISTRATIVE GUIDANCE

The information provided herein is intended to assist Firms in the preparation of bids necessary to properly respond to this bid. The bid is designed to provide interested Firms with sufficient basic information to submit bids meeting minimum requirements but is not intended to limit a bids content or to exclude any relevant or essential data therefrom. Firms are at liberty and are encouraged to expand upon the specifications to give additional evidence of their ability to provide the services requested in this bid.

VII. ISSUING OFFICE AND BID REFERENCE NUMBER

Eagle Mountain City Engineering is the issuing office for this bid and all subsequent addenda. The reference number for this bid is **EMC-FY23-15**. This number must be referenced on all bids, correspondence, and documentation relating to this bid. During the bid process, the Procurement Officer is the sole source of official information. All other communications, both spoken and written, which are received by any representative of the Firm from other sources (such as employees in other departments) should be confirmed by the Firm with the representative as being true and accurate before incorporating such information into their bids. This refers to both formal and informal conversations and communications.

Contact: Melissa Yates, Procurement Officer
1650 E Stagecoach Run
Eagle Mountain, Utah 84005

Myates@emcity.org
(801) 789-6641

VIII. SUBMISSION OF BIDS

Invitation to bid documents will be available online on **February 2, 2023**, at purchasing.utah.gov (select the search bar> select Current Bids > enter "EM" > select search.) Sealed bids will then be accepted online or in the Eagle Mountain recorder's office until **February 23, 2023, at 2:00 PM**. Proposals submitted after this deadline will be rejected.

Failure to provide a response to items indicated in this bid will be interpreted by the City as an inability by the Firm to provide the requested service.

IX. BID BOND

A bid or proposal must be accompanied by a bid security made payable to Owner in an amount of 5% of Bidder's maximum bid price and in the form of a certified check or a Bid bond issued by a surety.

If issuing a certified check, make the check payable to Eagle Mountain City. Send to Melissa Yates EM Purchasing agent 1650 E Stagecoach Run Eagle Mountain Utah 84005. The check must be received before the closing date and time of the bid.

The Bid security of the Successful Bidder will be retained until such Bidder has executed the Contract Documents, furnished the required contract security, and met the other conditions of the Notice of Award, whereupon the Bid security will be returned. If the Successful Bidder fails to execute and deliver the Contract Documents and furnish the required contract security within 15 days after the Notice of Award, Owner may annul the Notice of Award and the Bid security of that Bidder will be forfeited. The Bid security of other Bidders whom Owner believes to have a reasonable chance of receiving the award may be retained by Owner until the earlier of seven days after the Effective Date of the Agreement or 61 days after the Bid opening, whereupon Bid security furnished by such Bidders will be returned.

The bid security of other Bidders whom OWNER believes do not have a reasonable chance of receiving the award will be returned within fourteen days after the Bid opening.

X. VENDOR PREQUALIFICATION

All potential vendors are required to register with Eagle Mountain City prior to doing business. You may complete required prequalification forms by going to EagleMountainCity.com/purchasing. Fill out the vendor prequalification form and submit W9.

The City may conduct such investigations as the City deems necessary to establish the responsibility, qualifications, and financial ability of Bidders, proposed Subcontractors, Suppliers, individuals, or entities to perform the Work in accordance with the contract Documents.

XI. INQUIRIES

Questions arising subsequent to the issuance of this bid should all be submitted in writing through the State of Utah's online procurement portal. Questions and answers will be consolidated and provided to all Firms on record of receiving this invitation to bid. All inquiries must be submitted by the close of business **(5:00 PM MST) on February 16, 2023**. Questions submitted after the deadline will not be addressed.

XII. RESPONDENT'S RESPONSIBILITY FOR BID COSTS

The City is not liable for any cost incurred by Firms associated with the preparation of the bid or the negotiation of a contract for services prior to the issuance of the contract.

XIII. EVALUATION OF BIDS

The City may award a contract based on the initial bid received without discussion of such bid with the Firm. Accordingly, each initial bid should be submitted with the most favorable price and service available.

In evaluating Bids or proposals, the City will consider whether or not the Bid or proposal comply with the prescribed requirements, and such alternates, unit prices and other data, as may be requested in the Bid or proposal prior to the Notice of Award.

In evaluating Bidders, the City will consider the qualifications of Bidders and may consider the qualifications and experience of Subcontractors, Suppliers, and other individuals or entities proposed for those portions of the Work for which the identity of Subcontractors, Suppliers, and other individuals or entities.

XIV. ORAL PRESENTATION

The City may require an oral presentation by Firms to supplement a bid. The presentations, if required, shall be scheduled by Melissa Yates, Procurement Officer, after the bids have been received and prior to the award of the contract.

XV. AWARD OF THE CONTRACT

Upon completion of the bid process, the City may negotiate with and award the contract to the Firm whose bid is determined to be most advantageous to the City. If the Contract is to be awarded, the City will award the Contract to the lowest responsible Bidder whose Bid, conforming with all the material terms and conditions of the Instructions to Bidders, is lowest, price and other factors considered. If detailed in the bid, factors such as additive alternate bids, discounts, transportation costs, and life cycle costs may be used to determine which bidder, if any, is offered the award.

The parties must execute the contract prior to the commencement of performance. The contract will incorporate the provisions of this bid (including any addenda) and other terms negotiated by

the parties. By submitting a signed bid, the Firm agrees to the provisions of the contract described herein.

XVI. PROTECTED INFORMATION

Under the Government Records Access and Management Act, Section 63-2-101 et seq., Utah Code Ann. (1993 and supp. 1996), as amended ("GRAMA"), the bid submitted is open for public inspection. If the Firm desires to have information contained in its bid protected from such disclosure, the Firm may request such treatment by providing a "written claim of business confidentiality and a concise statement of reasons supporting the claim of business confidentiality" with the bid (GRAMA, Section 63G-2-309). All material contained in and/or submitted with the bid becomes the Owner's property and may be returned only at the Owner's option. A business confidentiality claim form is available on the Utah State Records Committee website:

<https://eaglemountaincity.com/wp-content/uploads/2022/10/GRAMA-Claim-of-Business-Confidentiality-Fillable.pdf>

XVII. ADDENDUM TO BID

In the event that it becomes necessary to review this bid in whole or in part, an addendum will be provided to all Firms on record as having received this bid through the State of Utah's online procurement portal.

XVIII. AUTHORIZED REPRESENTATIVES

The bid must contain the signature of a duly authorized officer, or agent of the Firm's company empowered with the right to bind the Firm for the amounts estimated and terms proposed. The Firm must also provide evidence of the authority of the officer or agent to bind the Firm. The owner shall have the option to change the Firm's contact person if it is in the best interest of the Owner.

Include this information within the "Letter of Transmittal", which will be tabbed section "1" of a successful proposal.

XIX. ANTI-COLLUSION

The submission of a bid constitutes agreement that the Firm has not divulged its bid to, or conspired with, any other Firm or party to a proposal whatsoever.

This Bid is genuine and not made in the interest of or on the behalf of any undisclosed individual or entity and is not submitted in conformity with any agreement or rules of any group, association, organization, or corporation.

Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract.

XX. RESTRICTIONS

All bids must clearly set forth any restrictions or provisions deemed necessary by the Firm to effectively service the proposed Contract.

XXI. RIGHT TO REJECT

The City reserves the right to reject any or all Bids, including without limitation, nonconforming, nonresponsive, unbalanced, or conditional Bids. The City further reserves the right to reject the Bid of any Bidder whom it finds, after reasonable inquiry and evaluation, to be non-responsible. The City also reserves the right to waive all informalities or technicality in any bid or proposal in the interest of the City not involving price, time, or changes in the Work and to negotiate contract terms with the Successful Bidder.

ATTACHMENT A

Bid Form

Project Name: **Re-Bid Well Drilling #7 Unity Pass**

Project Number: **EMC-FY23-15**

ARTICLE 1 - BID RECIPIENT

1.01 This Bid Is Submitted To: **EAGLE MOUNTAIN CITY**

1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in the Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 - BIDDER'S ACKNOWLEDGMENTS

2.01 Bidder accepts all of the terms and conditions of the Advertisement and Instructions to Bidders, including without limitations those dealing with the dispositions of Bid security. The Bid will remain subject to acceptance for 30 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

ARTICLE 3 - BIDDER'S REPRESENTATIONS

3.01 In submitting this Bid, Bidder represents that:

A. Bidder has examined and carefully studied the Bidding Documents, the other related data identified in the Bidding Documents, and the following Addenda, receipt of which is hereby acknowledged:

Addendum No.	Addendum Date
<u>1</u>	<u>2-22-23</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

B. Bidder has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.

C. Bidder is familiar with and is satisfied as to all Federal, state, and local Laws and Regulations that may affect cost, progress, and performance of the Work.

- D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site (except Underground Facilities) which have been identified in SC-4.02, and (2) reports and drawings of Hazard Environmental Conditions, if any, at the Site that have been identified in SC-4.06 as containing reliable "technical data."
- E. Bidder has considered the information known to Bidder; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and the Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder, including applying the specific means, methods, techniques, sequences, and procedures of construction expressly required by the Bidding Documents; and (3) Bidder's safety precautions and programs.
- F. Based on the information and observations referred to in Paragraph 3.01.E above, Bidder does not consider that any further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price(s) bid and within the times and in accordance with the other terms and conditions of the Bidding Documents.
- G. Bidder is aware of the general nature of the Work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and the written resolution thereof by Engineer is acceptable to Bidder.
- I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance of the Work for which this Bid is submitted.
- J. Bidder will submit written evidence of its authority to do business in the State or other jurisdiction where the Project is located not later than the date of its execution of the Agreement.

ARTICLE 4 - ATTACHEMENTS TO THIS BID

4.01 The following documents are attached to and made a condition of the Bid:

- A. Bid Form
- B. Eagle Mountain Well 7 Proposed Construction Drawing**

ARTICLE 5 - BID SUBMITTAL

5.01 This Bid is submitted by:

An Individual

Name (typed or printed): _____

SEAL,
if required
by State

By: _____
(Individual's signature)

Doing business as:

A Partnership

Partnership Name: _____

SEAL,
if required
by State

By: _____
(Signature of general partner -- attach evidence of authority to sign)

Name (typed or printed):

A Corporation

Corporation Name: Grimshaw Drilling LLC

State or Jurisdiction of Incorporation: Utah

Type (General Business, Profession, Service, Limited Liability):
LLC

By: Aaron J Alton
(Signature -- attach evidence of authority to sign)

Name (typed or printed): Aaron J Alton

Title: President

CORPORAT
E SEAL,
if required by

Attest Lacey Alton
(Signature of Corporate Secretary)

Date of Qualification to do business in Utah [State or other jurisdiction where
Project is located] is 9/15/2000

A Joint Venture

Name of Joint Venture: _____

First Joint Venture Name: _____

SEAL,
if required
by State

By: _____
(Signature of joint venture partner -- attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____

Second Joint Venture Name: _____

SEAL,
if required
by State

By: _____
(Signature of joint venture partner -- attach evidence of authority to sign)

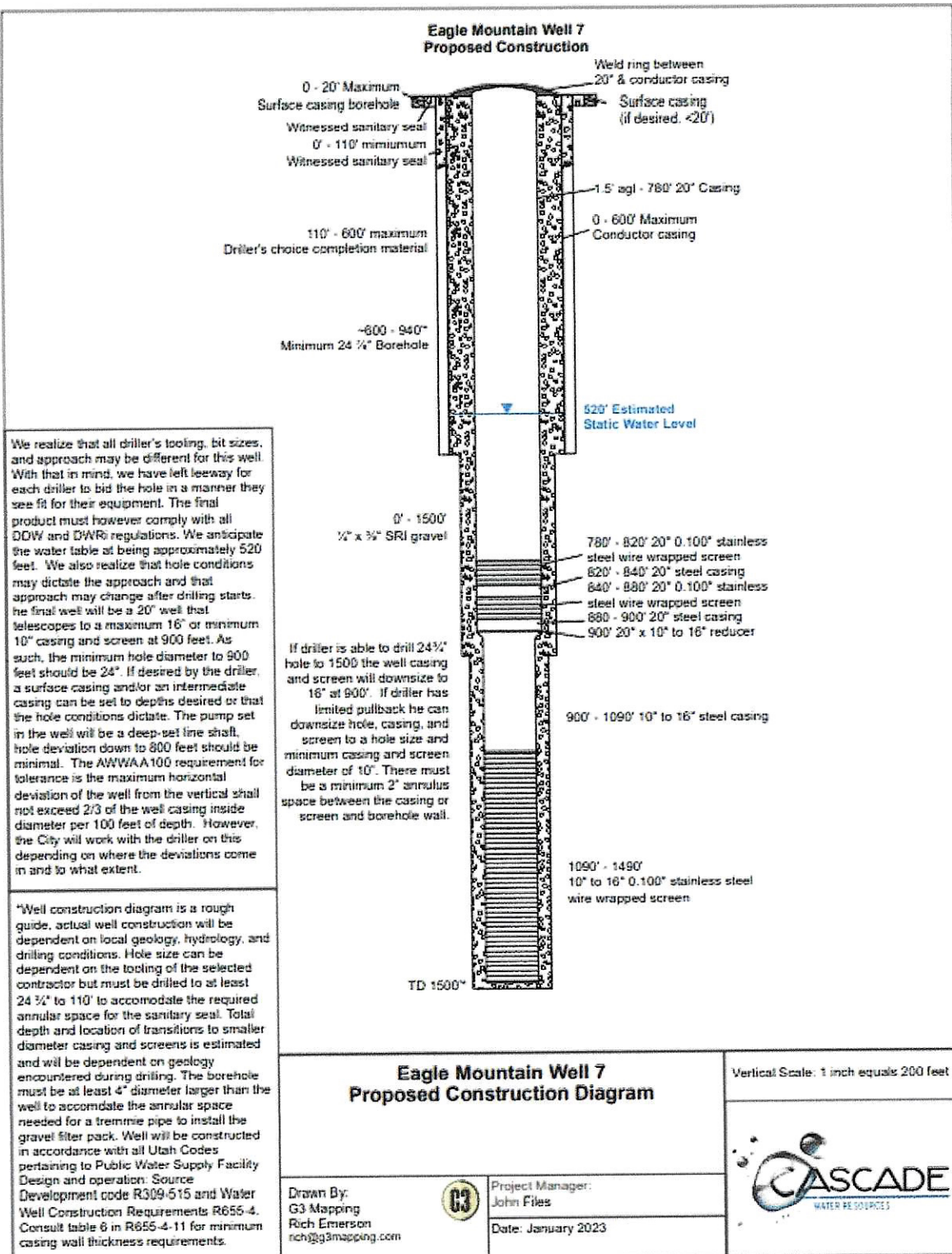
Name (typed or printed): _____

Title: _____

(Each joint venturer must sign. The manner of signing for each individual, partnership, and corporation that is party to the venture should be in the manner indicated above.)

5.02 Bid submitted on 3-9-23,

ATTACHMENT B





Utah Department of Commerce
Division of Corporations & Commercial Code

160 East 300 South, 2nd Floor, PO Box 146705
Salt Lake City, UT 84114-6705
Service Center: (801) 530-4849
Toll Free: (877) 526-3994 Utah Residents
Fax: (801) 530-6438
Web Site: <http://www.commerce.utah.gov>

01/05/2023
4824409-016001052023-1920163

CERTIFICATE OF EXISTENCE

Registration Number:	4824409-0160
Business Name:	GRIMSHAW DRILLING LLC
Registered Date:	September 15, 2000
Entity Type:	LLC - Domestic
Status:	Current

The Division of Corporations and Commercial Code of the State of Utah, custodian of the records of business registrations, certifies that the business entity on this certificate is authorized to transact business and was duly registered under the laws of the State of Utah. The Division also certifies that this entity has paid all fees and penalties owed to this state; its most recent annual report has been filed by the Division (**unless Delinquent**); and, that Articles of Dissolution have not been filed.



Leigh Veillette
Director
Division of Corporations and Commercial Code

Registered Principals

Name	Type	City	Status
GRIMSHAW DRILLING LLC	Limited Liability Company	CEDAR CITY	Active
Position	Name	Address	
Registered Agent	WESTWOOD LAW , P.C.	98 W. HARDING AVE.	CEDAR CITY UT 84720
Member	AARON J ALTON	692 E 5020 N	CEDAR CITY UT 84721
Manager	AARON J ALTON	692 E 5020 N	ENOCH UT 84721
If you believe there may be more principals, click here to View Filed Documents			

Business Name:

Privacy - Terms

Give Feedback



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
MARCH 21, 2023**

TITLE:	Eagle Point Plat E - Into Warranty		
ITEM TYPE:	Bond Release		
FISCAL IMPACT:			
APPLICANT:			
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

No

PREPARED BY:

Loreen Johnson, Recorder's
Office

PRESENTED BY:

RECOMMENDATION:

BACKGROUND:

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

[Bond Release Letter](#)

[Recorded Plat](#)



Engineering Division
2565 North Pony Express Parkway
Eagle Mountain City, Utah 84005
(801) 789-6671

Monday, March 6, 2023

City Recorder's Office
Eagle Mountain City
1650 East Stage Coach Run
Eagle Mountain City, UT 84005

SUBJECT: Eagle Point plat "E" into warranty Bond Release

City Recorder:

The above referenced subdivision has completed all the required improvements as of this date. With the approval of the installed infrastructure, we are recommending this subdivision begin the required one year warranty period. A reduced bond letter has been generated, reducing all bond items which have been completed. A warranty bond for the remaining warranty amount must be issued and maintained until released from the warranty period by the city.

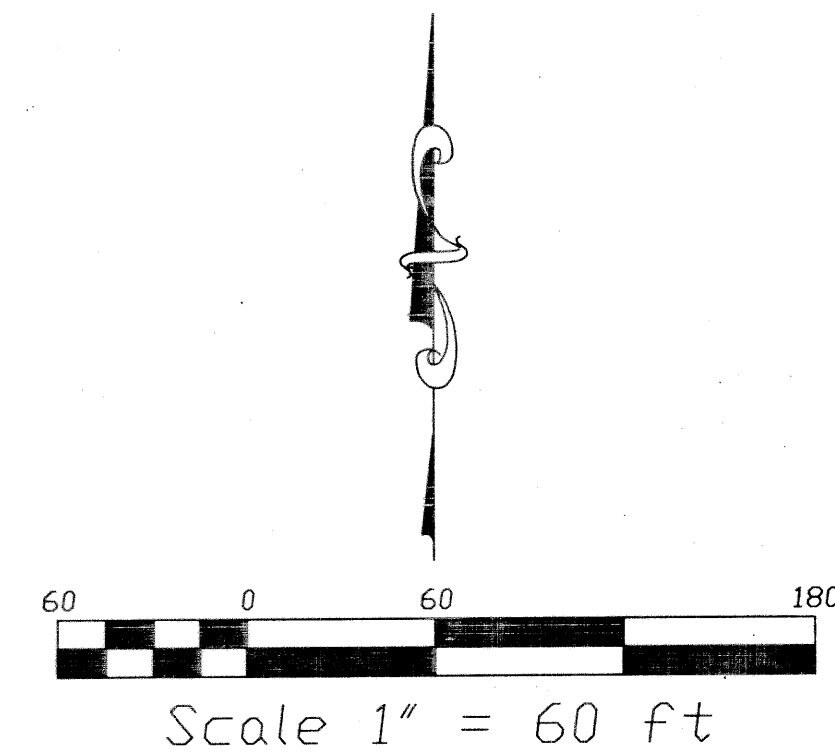
Please contact me should you have any comments, questions, or concerns. Thank you.

Sincerely,

Christopher T. Trusty, P.E.
Engineering Director
Eagle Mountain City

Cc: Fionnuala Kofoed, City Recorder

EAGLE POINT PLAT E



CURVE TABLE						
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CH DIR	CH DIS
C1	90°00'00"	61.85	97.15	61.85	N45°20'11"E	87.47
C2	12°09'41"	205.00	43.27	21.72	S84°17'21"W	43.19
C3	18°15'32"	205.00	65.33	36.34	S69°18'44"W	65.05
C4	28°16'45"	200.00	9.85	5.03	N74°05'19"E	9.75
C5	58°43'42"	20.00	20.50	11.25	S62°26'29"E	19.61
C6	89°06'24"	40.00	62.21	39.38	N77°37'50"W	56.13
C7	59°08'39"	40.00	41.23	22.70	S81°14'38"W	39.48
C8	55°51'44"	40.00	39.00	21.21	S29°15'33"E	37.47
C9	86°56'24"	20.00	30.35	18.96	N13°43'14"W	27.32
C10	01°34'12"	205.00	5.62	3.01	S88°57'52"W	5.62
C11	20°36'00"	205.00	73.71	37.25	S17°52'47"W	73.31
C12	07°34'47"	205.00	27.12	13.58	S03°47'23"W	27.18
C13	90°35'59"	20.00	31.63	20.21	N45°17'59"E	28.43
C14	89°24'01"	20.00	31.21	19.79	N44°42'01"W	28.14
C15	11°35'31"	205.00	41.48	20.81	S05°47'46"E	41.40
C16	18°19'15"	205.00	65.55	33.06	S20°42'09"E	65.27
C17	27°00'59"	20.00	9.42	4.80	N65°24'15"W	9.34
C18	63°36'51"	20.00	22.21	12.40	N28°54'39"E	21.08
C19	90°56'44"	40.00	63.49	40.67	S15°14'42"W	57.03
C20	90°15'48"	20.00	31.51	20.09	N44°31'55"W	28.35
C21	28°17'19"	40.00	69.21	10.33	S44°42'19"E	20.00
C22	00°23'53"	205.00	1.42	0.71	S89°27'52"E	1.42
C23	19°58'29"	205.00	71.47	36.10	S79°16'41"E	71.11
C24	89°44'12"	20.00	31.32	19.91	S45°20'05"W	28.99
C25	51°15'41"	205.00	54.65	27.46	N82°42'21"E	54.44
C26	14°49'55"	205.00	53.07	26.68	N67°39'33"E	52.92
C27	11°13'38"	20.00	24.86	14.33	N68°08'19"E	23.29
C28	19°24'06"	20.00	6.77	3.42	N38°49'45"W	6.74
C29	88°55'05"	40.00	62.08	39.25	S73°35'17"E	56.03
C30	55°15'36"	40.00	38.58	20.94	N34°19'24"E	37.10
C31	66°51'27"	40.00	46.68	24.40	N44°01'04"E	44.07
C32	90°37'41"	20.00	31.64	20.23	S14°50'56"E	28.44
C33	00°32'13"	205.00	1.92	0.96	N30°11'48"E	1.92
C34	20°30'36"	205.00	73.38	37.09	N49°40'23"E	72.99
C35	09°25'08"	205.00	33.70	16.89	N04°42'32"E	33.66
C36	07°42'27"	205.00	27.58	13.81	N3°51'13"W	27.56
C37	21°08'46"	205.00	75.66	38.27	N8°16'30"W	75.23
C38	00°04'43"	205.00	1.12	0.56	N69°00'35"W	1.12
C39	90°34'53"	20.00	31.62	20.20	S16°07'30"W	28.43
C40	63°12'29"	40.00	44.13	24.61	N29°48'43"E	41.92
C41	55°28'00"	40.00	38.72	21.03	N59°31'32"W	37.23
C42	90°16'21"	40.00	64.42	41.62	S76°36'18"W	57.68
C43	10°31'15"	20.00	3.67	1.84	N35°43'44"E	3.67
C44	89°03'38"	20.00	27.95	16.80	N81°01'11"E	25.73
C45	13°44'06"	205.00	48.90	24.57	N63°47'03"W	48.79
C46	17°02'43"	205.00	60.99	30.72	N81°08'27"W	60.76
C47	30°06'00"	61.85	97.15	61.85	S44°39'49"E	87.47
C48	44°49'54"	155.00	121.28	63.94	N67°14'52"E	118.21
C49	21°47'43"	168.23	60.95	30.85	S79°26'20"W	60.58
C50	19°58'15"	168.23	55.48	28.02	S58°37'21"W	55.20
C51	82°15'33"	85.00	123.53	75.25	S69°39'49"E	112.94
C52	24°41'30"	168.23	60.85	30.07	N60°22'30"W	60.52
C53	16°56'28"	168.23	47.38	23.86	N61°11'35"W	47.20
C54	45°10'06"	155.00	122.19	64.47	S67°45'08"W	119.05
C55	45°10'06"	155.00	122.19	64.47	S22°35'03"E	119.05
C56	89°24'01"	20.00	31.21	19.79	S44°42'01"E	28.14
C57	13°15'54"	155.00	35.88	18.02	N83°08'02"E	35.80
C58	09°50'05"	155.00	26.61	13.34	N72°25'03"E	26.57
C59	14°51'09"	205.00	52.06	26.17	S74°46'32"W	51.92
C60	08°17'07"	205.00	29.64	14.85	S86°11'38"W	29.62
C61	90°20'11"	20.00	31.53	20.12	N45°10'06"E	28.37
C62	44°49'54"	155.00	121.28	63.94	N27°24'57"W	118.21
C63	12°54'42"	155.00	34.93	17.54	S83°52'50"W	34.86
C64	09°55'30"	155.00	26.85	13.46	S72°27'45"W	26.82
C65	06°40'39"	205.00	23.89	11.96	N70°50'18"E	23.87
C66	16°59'24"	205.00	58.76	29.58	N82°23'17"E	58.56
C67	90°35'59"	20.00	31.63	20.21	S45°17'59"W	28.43
C68	89°39'49"	20.00	31.30	19.88	S44°49'54"E	28.20
C69	90°20'11"	20.00	31.53	20.12	N45°10'06"E	28.37
C70	89°39'49"	20.00	31.30	19.88	N44°49'54"W	28.20
C71	89°39'49"	20.00	31.30	19.88	N44°49'54"W	28.20
C72	90°20'11"	20.00	31.53	20.12	S45°10'06"W	28.37
C73	89°39'49"	20.00	31.30	19.88	S44°49'54"E	28.20
C74	90°20'11"	20.00	31.53	20.12	N45°10'06"E	28.37
C75	89°39'49"	20.00	31.30	19.88	N44°49'54"W	28.20
C76	90°20'11"	20.00	31.53	20.12	S45°10'06"W	28.37
C77	44°49'54"	155.00	121.28	63.94	S22°24'57"E	118.21
C78	44°49'54"	155.00	121.28	63.94	S67°14'52"E	118.21
C79	45°10'06"	155.00	122.19	64.47	N67°45'08"E	119.05
C80	45°10'06"	155.00	122.19	64.47	N22°35'03"E	119.05
C81	45°10'06"	180.00	141.90	74.87	S67°45'08"W	138.25
C82	45°10'06"	180.00	141.90	74.87	S22°35'03"W	138.25
C83	44°49'54"	180.00	140.84	74.25	S22°24'57"E	137.28
C84	44°49'54"	180.00	140.84	74.25	S67°14'52"E	137.28
C85	45°10'06"	180.00	141.90	74.87	N67°45'08"E	138.25
C86	45°10'06"	180.00	141.90	74.87	N22°35'03"E	138.25
C87	44°49'54"	180.00	140.84	74.25	N22°24'57"W	137.28
C88	44°49'54"	180.00	140.84	74.25	N67°14'52"W	137.28
C89	22°50'11"	180.00	71.74	36.35	S78°55'06"W	71.27
C90	22°50'11"	180.00	72.77	36.78	N79°06'59"E	72.88
C91	90°00'00"	20.00	31.42	20.00	N44°39'50"W	28.28
C92	90°00'00"	20.00	31.42	20.00	S45°20'11"W	28.28
C93	89°36'04"	205.00	34.25	17.21	S44°29'26"E	34.30
C94	74°19'17"	40.00	51.89	30.32	N83°39'23"E	48.32
C95	16°49'01"	40.00	11.74	5.91	N38°09'14"E	11.70
C96	90°37'51"	20.00	31.64	20.22	S74°59'59"W	28.44

LINE TABLE		
LINE	LENGTH	BEARING
L4	103.87	N33°36'49"E
L5	103.89	N32°56'34"W
L6	56.31	N02°27'19"W
L7	57.61	N89°12'00"W
L8	25.00	S44°49'54"E
L9	51.89	N28°48'03"W
L10	51.07	S29°18'36"W
L11	43.40	S35°10'29"E
L12	59.99	N24°37'44"E
L13	51.25	N29°11'52"E
L14	25.00	N07°48'44"W
L15	51.71	S28°54'43"E
L16	51.25	N29°11'52"E
L17	36.26	N40°48'29"W
L18	51.71	S28°54'43"E
L19	57.66	S87°16'24"W
L20	57.53	S03°15'49"W
L21	25.00	N45°10'06"E
L22	51.66	S61°23'36"W
L23	51.30	S60°29'49"E
L24	25.33	N08°08'57"E
L25	25.00	N44°49'54"W
L26	57.21	S86°13'01"E
L27	57.99	S02°12'43"E
L28	45.15	N43°38'13"E
L29	51.71	N28°54'43"W
L30	51.25	S29°11'52"W
L31	25.00	S85°12'06"E
L32	51.71	N28°54'43"W
L33	51.25	S29°11'52"W
L34	51.71	N28°54'43"W
L35	51.25	S29°11'52"W
L36	37.79	N41°25'18"E
L37	56.00	N05°46'41"E
L38	59.25	N89°42'00"E
L39	25.00	S45°10'06"W
L40	37.35	N51°55'42"W
L41	46.15	S36°51'35"E
L42	10.00	S00°00'00"W

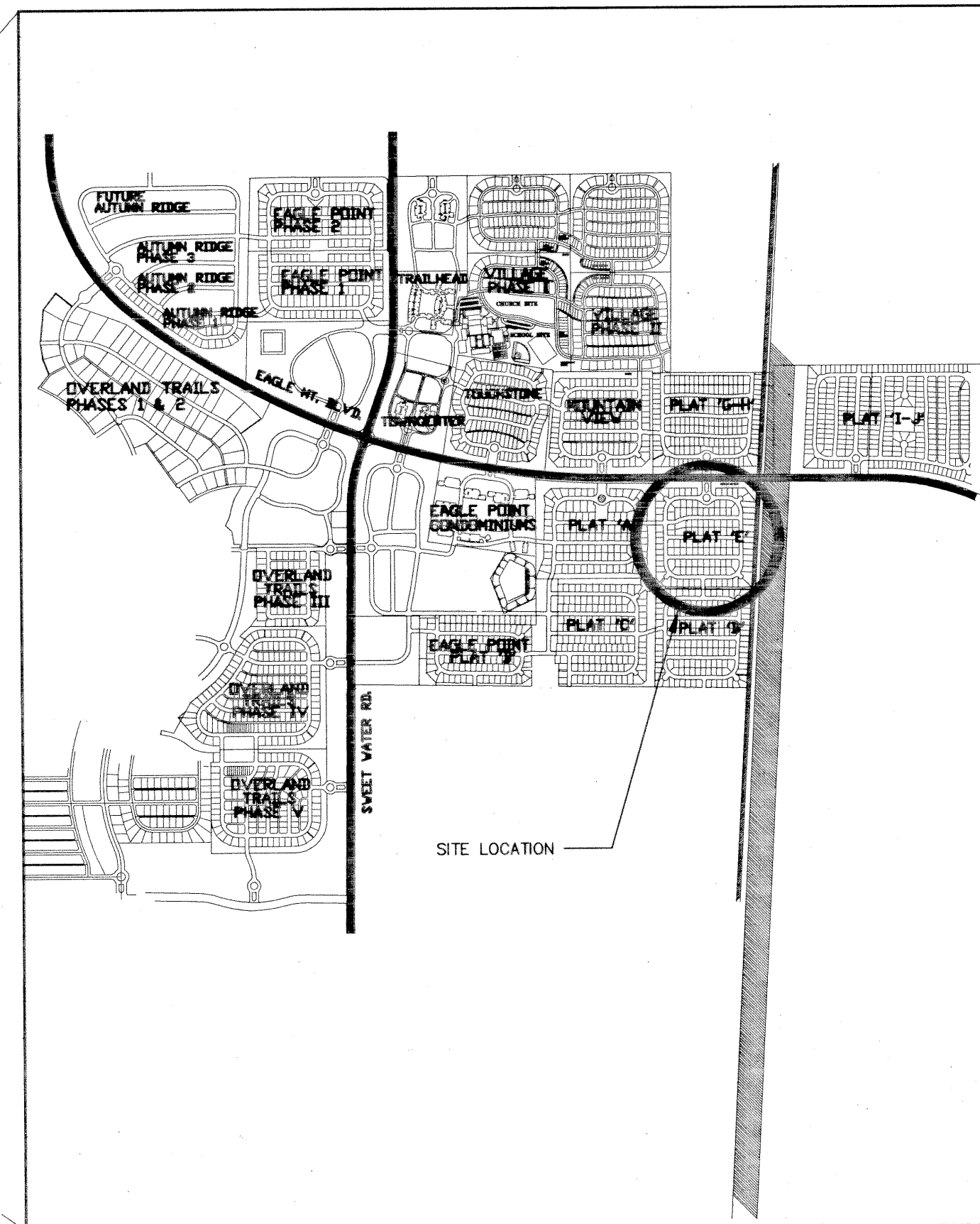
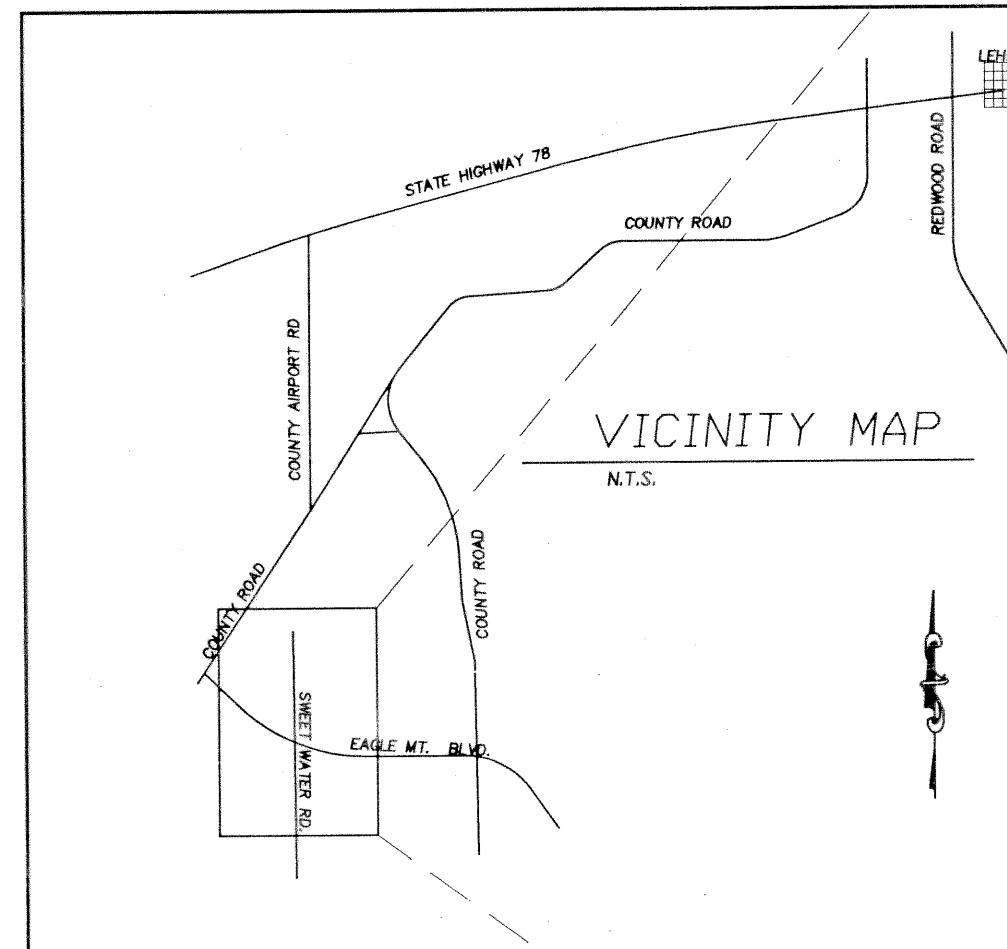
EAGLE POINT PLAT E

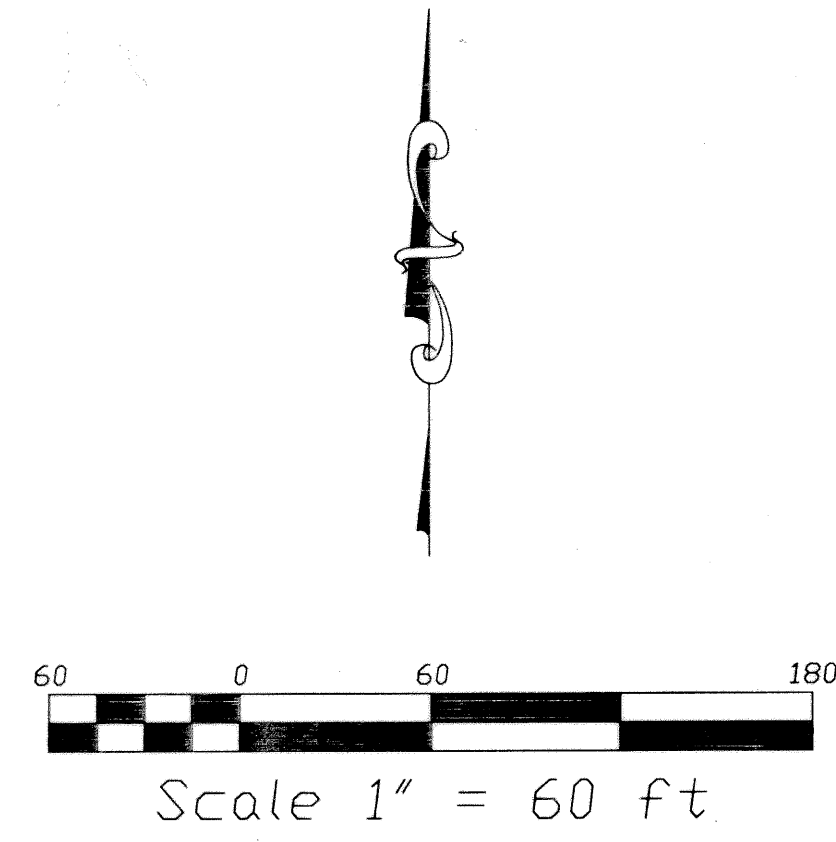
MINIMUM LOT FRONTAGE = 64.47 FT
MINIMUM LOT SIZE = 5,695 SQ FT
TOTAL LOTS = 143
TOTAL PUBLIC USE/OPEN SPACE = 2.72 AC
TOTAL LOT ACRES = 38.64
TOTAL LOT ACRES = 26.90
TOTAL STREET ACREAGE = 8.56
TOTAL PARK ACREAGE = .46
AVERAGE LOT SIZE = .19 AC

SUBDIVISION NAME: EAGLE POINT PLAT E
TYPE OF DEVELOPMENT: SINGLE FAMILY RESIDENTIAL

OWNER/DEVELOPER: PATTERSON CONSTRUCTION INC.
ATTN: WAYNE PATTERSON
2245 NORTH 1200 EAST
LEHI, UTAH 84043

PROJECT #99156 DRAFTED BY SKS 2/17/00
PLOT VIEW = '60' File name: F:\SDSKPROJ\99156\PLAT_E.DWG
Sheet Name: plot_title





9685-109 (sheet 2 of 2)

FOUND BRASS CAP MONUMENT
NORTHWEST CORNER
SECT. 18, T6S R1W, SLB&M

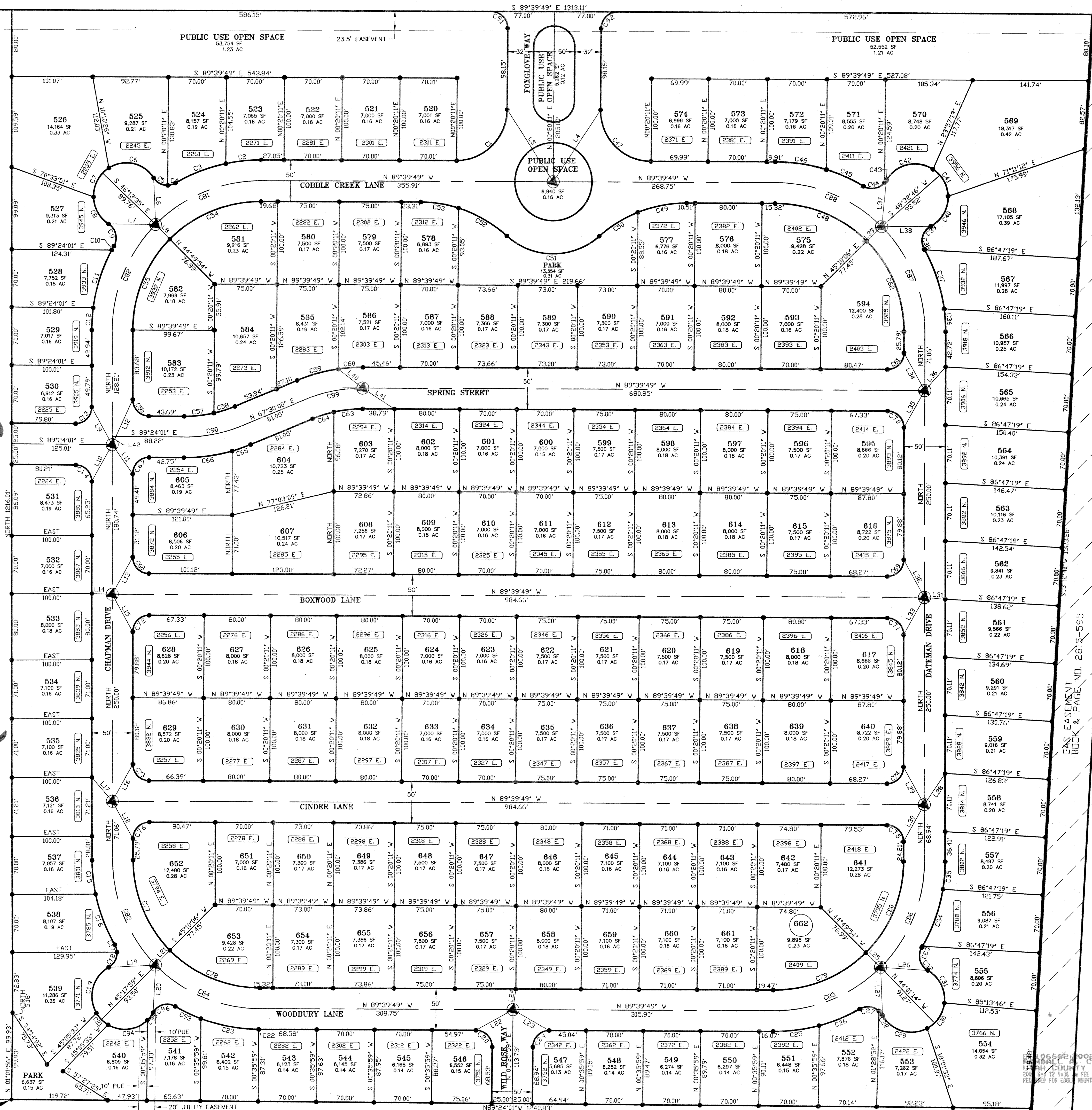
MCM ENGINEERING, INC.
CIVIL/STRUCTURAL/LAND SURVEYING
P.O. BOX 189
HEBER, UT 84032
(435) 654-0939

PATTERSON CONSTRUCTION INC.
BOOK NO. 4878
PAGE NO. 255

S00°28'57"W 2668.74' (BASIS OF BEARING)

EAST 1156.32

P.O.B.





EAGLE MOUNTAIN CITY COUNCIL MEETING MINUTES

March 7, 2023, 4:00 p.m.
Eagle Mountain City Council Chambers
1650 East Stagecoach Run, Eagle Mountain, Utah 84005

4:00 P.M. WORK SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Mayor Tom Westmoreland, Councilmembers Donna Burnham, Jared Gray, Carolyn Love, and Brett Wright. Councilmember Colby Curtis was excused.

CITY STAFF PRESENT: Paul Jerome, City Administrator; Steve Mumford, Assistant City Administrator/Community Development Director; Evan Berrett, Economic Development Director; Marcus Draper, City Attorney; Kimberly Ruesch, Finance Director; David Stroud, Senior Planner; Fionnuala Kofoed, Director of Administrative Services/City Recorder; Chris Trusty, City Engineer; Zac Hilton, Streets and Storm Drain Manager; Brad Hickman, Parks and Recreation Director; Embret Fossum, Unified Fire Authority Battalion Chief; Eric McDowell, Chief Deputy Sheriff; Natalie Winterton, Grants Coordinator/Management Analyst; David Draper, Neighborhood Improvement Officer.

CITY STAFF PRESENT ELECTRONICALLY: Tyler Maffitt, Communications Manager; Angela Valenzuela, Human Resource Manager; Elizabeth Fewkes, Recording Secretary; Mack Straw, Public Utilities Manager; Jeff Weber, Fleet and Facilities/Operations Director; and Michele Graves, Library Director.

Mayor Westmoreland called the meeting to order at 4:12 p.m.

Mayor Westmoreland called Natalie Winterton, Grants Coordinator/Management Analyst, to draw names for the Director of Legislative Affairs interview panel. Councilmembers Donna Burnham and Brett Wright were selected by lot.

1. CITY ADMINISTRATOR INFORMATION ITEMS

1.A. UPDATE – City Administrator Items

City Administrator Paul Jerome read a statement from the Department of Environmental Quality Public Information Officer Matt McPherson who reported to KSL news Eagle Mountain water is safe for human consumption and there are no concerns with health impacts. The City tests for bacteria at 50 different sites monthly. The samples are sent to an independent lab that sends results directly to the State and Eagle Mountain. TDS levels are required to be measured every three years; however, Eagle Mountain elects to measure the level annually. The current TDS level of 860, throughout the City as of yesterday per test results from a State-certified lab, is below the State maximum level of 2,000. Well 1 is generally used during the winter months as the sole water source for the City but the well is undergoing repairs and the City switched to Central Water Project (CWP) water then Well 5. A residual of chlorine indicates that the water is healthy and the chlorine level for Well 5 is lower than the CWP water used by the City before switching to Well 5. Turning on a well costs the City \$9,000. Once irrigation season begins, other wells will be

activated and the water from the various wells will be mixed for uniform water throughout the City.

Public Utilities Manager Mack Straw said that Well 5 was last used in November 2022 in conjunction with CWP water and has had similar or higher TDS levels in the past. Well 5 has been in service for 10 years. The results for 10 samples recently sent out for bacteria testing came back clean.

Engineering

- The City will be putting the Mid Valley Road widening project out to bid by the end of this week.
- The bid opening on the Eagle Mountain Boulevard roundabout is scheduled for next week.
- City staff should have a draft design completed for the Cedar Pass waterline by the end of next week and anticipates that going out to bid is likely in April for summer construction.
- The contractor is experiencing supply issues for exterior electrical panels for the booster pumps at Cory Wride Memorial Park and along Pony Express Parkway.

Public Utilities

- Staff completed a biosolids report.
- The Well 1 pump is in the shop being repaired.

Parks, Recreation, Events, and Cemetery

- Smith Ranch Community Park: Bids were extended until March 10, 2023, and approval for the agreement is anticipated at the City Council meeting on March 21, 2023. Staff has also applied for an additional grant in the amount of \$200,000 specifically for the skatepark portion of the park project.

Streets and Stormwater

- With the recent snow storms the snow removal budget has been depleted and the City has now gone over the budget to replace salt in the salt shed.

Facilities, Fleet, and Emergency Management

- The Community Development Building mezzanine installation is about 95% complete.
- Well houses HVAC upgrades: the units were delivered today and are being installed and are on schedule to be completed by the end of this month.
- The Teen CERT program is in place, classes are held at City Hall on Mondays, and eight students are attending.
- Upgrades to the Sewer Building have started. The walls have been framed and the electrical equipment installation is underway. The HVAC system is going to be installed this Friday.
- The Sheriff's and Recorder's office remodels have been designed and will be going out to bid next week.
- The concrete pad for the 6,000-gallon fuel tank has been engineered and will be poured when the weather permits.

Economic Development

- An announcement will be made tomorrow, March 8, 2023, at approximately 5:00 p.m. regarding a big box store planning to locate in Eagle Mountain.
- A data center project will be coming before the City Council in mid-April. The new project area plan, budget documents, and interlocal agreements will be distributed tomorrow. The development agreement is being drafted.
- Jeppson Automotive, Inquisitive Minds Montessori Preschool, and Inspire Sports recently opened. Site work has begun for Big O Tires, and the City has received permit applications for Roxberry Juice, Whole Macro, and Jersey Mikes. Papa Johns has also informed us that they are planning a location in Eagle Mountain.

Community Development

- In February, one commercial permit for Prime Nails in The Place at Parkway, 15 accessory dwelling unit permits, and 19 new residential permits were issued – 4 in the north service area and 15 in the south service area.
- Recently approved bills by the Legislature will require Municipal Code amendments. The Planning Department will be working with Legal to present amendments in the near future to comply with the new State Code changes.

2. AGENDA REVIEW

11. CHANGE ORDERS

11.A. Wastewater Treatment Plant Headworks Facility Change Order #1 – VanCon, Inc.

City Engineer Chris Trusty clarified that even with the change order, the cost would still be significantly less than the next lowest bid for the project. The change order is for an addition to the project that would be more expensive to add later and the sales taxes, which sometimes can be exempt for some projects but is required in this case.

Councilmember Gray suggested verifying that all sale taxes are accounted for in the bids for projects in the future.

12. MINUTES

12.A. February 21, 2023 Minutes – Regular City Council Meeting

Councilmember Love requested a change to condition one of the amended motion for the Lower Hidden Valley Master Development Agreement on page 18 to alter the maximum 10% unit transfer *from* a pod to a maximum 10% unit transfer *into* a pod.

13. RESOLUTIONS

13.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Establishing a Policy for the Approval of Minutes for any Public Body.

Councilmember Love verified with staff that the resolution establishes existing procedures, rather than suggesting new procedures.

14. SCHEDULED ITEMS

- 15.A. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code, Chapter 17.25 Residential Zones and Chapter 17.72 Commercial and Multifamily Design Standards.

Senior Planner David Stroud presented the item. House Bill 98-2021 modified State Code to preempt municipalities from architectural standards of single-family and two-family structures. A development agreement may still stipulate standards. Single-family changes to EMMC have been approved but two-family amendments are needed to align Municipal Code with State Code.

- 15.B. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code, Chapters 10.10 Parking.

Grants Coordinator/Management Analyst Natalie Winterton presented the item. At the request of the Council, staff has reviewed the Municipal Code parking standards and suggested amendments to help address some common parking issues in Eagle Mountain City. There have been citizen complaints of mail being withheld due to cars parked directly in front of mailboxes. Also, neighborhood improvement officers recommended a reevaluation of the time limit of street parking. There have also been confusion and safety issues involving recreational, commercial, or agricultural vehicles parked on public streets.

Ms. Winterton reviewed staff-proposed amendments to EMMC 10.10 Parking based upon the previous discussion with the Council:

- 10.10.010(A)(1)(j) – Retain the prohibition to parking on a parkstrip;
- 10.10.010(A)(2)(i) – retain a prohibition for parking, “within 10 feet of a mailbox between the hours of 8:00 A.M. and 5:00 P.M. on days that mail is being delivered;”
- 10.10.030 – retain the 48-hour maximum for a vehicle to be parked continuously on a public street without having been driven a distance of at least 400 feet;
- 10.10.090 – add definitions for agricultural vehicle, food truck, food cart, and front yard; add examples of recreational vehicles, and remove van;
- 10.10.100(A)(2) – amend to “Agricultural vehicle, recreational vehicle, or occupied or empty trailer within the front yard area (not including a paved or gravel driveway) of any residential zone of the city;” and
- 10.10.100 – add (A)(3) “Agricultural vehicle, recreational vehicle, or occupied or empty trailer on a driveway within 10 feet of a sidewalk (or street if sidewalk is not present).”

Councilmember Love suggested changing 10.10.100(A)(2) to *except* a paved or gravel driveway.

Discussion ensued regarding whether to extend the definition of recreational vehicles to include items such as jet skis, side-by-sides, four-wheelers, or quads rather than vehicles “primarily designed as a temporary dwelling for travel,” and which types of boats would be subject to the standards.

City Attorney Marcus Draper explained that other recreational vehicles would be defined as vehicles in State Code and subject to vehicle parking restrictions.

The Council concurred with removing boats from the examples of recreational vehicles.

Councilmember Love advocated for allowing vehicles to be parked on a public street for up to 72 hours and expressed concern with allowing box trucks and vehicles of similar size that only have two axles.

Discussion ensued regarding whether the standards should be less restrictive for residents parking in front of their own homes, enforcement of vehicles that are not moved within the required timeframe, and the definition of and differences in standards for commercial and noncommercial vehicles.

Neighborhood Improvement Officer David Draper requested clarification of parking standards for commercial vehicles and overnight parking due to variances in interpretation to allow for consistency in enforcement.

The Council considered defining vehicles by weight class or size but City Attorney Marcus Draper advised that enforcement could be problematic.

Ms. Winterton explained that she has not researched the definition of commercial vehicles as that portion of the standards was intended to remain the same but she can if the Council would like.

At the request of the Council, Mr. Marcus Draper cited that Provo Municipal Code prohibits vehicles weighing over one and a half tons from being stored or parked on any parcel in any residential zone. Councilmember Wright supported using a similar standard for the City.

Discussion ensued regarding benefits and issues with defining a commercial vehicle by weight rating.

15.C. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Authorizing the Public Bodies of Eagle Mountain City to Conduct Electronic Meetings, Establishing an Anchor Location and Determining how a Quorum is Calculated.

Ms. Kofoed presented the item. The ordinance establishes City Hall as the anchor location and clarifies how a quorum is calculated. The City has always provided the ability for the public to participate in meetings, even electronic meetings. State statute says that cities may provide means to participate rather than requiring accommodations be made available.

3. ADJOURN TO A CLOSED EXECUTIVE SESSION

No closed session was held. Mayor Westmoreland adjourned the work session at 5:46 p.m.

7:00 P.M. POLICY SESSION – CITY COUNCIL CHAMBERS

ELECTED OFFICIALS PRESENT: Mayor Tom Westmoreland, Councilmembers Donna Burnham, Jared Gray, Carolyn Love, and Brett Wright. Councilmember Colby Curtis was excused.

CITY STAFF PRESENT: Paul Jerome, City Administrator; Steve Mumford, Assistant City Administrator/Community Development Director; Evan Berrett, Economic Development Director; Marcus Draper, City Attorney; Kimberly Ruesch, Finance Director; David Stroud, Senior Planner; Fionnuala Kofoed, Director of Administrative Services/City Recorder; Chris Trusty, City Engineer; B.J. Eccles, Sergeant; Natalie Winterton, Grants Coordinator/Management Analyst, and David Draper, Neighborhood Improvement Officer.

CITY STAFF PRESENT ELECTRONICALLY: Tyler Maffitt, Communications Manager; Elizabeth Fewkes, Recording Secretary; Mack Straw, Public Utilities Manager; Zac Hilton, Streets and Storm Drain Manager; and Embret Fossum, Unified Fire Authority Battalion Chief.

4. CALL TO ORDER

Mayor Westmoreland called the policy session to order at 7:03 p.m.

5. PLEDGE OF ALLEGIANCE

Councilmember Love led the Pledge of Allegiance.

6. INFORMATION ITEMS/UPCOMING EVENTS

- The City's annual Easter Egg Hunt will take place on April 1st at Cory Wride Memorial Park. The event will begin at 10:00 a.m. sharp. This year's event will implement improved safety measures and will include new age groups to expand this event. To learn more, please visit the City's events page on its website.
- Residents who do not use social media to stay in touch with the City are encouraged to sign up for the City's text notification system. Weekly, the City sends updates on news, important information, and sign-ups for recreational sports. Learn more at eaglemountaincity.com.

7. PUBLIC COMMENTS

Mayor Westmoreland opened public comment at 7:04 p.m. As there were no comments, he closed public comments.

8. CITY COUNCIL/MAYOR'S ITEMS

Councilmember Gray

Councilmember Gray welcomed the meeting participants. He recognized the administration, Public Utilities Manager Mack Straw, and Communications Manager Tyler Maffitt for their efforts to address resident concerns with City water.

Councilmember Wright

Councilmember Wright echoed Councilmember Gray's comments and thanked the first responders for protecting the health, safety, and welfare of the citizens.

Councilmember Love

Councilmember Love supported the appreciation expressed to staff by Councilmembers Gray and Wright.

Councilmember Burnham

Councilmember Burnham thanked staff for representing the City well. She appreciates it when people express concerns. She asked residents to direct concerns to the Council to ensure the Council is aware of the issues and to facilitate direct responses and information from the City.

Councilmember Curtis

Mayor Westmoreland read a statement from Councilmember Curtis expressing his regrets for being unable to attend the meeting and expressed his regards and well wishes.

Mayor Westmoreland

Mayor Westmoreland thanked residents for their passion, concerns, and respect. High-quality water is a high priority for the City. He appreciates residents being respectful and willing to listen and learn how water management works in the City and how water sources vary.

CONSENT AGENDA

9. AGREEMENTS

- 9.A. American Rescue Plan Act Funds Agreement – State of Utah

10. BOND RELEASES

- 10.A. Oquirrh Mountain Ranch B-1 – Into Warranty
- 10.B. Pony Express Estates Plat 2 – Into Warranty
- 10.C. Pony Express Estates Plat 3 – Into Warranty
- 10.D. Sunset Ridge Phase A Plat 7 – Out of Warranty

11. CHANGE ORDERS

- 11.A. Wastewater Treatment Plant Headworks Facility Change Order #1 – VanCon, Inc.

12. MINUTES

- 12.A. February 21, 2023 Minutes – Regular City Council Meeting

13. RESOLUTIONS

- 13.A. RESOLUTION – A Resolution of Eagle Mountain City, Utah, Establishing a Policy for the Approval of Minutes for any Public Body.

MOTION: *Councilmember Love moved to approve the consent agenda with the change to condition one of the amended motion for the Lower Hidden Valley Master Development Agreement on page 18 of the minutes to state unit transfer to a single pod shall not exceed 10%. Councilmember Wright seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>
☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☒ <i>Colby Curtis</i>
☒ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>
☒ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>
☒ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>

The motion passed with a unanimous vote.

SCHEDULED ITEMS

14. POLE CANYON

- 14.A. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Approving the First Amendment to the Pole Canyon Master Development (AKA Firefly).

This item was removed from the agenda at the applicant's request and was not discussed during the meeting.

15. ORDINANCES

- 15.A. ORDINANCE/PUBLIC HEARING – An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code, Chapter 17.25 Residential Zones and Chapter 17.72 Commercial and Multifamily Design Standards.

Senior Planner David Stroud reviewed the item as presented during work session.

Mayor Westmoreland opened the public hearing at 7:16 p.m. As there were no comments, he closed the hearing.

MOTION: *Councilmember Burnham moved to approve an ordinance of Eagle Mountain City, Utah, amending the Eagle Mountain Municipal Code, Chapter 17.25 Residential Zones and Chapter 17.72 Commercial and Multifamily Design Standards. Councilmember Wright seconded the motion.*

Discussion clarified that the standards apply to personal, single-lot projects in addition to developments.

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham
☐ Colby Curtis	☐ Colby Curtis	☐ Colby Curtis	☒ Colby Curtis
☒ Jared Gray	☐ Jared Gray	☐ Jared Gray	☐ Jared Gray
☒ Carolyn Love	☐ Carolyn Love	☐ Carolyn Love	☐ Carolyn Love
☒ Brett Wright	☐ Brett Wright	☐ Brett Wright	☐ Brett Wright

The motion passed with a unanimous vote.

15.B. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code, Chapters 10.10 Parking.

Grants Coordinator/Management Analyst Natalie Winterton reviewed the changes requested by the City Council during the work session that differ from the proposed amendment in the packet materials:

1. 10.10.30 – It is unlawful to leave any vehicle parked continuously on a public street for longer than 72 hours without being moved having been driven a distance of at least 400 feet before returning to the same location;
2. 10.10.090(B) – “Commercial vehicle” means a tractor or motor vehicle at or exceeding a rated capacity of 2.5 tons, trailer, or semi-trailer used or maintained for the transportation of persons or property that operates: 1. As a carrier for hire, compensation, or profit; 2. As a carrier to transport the vehicle owner’s goods or property in furtherance of the owner’s commercial enterprise; or 3. As a food cart or food truck;
3. 10.10.090(F)(5) – remove completely and adjust the numbering accordingly rather than removing van and adding boat as presented in the packet materials; and
4. 10.10.100(A)(2) – Agricultural vehicle, recreational vehicle, or occupied or empty trailer, within the front yard area (excluding a paved or gravel driveway) of any residential zone of the city.

Ms. Winterton clarified that she had discussed the definitions of commercial vehicles with the Planning Commission in regard to a different amendment. Changes to this chapter do not require Planning Commission review.

Councilmember Gray suggested allowing commercial vehicles up to 2.5 tons and amending the prohibition to state vehicles over 2.5 tons.

The Council supported amending EMMC 10.10.090(B) to a “vehicle exceeding a rated capacity of 2.5 tons.”

Councilmember Wright confirmed with Mayor Westmoreland that he is comfortable with the enforcement of the proposed changes.

MOTION: *Councilmember Gray moved to approve an ordinance of Eagle Mountain City, Utah, amending the Eagle Mountain Municipal Code, Chapters 10.10 Parking as presented with the corrective changes. Councilmember Burnham seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham
☐ Colby Curtis	☐ Colby Curtis	☐ Colby Curtis	☒ Colby Curtis
☒ Jared Gray	☐ Jared Gray	☐ Jared Gray	☐ Jared Gray
☒ Carolyn Love	☐ Carolyn Love	☐ Carolyn Love	☐ Carolyn Love
☒ Brett Wright	☐ Brett Wright	☐ Brett Wright	☐ Brett Wright

The motion passed with a unanimous vote.

15.C. ORDINANCE – An Ordinance of Eagle Mountain City, Utah, Authorizing the Public Bodies of Eagle Mountain City to Conduct Electronic Meetings, Establishing an Anchor Location and Determining how a Quorum is Calculated.

Director of Administrative Services/City Recorder Fionnuala Kofoed reviewed the item as presented during work session.

MOTION: *Councilmember Love moved to approve an ordinance of Eagle Mountain City, Utah, Enacting Eagle Mountain Municipal Code Section 2.15.110 Electronic Meetings, authorizing the Public Bodies of Eagle Mountain City to Conduct Electronic Meetings, Establishing an Anchor Location and Determining how a Quorum is Calculated. Councilmember Gray seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham	☐ Donna Burnham
☐ Colby Curtis	☐ Colby Curtis	☐ Colby Curtis	☒ Colby Curtis
☒ Jared Gray	☐ Jared Gray	☐ Jared Gray	☐ Jared Gray
☒ Carolyn Love	☐ Carolyn Love	☐ Carolyn Love	☐ Carolyn Love
☒ Brett Wright	☐ Brett Wright	☐ Brett Wright	☐ Brett Wright

The motion passed with a unanimous vote.

16. CITY COUNCIL/MAYOR'S BUSINESS

17. CITY COUNCIL BOARD LIAISON REPORTS

Mayor Westmoreland invited American Legion Post 111 Commander Jeff Ruth to provide an update. Mr. Ruth said American Legion meetings will be held at the Senior Citizens Center on the second Wednesday of the month at 7:00 p.m.

Councilmember Burnham

None.

Councilmember Love

None.

Councilmember Wright

Councilmember Wright said he enjoys working with the Senior Citizen Advisory Council and encouraged residents to check the City website to see the many activities offered for senior citizens. He will follow up with staff regarding the horseshoe pit and a water heater issue at the Senior Citizen Center.

Councilmember Gray

Councilmember Gray said several businesses opened in the City last week and were announced during work session. Pony Express Events has a new stock contractor for the rodeo.

Mayor Westmoreland

Mayor Westmoreland assigned Councilmember Wright as the American Legion Liaison for the remainder of 2023.

18. COMMUNICATION ITEMS

19. ADJOURNMENT

MOTION: *Councilmember Gray moved to adjourn at 7:41 p.m. Councilmember Love seconded the motion.*

<i>Those Voting Yes</i>	<i>Those Voting No</i>	<i>Those Abstaining</i>	<i>Those Absent</i>
☒ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>	☐ <i>Donna Burnham</i>
☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☐ <i>Colby Curtis</i>	☒ <i>Colby Curtis</i>
☒ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>	☐ <i>Jared Gray</i>
☒ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>	☐ <i>Carolyn Love</i>
☒ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>	☐ <i>Brett Wright</i>

The motion passed with a unanimous vote.

The meeting was adjourned at 7:41 p.m.

Approved by the City Council on March 21, 2023.

Fionnuala B. Kofoed, MMC
City Recorder

DRAFT



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
MARCH 21, 2023**

TITLE:	SITE PLAN - 100' Monolithic Cell Tower for AT&T		
ITEM TYPE:	Site Plan		
FISCAL IMPACT:	n/a		
APPLICANT:	AT&T		
GENERAL PLAN DESIGNATION Civic Uses/Schools	CURRENT ZONE (NR-1)	ACREAGE n/a -- leased area	COMMUNITY n/a

PUBLIC HEARING:

No

PREPARED BY:

Robert Hobbs, Planning

PRESENTED BY:

Robert Hobbs -- Planning
Manager

RECOMMENDATION:

That the Site Plan Approval request submitted by the Applicant be approved in form and fashion as recommended by the Planning Commission as follows:

1. The tower to be 100' tall, emplaced in the stead of a light pole in the location desired, and be configured as shown on submitted plans.
2. The tower's equipment enclosure be allowed be placed south of the tower abutting a parking lot.
3. That the black, chain link fencing enclosing the equipment yard be allowed to be 8' tall.
4. That a lightning rod be permitted atop the tower.
5. That an emergency backup generator be approved to be a part of the tower's equipment.

BACKGROUND:

The proposed site plan approval is for a request from AT&T who is seeking authorization to remove an existing stadium light pole at Cedar Valley High School and replace it with a 100' tall monolithic cell tower (with attached stadium lights). The pole is to be positioned at the southeast corner of the school's stadium by Pony Express Parkway, in a residential zone, on Utah County Parcel No. 59:033:0038; 1389 E. Aviator Ave. in Eagle Mountain, Utah.

AT&T has submitted a site plan for a new 100' monolithic cell tower

as a replacement for one of the 75' high light poles that abut the Cedar Valley High School football field adjacent to the Pony Express Parkway. After some deliberation with the school district upon whose property the pole would sit and implementation of a few minor design changes to adjust the school district and City's review comments, and review by the Planning Commission, the project application is ready for the Council's consideration and approval.

The tower is proposed on a small, leased area next to the football stadium that lies adjacent to and about 90' away from [the] Pony Express Parkway. Easement area for needed tower-related equipment and electrical lines etc. has, or will be, expectedly procured.

ITEMS FOR CONSIDERATION:

Council, please note the following findings relating to the proposed cell tower project:

17.75.091.A.

1. The proposed cell tower is to be a stand-alone structure on a school district site that is zoned to accept cell towers (as a "special use"). A building permit and electrical permit for the tower will be required in addition to site plan approval.
2. The Applicant proposes to screen the mechanical and electrical equipment to be associated with the tower in addition to having part of the equipment located in a closed building. Screening is intended to be 8' (vs. 6') black-coated chain link fencing with the possibility of landscaping around the small, fenced compound that will house the equipment.
3. Both the tower and its equipment will not be in public right-of-way.
4. Staff believes the Applicant intends to ensure the tower and its operation will comply with relevant regulatory controls imposed by the Federal Communications Commission and the Federal Aviation Administration.
5. Copies of any required outside agency permits for the tower will be made available to Staff prior to issuance of a building permit.
6. Project drawings and conversation with the Applicant through DRC assures that the proposed tower will conform to applicable code standards.

7. A 5' high lightning rod is proposed in conjunction with the tower. The Applicant deems this necessary to ground the tower. This is one standard (among others) that Staff believes needs to be amended in code.
8. The equipment to be mounted directly to the pole is understood to have an unpainted, metallic coloration.
9. A generator is proposed in conjunction with the tower. The Commission agreed that the low-noise, seldom cycling back up generator should be agreeable.
10. The Applicant attested to the Commission that any lighting, if attached to the tower, will not interfere with aircraft, and, that FAA review of the tower will be obtained.

17.75.091.B.

1. The tower is slated to be positioned to in the stead of an existing 65' high sports field light pole (amongst a small group of the same) that has a similar profile and coloration to the proposed tower. Efforts to site the tower closer to the high school (even on the other side of football field stadium) were not fruitful given site constraints and concerns of the property owner

17.75.091.I(2)(a-g).

1. A justification statement for the use of a mono-pole on the school property as proposed is attached to this report.
2. A visual analysis which identifies the potential for visual impacts of the proposed monopole is anticipated to be shared by the Applicant with the Planning Commission before or during the meeting when this item will be heard.
3. The proposed tower will be taller than 60' but less than the maximum 120' allowable per code (100' proposed). The existing light pole tower (of smaller circumference) is 75' tall already.
4. At present, the 400' setback buffer is achievable. Future residential build-out near the tower will probably compromise that number but such development will come after the tower is already approved and in place.
5. No other monopole is understood to be within 1000' of the proposed tower.
6. The color of the pole and its equipment (other than fencing and signage/decals, etc.) will be raw metallic - the same as the light pole color already on site around the football stadium.
7. As afore-noted, screening is proposed for the tower base area (but with 8' chain link fencing in lieu of 6' which is considered favorable

in this application on school grounds.)

Attached to this report is a vicinity map, photos of the site and the Applicant's plans for the tower. Mention has been made of not having the equipment area under the tower but rather some distance to the south and up next to the parking lot to, at the least, eliminate the need for a paved service drive to be created from the lot to the tower. The equipment would still be screened, and the area contemplated would cater to the enclosure probably just as well as the having it by the tower. Relevant agency, department or public correspondence referencing this application is attached to this report.

REQUIRED FINDINGS:

Council, the following zoning code standards apply to the proposed tower:

EMMC 17.75.091 Communication facilities and towers.

Communication facilities and towers may be permitted only where:

A. General [Standards]. The following development standards shall be applicable to all facilities regardless of the facility type or zone within which the facility is proposed to be located:

1. The proposed facility shall be located on an approved structure and/or site in conformance with this code. If a proposed facility site does not conform to this code, the carrier shall submit and have approved a plan to bring the structure and/or site into conformance with the code prior to completion and operation of the proposed facility.
2. Any associated mechanical or electrical equipment shall be completely screened from view, from rights-of-way, on-site parking areas and adjacent properties, with a solid fence or wall.
3. The proposed facility, including associated mechanical and electrical equipment, shall not be located within a public right-of-way.
4. The proposed facility shall conform to the requirements of this title, this code, and other laws, including pertinent federal regulations of the Federal Communications Commission (FCC) and the Federal Aviation Administration (FAA).
5. Copies of required permits from pertinent federal agencies

establishing compliance with applicable federal regulations shall be filed with the city prior to the issuance of any permit for a proposed facility.

6. The proposed facility shall conform to applicable development standards set forth in this section.
7. Lightning rods shall not be included in the height calculation for any facility.
8. Antennas and equipment boxes on the utility poles shall be painted to match the pole to which it is attached to minimize visual impacts.
9. Generators or noise producing venting systems shall not be used.
10. Lighting for aircraft is prohibited except where required by federal law.
11. Location and Type Priority. Telecommunication facilities shall be located as unobtrusively as is reasonably possible.
12. Burden of Proof. If the applicant desires to locate antennas on a site other than the highest priority site, the applicant shall have the burden of demonstrating to the city why it could not locate antennas on site with a higher priority than the site chosen by the applicant. The applicant shall provide the following information to the approving authority:

...

D. Setbacks.

1. Communication facilities and towers shall comply with the setback requirements of the underlying zone and are further modified in subsection I of this section.
2. When located in a residential zone or on a nonresidential lot that is adjacent to residential zones, development, or property designated for residential land use by the general plan, communication facilities and towers shall be a minimum of 200 feet from the property line abutting residential uses. This will allow for adequate separation from residential development.

...

I. Specific Regulations by Type. Communication facilities are characterized by the type or location of the antenna structure. There are five general types of antenna structures contemplated by this chapter: ham radio towers, monopoles, roof-mounted antennas,

stealth facilities, and wall-mounted antennas. If a particular type of antenna structure is allowed by this chapter as a special use, the minimum standards for that type of antenna are as follows:

...

2. Monopoles.
3. Justification. If the applicant desires to construct a monopole, the applicant shall first submit a detailed written description of why the applicant cannot obtain coverage using existing buildings, structures, or stealth facilities. The description shall include a radio frequency engineering review of the proposed monopole telecommunication facility in relation to the requested height and possible alternative locations.
4. Visual Analysis. The applicant shall submit a visual analysis which may include photo simulation, field mock-up, or other techniques, which identifies the potential for visual impacts of the proposed monopole. The analysis shall consider views from public areas (streets, parks, etc.) and from private residences.
5. Maximum Height. The maximum height of the monopole or monopole antenna shall be 60 feet, although the city may allow an antenna or antenna support structure up to 120 feet in height, if the applicant demonstrates that the additional height is necessary to obtain coverage or to allow collocation, and that the applicant has taken steps to mitigate adverse effects on the surrounding neighborhood. The antenna itself shall not exceed 10 feet in height.
6. Setback. Monopoles shall be set back a minimum distance equal to four times the height of the proposed monopole structure from any residential lot line, measured from the base of the monopole to the nearest residential lot line unless the applicant can demonstrate that a lesser distance is necessary as demonstrated in a certified radio frequency engineering report.
7. Spacing. No monopole shall be approved within 1,000 feet of another monopole, except those within 120 feet of or adjacent to existing transmission powerline corridors. This is permitted because monopoles will blend in with the power poles.
8. Color. A surface treatment may be required so that monopoles, antennas, and related support structures match the background against which they are most commonly seen.
9. Screening. Monopoles shall be fenced with a six-foot-high black vinyl coated chain-link, opaque fence or other fencing or wall method.

PLANNING COMMISSION ACTION/RECOMMENDATION:

The Planning Commission voted to recommend that Council approve the requested site plan application. The Commission recommended that the Council authorize the Applicant's use of a lightning rod atop the tower, that the tower be approved to be 100' tall, that the small equipment yard be allowed to be placed south of the tower adjacent to the parking lot off Aviator as depicted on submitted plans, that a generator be allowed to be added to the tower equipment set, and, that an 8' high (vs. 6') fence be used to enclose the equipment yard.

ATTACHMENTS:

[Tower Location Map and Pictures](#)

[Applicant Narrative/Response Letter](#)

[Tower Plans](#)



February 9, 2023

Eagle Mountain City
1650 Stagecoach Run
Eagle Mountain, Utah 84005
Attn: Robert Hobbs

RE: Site Plan Review – New Cingular Wireless - AT&T Mobility
(NSB-BP-UT.EAGLE_MOUNTAIN_DT_UTL04192) Cedar Valley High School
Response Letter

Dear Robert Hobbs:

Pursuant to request regarding the justification of the new wireless telecommunications proposed at the above referenced site, we submit the following:

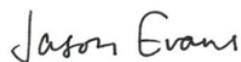
Whenever AT&T first enters an area to secure the location of a new macro site, existing wireless telecommunications facilities are always researched. At the time of the AT&T's review, it was noted that no existing wireless facilities were built, but Atlas Towers, working with T-Mobile, installed a new tower site in the eastern side of tower near North Lake Mountain Road. AT&T reviewed this location and determined it provided a less coverage enhancement to the network versus the proposed Cedar Valley location.

The Cedar Valley location is more central to the coverage area deficiencies causing the significant coverage gap. This is the ideal location to rectify the coverage issues.

Another item to be discussed is the lightning rod on the top of the proposed wireless facility. Telecommunications facility are the primary targets for lightning strikes as they are large metal objects that stick out into this atmosphere. This causes these structures to be prone to lightning strikes. If a communications tower does not have a lightning protection system, the complete system can be severely damaged. These towers and the lightning rod is grounded to the earth via an underground system that runs from the top of the tower to infrastructure in the ground. Without the lightning rod and system installed, a storm or an extreme weather event could severely damage wiring systems and expensive components, putting the entire facility in danger.

I look forward to hearing from you and answer any questions you might have.

Sincerely,



Jason Evans
Project Manager, Site Acquisition

1. PLANS ARE INTENDED TO BE DIAGNOSTIC OUTLINE ONLY, UNLESS OTHERWISE NOTED. THE WORK SHALL INCLUDE FURNISHING MATERIALS, EQUIPMENT, APPURTENANCES AND LABOR NECESSARY TO COMPLETE ALL INSTALLATIONS AS INDICATED ON THE DRAWINGS.
2. THE CONTRACTOR SHALL OBTAIN, IN WRITING, AUTHORIZATION TO PROCEED BEFORE STARTING WORK ON ANY ITEM NOT CLEARLY DEFINED OR IDENTIFIED BY THE CONTRACT DOCUMENTS.
3. CONTRACTOR SHALL CONTACT USA (UNDERGROUND SERVICE ALERT) AT (800) 227-2600, FOR UTILITY LOCATIONS, 48 HOURS BEFORE PROCEEDING WITH ANY EXCAVATION, SITE WORK OR CONSTRUCTION.
4. THE CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS UNLESS SPECIFICALLY INDICATED OTHERWISE, OR WHERE LOCAL CODES OR REGULATIONS TAKE PRECEDENCE.
5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE IBC / UBC'S REQUIREMENTS REGARDING EARTHQUAKE RESISTANCE, FOR, BUT NOT LIMITED TO, PIPING, LIGHT FIXTURES, CEILING GRID, INTERIOR PARTITIONS, AND MECHANICAL EQUIPMENT. ALL WORK MUST COMPLY WITH LOCAL EARTHQUAKE CODES AND REGULATIONS.
6. REPRESENTATIONS OF TRUE NORTH, OTHER THAN THOSE FOUND ON THE PLOT OF SURVEY DRAWINGS, SHALL NOT BE USED TO IDENTIFY OR ESTABLISH BEARING OF TRUE NORTH AT THE SITE. THE CONTRACTOR SHALL RELY SOLELY ON THE PLOT OF SURVEY DRAWING AND ANY SURVEYOR'S MARKINGS AT THE SITE FOR THE ESTABLISHMENT OF TRUE NORTH, AND SHALL NOTIFY THE ARCHITECT / ENGINEER PRIOR TO PROCEEDING WITH THE WORK IF ANY DISCREPANCY IS FOUND BETWEEN THE VARIOUS ELEMENTS OF THE WORKING DRAWINGS AND THE TRUE NORTH ORIENTATION AS DEPICTED ON THE CIVIL SURVEY. THE CONTRACTOR SHALL ASSUME SOLE LIABILITY FOR ANY FAILURE TO NOTIFY THE ARCHITECT / ENGINEER.
7. THE BUILDING DEPARTMENT ISSUING THE PERMITS SHALL BE NOTIFIED AT LEAST TWO WORKING DAYS PRIOR TO THE COMMENCEMENT OF WORK, OR AS OTHERWISE STIPULATED BY THE CODE ENFORCEMENT OFFICIAL HAVING JURISDICTION.
8. DO NOT EXCAVATE OR DISTURB BEYOND THE PROPERTY LINES OR LEASE LINES, UNLESS OTHERWISE NOTED.
9. ALL EXISTING UTILITIES, FACILITIES, CONDITIONS, AND THEIR DIMENSIONS SHOWN ON THE PLAN HAVE BEEN PLOTTED FROM AVAILABLE RECORDS. THE ARCHITECT / ENGINEER AND THE OWNER ASSUME NO RESPONSIBILITY WHATSOEVER AS TO THE SUFFICIENCY OR THE ACCURACY OF THE INFORMATION SHOWN ON THE PLANS, OR THE MANNER OF THEIR REMOVAL OR ADJUSTMENT. CONTRACTORS SHALL BE RESPONSIBLE FOR DETERMINING EXACT LOCATION OF ALL EXISTING UTILITIES AND FACILITIES PRIOR TO START OF CONSTRUCTION. CONTRACTORS SHALL ALSO OBTAIN FROM EACH UTILITY COMPANY DETAILED INFORMATION RELATIVE TO WORKING SCHEDULES AND METHODS OF REMOVING OR ADJUSTING EXISTING UTILITIES.
10. CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES, BOTH HORIZONTAL AND VERTICALLY, PRIOR TO THE START OF CONSTRUCTION. ANY DISCREPANCIES OR DOUBTS AS TO THE INTERPRETATION OF PLANS SHOULD BE IMMEDIATELY REPORTED TO THE ARCHITECT / ENGINEER FOR RESOLUTION AND INSTRUCTION, AND NO FURTHER WORK SHALL BE PERFORMED UNTIL THE DISCREPANCY IS CHECKED AND CORRECTED BY THE ARCHITECT / ENGINEER. FAILURE TO SECURE SUCH INSTRUCTION MEANS CONTRACTOR WILL HAVE WORKED AT HIS/HER OWN RISK AND EXPENSE.
11. ALL NEW AND EXISTING UTILITY STRUCTURES ON SITE AND IN AREAS TO BE DISTURBED BY CONSTRUCTION SHALL BE ADJUSTED TO FINISH ELEVATIONS PRIOR TO FINAL INSPECTION OF WORK.
12. ANY DRAIN AND/OR FIELD TILE ENCOUNTERED / DISTURBED DURING CONSTRUCTION SHALL BE RETURNED TO ITS ORIGINAL CONDITION PRIOR TO COMPLETION OF WORK. SIZE, LOCATION AND TYPE OF ANY UNDERGROUND UTILITIES OR IMPROVEMENTS SHALL BE ACCURATELY NOTED AND PLACED ON "AS-BUILT" DRAWINGS BY GENERAL CONTRACTOR, AND ISSUED TO THE ARCHITECT / ENGINEER AT COMPLETION OF PROJECT.
13. ALL TEMPORARY EXCAVATIONS FOR THE INSTALLATION OF FOUNDATIONS, UTILITIES, ETC., SHALL BE PROPERLY LAID BACK OR BRACED IN ACCORDANCE WITH CORRECT OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) REQUIREMENTS.
14. INCLUDE MISC. ITEMS PER AT&T SPECIFICATIONS
15. IT IS A VIOLATION OF LAW FOR ANY PERSONS, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT
16. ALL (N) CABLING AND EQUIPMENT MUST BE INSTALLED AND USED IN ACCORDANCE WITH THE PRODUCT'S INCLUDED INSTRUCTIONS, LISTING AND/OR LABELING REQUIREMENTS. PER NEC SECTION 110.3(B)
17. THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. A TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OR EFFECT ON DRAINAGE; NO SANITARY SEWER SERVICE, POTABLE WATER, OR TRASH DISPOSAL IS REQUIRED AND NO COMMERCIAL SIGNAGE IS PROPOSED.
18. PENETRATIONS SHALL BE FIRE-STOPPED AND OPENINGS SHALL BE PROTECTED THROUGH FIRE-RATED WALLS, FLOOR, ROOF AND CEILING ASSEMBLIES AS REQUIRED BY THE 2018 IBC CHAPTER 7.
19. STRUCTURAL ANALYSIS IS NOT WITHIN THE SCOPE OF WORK CONTAINED IN THIS DRAWINGS SET. FOR ANALYSIS OF EXISTING AND/OR PROPOSED COMPONENTS, REFER TO STRUCTURAL ANALYSIS PROVIDED BY J5 UNDER SEPARATE COVER.
20. ANTENNA MOUNT ANALYSIS IS NOT WITHIN THE SCOPE OF WORK CONTAINED IN THIS DRAWING SET. FOR ANALYSIS OF MOUNT TO SUPPORT PROPOSED COMPONENTS, REFER TO ANTENNA MOUNT STRUCTURAL ANALYSIS PROVIDED BY J5 UNDER SEPARATE COVER.
21. TOWER ANALYSIS TO BE CONDUCTED AND PROVIDED BY TOWER OWNER. FOR ANALYSIS OF EXISTING AND/OR PROPOSED COMPONENTS, REFER TO TOWER STRUCTURAL ANALYSIS UNDER SEPARATE COVER.

1. SUBCONTRACTOR'S WORK SHALL COMPLY WITH ALL APPLICABLE NATIONAL, STATE, AND LOCAL CODES AS ADOPTED BY THE LOCAL AUTHORITY HAVING JURISDICTION (AHJ) FOR THE LOCATION.
2. THE EDITION OF THE AHJ ADOPTED CODES AND STANDARDS IN EFFECT ON THE DATE OF CONTRACT AWARD SHALL GOVERN THE DESIGN.
3. SUBCONTRACTOR'S WORK SHALL COMPLY WITH THE LATEST EDITION OF THE FOLLOWING STANDARDS:
 - 3.1. AMERICAN CONCRETE INSTITUTE (ACI) 318, BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE
 - 3.2. AMERICAN INSTITUTE OF STEEL CONSTRUCTION (AISC), MANUAL OF STEEL CONSTRUCTION, LRFD, FOURTEENTH EDITION
 - 3.3. TELECOMMUNICATIONS INDUSTRY ASSOCIATION (TIA/EIA) 222-H, STRUCTURAL STANDARD FOR ANTENNA SUPPORTING STRUCTURES AND ANTENNAS
 - 3.4. INSTITUTE FOR ELECTRICAL AND ELECTRONICS ENGINEERS (IEEE) 81, GUIDE FOR MEASURING EARTH RESISTIVITY, GROUND IMPEDANCE, AND EARTH SURFACE POTENTIALS OF A GROUND SYSTEM
IEEE 1100 (1999) RECOMMENDED PRACTICE FOR POWERING AND GROUNDING OF ELECTRICAL EQUIPMENT.
 - 3.5. IEEE C62.41, RECOMMENDED PRACTICES ON SURGE VOLTAGES IN LOW VOLTAGE AC POWER CIRCUITS (FOR LOCATION CATEGORY "C3" AND "HIGH SYSTEM EXPOSURE")
 - 3.6. TIA 607 COMMERCIAL BUILDING GROUNDING AND BONDING REQUIREMENTS FOR TELECOMMUNICATIONS TELCORDIA GR-63 NETWORK
 - 3.7. EQUIPMENT-BUILDING SYSTEM (NEBS): PHYSICAL PROTECTION
 - 3.8. TELCORDIA GR-347 CENTRAL OFFICE POWER WIRING
 - 3.9. TELCORDIA GR-1275 GENERAL INSTALLATION REQUIREMENTS
 - 3.10. TELCORDIA GR-1503 COAXIAL CABLE CONNECTIONS
 - 3.11. ANY AND ALL OTHER LOCAL & STATE LAWS AND REGULATIONS
- 3.12. FOR ANY CONFLICTS BETWEEN SECTIONS OF LISTED CODES AND STANDARDS REGARDING MATERIAL, METHODS OF CONSTRUCTION, OR OTHER REQUIREMENTS, THE MOST RESTRICTIVE SHALL GOVERN. WHERE THERE IS CONFLICT BETWEEN A GENERAL REQUIREMENT AND A SPECIFIC REQUIREMENT, THE SPECIFIC REQUIREMENT SHALL GOVERN.

DDN.	FOUNDATION	SCH.	SCHEDULE
F.O.C.	FACE OF CONCRETE	SH.	SHEET
F.O.M.	FACE OF MASONRY	SIM.	SIMILAR
F.O.S.	FACE OF STUD	SPEC.	SPECIFICATIONS
F.O.W.	FACE OF WALL	SQ.	SQUARE
F.S.	FINISH SURFACE	S.S.	STAINLESS STEEL
FT.(')	FOOT (FEET)	STD.	STANDARD
FTG.	FOOTING	STL.	STEEL
G.	GROWTH (CABINET)	STRUC.	STRUCTURAL
GA.	GAUGE	TEMP.	TEMPORARY
GI.	GALVANIZE(D)	THK.	THICK(NESS)
G.F.I.	GROUND FAULT CIRCUIT	T.N.	TOE NAIL
INTERRUPTER		T.O.A.	TOP OF ANTENNA
GLB. (GLU-LAM)	GLUE LAMINATED BEAM	T.O.C.	TOP OF CURB
GPS	GLOBAL POSITIONING SYSTEM	T.O.F.	TOP OF FOUNDATION
GRND.	GROUND	T.O.P.	TOP OF PLATE (PARAPET)
HDR.	HEADER	T.O.S.	TOP OF STEEL
HGR.	HANGER	T.O.W.	TOP OF WALL
HT.	HEIGHT	TYP.	TYPICAL
ICGB.	ISOLATED COPPER GROUND BUS	U.G.	UNDER GROUND
IN. (")	INCH(ES)	U.L.	UNDERWRITERS LABORATORY
INT.	INTERIOR	U.N.O.	UNLESS NOTED OTHERWISE
LB.(#)	POUND(S)	V.I.F.	VERIFY IN FIELD
L.B.	LAG BOLTS	W	WIDE (WIDTH)
L.F.	LINEAR FEET (FOOT)	w/	WITH
L.	LONG (ITUDINAL)	WD.	WOOD
MAS.	MASONRY	W.P.	WEATHERPROOF
MAX.	MAXIMUM	WT.	WEIGHT
M.B.	MACHINE BOLT	¢	CENTERLINE
MECH.	MECHANICAL	℞	PLATE, PROPERTY LINE
MFR.	MANUFACTURER		
MIN.	MINIMUM		
MISC.	MISCELLANEOUS		
MTL.	METAL		
(N)	NEW		
NO.(#)	NUMBER		
N.T.S.	NOT TO SCALE		
O.C.	ON CENTER		
OPNG.	OPENING		
P/C	PRECAST CONCRETE		
PCS	PERSONAL COMMUNICATION		
SERVICES			
PLY.	PLYWOOD		
PPC	POWER PROTECTION CABINET		
PRC	PRIMARY RADIO CABINET		
P.S.F.	POUNDS PER SQUARE FOOT		
P.S.I.	POUNDS PER SQUARE INCH		
P.T.	PRESSURE TREATED		
PWR.	POWER (CABINET)		
QTY.	QUANTITY		
RAD.(R)	RADIUS		
REF.	REFERENCE		
REINF.	REINFORCEMENT(ING)		
REQ'D/	REQUIRED		
RGS.	RIGID GALVANIZED STEEL		

	BLDG. SECTION		GROUT OR PLASTER
	WALL SECTION		(E) BRICK
	DETAIL		(E) MASONRY
	ELEVATION		CONCRETE
	DOOR SYMBOL		EARTH
	WINDOW SYMBOL		GRAVEL
	TILT-UP PANEL MARK		PLYWOOD
	PROPERTY LINE		SAND
	CENTERLINE		PLYWOOD
	SETBACK		SAND
	ELEVATION DATUM		(E) STEEL
	GRID/COLUMN LINE		MATCH LINE
	KEYNOTE, DIMENSION ITEM		GROUND CONDUCTOR
	KEYNOTE, CONSTRUCTION ITEM		OVERHEAD SERVICE CONDUCTORS
	WALL TYPE MARK		TELEPHONE CONDUIT
	OFFICE		POWER CONDUIT
	ROOM NUMBER		COAXIAL CABLE
			CHAIN LINK FENCE
			CHAIN LINK FENCE
			WOOD FENCE
			(P) ANTENNA
			(P) RRH
			(P) DC SURGE SUPPRESSION
			(F) ANTENNA
			(F) RRH
			(E) EQUIPMENT

GN-1

SITE WORK GENERAL NOTES:

1. THE SUBCONTRACTOR SHALL CONTRACT UTILITY LOCATING SERVICES PRIOR TO THE START OF CONSTRUCTION.
2. ALL EXISTING ACTIVE SEWER, WATER, GAS, ELECTRIC, AND OTHER UTILITIES WHERE ENCOUNTERED IN THE WORK, SHALL BE PROTECTED AT ALL TIMES AND WHERE REQUIRED FOR THE PROPER EXECUTION OF THE WORK, SHALL BE RELOCATED AS DIRECTED BY CONTRACTOR. EXTREME CAUTION SHOULD BE USED BY THE SUBCONTRACTOR WHEN EXCAVATING OR DRILLING PIERS AROUND OR NEAR UTILITIES, SUBCONTRACTOR SHALL PROVIDE SAFETY TRAINING FOR THE WORKING CREW. THIS WILL INCLUDE BUT NOT BE LIMITED TO A.) FALL PROTECTION B.) CONFINED SPACE C.) ELECTRICAL SAFETY D.) TRENCHING AND EXCAVATION.
3. ALL SITE WORK SHALL BE AS INDICATED ON THE STAMPED CONSTRUCTION DRAWINGS AND PROJECT SPECIFICATIONS.
4. IF NECESSARY, RUBBISH, STUMPS, DEBRIS, STICKS, STONES, AND OTHER REFUSE SHALL BE REMOVED FROM THE SITE AND DISPOSED OF LEGALLY.
5. ALL EXISTING INACTIVE SEWER, WATER, GAS, ELECTRIC, AND OTHER UTILITIES, WHICH INTERFERE WITH THE EXECUTION OF THE WORK, SHALL BE REMOVED AND/OR CAPPED, PLUGGED, OR OTHERWISE DISCONNECTED AT POINTS WHICH WILL NOT INTERFERE WITH THE EXECUTION OF THE WORK, SUBJECT TO THE APPROVAL OF CONTRACTOR, OWNER, AND/OR LOCAL UTILITIES.
6. THE SUBCONTRACTOR SHALL PROVIDE SITE SIGNAGE IN ACCORDANCE WITH THE TECHNICAL SPECIFICATION FOR SITE SIGNAGE.
7. THE SITE SHALL BE GRADED TO CAUSE SURFACE WATER TO FLOW AWAY FROM THE BTS EQUIPMENT AND TOWER AREAS.
8. NO FILL OR EMBANKMENT MATERIAL SHALL BE PLACED ON FROZEN GROUND. FROZEN MATERIALS, SNOW, OR ICE SHALL BE PLACED IN ANY FILL OR EMBANKMENT.
9. THE SUB GRADE SHALL BE COMPACTED AND BROUGHT TO A SMOOTH UNIFORM GRADE PRIOR TO FINISHED SURFACE APPLICATION.
10. THE AREAS OF THE OWNERS PROPERTY DISTURBED BY THE WORK AND NOT COVERED BY THE TOWER, EQUIPMENT, OR DRIVEWAY, SHALL BE GRADED TO A UNIFORM SLOPE AND STABILIZED TO PREVENT EROSION AS SPECIFIED ON THE PROJECT SPECIFICATIONS.
11. SUBCONTRACTOR SHALL MINIMIZE DISTURBANCE TO EXISTING SITE DURING CONSTRUCTION. EROSION CONTROL MEASURES, IF REQUIRED DURING CONSTRUCTION, SHALL BE IN CONFORMANCE WITH THE LOCAL GUIDELINES FOR EROSION AND SEDIMENT CONTROL.
12. NOTICE TO PROCEED - NO WORK TO COMMENCE PRIOR TO COMPANY'S WRITTEN NOTICE TO PROCEED AND THE ISSUANCE OF A PURCHASE ORDER.
13. ALL CONSTRUCTION MEANS AND METHODS: INCLUDING BUT NOT LIMITED TO, ERECTION PLANS, RIGGING PLANS, CLIMBING PLANS, AND RESCUE PLANS SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR RESPONSIBLE FOR THE EXECUTION OF THE WORK CONTAINED HEREIN AND SHALL ADHERE TO ANSI/TIA-1019 (LATEST EDITION) INCLUDING THE REQUIRED INVOLVEMENT OF A QUALIFIED ENGINEER FOR CLASS IV CONSTRUCTION.

CONCRETE AND REINFORCING STEEL NOTES:

1. ALL CONCRETE WORK SHALL BE IN ACCORDANCE WITH THE ACI 301, ACI 318, ACI 336, ASTM A184, ASTM A185, AND THE DESIGN AND CONSTRUCTION SPECIFICATION FOR CAST-IN-PLACE CONCRETE.
2. ALL CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 2,500 PSI AT 28 DAYS, UNLESS NOTED OTHERWISE. SLAB FOUNDATION DESIGN ASSUMING ALLOWABLE SOIL BEARING PRESSURE OF 2000 PSF.
3. REINFORCING STEEL SHALL CONFORM TO ASTM A615, GRADE 60, DEFORMED UNLESS NOTED OTHERWISE. WELDED WIRE FABRIC SHALL CONFORM TO ASTM A185 WELDED STEEL WIRE FABRIC UNLESS NOTED OTHERWISE. SPLICES SHALL BE CLASS "B" AND ALL HOOKS SHALL BE STANDARD. UNO.
4. THE FOLLOWING MINIMUM CONCRETE COVER SHALL BE PROVIDED FOR REINFORCING STEEL UNLESS SHOWN OTHERWISE ON DRAWINGS.
 - 4.1. CONCRETE CAST AGAINST EARTH: 3" MIN.
 - 4.2. CONCRETE EXPOSED TO WEATHER:
 - 4.2.1. #6 AND LARGER - 2" MIN.
 - 4.2.2. #5 AND SMALLER & WWF. - 1 1/2" MIN.
 - 4.3. CONCRETE NOT EXPOSED TO WEATHER OR NOT CAST AGAINST THE GROUND:
 - 4.3.1. SLAB AND WALLS 3/4" MIN.
 - 4.3.2. BEAMS AND COLUMNS 1 1/2" MIN.
5. A 3/4" CHAMFER SHALL BE PROVIDED AT ALL EXPOSED EDGES OF CONCRETE, UNLESS NOTED OTHERWISE, IN ACCORDANCE WITH ACI 301 SECTION 4.2.4

GENERAL NOTES:

1. FOR THE PURPOSE OF CONSTRUCTION DRAWING, THE FOLLOWING DEFINITIONS SHALL APPLY:
- | | |
|-----------------|-----------------------------------|
| CONTRACTOR - | J5 INFRASTRUCTURE PARTNERS |
| SUBCONTRACTOR - | GENERAL CONTRACTOR (CONSTRUCTION) |
| CARRIER - | AT&T |
| OEM - | ORIGINAL EQUIPMENT MANUFACTURER |
2. PRIOR TO THE SUBMISSION OF BIDS, THE BIDDING SUBCONTRACTOR SHALL VISIT THE CELL SITE TO FAMILIARIZE THEMSELVES, WITH THE EXISTING CONDITIONS AND TO CONFIRM THAT THE WORK CAN BE ACCOMPLISHED AS SHOWN ON THE CONSTRUCTION DRAWINGS. ANY DISCREPANCY FOUND SHALL BE BROUGHT TO THE ATTENTION OF THE CONTRACTOR AND AT&T
3. ALL MATERIALS FURNISHED AND INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS, AND ORDINANCES. SUBCONTRACTOR SHALL ISSUE ALL APPROPRIATE NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY REGARDING THE PERFORMANCE OF THE WORK. ALL WORK CARRIED OUT SHALL COMPLY WITH ALL APPLICABLE MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS, AND LOCAL JURISDICTIONAL CODES, ORDINANCES AND APPLICABLE REGULATIONS.
4. DRAWINGS PROVIDED HERE ARE NOT TO SCALE AND ARE INTENDED TO SHOW OUTLINE ONLY.
5. UNLESS NOTED OTHERWISE, THE WORK SHALL INCLUDE FURNISHING MATERIALS, EQUIPMENT, APPURTENANCES AND LABOR NECESSARY TO COMPLETE ALL INSTALLATIONS AS INDICATED ON THE DRAWINGS.
6. 'KITTING LIST' SUPPLIED WITH THE BID PACKAGE IDENTIFIES ITEMS THAT WILL BE SUPPLIED BY CONTRACTOR. ITEMS NOT INCLUDED IN THE BILL OF MATERIALS AND KITTING LIST SHALL BE SUPPLIED BY THE SUBCONTRACTOR.
7. THE SUBCONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS UNLESS SPECIFICALLY STATED OTHERWISE.
8. IF THE SPECIFIED EQUIPMENT CAN NOT BE INSTALLED AS SHOWN ON THESE DRAWINGS. THE SUBCONTRACTOR SHALL PROPOSE AN ALTERNATIVE INSTALLATION FOR APPROVAL BY THE CONTRACTOR AND AT&T PRIOR TO PROCEEDING WITH ANY SUCH CHANGE OF INSTALLATION.
9. SUBCONTRACTOR SHALL DETERMINE ACTUAL ROUTING OF CONDUIT, POWER AND T1 CABLES, GROUNDING CABLES AS SHOWN ON THE POWER, GROUNDING AND TELCO PLAN DRAWINGS.
10. THE SUBCONTRACTOR SHALL PROTECT EXISTING IMPROVEMENTS, PAVEMENTS, CURBS, LANDSCAPING AND STRUCTURES. ANY DAMAGED PART SHALL BE REPAIRED AT THE SUBCONTRACTOR'S EXPENSE; TO THE SATISFACTION OF THE OWNER.
11. SUBCONTRACTOR SHALL LEGALLY AND PROPERLY DISPOSE OF ALL SCRAP MATERIALS SUCH AS COAXIAL CABLES AND OTHER ITEMS REMOVED FROM THE EXISTING FACILITY. ANTENNAS REMOVED SHALL BE RETURNED TO THE OWNER'S DESIGNATED LOCATION.
12. SUBCONTRACTOR SHALL LEAVE PREMISES IN CLEAN CONDITION, TRASH AND DEBRIS SHOULD BE REMOVED FROM SITE ON A DAILY BASIS.

PREPARED FOR



NEW CINGULAR WIRELESS PCS,
LLC ("AT&T")
7670 S. CHESTER ST.
CENTENNIAL, CO 80112

Vendor:



23 MAUCHLY #110
IRVINE, CA 92618

J5 PROJECT ID: P-056472

Issued For:

UTL04192

EAGLE MOUNTAIN DT
1389 AVIATOR AVENUE
EAGLE MOUNTAIN, UT
84005

PARCEL ID: 590330039

DRAWN BY: JSF

CHECKED BY: KM

[illegible]

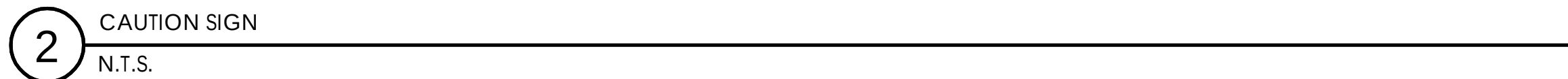
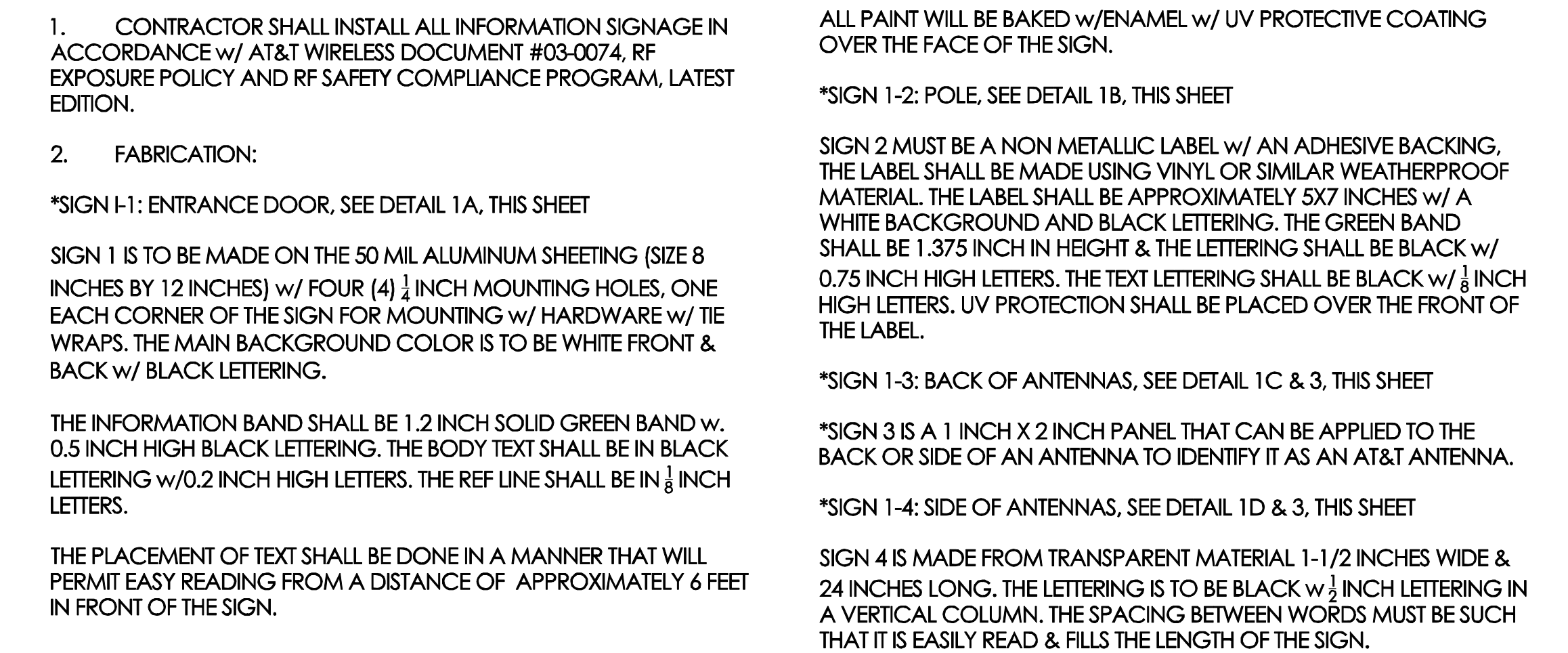
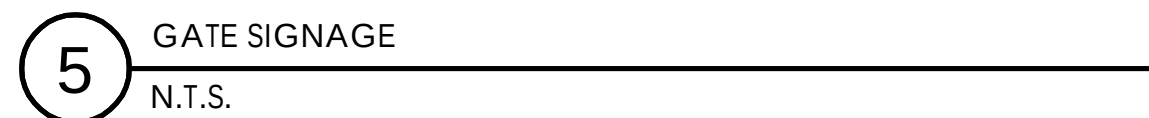
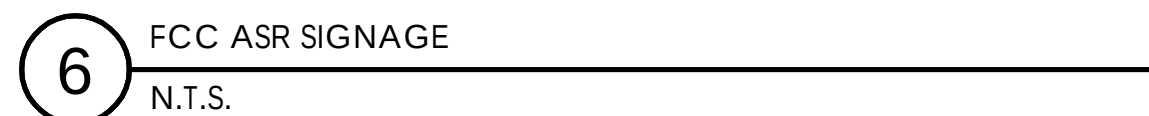
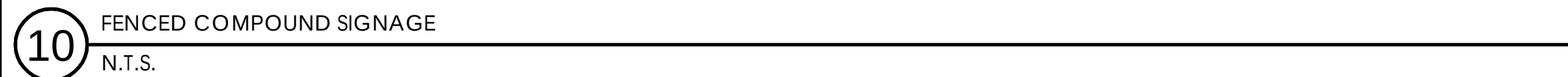
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Sheet Title:

GENERAL NOTES

Sheet Number:

GN-2

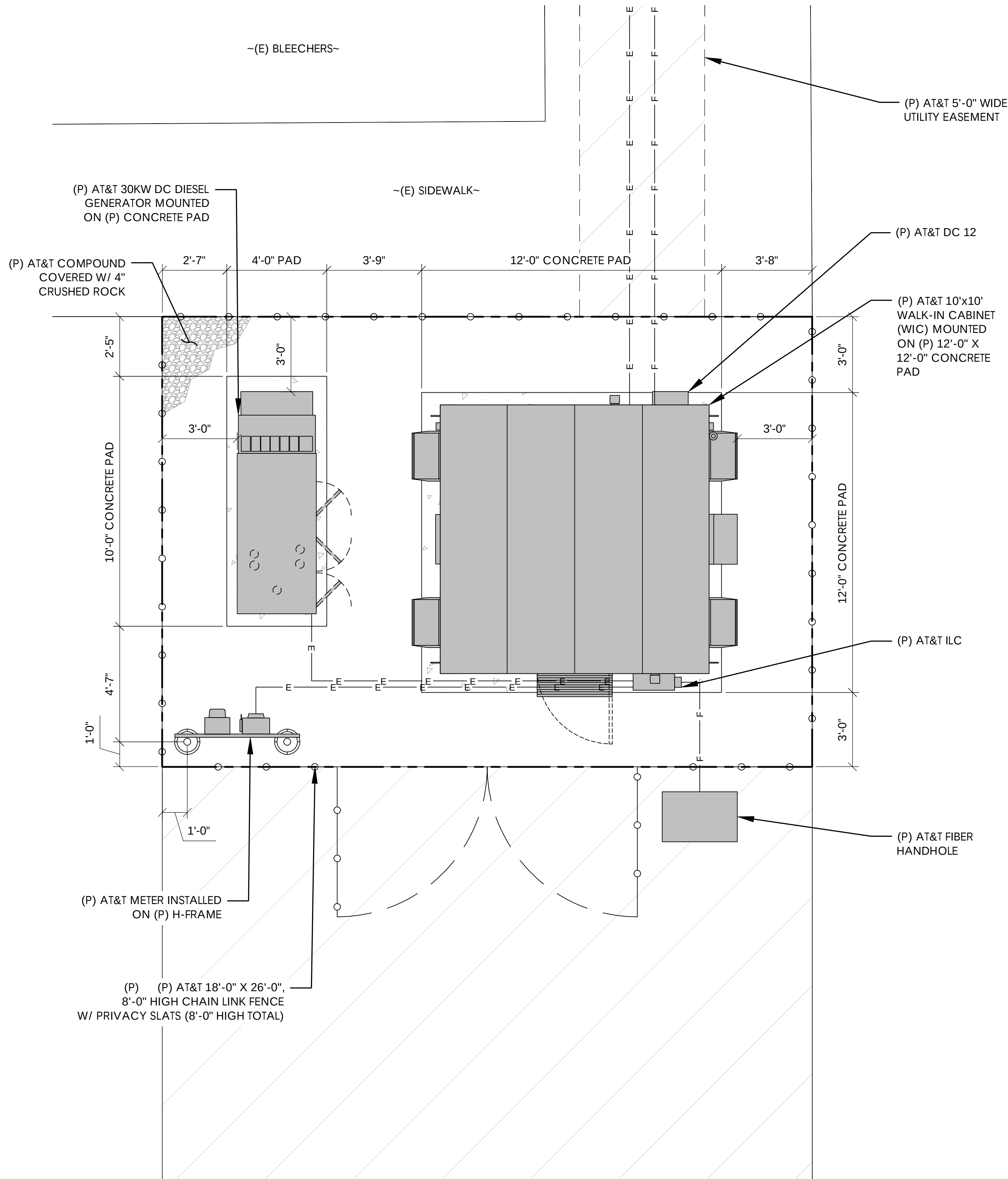


- | | |
|---|---------------|
| 1 | GENERAL NOTES |
| | N.T.S. |

Sheet Number:

GN-3

CABLE TABLE:	
	APPROXIMATE LENGTH OF CABLE
FIBER	~45'-0"
POWER	~70'-0"

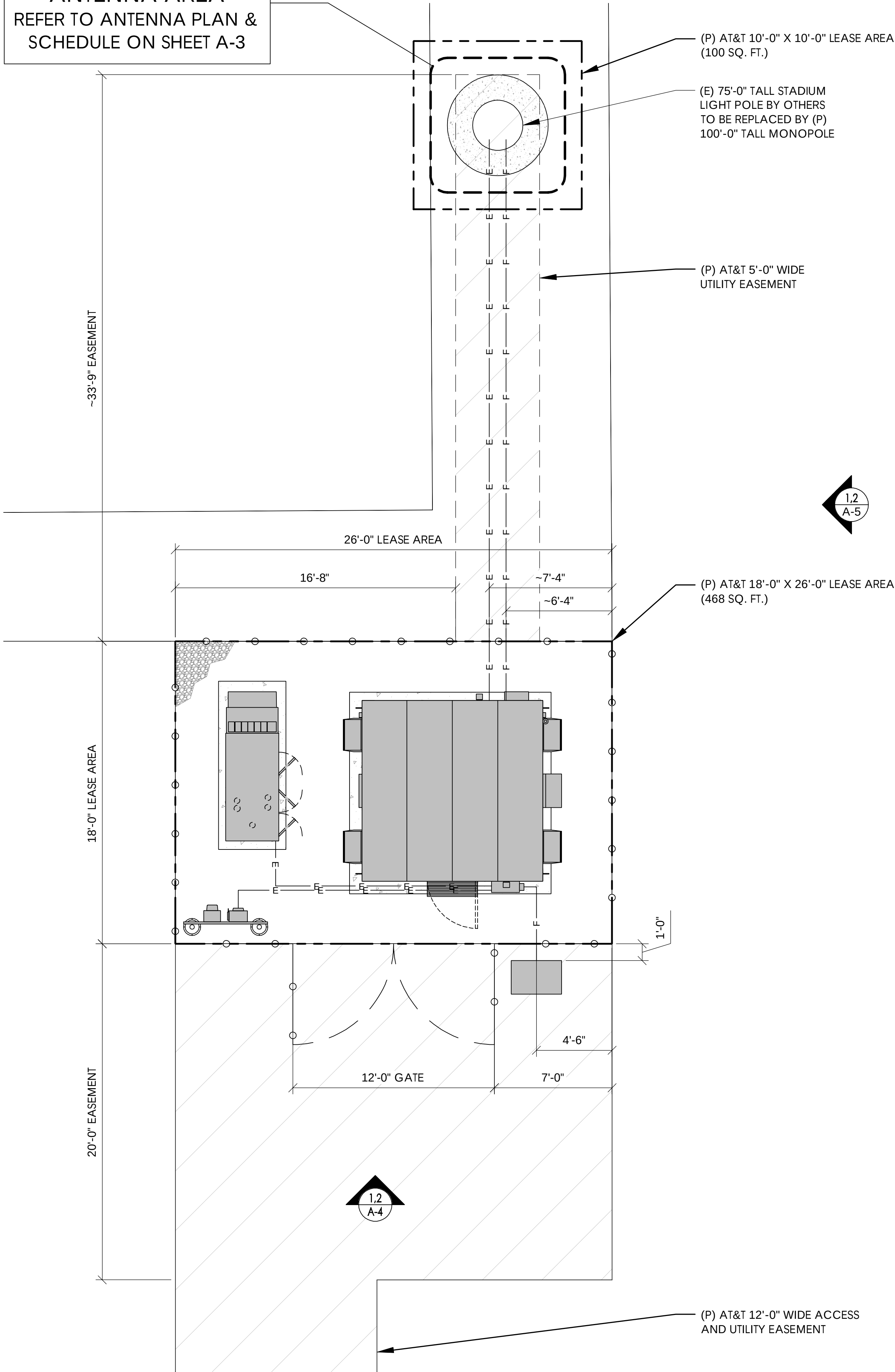


COMPOUND PLAN

24"x36" SCALE: 3/8" = 1'-0"

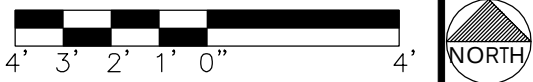


PROPOSED AT&T
ANTENNA AREA
REFER TO ANTENNA PLAN &
SCHEDULE ON SHEET A-3



ENLARGED SITE PLAN

24"x36" SCALE: 1/4" = 1'-0"



PREPARED FOR



NEW CINGULAR WIRELESS PCS,
LLC ("AT&T")
7670 S. CHESTER ST.
CENTENNIAL, CO 80112

Vendor:



23 MAUCHLY #110
IRVINE, CA 92618

J5 PROJECT ID: P-056472

Issued For:

UTL04192

EAGLE MOUNTAIN DT
1389 AVIATOR AVENUE
EAGLE MOUNTAIN, UT
84005

PARCEL ID: 590330039

DRAWN BY: JSP

CHECKED BY: KM

REV	DATE	DESCRIPTION
A	9/27/22	90% ZD

Licensor:

Sheet Title:

ENLARGED SITE PLAN
& COMPOUND PLAN

Sheet Number:

A-2



AT&T
 NEW CINGULAR WIRELESS PCS,
 LLC ("AT&T")
 7670 S. CHESTER ST.
 CENTENNIAL, CO 80112



J5 PROJECT ID: P-056472

UTL04192

PARCEL ID: 590330039

CHECKED BY: KM

[illegible]

ELEVATIONS

A-4



24"x36" SCALE: 3/16" = 1'-0"

2



24"x36" SCALE: 3/16" = 1'-0"

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**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
MARCH 21, 2023**

TITLE:	RESOLUTION - A Resolution of Eagle Mountain City, Utah, Amending the Eagle Mountain City Consolidated Fee Schedule.		
ITEM TYPE:	Resolution		
FISCAL IMPACT:			
APPLICANT:	City Staff		
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

No

PREPARED BY:

Natalie Winterton, Admin

PRESENTED BY:

City Staff

RECOMMENDATION:

Staff recommends the City Council approve a resolution of Eagle Mountain City, Utah, amending the Eagle Mountain City Consolidated Fee Schedule.

BACKGROUND:

The fee schedule as it relates to parking and other street violations has some language that can be confusing or misinterpreted. To streamline and simplify the Consolidated Fee Schedule, it is recommended that the Parking Violations and the Blocking Sidewalks and/or Streets Illegally sections be combined.

The proposed changes to the Utility Customer Accounts section removes duplicate language, as well as language related to deterred payment plans as the City no longer offers those.

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

RES--Consolidated Fee Schedule - Parking Fines, Hydrant Rentals,
Utility Accounts

Consolidated Fee Schedule - REDLINES

RESOLUTION NO. R- -2023

**A RESOLUTION OF EAGLE MOUNTAIN CITY, UTAH, AMENDING THE
EAGLE MOUNTAIN CITY CONSOLIDATED FEE SCHEDULE
(*PARKING VIOLATIONS, HYDRANT RENTALS, & UTILITY CUSTOMER ACCOUNTS*)**

WHEREAS, the City Council of Eagle Mountain City is empowered by law to adopt resolutions establishing fees for municipal services and has established an equitable system of fees for providing municipal services; and

WHEREAS, the City Council has determined that it is necessary and appropriate to amend the parking violation fines, hydrant rental rates, and utility customer account fees within the City; and

WHEREAS, the City Council finds that it is in the public interest to reaffirm all fees and charges previously enacted in the Eagle Mountain City Consolidated Fee Schedule except for those fees and charges which are specifically amended or changed in this Resolution.

NOW, THEREFORE, be it resolved by the City Council of Eagle Mountain City as follows:

1. The Consolidated Fee Schedule attached hereto as Exhibit A and the fees and charges set forth therein are hereby enacted and adopted for services received from Eagle Mountain City.
2. This Resolution is not intended to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other resolutions, ordinances, or laws except to effect modification of the fees reflected in the Consolidated Fee Schedule. The fees listed in the Consolidated Fee Schedule supersede present fees for services specified, but all fees not listed remain in effect. Where this Resolution imposes a higher fee than is imposed or required by existing provisions, resolution, ordinance, or law, the provisions of this resolution shall control.

This Resolution shall take effect at 12:01 a.m. on the 22nd day of March, 2023.

EAGLE MOUNTAIN CITY, UTAH

Tom Westmoreland, Mayor

ATTEST:

Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above resolution was adopted by the City Council of Eagle Mountain City on the 21st day of March, 2023.

Those voting aye:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Those voting nay:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Those excused:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Those abstaining:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Fionnuala B. Kofoed, MMC
City Recorder

Exhibit A

9. ORDINANCE ENFORCEMENT FINES

9.1. | SIGN VIOLATIONS

Last Revision: 05/18/2021

First Sign Violation Written Warning
Subsequent Sign Violations within 12 Months \$100/sign per day, until in Compliance

9.2. | PARKING VIOLATIONS OR BLOCKING STREETS AND/OR SIDEWALKS ILLEGALLY BY OBJECTS OTHER THAN VEHICLES

Last Revision: 05/18/2021

First Violation* ~~\$20~~ \$25 per Violation
Second Violation* \$50 per Violation
Third and Subsequent Violations w/in 1 yr of 1st offense .. Vehicle & Trailer Towing at Owner's Expense
Vehicle and Trailer Towing..... Owner's Expense

**All fines are final after the time for appeal has run or after a decision on appeal. Any final fines not paid within 14 days shall increase ~~to \$50~~ by \$25. Any final fines not paid within 28 days shall increase ~~to \$100~~ by an additional \$50.*

~~9.3. | BLOCKING STREETS AND/OR SIDEWALKS ILLEGALLY~~

~~Last Revision: 02/17/2016~~

~~First Violation Written Notice~~
~~Second Violation \$25~~
~~Third Violation \$50~~
~~Vehicle and Trailer Towing Owner's Expense~~

9.43. | ILLEGAL DUMPING

Last Revision: 05/18/2021

First Violation \$250*
Second and Subsequent Violations \$1,000*

**Plus the cost to remove any illegally dumped materials.*

9.54. | ACCUMULATION OF CONSTRUCTION DEBRIS, MUD, ETC. ON CITY STREETS

Last Revision: 05/18/2021

First Notice Written Notice with 28-day Warning Period
Second Notice, if not Remedied w/in 5 Days of Warning Period Expiration ... \$50/day until in Compliance

9.65. | WEEDS AND OTHER REFUSE VIOLATIONS

Last Revision: 05/18/2021

First Notice Written Notice with a 10-day Warning Period
Second Notice, if not Remedied w/in 5 Days of Warning Period Expiration ... \$50/day until in Compliance
Abatement of Injurious and Noxious Real Property and Unsightly or Deleterious Objects of Structures
..... Actual Cost of Abatement to the City + 20% of Actual Cost

9.76. | JUNK VIOLATIONS

Last Revision: 05/18/2021

First Notice Written Notice with a 28-day Warning Period
Second Notice, if not Remedied w/in 5 Days of Warning Period Expiration ... \$50/day until in Compliance

9.87. | OTHER VIOLATIONS, NOT OTHERWISE SPECIFIED

Last Revision: 05/18/2021

First Notice	Written Notice
Second Notice.....	\$50/day until Rectified
Abatement.....	Owner's Expense

9.98. | ADMINISTRATIVE CITATIONS

Last Revision: 05/18/2021

First Offense	Up to \$100 per Violation
Second Offense.....	Up to \$200 per Violation
Third Offense.....	Up to \$400 per Violation

9.109. | ADMINISTRATIVE FEE

Last Revision: 06/15/2021

Administrative Fee	\$50
--------------------------	------

10. WATER RATES

15.1. | CONSTRUCTION WATER FEES

Last Revision: 05/17/2022

Construction Water Hydrant Rental Deposit*	\$3,000
Construction Water Hydrant Rental Fee, First 30 Days	\$10 per day + \$1.08/kgal
Construction Water Hydrant Rental Fee, After 30 Days	\$200 per Calendar Month + \$1.08/kgal
Non-monthly Meter Read.....	\$50
Non-permitted Water Connection.....	\$2,500 per occurrence

**Damage to hydrant or hydrant meter by contractor will be deducted from the water hydrant deposit.*

22.5. | UTILITY CUSTOMER ACCOUNTS

Last Revision: 04/19/2017

22.5.1. Utility customers' accounts are due and payable by the last day of each month. Customers who do not pay the full amount of the utility billing invoice on or before the last day of the month are in default and are subject to disconnection of utilities and collection of the delinquent amounts. This section describes the process for notification, termination of services, and penalty/reconnection fees; ~~and provision for deferred payments schedule contracts.~~

~~22.5.2. Delinquent utility accounts will be charged a fee of the greater of \$15.00 (fifteen dollars) or 1% of the delinquent balance amount at the beginning of each month the accounts are delinquent.~~

22.5.~~32~~.A final notice will be sent to the billing address within ten (10) days after the first working day of the month notifying the customer that if full payment of the past due balance is not received by the date listed on the notice that their service(s) will be subject to termination at any time after the date listed. ~~Customers will be invited to contact City staff during this period to make special arrangements under extenuating circumstances, which may be approved by the City under the provisions of Section 22.5.5 below.~~

22.5.~~43~~.Services terminated for non-payment shall not be reinstated (reconnected) until payment of the past due account balance along with a shut-off processing fee of \$50 has been paid to the City. The shut-

off processing fee shall be charged, unless the City has received payment at or before 5:30 p.m. on the day specified by the City, regardless of whether or not the service(s) were actually terminated. The City will reconnect services by the end of business on the following business day after receiving full payment or after special arrangements have been made subject to the provisions of Section 22.5.5 below. City employees who perform the actual shutoff are not allowed to receive payment for Utility Services.

~~22.5.5. A deferred payment schedule contract may be entered into with a delinquent customer, provided that the deferred payment schedule does not extend for a period of more than (1) year, provides for a specific amount in addition to payment of their current bill, to be paid each month together with interest as provided in Section 22.5.7 below. Utility customers who do not comply with the terms of an executed deferred payment schedule contract, are subject to termination of service after the City provides the final notice provided in Section 22.5.3 above. Service terminated after default on a deferred payment contract shall not be reinstated until the past due balance has been paid in full. The City may, at its discretion, require an additional utility deposit be paid up to an amount equal to two (2) times the average monthly billing for the utility service.~~

22.5.64. Customers will be charged a \$50.00 fee to turn utilities on for three business days. If the request is made for the utilities to be activated on Friday, then Saturday and Sunday would count as one business day and their 3-day period would then go from Friday through Monday.

22.5.75. All delinquent bills for utility service, invoices for reimbursable fees, or other charges owed to the City of every kind and nature except for returned checks shall be charged a fee of the greater of \$15.00 (fifteen dollars) or 1% of the unpaid balance at the beginning of each month the bill, invoice, or charge is delinquent.

22.5.86. Each check or other instrument tendered to the City for payment of an obligation to the City and returned to the City as a dishonored instrument shall accrue the maximum penalty, services charges and other allowable fees for recovery of the amount due allowed by Utah law.

22.5.97. Unpaid City accounts may be sent to Collections after a reasonable attempt has been made to collect the unpaid amounts. Collections will be pursued to the full extent of the law. A fee will be charged equal to the amount billed to the City by the collection agency used, up to 40% of the unpaid balance, as allowed by Utah State Code 12-1-11(3)b.



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
MARCH 21, 2023**

TITLE:	RESOLUTION - A Resolution of Eagle Mountain City, Utah, Approving an Interlocal Cooperation Agreement with Utah County for the Administration of the 2023 Municipal Election.		
ITEM TYPE:	Resolution		
FISCAL IMPACT:	\$102,744.00		
APPLICANT:	City Staff		
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

No

PREPARED BY:

Lianne Pengra, Recorder's Office

PRESENTED BY:

City Recorder/Director of Administrative Services
Fionnuala B. Kofoed

RECOMMENDATION:

Staff recommends the City Council adopt a resolution of Eagle Mountain City, Utah, approving an Interlocal Cooperative Agreement with Utah County for the administration of the 2023 Municipal Election, and authorize the Mayor to sign the agreement.

BACKGROUND:

According to the terms of the interlocal agreement, Utah County will administer a countywide vote by mail primary and general election for the 2023 Municipal Election for all municipalities that enter into an interlocal agreement. All registered voters will receive a ballot in the mail, which can be mailed back to Utah County to be processed. Secured drop boxes for ballots returns will also be available and are located at several locations throughout the County, including one at City Hall, if residents chose to drop their ballots off rather than placing them in the mail.

Early voting will be offered at a designated vote center prior to the primary (if needed) and general elections.

The mailed ballot will include both outbound and return postage. While the cost of vote by mail is higher than a traditional election, the cost is reduced significantly by contracting with the County as they qualify for reduced, bulk rate mailing that municipalities do not qualify for.

Three 4-year councilmember terms will be on the ballot. The candidate filing period begins June 1, 2023 and ends at 5:00 PM on June 7, 2023. The Primary Election will be held August 15, 2023, if necessary, and the General Election will be held November 7, 2023.

Currently, Eagle Mountain City has 22,832 registered voters.

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

[RES--Interlocal Cooperation Agreement for the Administration of the 2023 Municipal Election](#)
[Interlocal Agreement](#)

RESOLUTION NO. R- -2023

**A RESOLUTION OF EAGLE MOUNTAIN CITY, UTAH,
APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH UTAH
COUNTY FOR THE ADMINISTRATION OF THE 2023 MUNICIPAL ELECTION**

PREAMBLE

WHEREAS, the Eagle Mountain City Municipal Primary and General Elections will be held on August 15, 2023 and November 7, 2023; and

WHEREAS, the City desires to have Utah County provide manpower and equipment to count all ballots:

NOW, THEREFORE, be it resolved by the City Council of Eagle Mountain City, Utah as follows:

1. The Interlocal Cooperation Agreement for The Administration of the 2023 Municipal Election, attached hereto as Exhibit A and incorporated herein, is hereby approved.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 21st day of March, 2023.

EAGLE MOUNTAIN CITY, UTAH

Tom Westmoreland, Mayor

ATTEST:

Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above resolution was adopted by the City Council of Eagle Mountain City on the
21st day of March, 2023

Those voting aye:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Those voting nay:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Those excused:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Those abstaining:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Fionnuala B. Kofoed, MMC
City Recorder

Exhibit A

**INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY
AND EAGLE MOUNTAIN CITY
FOR THE ADMINISTRATION OF THE 2023 MUNICIPAL ELECTIONS**

THIS IS AN INTERLOCAL COOPERATION AGREEMENT (Agreement), made and entered into by and between Utah County, a political subdivision of the State of Utah, and EAGLE MOUNTAIN City a Utah municipality and political subdivision of the State of Utah, hereinafter referred to as CITY.

WITNESSETH:

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

WHEREAS, pursuant to the Act, the parties desire to work together through joint and cooperative action that will benefit the residents of both Utah County and CITY; and

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

WHEREAS, Utah County and CITY desire to successfully conduct the 2023 CITY Municipal Primary (August 15) and General (November 7) Elections (collectively “2023 CITY Municipal Elections”); and

WHEREAS, it is to the mutual benefit of both Utah County and CITY to enter into an agreement providing for the parties’ joint efforts to administer the 2023 CITY Municipal Elections.

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

Section 1. EFFECTIVE DATE; DURATION

This Agreement shall become effective and shall enter into force, within the meaning of the Act, upon the submission of this Agreement to, and the approval and execution thereof by Resolution of the governing bodies of each of the parties to this Agreement. The term of this Agreement shall be from the effective date hereof until the completion of the parties' responsibilities associated with the 2023 CITY Municipal Elections or until terminated but is no longer than 1 year from the date of this Agreement. This Agreement shall not become effective until it has been reviewed and approved as to form and compatibility with the laws of the State of Utah by the Utah County Attorney and the attorney for CITY. Prior to becoming effective, this Agreement shall be filed with the person who keeps the records of each of the parties hereto.

Section 2. ADMINISTRATION OF AGREEMENT

The parties to this Agreement do not contemplate nor intend to establish a separate legal entity under the terms of this Agreement. The parties hereto agree that, pursuant to Section 11-13-207, Utah Code, Utah County, by and through the Utah County Clerk Elections Office, shall act as the administrator responsible for the administration of this Agreement. The parties further agree that this Agreement does not anticipate nor provide for any organizational changes in the parties. The administrator agrees to keep all books and records in such form and manner as Utah County shall specify and further agrees that said books shall be open for examination by the parties hereto at all reasonable times. The parties agree that they will not acquire, hold nor dispose of real or personal property pursuant to this Agreement during this joint undertaking.

Section 3. PURPOSES

This Agreement has been established and entered into between the parties for the purpose of administering the 2023 CITY Municipal Elections. This Agreement contemplates basic,

traditional primary and general elections (including ranked-choice voting, if applicable) for the 2023 CITY Municipal Elections. All other election-related services, including but not limited to services for special elections or elections for subsequent years, will need to be agreed to in a separate writing signed by both parties.

Section 4. RESPONSIBILITIES

The parties agree to fulfill the responsibilities and duties as contained in Exhibit A which is attached hereto and by this reference is incorporated herein for the 2023 CITY Municipal Elections.

CITY agrees to pay to Utah County the actual cost of County's administration of the 2023 CITY Municipal Elections which cost shall not exceed the estimated costs as contained in Exhibit B which is attached hereto and by this reference is incorporated herein. CITY agrees to pay to County the cost as contemplated herein within 30 days of receiving an invoice from County.

Section 5. METHOD OF TERMINATION

This Agreement will automatically terminate at the end of its term herein, pursuant to the provisions of paragraph one (1) of this Agreement. Prior to the automatic termination at the end of the term of this Agreement, any party to this Agreement may terminate the Agreement sixty days after providing written notice of termination to the other parties. Should the Agreement be terminated prior to the end of the stated term, CITY will be responsible for any costs incurred, including costs not then incurred but which are contemplated herein and irreversible at the time of termination such as return mailing costs, through the time of termination. The Parties to this Agreement agree to bring current, prior to termination, any financial obligation contained herein.

Section 6. INDEMNIFICATION

The parties to this Agreement are political subdivisions of the State of Utah. The parties

agree to indemnify and hold harmless the other for damages, claims, suits, and actions arising out of a negligent error or omission of its own officials or employees in connection with this Agreement. It is expressly agreed between the parties that the obligation to indemnify is limited to the dollar amounts set forth in the Governmental Immunity Act, Section 63G-7-604.

Section 7. FILING OF INTERLOCAL COOPERATION AGREEMENT

Executed copies of this Agreement shall be placed on file in the office of the County Clerk of Utah County and with the official keeper of records of CITY, and shall remain on file for public inspection during the term of this Agreement.

Section 8. ADOPTION REQUIREMENTS

This Agreement shall be (a) approved by Resolution of the governing body of each of the parties, (b) executed by a duly authorized official of each of the parties (c) submitted to and approved by an Authorized Attorney of each of the parties, as required by Section 11-13-202.5, Utah Code, and (d) filed in the official records of each party.

Section 9. AMENDMENTS

This Agreement may not be amended, changed, modified or altered except by an instrument in writing which shall be (a) approved by Resolution of the governing body of each of the parties, (b) executed by a duly authorized official of each of the parties, (c) submitted to and approved by an Authorized Attorney of each of the parties, as required by Section 11-13-205.5, Utah Code, and (d) filed in the official records of each party.

Section 10. SEVERABILITY

If any term or provision of the Agreement or the application thereof shall to any extent be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to circumstances other than those with respect to which it is invalid or unenforceable,

shall not be affected thereby, and shall be enforced to the extent permitted by law. To the extent permitted by applicable law, the parties hereby waive any provision of law which would render any of the terms of this Agreement unenforceable.

Section 11. NO PRESUMPTION

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

Section 12. HEADINGS

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

Section 13. BINDING AGREEMENT

This Agreement shall be binding upon the heirs, successors, administrators, and assigns of each of the parties hereto.

Section 14. NOTICES

All notices, demands and other communications required or permitted to be given hereunder shall be in writing and shall be deemed to have been properly given if delivered by hand or by certified mail, return receipt requested, postage paid, to the parties at the addresses of the City Mayor or County Commission, or at such other addresses as may be designated by notice given hereunder.

Section 15. ASSIGNMENT

The parties to this Agreement shall not assign this Agreement, or any part hereof, without

the prior written consent of all other parties to this Agreement. No assignment shall relieve the original parties from any liability hereunder.

Section 16. GOVERNING LAW

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

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

UTAH COUNTY

Authorized by Resolution No. 2023 - ____, authorized and passed on the ____ day of _____ 2023.

BOARD OF COUNTY COMMISSIONERS
UTAH COUNTY, UTAH

By: _____
AMELIA POWERS GARDNER, Chair

ATTEST: AARON R. DAVIDSON
Utah County Clerk

By: _____
Deputy

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

By: _____
Deputy County Attorney

CITY

Authorized by Resolution No. _____, authorized and passed on the _____ day of
_____ 2023.

Tom Westmoreland
Eagle Mountain City Mayor

ATTEST:

Fionnuala B. Kofoed, MMC
Eagle Mountain City Recorder

APPROVED AS TO FORM AND COMPATIBILITY
WITH THE LAWS OF THE STATE OF UTAH

By: _____
Marcus Draper
Eagle Mountain City Attorney

Exhibit A
2023 Municipal Elections
Scope of Work for Election Services
Revised 27 February 2023

Services the City will provide, include, but are not limited to:

- All administrative functions related to candidate filing.
- All administrative functions related to financial disclosure requirements by state code and/or city code.
- Publish Public Notices as required by law. The City may work with the County to publish notices jointly with other jurisdictions.
- Accept responsibility to keep candidates and the public up-to-date and informed on all legal requirements governing candidates, campaigns, deadlines, and recounts.
- Thoroughly examine and proof all election ballots and provide final approval.
- Host on the City website a link to or copy of the unofficial reported results as hosted on the County Elections webpage prior to certification, the official reported results as hosted on the County Elections webpage after certification, the location of the county-owned ballot drop boxes, and a link to the website for voters to opt-in to receive ballot alert texts.
- City will not change the format or otherwise alter the unofficial or official reported results, only displaying them in the form and format as provided by the County.
- City will canvass the final election results 7 days after Election Day, or a date prescribed by the County Clerk.

Annexations or other boundary changes impacting the administration of the municipal elections need to be submitted to the County prior to June 1, 2023. Annexation changes submitted on or after June 1, 2023, will not be incorporated into this election.

The City acknowledges that this Interlocal Agreement relates to a municipal ballot and election and as required by state statute, the City Clerk/Recorder is the Election Officer.

The City will provide the County Clerk with information, decisions, and resolutions and will take appropriate actions required for the conduct of the election in a timely manner. The City agrees to consolidate all elections administration functions and decisions in the office of the County Clerk to ensure the successful conduct of multiple, simultaneous municipal elections.

In a consolidated election, decisions made by the County regarding resources, procedures, and policies are based upon providing the same scope and level of service to all the participating jurisdictions and the City recognizes that such decisions, made for the benefit of the whole, may not be subject to review by the City.

Services the County will perform for the City include, but are not limited to:

- Ballot layout and design
- Ballot printing
- Ballot mailings
- Ballot retention and storage
- Outgoing / Return postage
- Ballot processing
- Printing optical scan ballots
- Program and test voting equipment
- Program electronic voter register
- Poll Worker recruitment, training, and supervision
- Compensate vote center poll workers
- Delivery of supplies and equipment
- Tabulate and report election results on county website
- Provisional ballot verification
- Update voter history database
- Conduct audits as required by state statute and/or administrative rule
- Conduct recounts as required by state statute and/or administrative rule
- Election Day administrative support
- Operation of countywide vote centers
- Provide final canvass report of Official Election Results. The City is responsible to canvass their municipal election on the date designated by the County Clerk. Such results will constitute the final Official Results of the Election.
- Ballot drop box services – maintain, unlock and lock boxes, collect ballots, and maintain security camera footage.

The County will provide a good faith estimate for budgeting purposes. Election costs are calculated upon the offices scheduled for election, the volume of voters, and the number of jurisdictions participating. The City will be invoiced for its share of the actual costs of the election(s) which will not exceed the estimated rate in Exhibit B.

In the event of a state or county special election being held in conjunction with a municipal election, the scope of services and associated costs, and the method of calculating those costs, may be changed.

The City acknowledges that this Interlocal Agreement relates to a municipal ballot and election as required by state statute, the City Clerk/Recorder is the Election Officer.

Exhibit B

2023 Municipal Elections

Active voters for billing purposes will be calculated 11 days before each Election Day.

Eagle Mountain

Election	1/4/2023	Not to exceed \$2.25 per voter per election
Primary	22,832	\$51,372.00
General	22,832	\$51,372.00
Estimated Cost as of 3/6/2023		\$102,744.00



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
MARCH 21, 2023**

TITLE:	ORDINANCE/PUBLIC HEARING - An Ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code, Chapter 17.65 Home Businesses.		
ITEM TYPE:	Ordinance		
FISCAL IMPACT:			
APPLICANT:	Staff		
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

Yes

PREPARED BY:

Natalie Winterton, Admin

PRESENTED BY:

Natalie Winterton

RECOMMENDATION:

Staff recommends the City Council approve an ordinance of Eagle Mountain City, Utah, Amending the Eagle Mountain Municipal Code Chapter 17.65 Home Businesses.

BACKGROUND:

Under current code, Eagle Mountain citizens who are business owners cannot park their personal vehicles on their own property if the vehicle is used by the business. This has created excessive restrictions for residents.

In order to create a more business-friendly environment in Eagle Mountain City, it is proposed that the code be amended to allow vehicles used by home-based businesses to be parked on the owner's property. It is suggested that City Council approved the proposed code amendment to Eagle Mountain City Municipal Code 17.65.060.

ITEMS FOR CONSIDERATION:

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

[ORD--EMMC 17.65 Home Businesses - Parking](#)

[EMMC 17.65 Home Businesses - REDLINES](#)

ORDINANCE NO. O- -2023

**AN ORDINANCE OF EAGLE MOUNTAIN CITY, UTAH,
AMENDING THE EAGLE MOUNTAIN MUNICIPAL CODE
CHAPTER 17.65 HOME BUSINESSES
(*VEHICLE PARKING*)**

PREAMBLE

WHEREAS, the City Council of Eagle Mountain City finds that it is in the public interest to amend the Eagle Mountain Municipal Code, Chapter 17.65 Home Businesses, as described in Exhibit A.

BE IT ORDAINED by the City Council of Eagle Mountain City, Utah:

1. The City Council finds that all required notices, public hearings, and other requirements have been completed for the City Council to consider an amendment to the Eagle Mountain Municipal Code, Chapter 17.65 Home Businesses.
2. The amendment described in Exhibit A is hereby approved.
3. This Ordinance shall take effect upon its first posting or publication.

ADOPTED by the City Council of Eagle Mountain City this 21st day of March, 2023.

EAGLE MOUNTAIN CITY, UTAH

Tom Westmoreland, Mayor

ATTEST:

Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above Ordinance was adopted by the City Council of Eagle Mountain City, Utah on this 21st day of March, 2023.

Those voting yes:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Those voting no:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Those excused:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Those abstaining:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Fionnuala B. Kofoed, MMC
City Recorder

Posted on _____ by _____ .

Exhibit A

17.65.060 Generally applicable standards for all home businesses.

C. Parking. Home businesses shall provide adequate parking (which may include both on-street and off-street parking) to be determined by the license official, or designee. ~~Vehicles used by the business (other than passenger cars without signage) shall not be parked on the site, unless enclosed parking is utilized to shield the vehicles from view.~~ Home businesses located within residential developments with limited visitor parking (such as townhome or condominium areas) shall not be permitted to generate additional traffic which causes clients or customers to park.



**EAGLE MOUNTAIN CITY
CITY COUNCIL MEETING
MARCH 21, 2023**

TITLE:	RESOLUTION - A Resolution of Eagle Mountain City, Utah, Approving an Economic Development Master Plan.		
ITEM TYPE:	Resolution		
FISCAL IMPACT:			
APPLICANT:			
GENERAL PLAN DESIGNATION	CURRENT ZONE	ACREAGE	COMMUNITY

PUBLIC HEARING:

No

PREPARED BY:

Evan Berrett, Admin

PRESENTED BY:

Evan Berrett

RECOMMENDATION:

Staff recommends that the City Council approve a Resolution of Eagle Mountain City, Utah adopting the Economic Development Master Plan.

BACKGROUND:

ITEMS FOR CONSIDERATION:

The Economic Development Master Plan is a guidance document, does not require any code changes, and does not specifically call out businesses to seek out. Any actions that take place as a consequence of this plan being approved are still subject to requirements of existing code, The General Plan, and the general will of City Council.

REQUIRED FINDINGS:

PLANNING COMMISSION ACTION/RECOMMENDATION:

ATTACHMENTS:

[RES--Economic Development Master Plan](#)

[Economic Development Master Plan - DRAFT](#)

RESOLUTION NO. R- -2023

**A RESOLUTION OF EAGLE MOUNTAIN CITY, UTAH, ADOPTING
THE EAGLE MOUNTAIN CITY ECONOMIC DEVELOPMENT MASTER PLAN**

PREAMBLE

WHEREAS, the City Council of Eagle Mountain City, Utah, finds that it is in the public interest to adopt the Eagle Mountain City Economic Development Master Plan, as set forth specifically in Exhibit A;

BE IT RESOLVED by the City Council of Eagle Mountain City, Utah:

1. The Eagle Mountain City Economic Development Master Plan is hereby adopted, as set forth specifically in Exhibit A.
2. This Resolution shall take effect upon its first publication or posting.

ADOPTED by the City Council of Eagle Mountain City, Utah, this 21st day of March, 2023.

EAGLE MOUNTAIN CITY, UTAH

Tom Westmoreland, Mayor

ATTEST:

Fionnuala B. Kofoed, MMC
City Recorder

CERTIFICATION

The above resolution was adopted by the City Council of Eagle Mountain City on the 21st day of March, 2023.

Those voting yes:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Those voting no:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Those excused:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Those abstaining:

☐ Donna Burnham

☐ Colby Curtis

☐ Jared Gray

☐ Carolyn Love

☐ Brett Wright

Fionnuala B. Kofoed, MMC
City Recorder

Exhibit A



DRAFT-Eagle Mountain City

Economic Development Master Plan

March 2023



ZIONS PUBLIC FINANCE, INC.

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Executive Summary

Eagle Mountain is one of the most rapidly growing cities in the nation. This vibrant young community, largely composed of young families, is in Utah County, which offers the educational and workforce advantages of two large universities, year-round recreational activities, and scenic views of the majestic Wasatch mountains. Eagle Mountain has a significant amount of vacant land that has historically been lower-priced than other areas of Utah County and that has been attractive to homebuyers and many businesses. The challenge for Eagle Mountain is to keep up with its rapid growth, capitalize on economic opportunities (i.e., highest and best use) at key infrastructure sites, attract high-paying businesses to the area and expand retail development by providing goods and services to its residents.

Eagle Mountain is in Utah's Cedar Valley, west of Utah Lake in northwest Utah County. The City has a total area of over 50 square miles, making it one of the largest five cities in Utah. The City is bordered on the north by Camp Williams Military Installation, to the east by Saratoga Springs, to the west by Fairfield and Cedar Fort and to the south by unincorporated Utah County. Once known as a small rural community, Eagle Mountain is experiencing explosive growth as development and growth pressures continue to expand across the Wasatch Front.

The growth in Eagle Mountain has mainly been in the form of single-family homes, but retail and job centers have also started to take shape. Eagle Mountain has a several retail shopping areas in the City that are under development and has several industrial areas under construction.

According to the American Community Survey (2020), the largest employment industry within Eagle Mountain is educational services and health care. The professional, scientific, management, administrative and waste management services industry is also largely represented by the employed population in the City. However, most residents travel outside of the City for employment, with an average round trip commute time of over an hour.

As is shown in the following sections, Eagle Mountain has seen significant population growth, as evidenced by the large number of building permits and housing starts. Eagle Mountain has historically been less susceptible to notable increases in housing prices, but that trend has changed within the past few years when Eagle Mountain has emerged as one of the most rapidly growing communities in Utah. While the City's recent rapid growth bodes well for retail development, it is also a factor in escalating home prices.



Key Findings

- Eagle Mountain is seeing rapid growth, as shown by the following number of new construction residential building permits issued in the City which have been escalating rapidly over the past few years.
 - 2016 – 673
 - 2017 – 920
 - 2018 – 849
 - 2019 – 1,113
 - 2020 – 1,337
 - 2021 – 1,585
- Once considered a highly affordable community, Eagle Mountain has seen rapidly escalating home prices over the past several years.
 - 2016 - \$257,500
 - 2017 - \$297,900
 - 2018 - \$317,750
 - 2019 - \$339,900
 - 2020 - \$359,160
 - 2021 - \$475,000
 - 2022 - \$585,000
- Key characteristics of households in Eagle Mountain are as follows:
 - Eagle Mountain has a young median age of 24.84 years; State median is 31.1.
 - Roughly 39 percent of Eagle Mountain's population is under 18 years of age.
 - Eagle Mountain median household income is \$101,801; State median is \$79,133.
 - Eagle Mountain has a large household size of 4.23 persons; State median is 3.08.
- Key characteristics of employment in Eagle Mountain are as follows:
 - Eagle Mountain employment to population ratio is 0.07; Utah County ratio is 0.41.
 - Average commute time to work for City residents is 33 minutes one way; average commute time for County residents is 22.2 minutes one way.
 - Average wages paid in the City are \$3,229 compared to \$4,262 countywide.
 - Eagle Mountain has a labor force participation rate of 75%, higher than Utah County and the State of Utah.
 - Eagle Mountain has an unemployment rate of 2.6%, higher than Utah County and the State of Utah.
 - Eagle Mountain exports 95% of its total labor to other communities.
 - 68% of the total labor force is employed in management, business, science, arts, sales, or office occupations.
 - The two largest industries for the City are Professional, Scientific, Management, and Administrative & Waste Management Services (17%) and Educational Services, and Health Care & Social Assistance (21%), with a total of over 38% of the labor force employed in those areas.
- Key industries for the City to focus on are as follows:
 - Advanced Manufacturing
 - Aerospace & Defense
 - Outdoor Products & Recreation

- Life Sciences & Healthcare Innovation
- There is a significant amount of retail leakage in the City due to a lack of retail goods and services throughout the City:
 - Current capture rate for retail goods and services is approximately 24 percent; therefore, residents are making about \$617 million in purchases annually outside of City limits.
 - The buying power of Eagle Mountain residents can currently support about 1 million square feet of retail space. With only a 50 percent capture rate, the City could have 500,000 square feet of retail space. By 2040, the buying power of City residents can support roughly 3 million square feet of retail space; with a 50 percent capture rate, the City could have 1.5 million square feet of space located within its boundaries.
 - Major sales tax categories for the City to focus on are as follows:
 - Food and Beverage Stores
 - Building Material and Garden Equipment and Supplies Dealers
 - Food Services and Drinking Places
 - General Merchandise Stores
 - Motor Vehicle and Parts Dealers
- Infrastructure advantages
 - Pony Express Parkway and Eagle Mountain Boulevard are expected to see steadily increasing Average Annual Daily Trips (AADT) over the next ten years.
 - The East Expressway and the Hidden Valley Rd are expected to help traffic move through the east side of the City by 2030.
 - The Cedar Valley Freeway is expected to travel just west of the City's center at some point in the future; however, that project does not have a projected completion date yet. This will create more of a regional draw to the City, as well as providing for better transportation access into and out of the City.
- Notable recent successes for Eagle Mountain
 - Facebook
 - Tyson Foods
 - Google
 - Eagle Mountain Town Center Marketplace, including Macey's grocery store and Ace Hardware
- Eagle Mountain has significant commercial development potential due to its rapidly growing population, transportation infrastructure, and large amount of vacant land. Key future areas of development are as follows:
 - North Bench
 - South Tech Campus
 - Town Center
 - Pole Canyon

Strategies and Recommendations

Goal 1: Diversify the types of industries in Eagle Mountain while building on the existing notable employers, thereby reducing commute times for residents through more local quality-job opportunities.

Action Item 1: Expand pool of contacts with business park developers and commercial real estate brokers to better disseminate information on Eagle Mountain City.

Action Item 2: Publish recent successes in attracting quality businesses and create a marketing strategy to attract future businesses of varying size and industry.

Action Item 3: Attend large trade shows, such as the IAMC (Industrial Asset Management Council) or ICSC RECON, and meet with real estate representatives of targeted businesses.

Action Item 4: Identify expanding businesses, specifically technology, advanced manufacturing, life sciences/health, recreation, and aerospace/defense industries and target for potential recruitment.

Action Item 5: Work with large business park/office brokerage firms, Governor's Office of Economic Opportunity, and EDCUtah to identify new projects considering Utah for expansion.

Action Item 6: Establish policies for public assistance with desired business park development and businesses that meet specific qualifications.

***Performance Measures:** Reduction in commute times, diversity of businesses locating in Eagle Mountain, increase in wages paid in the City, large capital investment on a per acre basis.*

Goal 2: Create destination retail and concept stores which will provide opportunities for customers to have experiences that are not replicated online.

Action Item 1: Recapture lost sales ("leakage") by focusing on those areas with the largest leakage first, such as grocery stores, hardware stores and restaurants; publicize leakage numbers with existing businesses (who may choose to expand their offerings) as well as at events such as ICSC.

Action Item 2: Create marketing materials of the identified sites with information attractive to developers such as population growth projections, young median age, infrastructure, traffic counts, etc. Use all available communication platforms to promote these areas.

***Performance Measures:** Increased City retail sales and sales tax revenues, reduced percent of leakage, clusters of retail development ("gathering places") in the City.*

Goal 3: Implement a Business Retention and Expansion Program (BRE) to increase the employment base within the community and foster small business development.

Action Item 1: Provide sales tax leakage information to specific businesses which show the potential for business expansion opportunities within related industries as well as projected growth in buying power over the next 10 years.

Action Item 2: Work with existing businesses to identify challenges to changing retail trends including the need for drive-thru/pickup space, assistance with online retailing, etc. that can be addressed through the City's planning and zoning process.

Action Item 3: Create a "Shop Local" program to create awareness and encourage residents to support the businesses located throughout Eagle Mountain.

Action Item 4: Hold bi-annual "Lunch and Learn" with local brokers, developers, real estate professionals and businesses.

***Performance Measures:** Participation levels by existing businesses, higher sales per square foot for existing businesses, greater community awareness of the businesses within the City.*

Goal 4: Create and encourage recreational, educational and entertainment opportunities to improve the quality of life for existing residents and draw outdoor recreation businesses to locate in Eagle Mountain.

Action Item 1: Identify and target specific outdoor retailers that may be a good fit for Eagle Mountain.

Action Item 2: Create a marketing campaign using Eagle Mountain's vast open space and trails to tell the story of the natural amenities in the community and along the Wasatch Front.

Action Item 3: Identify and create outdoor events that draw visitors from outside of the City to increase sales tax capture and highlight outdoor recreation and the City's natural amenities.

Action Item 4: Pursue development of a satellite campus with special emphasis on workforce skills training for desired businesses in Eagle Mountain.

***Performance Measures:** Development of more recreational, educational and entertainment amenities in the City (i.e., skate park, splash pad, trails and trailheads, movie theaters, trade school, satellite campus, etc.).*

Chapter One – Introduction

1.1 Demographics

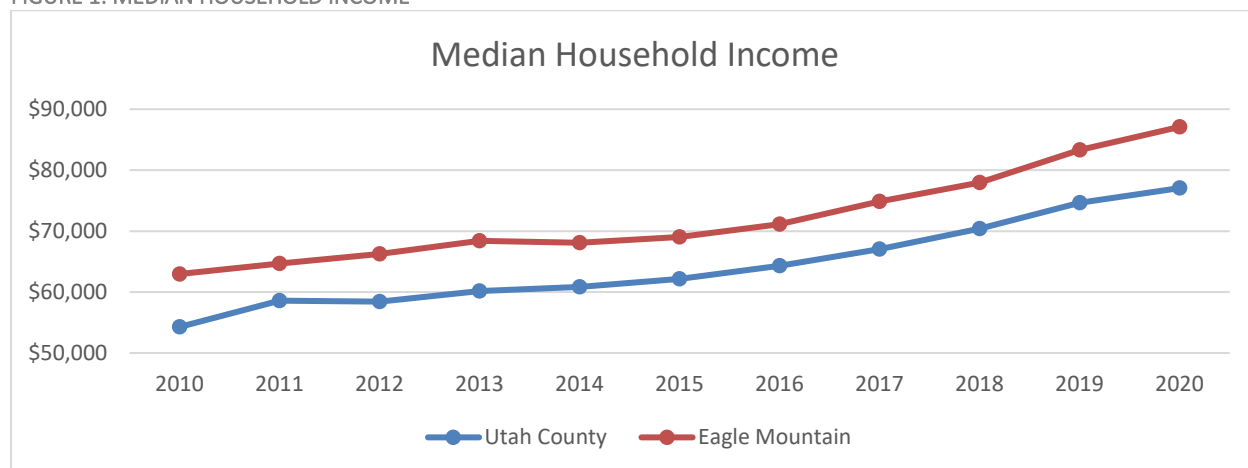
Population

Eagle Mountain has an estimated 2022 population of 54,023. Between the 2010 and 2020 Census, the City grew from a population of 21,415 to 43,623 (104% growth). Utah County grew by 28% (659,399 in 2020) and the State of Utah grew by 18% (3,271,616 in 2020).

Income

Eagle Mountain has a median household income of approximately \$101,801. This is above the Utah County median (\$82,893) and above the statewide median (\$79,133)¹.

FIGURE 1: MEDIAN HOUSEHOLD INCOME



Source: ACS 2010-2020 Data

Household Size

The average household size in Eagle Mountain is 4.23 persons. In comparison, the average household size in Utah County is 3.53 persons and 3.08 in the State of Utah.

Age Characteristics

Eagle Mountain has an extremely young median age – 27.2 years. In comparison, the median age in Utah is 31.8 years; in the United States it is 38.8 years.

Education

Nearly 97 percent of the working population in Eagle Mountain (ages 25 and older) has a high school degree or higher, while 35.4 percent of this populace has a bachelor's degree or higher. For Utah County, 95.2 percent of the working populace (ages 25 and older) has a high school degree or higher, with 41.1 percent having a bachelor's degree or higher. Statewide, 34.7 percent have a bachelor's degree or higher (2020 ACS).

Commute to Work

Approximately 73 percent of residents drove alone to work with a daily commute time averaging 33.2 minutes, one-way (2020 ACS).

¹ Eagle Mountain Retail Coach data & 2021 ACS

1.2 Population Growth

Population has grown by close to 104% from 2010-2020² with population estimated at 54,023 in 2022. Future growth in Eagle Mountain is also projected to be rapid, increasing by an estimated 5,200 persons per year.

TABLE 1: EAGLE MOUNTAIN POPULATION GROWTH PROJECTIONS

YEAR	POPULATION
2020	43,623
2021	48,823
2022	54,023
2023	59,223
2024	64,423
2025	69,623
2026	74,823
2027	80,023
2028	85,223
2029	90,423
2030	95,623
2031	100,823
2032	106,023
2033	111,223
2034	116,423
2035	121,623
2036	126,823
2037	132,023
2038	137,223
2039	142,423
2040	147,623

Source: United States Census 2020; review of building permits issued over past few years

This growth will allow for increased opportunities to attract retail and other commercial uses throughout the City. Eagle Mountain is currently the fourth largest City in Utah County and has the potential to grow to surpass Orem and Lehi.

The population growth in Utah County is also rapid. Between 2020 and 2021, the County grew by nearly 20,000 people and accounted for 33% of the State's growth during that period³. Much of that growth is occurring in the combined area of Eagle Mountain, Saratoga Springs, and Lehi, as these three cities each appear in the top five cities in absolute population growth between 2021 and 2021. By themselves, these three cities accounted for 23% of the State's growth from 2020 to 2021.⁴ The County is poised to grow by approximately 183,098 persons over the next 10 years, or by 18,310 persons per year (Kem C. Gardner Policy Institute).

² Source: U.S. Census Bureau, 2020: DEC Redistricting Data

³ Source: Kem C. Gardner Policy Institute

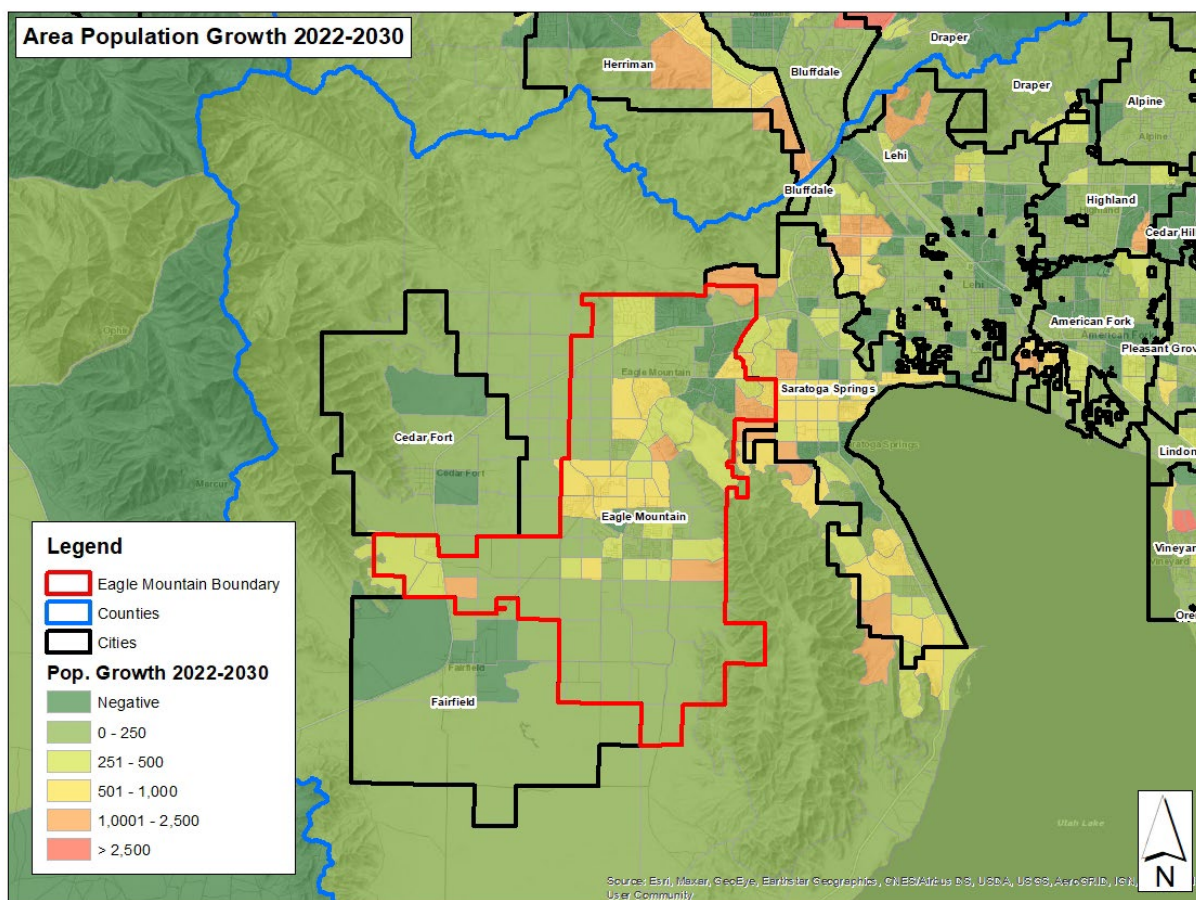
⁴ Source: Kem C. Gardner Policy Institute

TABLE 2: UTAH COUNTY POPULATION GROWTH PROJECTIONS

Year	Population
2020	664,258
2021	683,625
2022	702,943
2023	723,107
2024	743,547
2025	763,760
2026	783,392
2027	802,214
2028	820,156
2029	837,257
2030	853,711
2031	869,828
2032	886,041

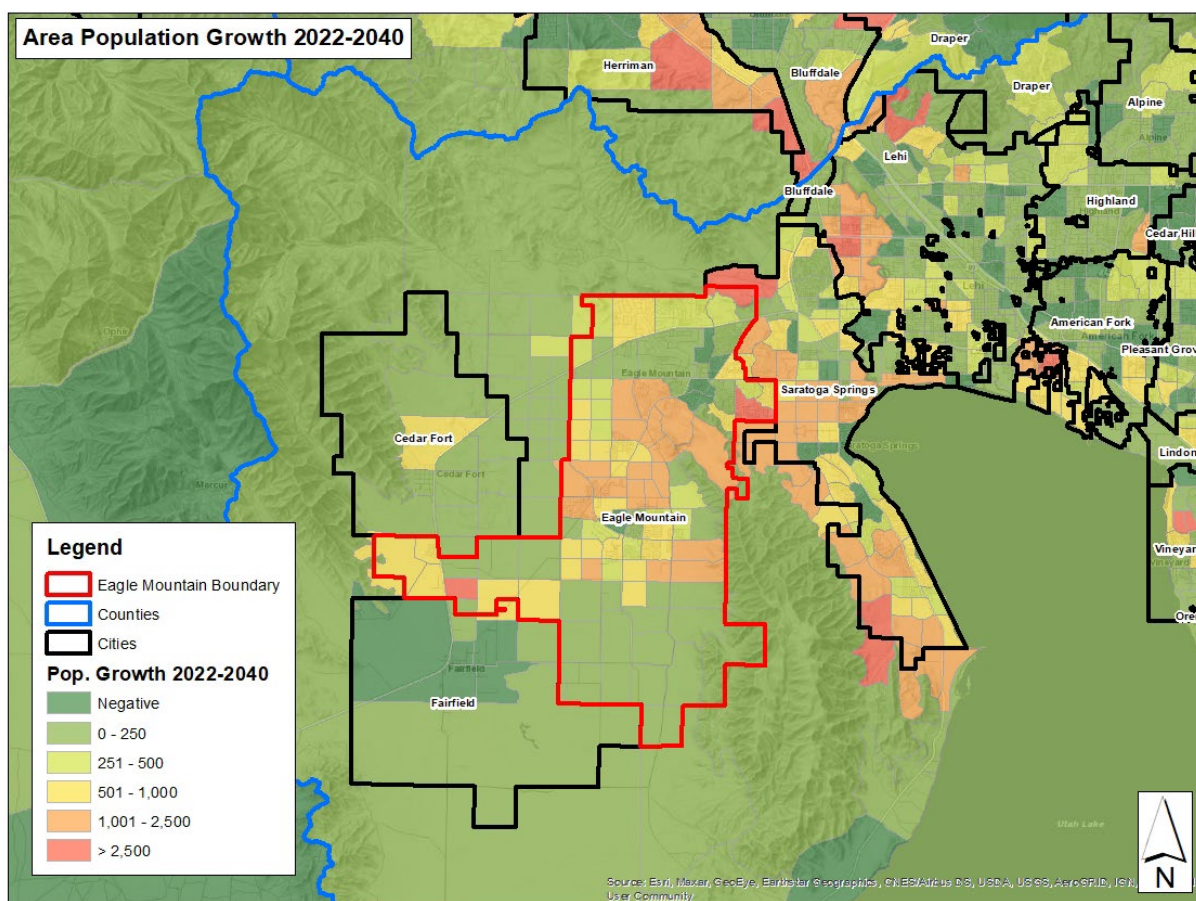
Source: Kem C. Gardner Policy Institute

FIGURE 2: AREA POPULATION GROWTH, 2030



Source: MAG TAZ Projections

FIGURE 3: AREA POPULATION GROWTH, 2040

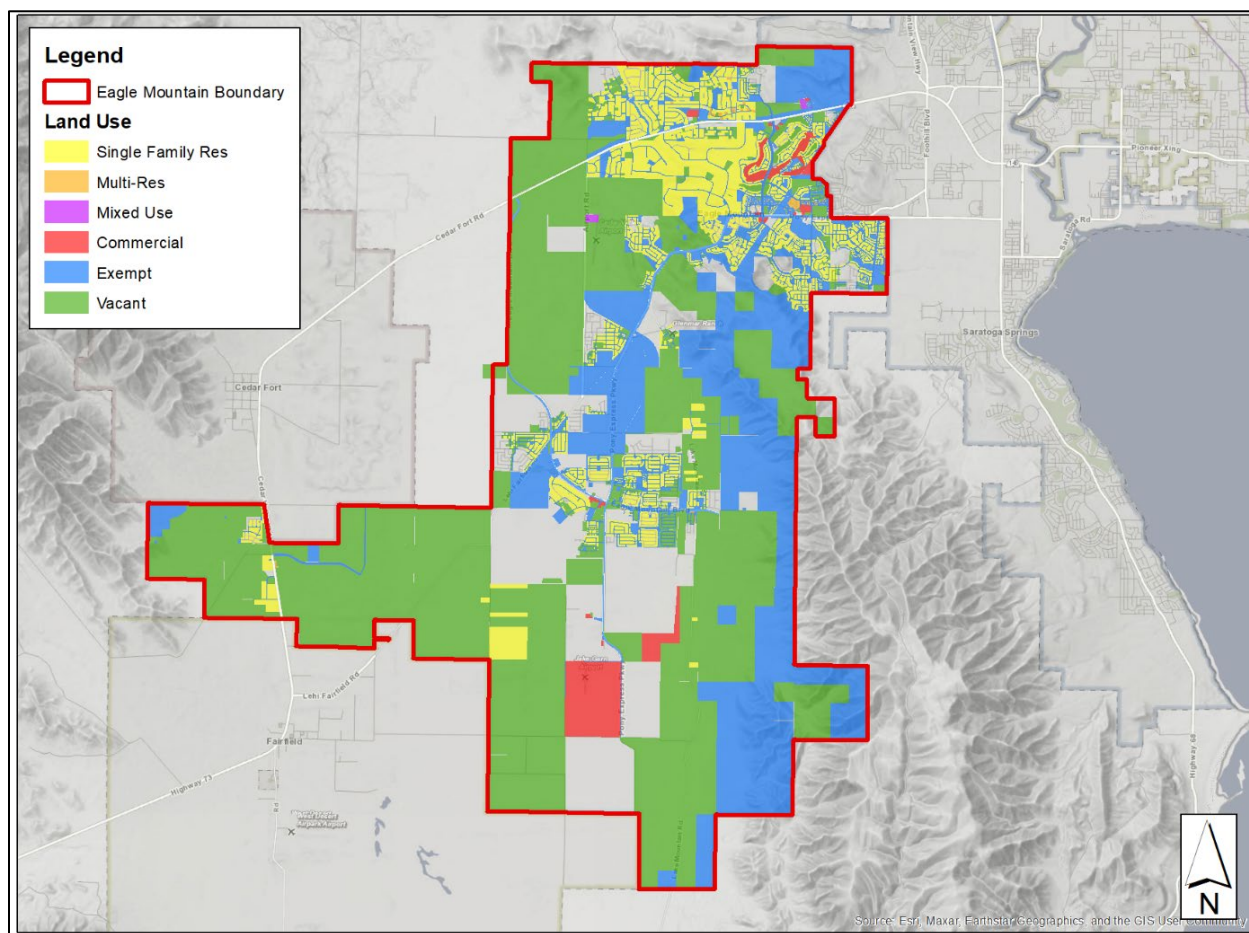


Source: MAG TAZ Projections

1.3 Land Use

The map on the following page shows existing land uses as described on tax rolls maintained by the Utah County Assessor's Office. This map reveals two centers of current development – one at the north end of the City and the other in the central part of the City. It also shows the massive growth potential of Eagle Mountain with its significant amount of vacant land.

FIGURE 4: EXISTING LAND USE



Not all developed land is shown in the most recent available data, and so the City's Future Land Use Map is also included to show planned land usage. The City's plans show a mix of varied development patterns, allowing for both residential, commercial, and industrial growth.

LEGEND

Residential Categories:

- Foothill Residential
- Agricultural/Rural Density One
- Agricultural/Rural Density Two
- Neighborhood Residential One
- Neighborhood Residential Two
- Neighborhood Residential Three

Mixed Use/Commercial Categories:

- Community Commercial
- Town Center Mixed Use
- Regional Commercial
- Employment Center/Campus
- Business Park/Light Industry

Public/Civic Categories:

- Civic Uses/Schools
- Parks and Open Space

NEIGHBORHOOD CHARACTER AREA

TRANSPORTATION

- UDOT Highway/Freeway
- City Road Network - Collector & up

1.4 Housing

Eagle Mountain has seen rapid growth over the past few years, with nearly five times the number of permits issued in 2021 as in 2016.

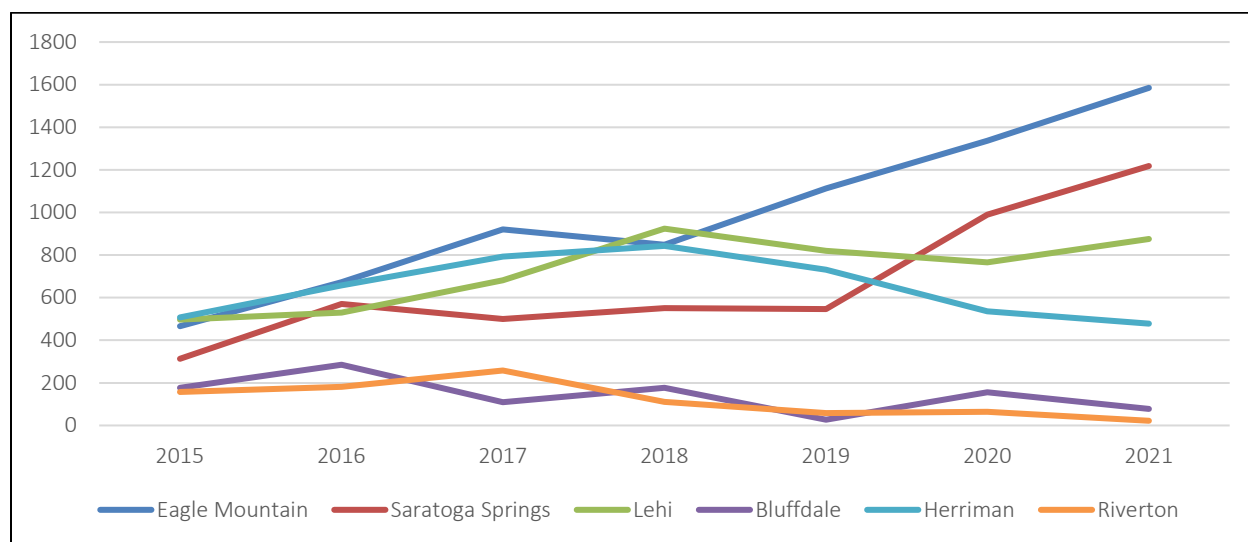
TABLE 3: BUILDING PERMITS ISSUED BY RAPIDLY GROWING COMMUNITIES ALONG THE WASATCH FRONT

Cities	2016	2017	2018	2019	2020	2021
Saratoga Springs	1116	1116	1078	1165	1725	2149
Lehi	1060	1148	1466	1517	1581	1955
South Jordan	1574	520	1336	1424	1946	1942
Eagle Mountain	674	927	864	1144	1355	1609
Herriman	979	991	1173	1181	NA	1078

Source: Construction Monitor

Building permits for residential and commercial were analyzed to show the historic growth in Eagle Mountain and surrounding communities. Eagle Mountain has strong permit numbers, with steady growth rates and has the highest rate of residential permits (2021) compared to neighboring cities.

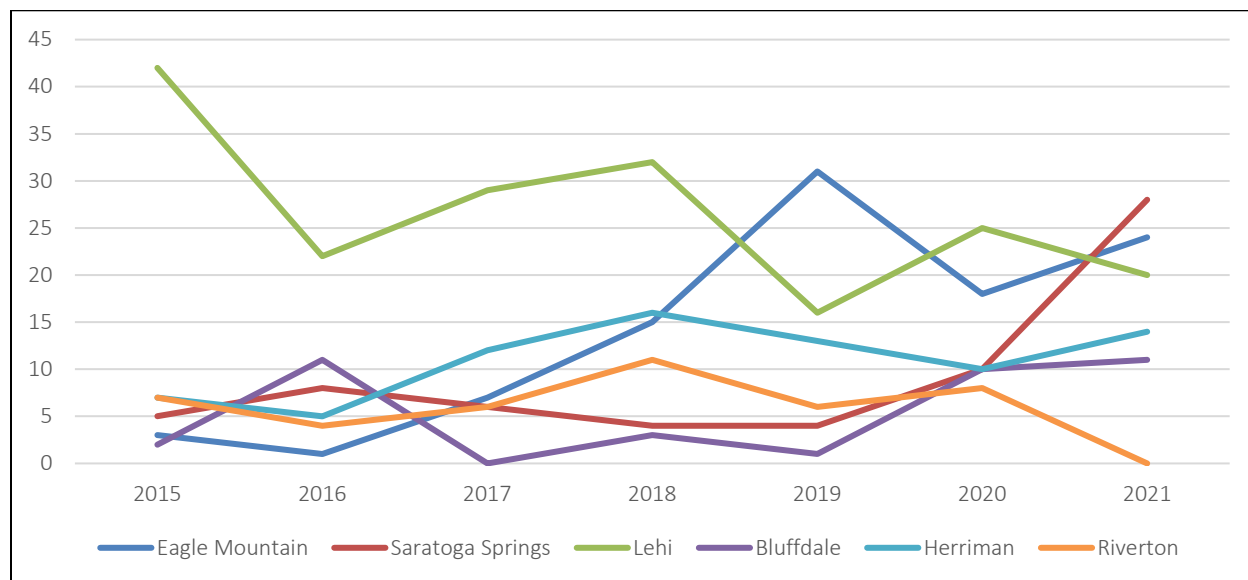
FIGURE 6: RESIDENTIAL BUILDING PERMITS



Source: Ivory-Boyer Construction Database

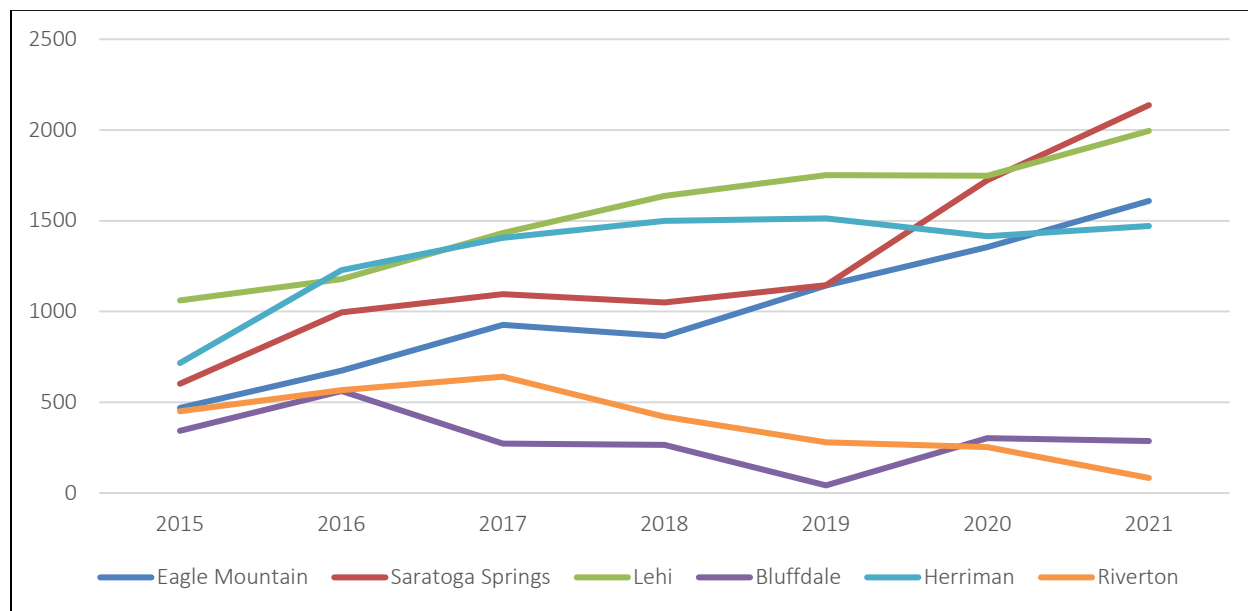
Residential growth generates the demand for commercial growth which has also been strong in Eagle Mountain.

FIGURE 7: COMMERCIAL BUILDING PERMITS



Source: Ivory-Boyer Construction Database

FIGURE 8: TOTAL BUILDING PERMITS



Source: Ivory-Boyer Construction Database

Rapid growth has fueled home price increases, with median prices doubling over the past six years. Eagle Mountain is still relatively more affordable than surrounding cities but is becoming less affordable than in the past.

TABLE 4: COMPARATIVE MEDIAN HOME PRICE INCREASES

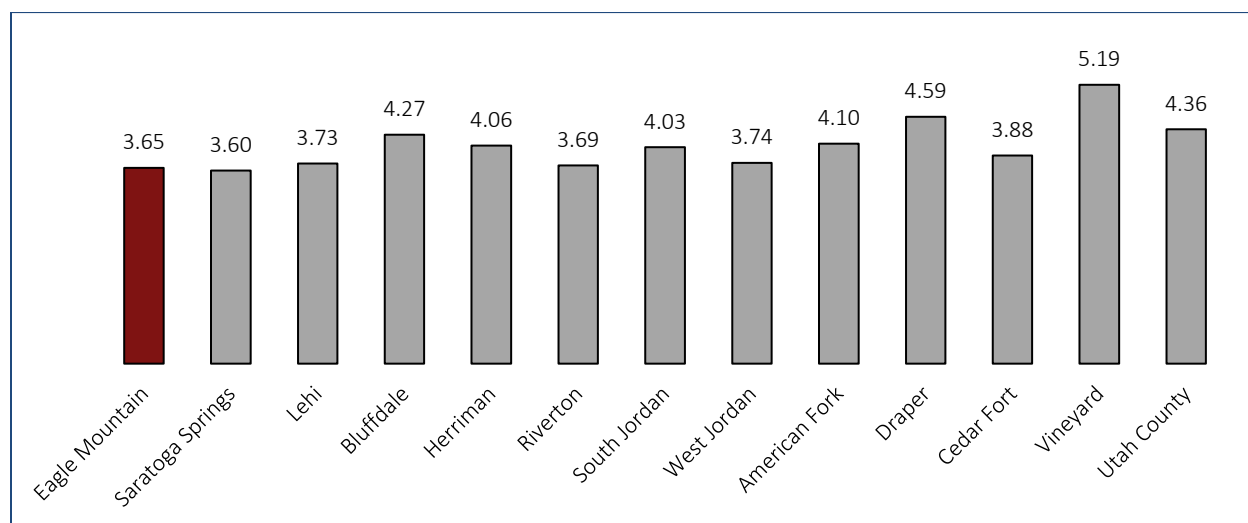
Home Price % Increase from Prior Year	2016	2017	2018	2019	2020	2021	2022
South Jordan	12.2%	17.6%	2.1%	5.4%	10.2%	22.7%	23.1%
Saratoga Springs	11.0%	6.0%	0.7%	13.5%	4.7%	29.9%	18.6%
Lehi	5.3%	11.1%	6.4%	2.9%	6.9%	37.0%	21.7%
Eagle Mountain	5.3%	15.2%	6.7%	6.6%	5.6%	31.4%	23.2%
Herriman	11.0%	5.2%	10.8%	5.6%	4.5%	38.7%	14.9%
Median Home Price							
South Jordan	\$399,500	\$470,000	\$479,000	\$505,000	\$549,300	\$675,000	\$825,000
Saratoga Springs	\$332,000	\$352,403	\$355,000	\$402,990	\$424,000	\$549,950	\$652,000
Lehi	\$310,201	\$345,500	\$368,000	\$378,900	\$405,000	\$554,650	\$675,000
Eagle Mountain	\$257,500	\$297,900	\$317,750	\$339,900	\$359,160	\$475,000	\$585,000
Herriman	\$344,000	\$361,957	\$399,925	\$422,446	\$441,000	\$613,000	\$704,527

Source: <https://www.sltrib.com/homeprices/>

It is interesting to note that the median home price in Eagle Mountain is now more expensive than in any of the comparative cities (which are all higher-priced than Eagle Mountain) before 2021. Like most of the Wasatch Front, Eagle Mountain has seen rapidly escalating home prices. However, in comparative cities, Eagle Mountain has experienced the greatest change in prices, with the median home price increasing 127% between 2016 and 2021. This impacts economic development as employers need locations where there is sufficient housing for their employees – and at affordable prices. The good news is that Eagle Mountain is still relatively more affordable than surrounding communities.

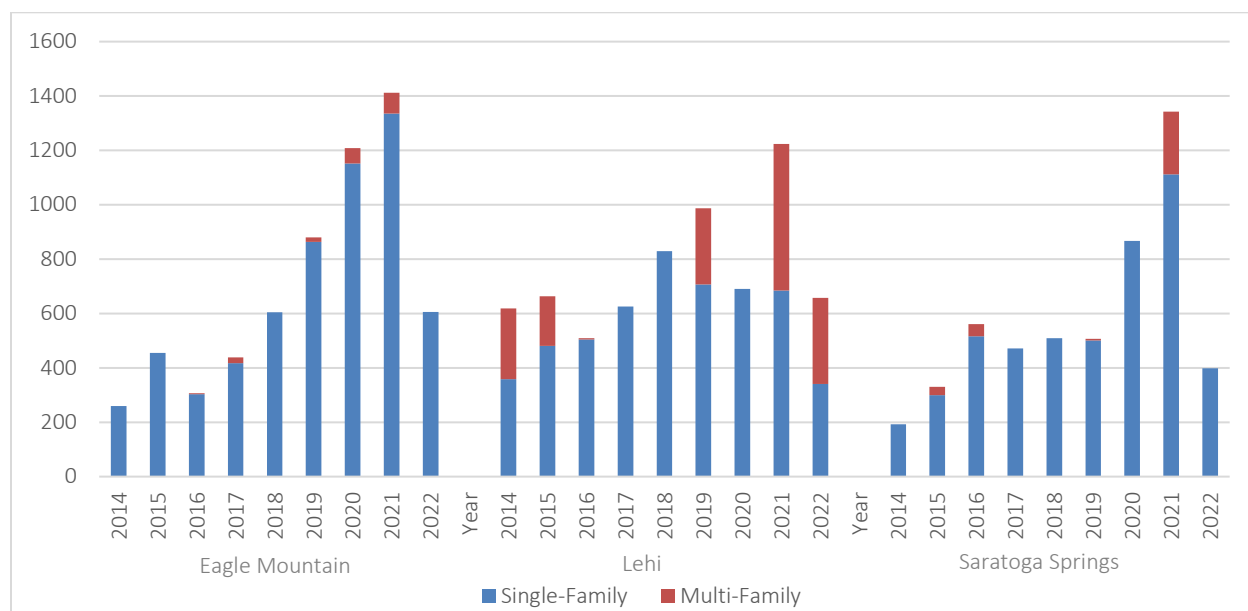
The affordability index is calculated by dividing the average home price in a community by the average household income. It should be noted that Saratoga Springs has a lower affordability index than Eagle Mountain because of its higher median income, even with a higher average home price.

FIGURE 9: AFFORDABILITY INDEX



Source: American Community Survey (ACS) 2020

FIGURE 10: BUILDING PERMIT UNITS (2014 – 2022)

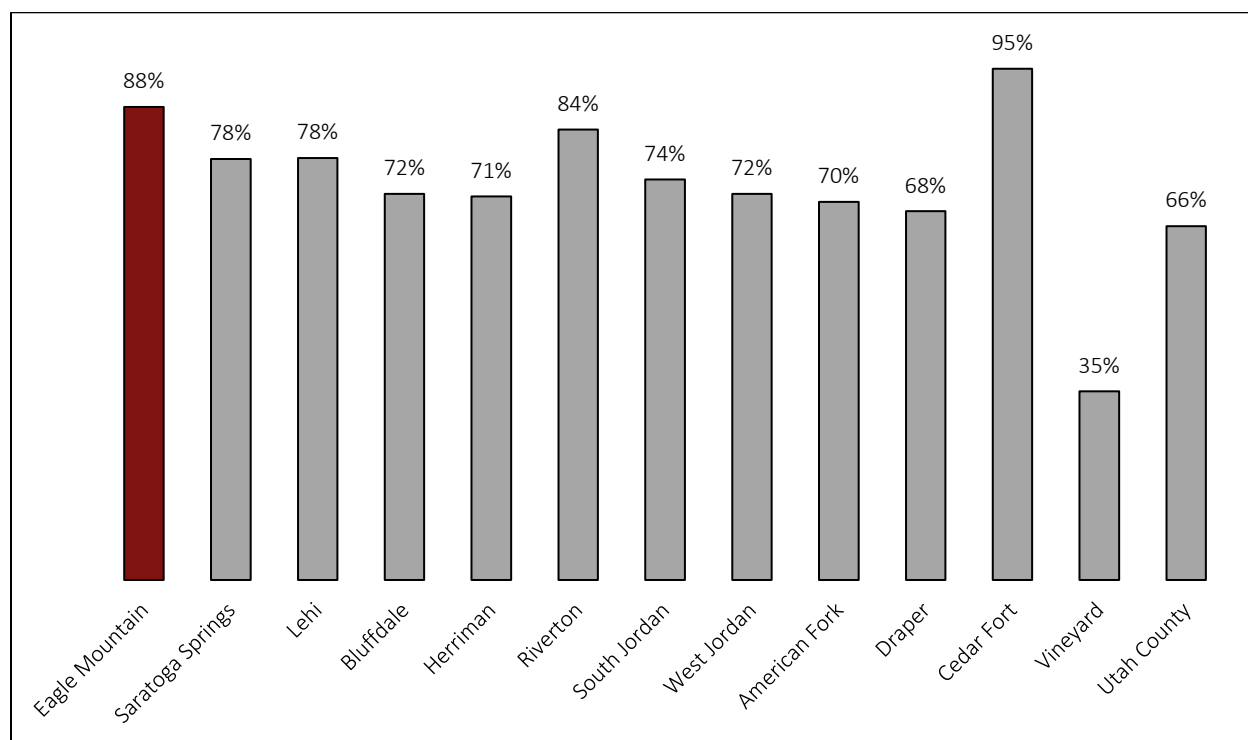


Source: University of Utah BEBR, *Through August 2022

The increase in home prices is accompanied by demand for more multi-family and townhome units which keep prices down with smaller lots and somewhat smaller unit sizes. Figure 9 shows the growth in building permits since 2014 and the increasing demand for multi-family units.

Eagle Mountain currently has an extremely high percentage of single-family units. Beyond single-family units, the City primarily has townhome units throughout the City, with several multi-family buildings in the northern part of the City. There are plans for future multi-family housing to be built in various areas of the City, such as in the Pole Canyon development or Ivory Homes' Overland subdivision.

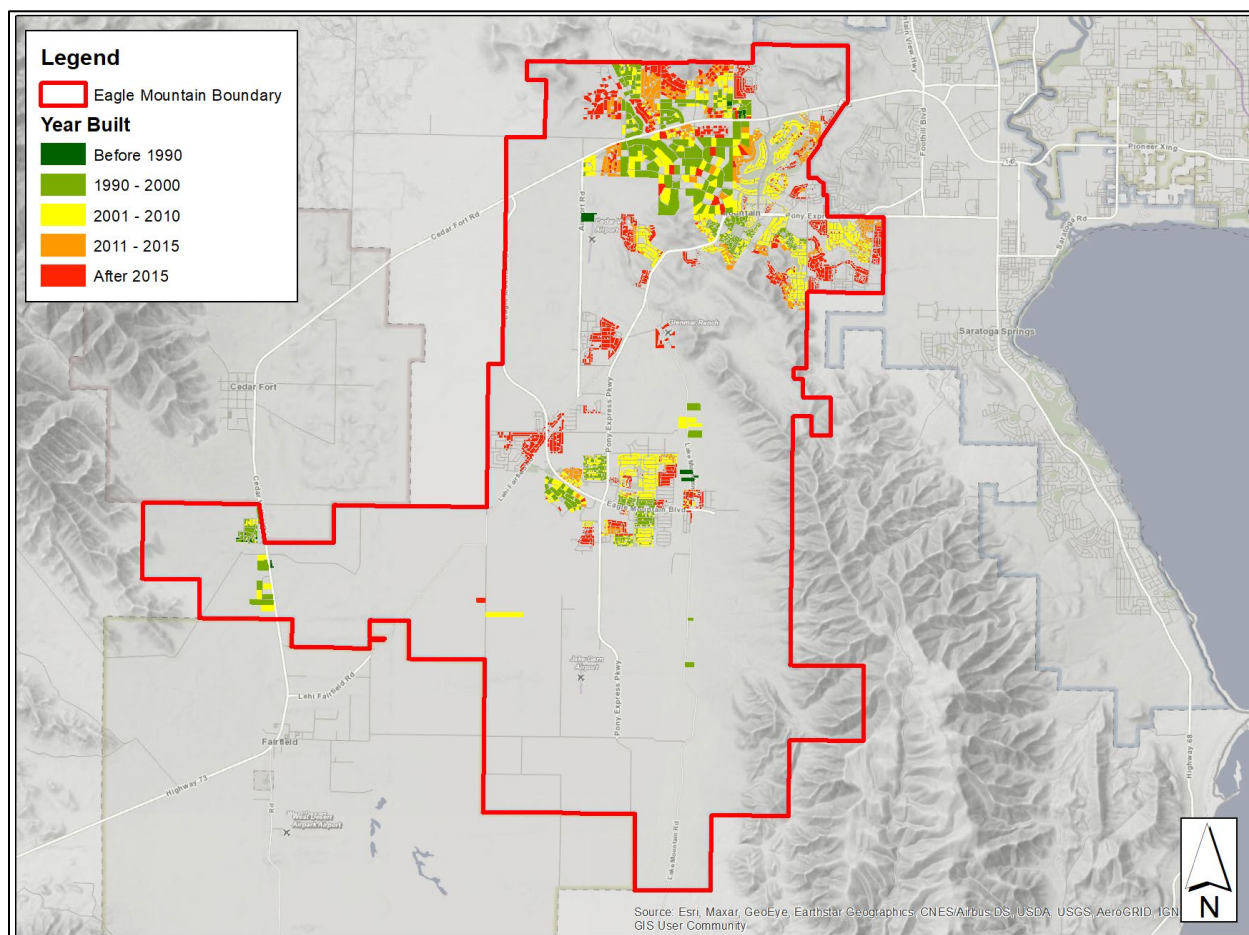
FIGURE 11: PERCENT OF SINGLE-FAMILY DETACHED HOMES



Source: American Community Survey (ACS) 2020

Due to the City's relatively young age as a city, there are very few homes that were built before 1990, with the first bulk of the City's homes being built in the decade around the City's incorporation in 1996. Most of the construction initially took place in the northern area of the City, with around two-thirds of the City's population residing in that area. While residential building was slow to pick up in the southern area of the City, in the past few years, construction has exploded in this area, with building permits in the south exceeding those issued in the north for the past several years.

FIGURE 12: RESIDENTIAL YEAR BUILT



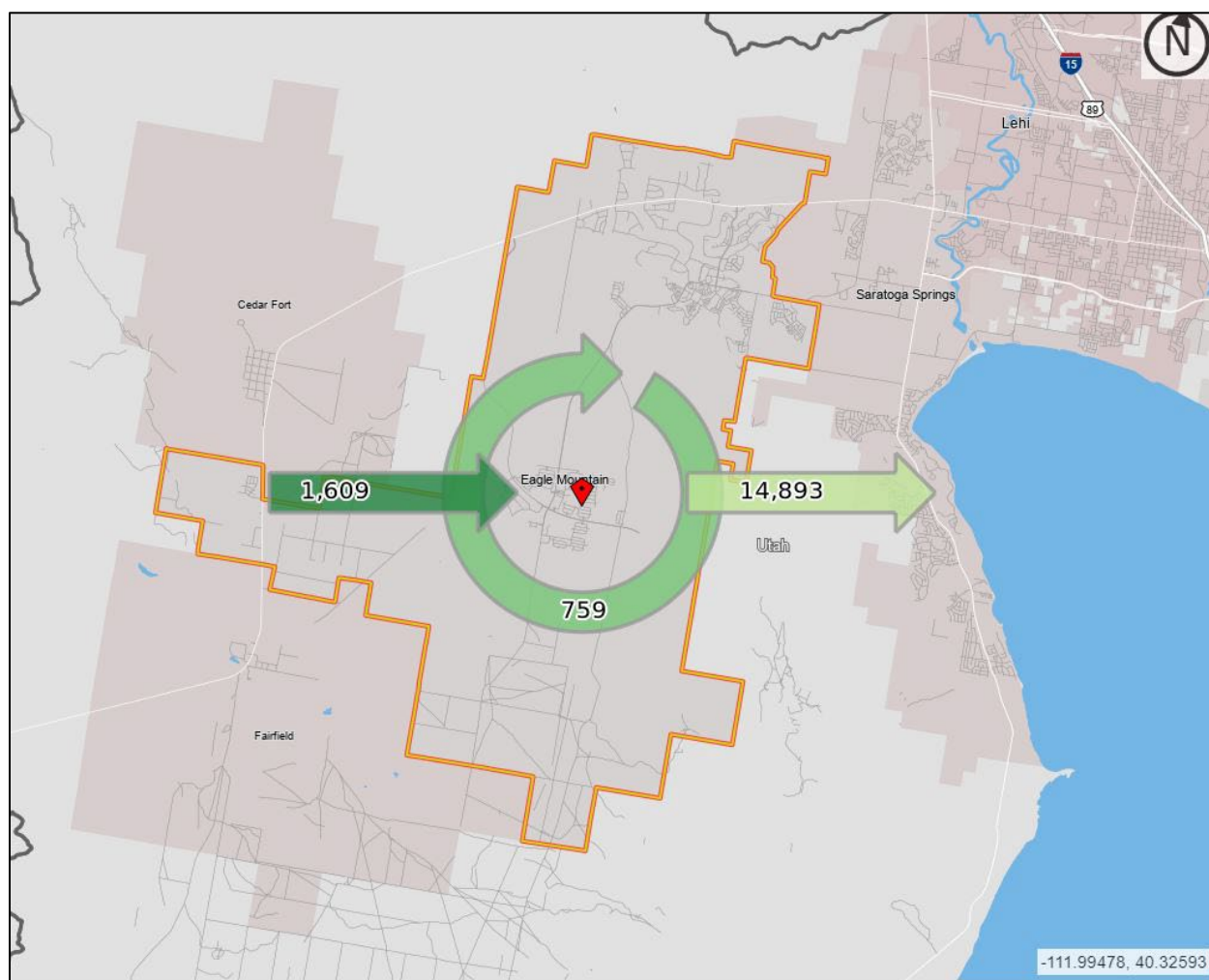
Source: Utah County Assessor

Chapter Two – Employment

2.1 Labor Market

This plan also studies which potential employment industries may be suitable for Eagle Mountain. Eagle Mountain has a relatively low number of residents both living and working within the City. Most residents travel outside of the City boundaries for employment, as shown on the map on the following page.

FIGURE 13: EAGLE MOUNTAIN LABOR FLOWS



Source: U.S. Census, On the Map (2019)

According to the Utah Department of Workforce Services (2020), Eagle Mountain has 465 firms in various industries, with the largest segments including: construction; professional and business services; trade, transportation and utilities; and education and health services. The manufacturing sector is a good fit for Eagle Mountain and, although there are only nine manufacturing firms reported in the data below, the wages are extremely good. In all other industry sectors, wages in Eagle Mountain generally lag wages in Utah County.

TABLE 5: EAGLE MOUNTAIN 2020 LABOR MARKET

Industry Category	Avg. No. of Firms	Avg. Employment	Total Wages	Avg. Monthly Wage	Utah County Avg. Monthly Wage
Mining*	D	D	D	D	\$5,747
Construction	127	756	\$33,696,777	\$3,712	\$4,809
Manufacturing	9	13	\$1,766,701	\$11,630	\$4,898
Trade, Transp. & Utilities	59	368	\$14,326,193	\$3,246	\$3,755
Information	17	143	\$7,631,909	\$4,462	\$8,920

Industry Category	Avg. No. of Firms	Avg. Employment	Total Wages	Avg. Monthly Wage	Utah County Avg. Monthly Wage
Financial Activities	40	78	\$3,323,157	\$3,534	\$5,807
Professional & Business Services	108	227	\$12,842,075	\$4,709	\$6,020
Education & Health Services	54	452	\$8,940,707	\$1,650	\$3,187
Leisure & Hospitality	15	194	\$2,369,637	\$1,016	\$1,437
Other Services	20	67	\$2,223,727	\$2,745	\$2,831
Government	14	902	\$36,587,834	\$3,379	\$3,403
Total	465	3,228	\$125,064,751	\$3,229	\$4,262

Source: Utah Department of Workforce Services, Workforce Research & Analysis, Annual Report of Labor Market Information, 2020

*D/ not shown to avoid disclosure of individual firm data, therefore, will not add to City total

2.2 Current Employment

The 2020 American Community Survey estimates the total available labor force (population 16 years and over) in Eagle Mountain City to be 19,572. Of that, 14,764 individuals are in the labor force and 14,117 individuals are employed, with an unemployment rate of only 2.6%. There are also a total of 129 individuals currently serving in the armed forces from Eagle Mountain City.

The City experiences slightly higher unemployment rates than Utah County (2.1%) and the State as a whole (2.4%). Overall, the City has a labor force participation rate of only about 75%, which is higher than both Utah County (69.7%) and the State (68.6%). Although it has a high labor participation rate, there are several larger trends that may be keeping this rate from being higher.

Almost 3,000 individuals in the City fall within the 15- to 19-year-old band in the City and, for those that are 16 or older, it is likely that many of these individuals are not interested in participating in the labor force while in school, or do not have easy access to part-time employment. Additionally, 48% of the individuals 16 or older are female, yet only 39% of the labor force is female. This lower participation rate may be partially due to both the median age and average household size in the City. Many households may need, or prefer, an adult to not work to be a householder, and based on labor participation rates, this falls more on females.

It is possible that doing the following may help to increase the labor participation rate for the younger demographic and for females:

- Increase number of jobs available within Eagle Mountain City that provide close access to employment.
- Increase number of jobs available that allow for part-time or flexible work schedules.
- Increase childcare providers within the City to allow more opportunities for both adults in a household to participate in the labor market.

The following tables show the occupation categories and industries for those who are in the labor market.

TABLE 6: EAGLE MOUNTAIN LABOR FORCE, BY OCCUPATION

Occupation Type	Number of Workers	Percent of Total
Management, Business, Science, and Arts Occupations	5,972	42.30%
Service Occupations	1,614	11.43%
Sales and Office Occupations	3,642	25.80%

Occupation Type	Number of Workers	Percent of Total
Natural Resources, Construction, and Maintenance Occupations	1,542	10.92%
Production, Transportation, and Material Moving Occupations	1,347	9.54%
Total	14,117	100.00%

Source: 2020 American Community Survey, 5-year Estimates

TABLE 7: EAGLE MOUNTAIN LABOR FORCE, BY INDUSTRY

Industry Type	Number of Workers	Percent of Total
Agriculture, Forestry, Fishing & Hunting, and Mining	144	1.02%
Construction	1,257	8.90%
Manufacturing	1,237	8.76%
Wholesale Trade	425	3.01%
Retail Trade	1,659	11.75%
Transportation & Warehousing, and Utilities	457	3.24%
Information	625	4.43%
Finance & Insurance, and Real Estate & Rental & Leasing	914	6.47%
Professional, Scientific, Management, and Administrative & Waste Management Services	2,465	17.46%
Educational Services, and Health Care & Social Assistance	2,969	21.03%
Arts, Entertainment, Recreation, and Accommodation & Food Services	721	5.11%
Other Services, Except Public Administration	850	6.02%
Public Administration	394	2.79%
Total	14,117	100.00%

Source: 2020 American Community Survey, 5-year Estimates

A full 68% of the total labor force is employed in what are viewed as traditionally office-based occupations. This is useful information, and when combined with the specific industry of these workers, it can aid the City in targeting businesses or industries to make use of the current labor force in the community. The two largest industries for the City are Professional, Scientific, Management, and Administrative & Waste Management Services and Educational Services, and Health Care & Social Assistance, with a total of over 38% of the labor force employed in those areas. These are areas where the City may be able to target employers or industries in these fields, to take advantage of the current labor force and reverse the labor flow trends. This would have a positive impact on the traffic leaving the City, as well as provide more daytime population for retailers.

This does not mean that the City cannot be successful in attracting other industries. For those industries, there may need to be more of a regional employment outlook or opportunities to draw from the larger labor market. As the City continues to grow, it will be important to monitor labor trends to see if they are keeping the City competitive in providing an educated workforce for their desired industries.

The principal employers in Eagle Mountain are shown in the table on the following page.

TABLE 8: EAGLE MOUNTAIN PRINCIPAL EMPLOYERS

Company Name	Address	Employees
Tyson Fresh Meats, Inc.	3817 N Tyson Pkwy	250-499
Applicant Pro Holdings	3688 E Campus Dr	100-249

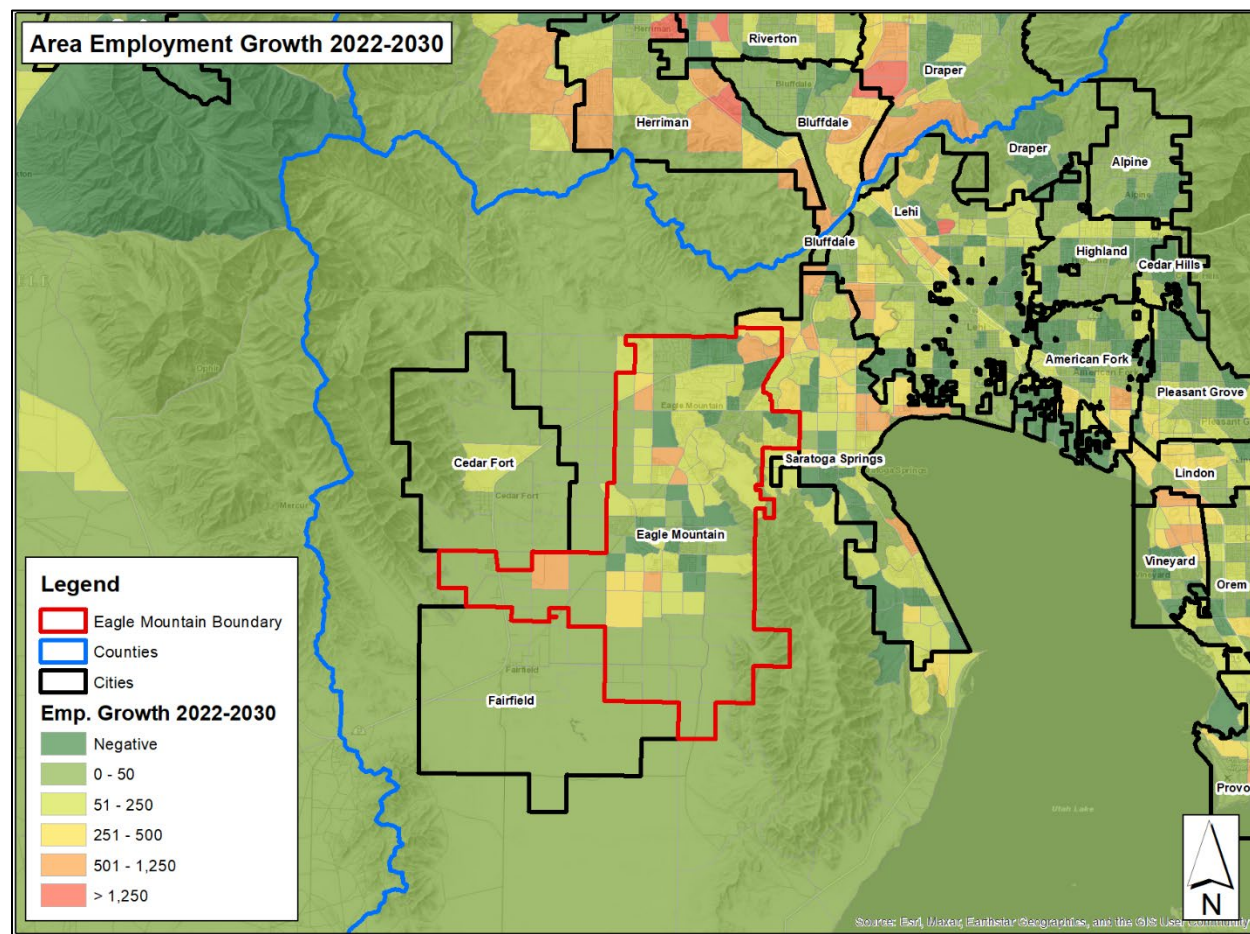
Company Name	Address	Employees
C R Mgmt Inc	4137 Pony Express Pkwy	100-249
Cedar Valley High	1389 Aviator Ave	100-249
E2 Optics LLC	9511 N Mount Airey Dr	100-249
Eagle Mountain City	1650 E Stagecoach Run	100-249
Facebook, Inc.	1275 North Community Cir	100-249
Frontier Middle School	1427 Mid Valley Rd	100-249
Jobmatch LLC	3688 Campus Dr Ste 150	100-249
Ridley's Family Markets	4045 E Pony Express Parkway	100-249
Western Partitions, Inc.	1499 N Pony Express Pkwy	100-249

Source: Department of Workforce Services, Firm Find

2.3 Employment Projections

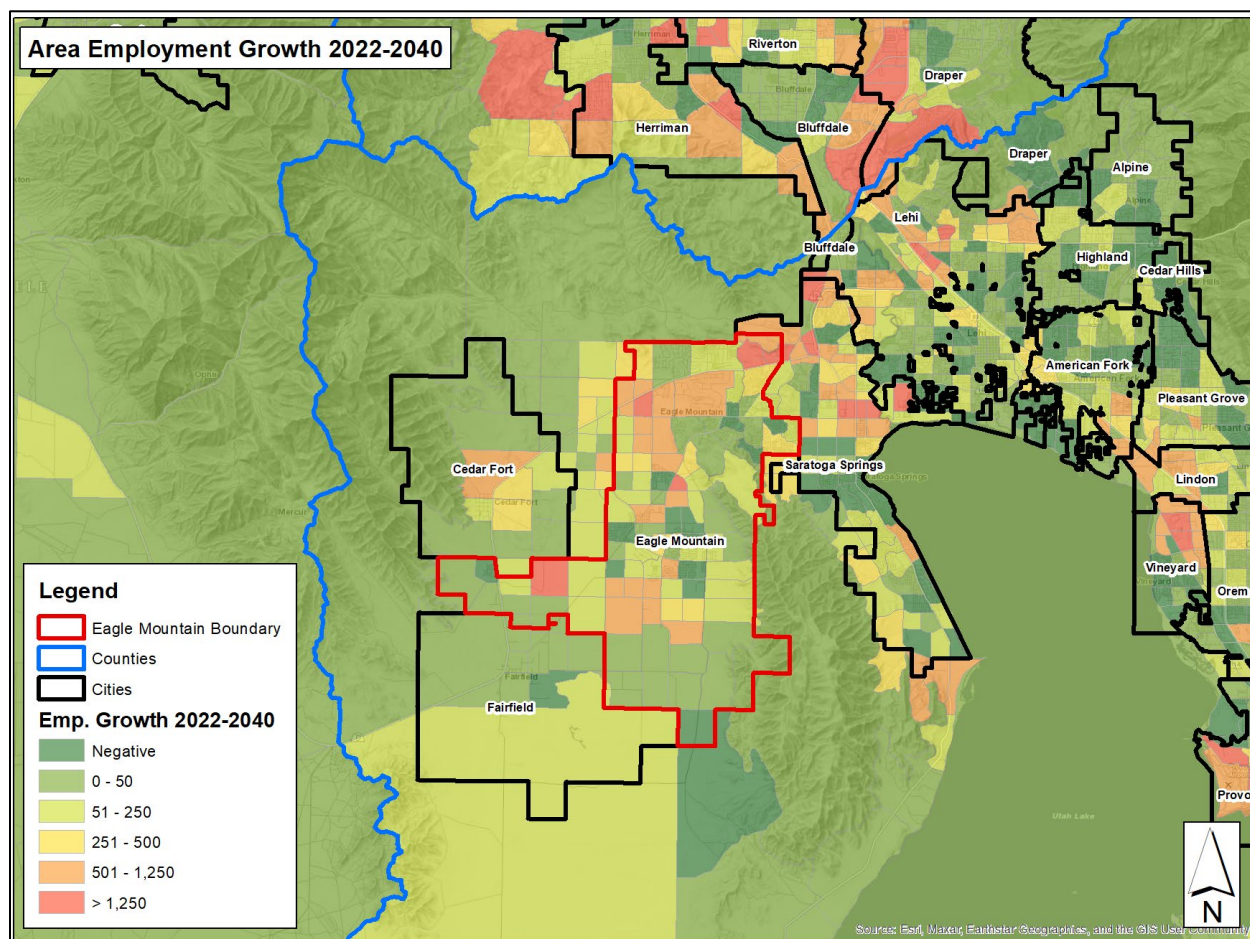
Employment growth is projected to be rapid in Eagle Mountain. While swift employment growth is also projected for Saratoga Springs, Eagle Mountain has much more land available for expansion opportunities. Eagle Mountain should continue to target those industries expanding or relocating to Utah with a focus on companies with high-paying jobs.

FIGURE 14: AREA EMPLOYMENT GROWTH, 2030



Source: MAG TRZ Projection

FIGURE 15: AREA EMPLOYMENT GROWTH, 2040



Source: MAG TRZ Projections

Attracting new employment to Eagle Mountain will require a focus on transportation access and the educated workforce of its growing population. Relatively lower housing costs, quality of life and proximity to recreation offerings, position Eagle Mountain as an ideal location to attract a wide range of employers and provide a high quality of life to employees.

As land along the I-15 corridor, and locations to the east, increasingly fill up, Eagle Mountain City will experience additional “spill-over” from businesses looking to expand to Utah. Combined with the commercial opportunities currently available in the City, it is likely that large commercial entities will be attracted to the City. Through increased focus on proactively marketing the City to these businesses, highlighting the strengths of the area, the City will be able to continue to see success in this area. In these efforts, it is important to coordinate with regional and state-wide partners to maximize the opportunities available to the City.

Chapter Three – Workforce Development & Talent Attraction

Workforce development and talent attraction are the processes by which communities and organizations help to grow a talent base necessary to support business growth. Across the State, communities are experiencing challenges in providing a workforce to meet the needs of businesses. Among the challenges are concerns over the rising cost of living (i.e., inflation, housing prices, rental costs), lack of transportation options (including mass transit), and access to childcare. Workforce development and talent attraction have

traditionally been in the realm of larger regional or state-wide organizations, but Eagle Mountain can consider efforts to overcome these challenges and assist in developing a strong local workforce.

3.1 Partnerships

The City should foster relationships with organizations that primarily focus on, or support, workforce development. At the state level, the City can deepen connections with the Governor's Office of Economic Opportunity (GOEO) and the Economic Development Corporation of Utah (EDCU). It would also benefit the City to work closely with the Department of Workforce Services to understand current workforce trends and to help connect businesses with resources to help find employees.

The City should also maintain strong, positive relationships with major employers in the City to understand workforce needs and challenges to collaborate on initiatives. Business interviews conducted during Business Retention & Expansion visits can aid the City in discovering these needs.

There are various industry groups, such as the Utah Manufacturer's Association, which serve as advocacy groups and often will engage in efforts to support workforce development. By connecting to, and looking for creative partnerships, the City may find ways to support workforce development in the community.

3.2 Education

Education at all levels plays a major role in workforce development initiatives. In Utah there are many programs that link education with industry, to prepare students to enter the workforce. Some of these programs include:

- Learn & Work in Utah
- Utah Aerospace Pathways Program
- Talent Ready Apprenticeship Connection
- Talent Ready Utah

Working with education providers, such as Alpine School District and MTech, is crucial to effective workforce development in the City. These providers can connect students to businesses and help create programs that will allow for optimal workforce preparation. For many industries, technical colleges play a large role in this process. Beginning in high school, students can take part in apprenticeships with various businesses and even begin the process of earning technical certificates in a variety of courses. These certificates set graduating students apart from others, both professionally and financially. A study conducted in 2019 found a "32 percent increase in wages" for students who completed a technical certificate.⁵ The City can support these initiatives by enhancing information on City marketing materials to increase awareness of the various programs.

3.3 Housing

Housing also plays a role in both workforce development and talent attraction. The City has opportunities to build itself economically through both small business and large-scale development. Each group requires housing for employees. The following tables show the median mortgage costs and median rents for various rental types from 2000 to 2022.

⁵ "Utah's Technical Colleges Manufacture a Skilled Workforce," Jim Taggart, *MFG Utah*, 2021, Issue 3, 12.

TABLE 9: UTAH COUNTY MONTHLY MORTGAGE COSTS OVER TIME

2000	2010	2020	2022	Percent Change
\$1,148	\$1,500	\$1,672	\$1,754	52.79%

Source: U.S. Census Bureau

TABLE 10: UTAH COUNTY RENTAL PRICES OVER TIME

Unit	2000	2010	2020	2022	Percent Change
Average	\$896	\$1,000	\$1,213	\$1,475	64.62%
Studio	\$710	\$792	\$961	\$1,126	58.59%
1-Bed	\$740	\$826	\$1,020	\$1,256	69.73%
2-Bed	\$909	\$1,015	\$1,208	\$1,488	63.70%
3-Bed	\$1,097	\$1,224	\$1,500	\$1,777	61.99%
4-Bed	\$1,435	\$1,599	\$2,142	\$2,371	65.23%

Source: Kem C. Gardner Policy Institute

During the same time, the median household income increased only 57.69% from approximately \$52,000 to \$82,000.⁶ Mortgage costs kept up well with incomes, but rental prices grew more rapidly. This is significant for service-based industries and industries that have lower income levels. The rising costs of housing make it increasingly difficult for lower wage earners to afford living in a community. This has an impact on the employees that are willing, or can afford, to commute to an employer. This also can create situations where multiple adults in a household need to work, creating potential issues with having necessary childcare.

While the City cannot solve the housing affordability crisis, it can take measures to help create sufficient housing to support the levels of economic activity it desires. This can include housing of all types and sizes, to support many wage levels. Without a blend of housing, the City could experience shortages of workforce housing. This has notably created issues in several communities in Utah but could become more widespread.⁷

The City has access to affordable housing funds due to several large CRAs created in recent years. State Code gives the City, through its redevelopment agency, to use these funds to assist in efforts to create ease housing affordability issues. Using these funds, and partnering with key groups, the City can help provide for projects, and housing, which will serve its potential workforce.

In addition to housing, the City can have help in talent attraction through participation in various transportation options. Through effective transportation planning the City can expand its talent pool and draw employees from a wider area, as well as provide additional job opportunities for residents. The City should explore how these transportation needs fit into its overall transportation strategies.

Access to childcare can be a major hurdle for potential jobseekers. The City can help by targeting some commercial development searches to these users and work with developers to prepare for these uses in areas where the City anticipates major job centers.

3.4 Quality of Life

As companies explore expansions options throughout the country, quality of life is increasingly cited as an important criterion in the decision-making process. Amenities that impact the quality life are varied,

⁶ Utah Department of Workforce Services

⁷ "Where Should Park City Employees Live," Utah Business, October 15, 2021.; "Moab housing crisis demands solutions as workers struggle to find places to live," KSL.com, May 6, 2022.

including retail shopping options, open space, trails, recreation, and entertainment options. The City has unique recreation opportunities due to its location and emphasis on trails and open space. Enhancing and marketing these features will support the City's efforts to attract talent to the City. Additionally, the City can prioritize increased retail and entertainment offerings in its retail centers to provide these amenities to its citizens.

Chapter Four – Retail Development

4.1 Sales Leakage and Capture Rates

A sales gap analysis is conducted to estimate the amount and type of purchases being made by Eagle Mountain residents outside of Eagle Mountain. Hence, the term "leakage" reflects sales that are lost to other communities. The analysis consists of first calculating the "average" expenditures made, per capita or per household, in the State of Utah in various retail categories using the North American Industry Classification System Codes (NAICS codes) as recorded by the Utah State Tax Commission. Total sales in Eagle Mountain, by NAICS code category, are then divided by the total population and compared to average per capita sales in the State of Utah. Where Eagle Mountain residents show higher purchases in NAICS code categories, it is assumed that Eagle Mountain captures additional consumers from the larger regional area for these types of purchases. Where purchases per capita are lower in Eagle Mountain than in the State of Utah in purchases in NAICS code categories, it is assumed that Eagle Mountain residents are leaving the community to make these types of purchases elsewhere.

The table below identifies areas of strength (i.e., where Eagle Mountain is a regional provider of goods and services) which are shown with positive numbers in the Leakage column and numbers higher than 100 percent in the Capture Rate column. Where Eagle Mountain residents are leaving the community to make their purchases elsewhere, the estimated amount of lost purchases in the Leakage column is shown as a negative number and with a capture rate that is less than 100 percent within the Capture Rate column.

TABLE 11: EAGLE MOUNTAIN SALES TAX LEAKAGE, 2021

NAICS Code Categories	2021 Leakage	2021 Capture Rate
Nonstore Retailers	\$3,987,541	104.40%
Museums, Historical Sites, and Similar Institutions	(\$931,589)	0.03%
Performing Arts, Spectator Sports, and Related Industries	(\$1,544,647)	1.64%
Personal and Laundry Services	(\$4,299,073)	18.76%
Gasoline Stations	(\$7,753,654)	64.41%
Health and Personal Care Stores	(\$7,870,529)	16.69%
Electronics and Appliance Stores	(\$10,102,192)	48.93%
Amusement, Gambling, and Recreation Industries	(\$11,535,636)	2.86%
Repair and Maintenance	(\$17,689,667)	17.92%
Sporting Goods, Hobby, Book, and Music Stores	(\$18,688,859)	13.08%
Furniture and Home Furnishings Stores	(\$18,695,083)	7.21%
Miscellaneous Store Retailers	(\$21,383,641)	32.53%
Clothing and Clothing Accessories Stores	(\$25,084,834)	21.92%
Accommodation	(\$33,895,369)	0.92%

NAICS Code Categories	2021 Leakage	2021 Capture Rate
Food and Beverage Stores	(\$53,699,357)	31.03%
Building Material and Garden Equipment and Supplies Dealers	(\$72,414,824)	10.96%
Food Services and Drinking Places	(\$79,160,502)	7.28%
General Merchandise Stores	(\$109,347,200)	5.32%
Motor Vehicle and Parts Dealers	(\$126,426,076)	1.23%
TOTAL	(\$616,535,192)	23.95%

Source: Utah State Tax Commission, ZPFI

Overall, Eagle Mountain reflects a total capture rate of close to 24 percent of resident sales, indicating that the City is capturing far less than its “fair share” of retail sales compared to other communities. Over \$600 million in sales annually is lost to other communities, representing a massive opportunity for the City to focus on to capture more of those retail sales, and the sales tax revenue that is associated with those sales.

Significant leakage is shown in the following retail categories, which are areas of opportunity for future retail development within the City:

- Motor Vehicle and Parts Dealers
- General Merchandise Stores
- Food Services and Drinking Places
- Building Material and Garden Equipment and Supplies Dealers
- Food and Beverage Stores
- Accommodation
- Clothing and Clothing Accessories Stores
- Sporting Goods, Hobby, Book, and Music Stores
- Furniture and Home Furnishings Stores
- Electronics and Appliance Stores

4.2 Competitive Market Leakage Analysis

Eagle Mountain has many opportunities to increase its retail draw and attract new consumers from forecasted population growth. A review of capture rates of surrounding communities shows that Eagle Mountain is capturing a much lower percentage than Saratoga Springs, Lehi, Herriman and Riverton.

TABLE 12: COMPARATIVE RETAIL SALES CAPTURE RATES, 2021

NAICS Code Categories	Eagle Mountain	Saratoga Springs	Lehi	Herriman	Riverton
Motor Vehicle and Parts Dealers	1%	14%	80%	6%	15%
Furniture and Home Furnishings Stores	7%	6%	40%	6%	14%
Electronics and Appliance Stores	49%	29%	130%	9%	62%
Build. Material, Garden Equip. and Supplies Dealers	11%	21%	52%	7%	171%
Food and Beverage Stores	31%	134%	104%	80%	67%
Health and Personal Care Stores	17%	24%	44%	52%	117%
Gasoline Stations	64%	29%	82%	63%	53%
Clothing and Clothing Accessories Stores	22%	26%	196%	23%	128%
Sporting Goods, Hobby, Music and Book Stores	13%	10%	144%	9%	67%

NAICS Code Categories	Eagle Mountain	Saratoga Springs	Lehi	Herriman	Riverton
General Merchandise Stores	5%	273%	103%	23%	113%
Miscellaneous Store Retailers	33%	17%	54%	16%	71%
Nonstore Retailers	104%	98%	131%	94%	109%
Arts, Entertainment and Recreation	3%	74%	54%	12%	41%
Accommodation	1%	2%	46%	3%	2%
Food Services and Drinking Places	7%	75%	106%	40%	89%
Other Services-Except Public Administration	18%	58%	61%	16%	115%
Total	24%	82%	94%	33%	82%

Source: Utah State Tax Commission, ZPFI

By analyzing the retail sales of neighboring communities in comparison to Eagle Mountain, potential areas of growth and opportunity may be realized.

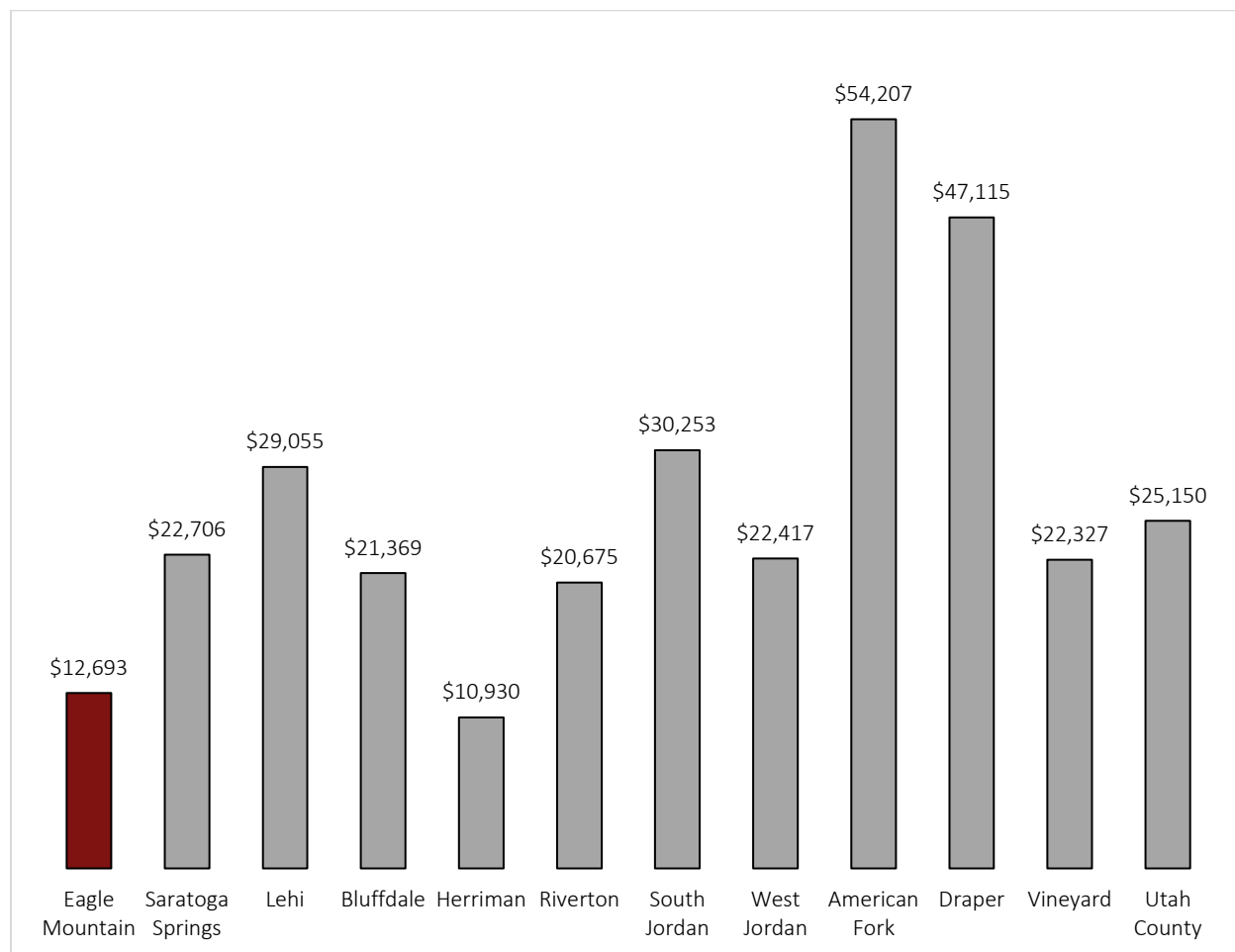
Taxable sales per capita in Eagle Mountain, for all retail goods and services, are the lowest of any of the comparative cities, with the exception of Herriman.

TABLE 13: COMPARATIVE RETAILS SALES PER CAPITA

City	Motor Vehicle Parts and Dealers/Per Capita	General Merchandise Stores/Per Capita	Food Services and Drinking Places/Per Capita	Food and Beverage Stores/Per Capita	Gasoline Stations/Per Capita
Eagle Mountain	\$44	\$229	\$424	\$680	\$402
Saratoga Springs	\$485	\$8,711	\$1,758	\$2,873	\$176
Lehi	\$2,661	\$3,100	\$2,361	\$2,107	\$466
Herriman	\$210	\$735	\$958	\$1,744	\$382
Riverton	\$441	\$3,098	\$1,792	\$1,239	\$274
South Jordan	\$6,446	\$6,163	\$2,354	\$2,008	\$299
Utah County	\$3,022	\$3,213	\$1,755	\$1,451	\$353
Utah	\$3,108	\$2,804	\$2,073	\$1,891	\$529

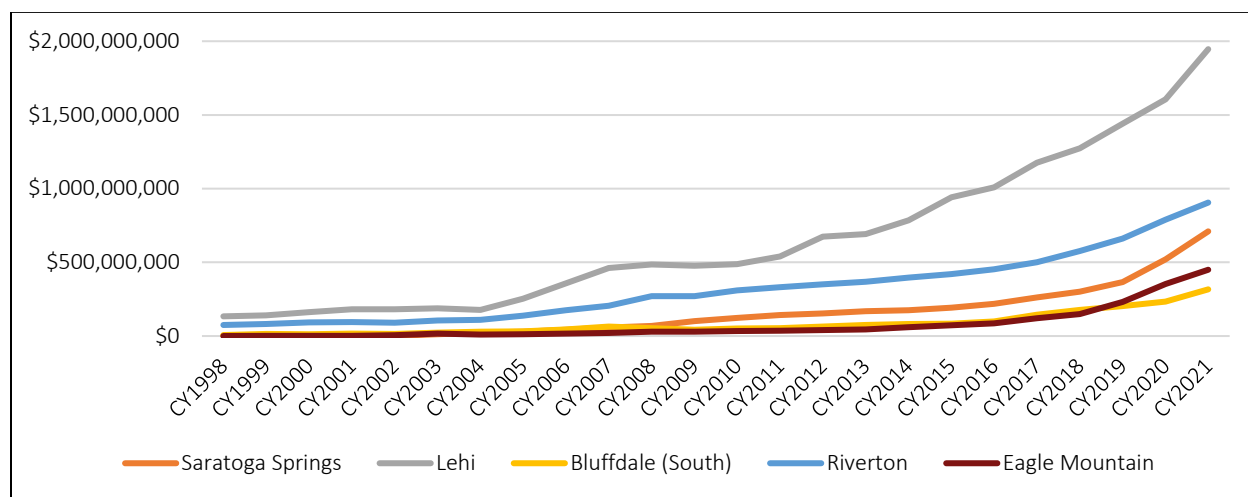
Source: Utah State Tax Commission, ZPFI

FIGURE 16: COMPARATIVE TAXABLE SALES PER CAPITA



Source: Utah State Tax Commission, 2020 ACS, ZPFI

FIGURE 17: COMPARATIVE TAXABLE SALES GROWTH



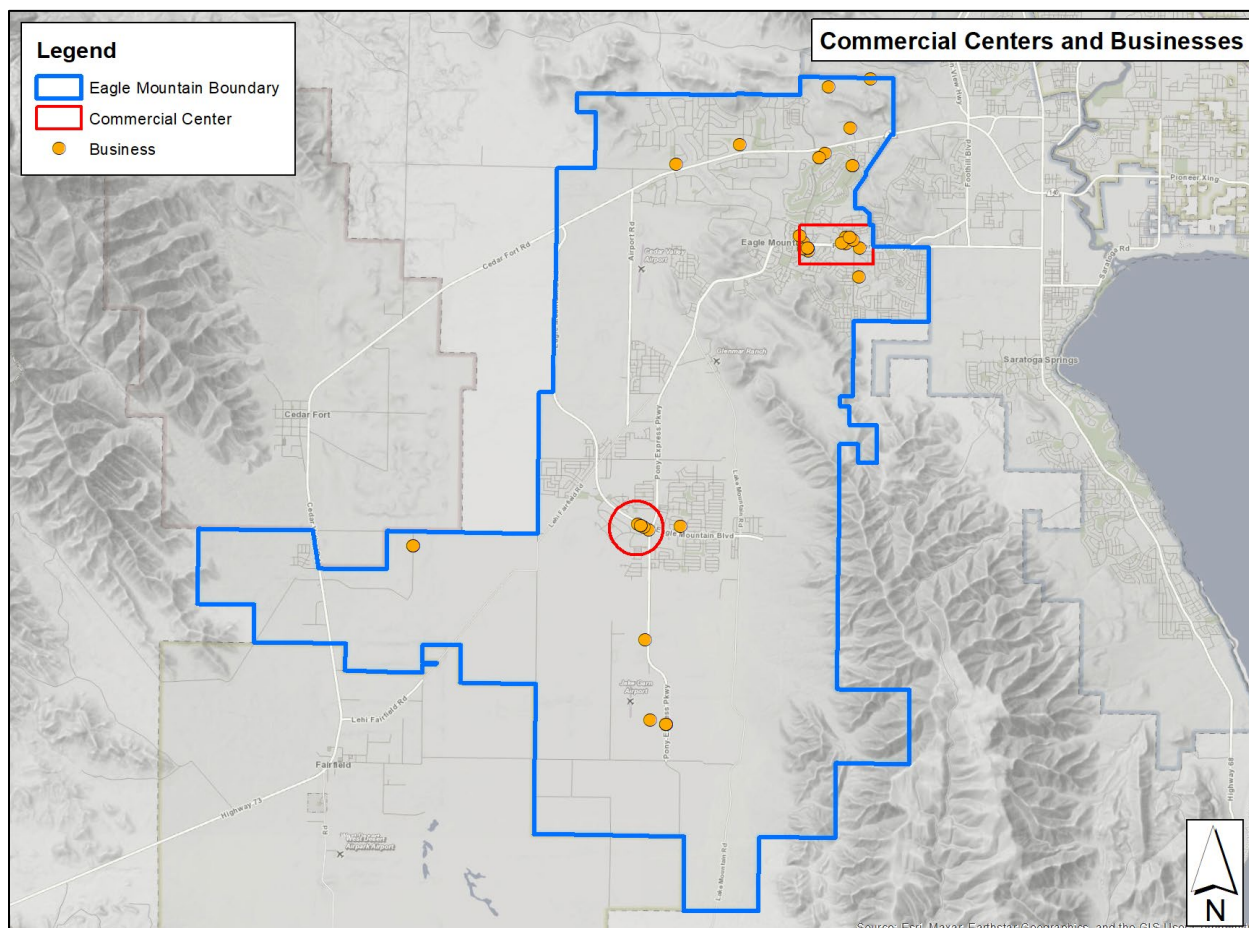
Source: Utah State Tax Commission, 2020 ACS, ZPFI

While taxable sales in Eagle Mountain have seen some growth over the past few years, given the recent rapid housing growth, it appears that Eagle Mountain is ready to take off in this area.

4.3 Retail Sales by Economic Node

While the City overall is affected by sales leakage and capture rates, each economic node has a different character in its type of sales and its performance as a retail center now and planned for future commercial use. Some nodes are not really retail centers at all but serve other purposes such as employment centers or medical office campus. The maps on the following page show several economic nodes in the City.

FIGURE 18: MAJOR ECONOMIC NODES



The economic node along Pony Express Parkway in the northeast corner of the City contains two small commercial areas on the intersection of Ranches Parkway and Porter's Crossing Expressway. The Porter's Crossing intersection has one of the two grocery stores in the City. This Ridley's grocery store used to be the only grocery store until the Macey's located in the City Center opened in 2022. There are also auto services stores, medical uses, a credit union, and restaurants in this area. A second major phase of this development is anticipated to begin construction in 2023, bringing additional restaurants, general retailers, office space, and the possibility of a hotel to the area.

The Ranches Parkway intersection is a smaller commercial area with a gas station, several medical uses, and a few restaurants. A mixed-use commercial building is under construction that will bring a new restaurant, several retail establishments, and fourteen one-bedroom apartments to the City. This is the

first mixed-use building of its kind in the City. The final vacant corner of the Ranches Parkway intersection is planned to contain additional restaurants and a hotel on the site.

The City Center node is currently under development, as shown later in this report, but currently has the City's newest grocery store in the Macey's that opened in 2022. Many of the stores in this economic node have opened recently bringing more eating, service, and fuel options to the central part of the City. This area is expected to continue to be a focal point of development in the City as additional retail and office uses are constructed in future phases of this development.

4.4 Growth in Buying Power

Eagle Mountain is poised to capture not only existing retail sales leakage but also increased sales from its rapid population growth and the accompanying increase in buying power. In 2021, the average sales per capita in Utah reached nearly \$15,600.

TABLE 14: AVERAGE SALES PER CAPITA IN UTAH

Category	Utah per Capita
Motor Vehicle and Parts Dealers	\$2,934.13
Furniture and Home Furnishings Stores	\$461.88
Electronics and Appliance Stores	\$453.45
Building Material and Garden Equipment and Supplies Dealers	\$1,864.34
Food and Beverage Stores	\$1,784.89
Health and Personal Care Stores	\$216.55
Gasoline Stations	\$499.39
Clothing and Clothing Accessories Stores	\$736.52
Sporting Goods, Hobby, Book, and Music Stores	\$492.89
General Merchandise Stores	\$2,647.59
Miscellaneous Store Retailers	\$726.52
Accommodation	\$784.22
Food Services and Drinking Places	\$1,957.07
Total	\$15,559.44

Source: Utah State Tax Commission; ZPFI

This means that for every additional person living in Eagle Mountain, there is increased buying power of nearly \$15,600 annually. Assuming an additional 16 to 20 retail square feet per capita, the following table takes the projected population growth in the City and calculates the resulting *additional* sales that will occur as well as the demand for retail square feet generated by new development. The last column in the table estimates the total retail square footage in Eagle Mountain assuming an overall capture rate of 50 percent for existing and new residents. Currently, the City has approximately 380,000 square feet of retail space throughout the City.

TABLE 15: GROWTH IN BUYING POWER AND SUPPORTABLE SQUARE FOOTAGE

Year	Population	Total Buying Power	Total SF Supportable	Supportable SF at 50% Capture Rate
2020	43,623	\$678,749,451	872,460	436,230
2021	48,823	\$759,658,539	976,460	488,230
2022	54,023	\$840,567,627	1,080,460	540,230
2023	59,223	\$921,476,715	1,184,460	592,230

Year	Population	Total Buying Power	Total SF Supportable	Supportable SF at 50% Capture Rate
2024	64,423	\$1,002,385,803	1,288,460	644,230
2025	69,623	\$1,083,294,891	1,392,460	696,230
2026	74,823	\$1,164,203,979	1,496,460	748,230
2027	80,023	\$1,245,113,067	1,600,460	800,230
2028	85,223	\$1,326,022,155	1,704,460	852,230
2029	90,423	\$1,406,931,243	1,808,460	904,230
2030	95,623	\$1,487,840,331	1,912,460	956,230
2031	100,823	\$1,568,749,419	2,016,460	1,008,230
2032	106,023	\$1,649,658,507	2,120,460	1,060,230
2033	111,223	\$1,730,567,595	2,224,460	1,112,230
2034	116,423	\$1,811,476,683	2,328,460	1,164,230
2035	121,623	\$1,892,385,771	2,432,460	1,216,230
2036	126,823	\$1,973,294,859	2,536,460	1,268,230
2037	132,023	\$2,054,203,947	2,640,460	1,320,230
2038	137,223	\$2,135,113,035	2,744,460	1,372,230
2039	142,423	\$2,216,022,123	2,848,460	1,424,230
2040	147,623	\$2,296,931,211	2,952,460	1,476,230

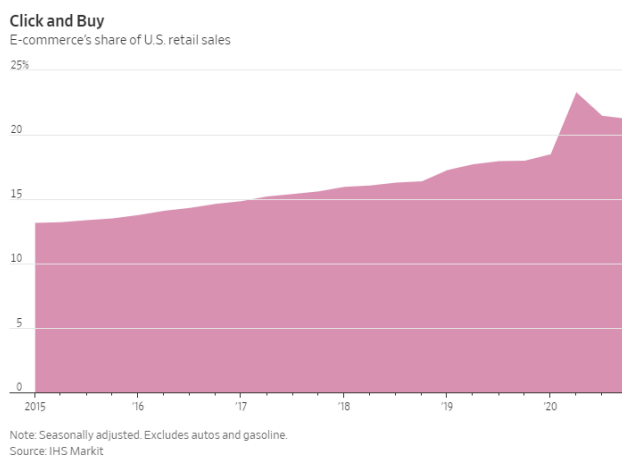
Source: Utah State Tax Commission; ZPFI

Eagle Mountain should easily be able to capture 50 percent of sales within City limits in the short term, given that that capture rates for Saratoga Springs and Lehi are 82 percent and 94 percent, respectively. In the longer term, as more development occurs on the west side of Utah Lake, Eagle Mountain should be able to increase its capture rate even higher as it is located on the major transportation route to the west. However, at the present time, Eagle Mountain is hampered by the lack of employment within the City and the number of commuters who leave the City each day, thereby making many of their purchases close to their workplace.

4.5 Retail Market Share and Analysis

Strong population and employment growth are fueling the need for additional retail throughout the State. Slightly offsetting, however, are trends for more online shopping, fueled partially by the COVID pandemic, which has had a significant effect on retail brick-and-mortar space needs per capita.

Average retail space needs averaged between 20 and 25 square feet per capita over 10 years ago. Today, Price Waterhouse Coopers suggests that this number has decreased to about 16 square feet.⁸



⁸ Byron Carlock, head of U.S. real estate development, Price Waterhouse Coopers

Due to the changing retail environment, stores are reacting to needed changes which include the following:

- Concept stores – opportunities for customers to have experiences that are not replicated online
- Distribution stores – stores which allow for drop-off deliveries from online services – results in quicker shipping times and reduced costs
- Eateries – eateries are adapting to Uber Eats and other delivery services, leading to reduced table space, larger kitchens, and a greater need for pick-up capacity



The following retail highlights are noted for Utah:

- Doing well – Grocery stores, automobile services, eateries, “concept” stores
- Faring poorly – Clothing stores, toy stores, jewelry stores, department stores, anything struggling with competing with online shopping

Retailers have shown that they require certain demographic conditions to consider store expansions or locating to new areas. Some of these criteria are highlighted below:

- Strong traffic counts – multiple points of access
- Growing population counts in 1, 3, 5-mile radii
- Daytime populations – typically requires an office presence
- Destination locations – customer draws (parks, entertainment options, etc.)
- Retailers are looking more closely at which demographics are more likely to shop online, and are looking for areas which support traditional retail activity

Most retailers have requirements for traffic, household income and population that are generally met by Eagle Mountain. Where there may be current shortcomings in Eagle Mountain’s statistics, these retail types may place additional weight on the population and growth advantages, thereby discounting the need to fully fill the transportation requirements. A list of businesses looking to expand is included in Appendix F. Appendix E shows existing stores within a 25-mile radius of Eagle Mountain, along with the distance necessary to reach each store.

The sales tax leakage analysis indicates that the City is only capturing its fair share of taxable sales with nonstore retailers. In each of the remaining categories, the City shows moderate to extreme sales tax leakage. Focusing on each of those areas could yield positive benefit for the City, but would be difficult to do considering regional competitors, the City’s location, and the relatively low daytime population of the City. Despite this, there are tremendous opportunities in the near and distant future, for the City to begin to capture additional retail sales, and to preserve land in preparation for additional commercial growth.

While the City may be missing over \$600 million in taxable sales, by focusing on the largest areas of leakage, or categories that do not have regional competition, the City will be able to prioritize sales tax categories that have the most potential for recapture and growth.

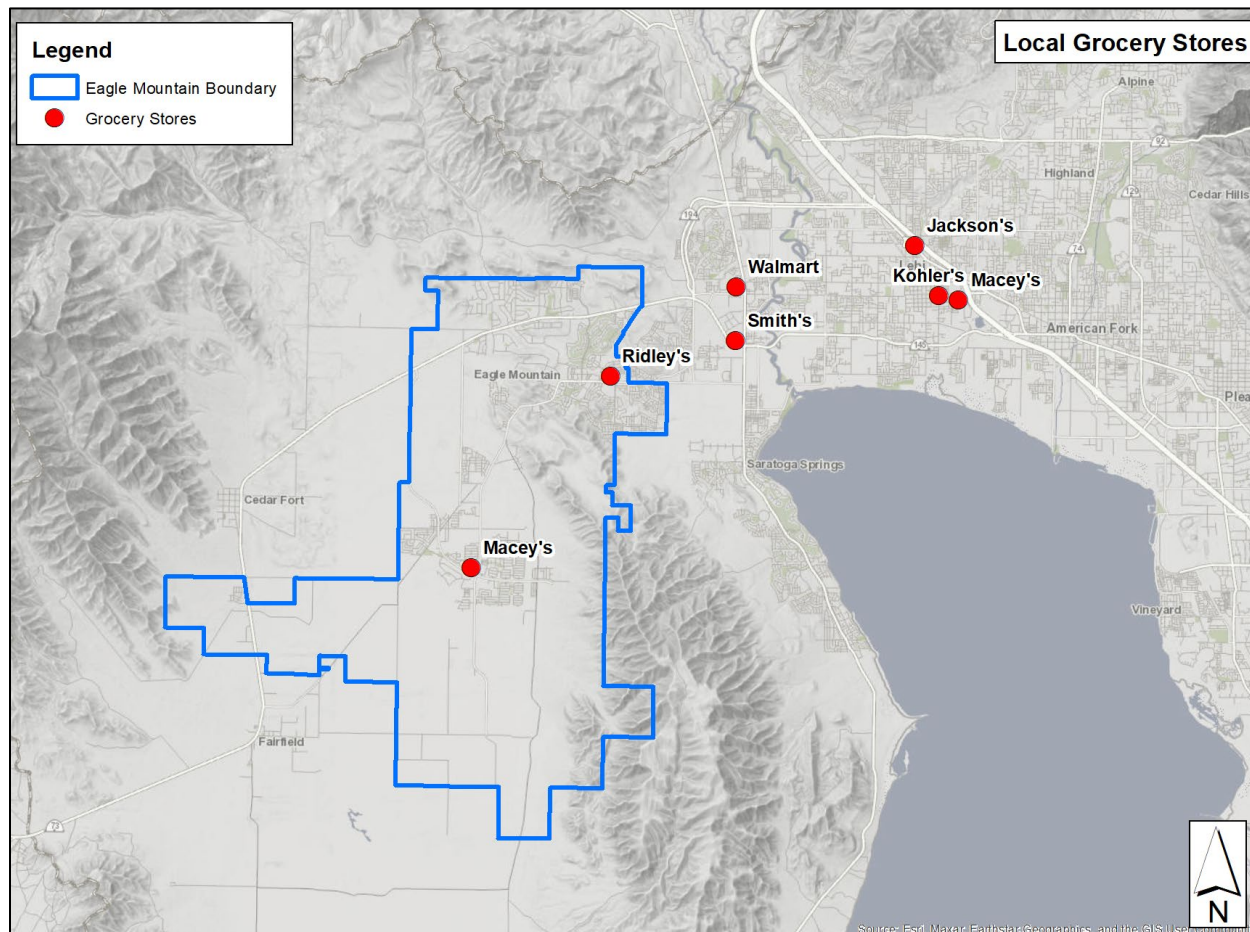
TABLE 16: LARGEST AREAS OF LEAKAGE IN EAGLE MOUNTAIN, 2022

NAICS Code Category	Eagle Mountain Leakage	Capture Rate
Food and Beverage Stores	(\$53,702,438)	31.03%
Building Material and Garden Equipment and Supplies Dealers	(\$72,421,614)	10.95%
Food Services and Drinking Places	(\$79,161,202)	7.28%
General Merchandise Stores	(\$109,347,200)	5.32%
Motor Vehicle and Parts Dealers	(\$126,437,722)	1.22%

Source: Utah State Tax Commission; ZPFI

Food and Beverage (Grocery Stores) – The City is currently capturing only 31 percent of its grocery purchases, while neighboring Saratoga Springs is capturing 134 percent. Clearly, Eagle Mountain residents are traveling to Saratoga Springs to make these types of purchases. However, grocery stores are one area where residents prefer to shop closer to home for convenience and because of the need to transport, quickly, frozen items purchased. With Macey's opening in 2022, it is likely that the City will capture more of the sales in this category.

FIGURE 19: LOCAL GROCERY STORES



It generally takes a population of at least 20,000 people to support a grocery store.⁹ In the past, the traditional size of a grocery store has averaged 55,000 square feet. Newer trends are for smaller stores of roughly 30,000 square feet with a large emphasis on prepared foods. Based on these standards, Eagle Mountain can currently support two grocery stores, and three grocery stores by 2024.

Because of the large leakage in Eagle Mountain in general merchandise, there is the potential for a grocery store to also offer general merchandise, such as a Smith's Marketplace. However, with the location of Smith's Marketplace in Saratoga Springs, Eagle Mountain may be better suited to pursue a Target, Walmart, or another company not located in proximity. Even though there Walmart is located in Saratoga Springs, there are circumstances where Walmart will consider adjacent locations within 4 miles, so there are indications that the City may be able to attract a Walmart as well.

Building Materials and Garden Equipment and Supplies Dealers – Eagle Mountain currently captures only 11 percent of retail sales in this category. Given all the growth taking place in Eagle Mountain, as well as escalating transportation costs, Eagle Mountain could benefit from a retailer who could provide these goods and services within the City. It appears that many of these purchases are currently being made at Home Depot in American Fork and at Lowe's in Lehi. A Home Depot is planned for construction in Saratoga Springs, but the City could explore a Lowe's location in Eagle Mountain City.

Ace Hardware – 6,500 population in 3-mile range. Average household income of \$45,000

The Home Depot – 55,000 population in 10-mile range. Average daily traffic count of 11,000 trips

Lowes – 60,000 population in 10-mile range. Average daily traffic count of 25,000 trips

Food Services and Drinking Places – Again, Eagle Mountain is showing significant leakage in restaurants and fast-food eating places. This is not surprising given the large number of commuters outside of the City who will thereby purchase their lunch food outside of City limits. Increasing the daytime population of Eagle Mountain will aid in the development of future food service establishments. Appendices E and F show eating establishments already located within the local area, as well as those most looking to expand in the future. Requirements for selecting a location vary significantly between retailers as shown in the examples below:

Olive Garden – 125,000 population in 15-minute drive time. Average 8,000 square feet, 1.0-2.5 acres, parking at more than 10.0 per thousand

Jamba Juice – population more than 45,000 within 2.0 miles – daytime employment greater than 15,000 within 2.0 miles – average age less than 38 within 2.0 miles. Average 1,200 square feet, parking more than 5.5 per thousand, end cap, pad, or corner

Golden Corral – 45,000 population within 15-minute drive time. Average 9,000 square feet

General Merchandise Stores – The City is currently only capturing approximate 5% of its sales tax in the general merchandise category. General merchandise stores generally require 140,000 to 200,000 square feet for super centers and parking at 4.5 to 6.0 per thousand.

TJ Maxx – population minimum of 100,000 in a 3-mile area, with proximity to high-traffic tenants, grocery stores, clothing stores, bath, and home stores; require mid-to-upper incomes, higher percentage of female population; average size of 30,000 square feet, parking at a minimum of 5.0 spaces per thousand

⁹ <https://www.bizjournals.com/tampabay/news/2017/03/15/if-we-have-too-many-grocery-stores-what-does-the.html#:~:text=On%20average%2C%20it%20takes%2020%2C000,in%20grocer%2Danchored%20real%20estate.>

Family Dollar – median incomes *below* \$60,000 in 1-mile radius, desire grocery-anchored centers, average 8,500 square feet, parking more than 3.5 per thousand

Costco – suburb locations with minimum of 75,000 population within five miles. Will look at growing demographics within a 20-mile radius, near access to a major arterial required. Average store sizes of 145,000 square feet, parking typically required at 6.0 per thousand

Wal-Mart – minimum population of 100,000 in three miles, major arterials in immediate area (40,000 ADT), avoid high or extra low-income areas

Motor Vehicle and Parts Dealers – One of the lowest capture rates for the City is with the motor vehicle and parts dealer category, at only 1.22%. This represents a potential loss of over \$100 million in annual sales. Auto dealers, even used car lots, would be an attractive use to add to the City. However, due to current market pressures with new and used cars, and the City's distance from a major transportation corridor, this may be a more difficult use for the City to attract at this time. Land near Eagle Mountain Boulevard may work well for this use in the future, but land would need to be preserved for this use until it becomes practical, such as when SR-73 is expanded, or the Cedar Valley freeway is built.

As the table below shows, all stores are not equal in the benefit they provide to the City. While Eagle Mountain is eager to attract retail, it should also be cognizant of its most key retail sites and seek to attract those businesses with the highest sales per square foot, thereby generating higher sales tax revenues for the City.

TABLE 17: COMPARATIVE RETAIL SALES PER SQUARE FOOT

Tenant	Avg. Sales Per Sq. Ft.	Average Store Size (square feet)	Fiscal Impact to City*
Olive Garden	\$540	8,000	\$21,600
Denny's	\$330	4,200	\$6,930
Costco	\$1,050	145,000	\$761,250
Burger King	\$140	3,200	\$2,240
Wendy's	\$280	3,200	\$4,480
Walgreen's	\$760	14,100	\$53,580
Black Bear Diner	\$480	5,300	\$12,720
Outback Steakhouse	\$540	6,200	\$16,740
Chili's	\$420	5,200	\$10,920
Papa John's	\$200	1,300	\$1,300

Source: ZPFI

Chapter Five – Industrial & Commercial Development

5.1 Targeted Industries

Eagle Mountain has experienced success with recruiting desired industrial and commercial businesses to the City. These include Meta, Tyson Fresh Meats, Google, LBI Satellite, and Dominion Energy. These businesses are across a wide spectrum of industries, as well as scale. With several thousand acres remaining to be developed, the City has a tremendous opportunity to capture a good portion of the region's industrial and commercial growth.

Utah has identified the following industries as top priorities for the State to recruit and expand.

- Advanced Manufacturing
- Aerospace & Defense

- Energy
- Financial Services
- Life Sciences & Healthcare Innovation
- Outdoor Products & Recreation
- Software & Information Technology
- Tourism & Film

Of these industry clusters, several seem most appropriate for Eagle Mountain:

- Advanced Manufacturing
- Aerospace & Defense
- Outdoor Products & Recreation
- Life Sciences & Healthcare Innovation

Advanced Manufacturing - The project pipeline of the Economic Development Corporation of Utah (EDC Utah) is at a record high. Manufacturing and distribution (aka “industrial project”) companies are doing extremely well, as these companies seek to de-risk their shop floors, supply chains, and logistics. More than half of EDC Utah’s project pipeline is now in this category, up from a third of the pipeline two years ago.

Outdoor Products & Recreation – This industry is experiencing significant growth in the Intermountain West. Possible tenants are looking for distribution hubs with proximity to recreational options. Outdoor retailer tenants often have minimal actual retail space, with most of their area dedicated to manufacturing, warehousing, and distribution.

Distribution Facilities – Key growth in this sector is occurring throughout the Intermountain West at present as speed-to-market continues to be a top theme of economic development. Nearly all major big-box retailers are scaling back their store expansions but are adding significant new distribution and logistics space, as consumer shopping habits continue to evolve. A key component to this user base is transportation access to multiple metropolitan areas and multiple freeways and airports.

Aerospace & Defense – This industry has seen consistent growth in the State, largely driven by Hill Air Force Base near the city of Ogden. Utah is already one of the top states in the nation for the aerospace and defense industries, with more than 28,000 individuals employed in this industry. Eagle Mountain City may be able to capitalize on opportunities with Camp Williams on the City’s northern border, and Cedar Valley High School’s aviation programs.

Life Sciences & Healthcare Innovation – This industry is continuing to expand across the Intermountain West. As this growth continues, sub sectors will also expand creating the need for additional jobs to support this industry. Eagle Mountain should capitalize on these sub sectors (suppliers and manufacturers). BioUtah launched the [BioHive](#), a branding initiative that celebrates Utah’s fast-growing life sciences industry. EDC Utah states that it has a pipeline of life sciences projects, and several significant project wins.

Educational Centers – Satellite Campuses. Some educational centers and satellite campuses include standard teaching setups, while rapid growth is being seen with offices that are set up with audiovisual gear to connect a remote instructor with a gathered class. Significant growth in technology schools and certifications programs are using this setup. Eagle Mountain should pursue opportunities with Utah-based schools looking to expand their satellite offerings.

5.2 Strategies to Attract Development

While every business has individualized needs and expansion criteria, the City can focus on several general strategies to attract business to the City:

- Business-friendly zoning regulations

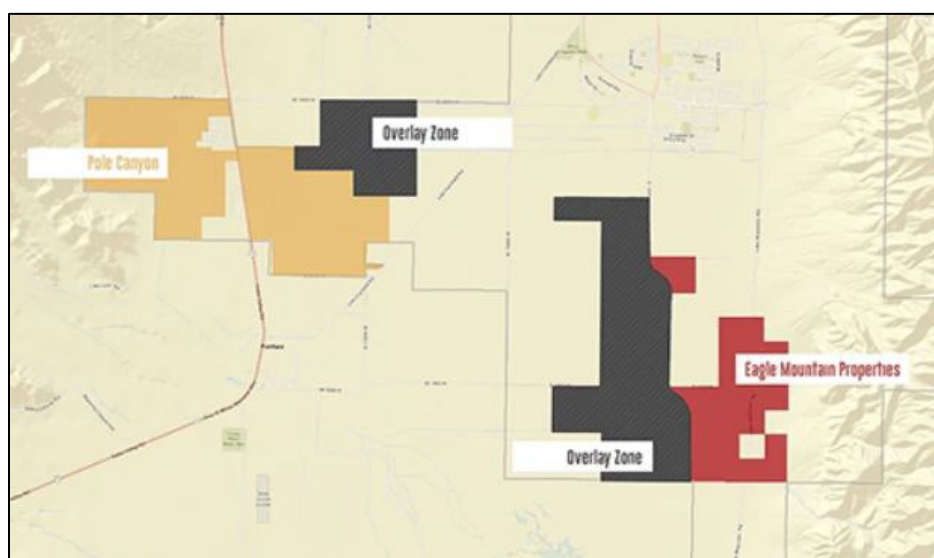
- Enhanced marketing efforts
- Area planning
- Targeted incentives

Zoning Regulations

As companies look to relocate or expand their operations, they will generally inquire about the zoning regulations and processes in a given municipality. Excessive regulations, or overly burdensome processes, can remove a location from consideration, despite other advantages. Businesses look particularly favorable on processes that are clearly articulated, fairly and objectively enforced, and allow for expediency.

In 2017, in order to assist in business attraction, the City created a Regional Technology & Industry Overlay Zone (RTI) that covers sections of south Eagle Mountain and Pole Canyon. This RTI Overlay Zone allows for a special approval process for qualifying businesses which makes it easier for them to locate in the City.

FIGURE 20: EAGLE MOUNTAIN RTI OVERLAY ZONING



This zone has been utilized by several businesses to date, and was an integral part of the decisions to locate in Eagle Mountain City. Since 2017, the code has been amended several times, to ensure that it still aligns with the City's overall economic development strategy. This has included a process to include a city Council member in the process, narrowly focus the code towards businesses that pay higher wages, and restrict the allowed uses to better match with the City's economic development goals. While the City should not feel it has to remove regulations or zoning restrictions, if the City desires to continue to attract large investments from industrial users, this Code should be maintained so that it helps to provide a major incentive to business located within the approved areas.

Enhanced Marketing Efforts

Over the past decade, marketing trends for economic development has changed dramatically. With the worldwide COVID-19 pandemic, these changes have only accelerated. The biggest change has been the rise of internet, or social media-based, marketing. Peter Tokar, in the International Economic Development Council's *Journal of Economic Development*, commented that "If you do not have a presence on the internet, you do not exist."¹⁰ In this rapidly changing economy, a community can no longer simply have

¹⁰ *Journal of Economic Development*, Winter 2018 edition, International Economic Development Council, page 44-49.

static marketing that relies on printed or hard copy materials. Successful communities utilize a combination of websites, social media presence, traditional media, and video to share their cohesive marketing message.

The firm, Development Counsellors International (DCI), conducts frequent surveys of corporate executives with site-selection responsibilities to determine perspectives and perceptions of the most effective strategies and techniques in economic development marketing.¹¹ The full 2020 survey is included as Appendix G. Since 1996, here are the leading sources of information for site selection professionals:

TABLE 18: LEADING SOURCES OF INFORMATION SINCE 1996

Sources	2020	2017	2014	2011	2008	2005	2002	1999	1996
Dialogue with industry peers	48%	46%	55%	50%	61%	54%	56%	71%	68%
Business travel	37%	42%	37%	27%	42%	45%	47%	45%	52%
Articles in newspapers and magazines	32%	34%	44%	46%	53%	45%	62%	61%	60%
Meetings with EDOs	30%	33%	31%	28%	32%	33%	21%	27%	24%
Internet/Websites	26%	27%	22%	20%	28%	22%	9%	9%	-
Rankings/Surveys	25%	21%	24%	36%	22%	17%	23%	31%	34%
Word of mouth	17%	22%	21%	19%	19%	16%	29%	21%	24%
Social media	16%	11%	2%	0%	-	-	-	-	-
Personal travel	15%	17%	13%	9%	14%	13%	14%	8%	21%
TV/Radio newscasts/shows	13%	6%	9%	14%	7%	5%	14%	7%	4%
Advertising	10%	9%	4%	3%	-	-	-	-	-
Direct mail	4%	2%	2%	0%	2%	2%	2%	3%	1%
Other	7%	8%	12%	13%	10%	14%	14%	8%	15%

Source: Development Counsellors International

The survey notes that corporate executives rely heavily on first-hand experience (i.e., dialogue with industry peers and business travel) as leading sources of information, while the location advisors at those firms rely on meetings with economic development groups and the internet/websites at higher rates.¹²

A total of 80% of the respondents had utilized the internet in their last site-selection search, and incentive information, demographic information, staff contact information, and major employers/industries were the most useful features on an economic development organization's (EDO) website.¹³ According to the survey, social media use among site-selectors continues to grow, and LinkedIn remains the top-used social media platform for business.¹⁴

When asked to gauge the effectiveness of conventional marketing techniques used by EDOs, websites were rated as the most effective marketing technique.

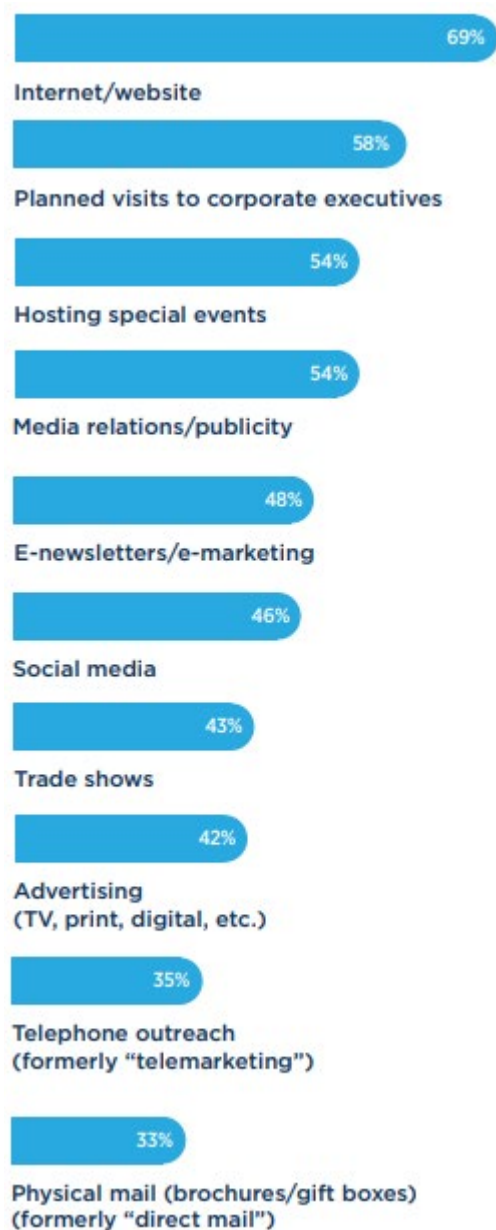
¹¹ *Winning Strategies*, 2020 survey, Development Counsellors International, page 10.

¹² *Winning Strategies*, page 13.

¹³ *Winning Strategies*, page 9.

¹⁴ *Winning Strategies*, page 9.

FIGURE 21: MOST EFFECTIVE MARKETING TECHNIQUES



As the City plans its future economic development possibilities, it is clear that marketing can play an integral role in attracting businesses to the City. There is not one single strategy that can be employed to reach all audiences or accomplish all goals. Rather, the City should explore an overall marketing package that includes multiple areas of outreach and connection, so that it is most effective in reaching targeted industries and provides the most important information for decision makers.

Area Planning

The availability of land in Eagle Mountain is a tremendous asset to the City as it pursues economic development opportunities. There is ample space available to capture future retail, office, and industrial growth to help solidify the City's tax base, revenue generation, and create opportunities for Eagle Mountain residents. However, the available space could also be a hinderance to the City, if not planned appropriately. Small area plans are effective tools to help accomplish a community's goals for key areas of the City. These can be done in conjunction with the landowner or developer to maximize the benefits and help coordinate the development of key areas.

The City has several areas that would be prime candidates for future small area plans: Pole Canyon, Eagle Mountain Boulevard, the downtown core attached to the Overland subdivision, Gateway Park, and the southern tech campus.

Targeted Incentives

As the City continues to look at business expansion opportunities, interested businesses will approach the City with requests for financial incentives to assist in lowering business development costs. To ensure that public dollars (through CRAs, PIDs, or other tools) are used effectively, the City is currently creating policies and procedures to guide

the process of approving any incentives. These efforts should continue and provide a guiding framework for the City to consider future economic development projects. Clearly defining the requirements for a business to qualify for incentives, or the steps they must take for approval, aids all parties in the decision-making process and allows the City to take a more active role in determining the role of incentives in the business development process.

Chapter Six – Key Sites: Current

6.1 Porter's Crossing

In the Ranches area of the City, the retail area around Pony Express Parkway and Porters Crossing Parkway is a major retail development center for the City. The City's first grocery store, Ridley's, opened in this

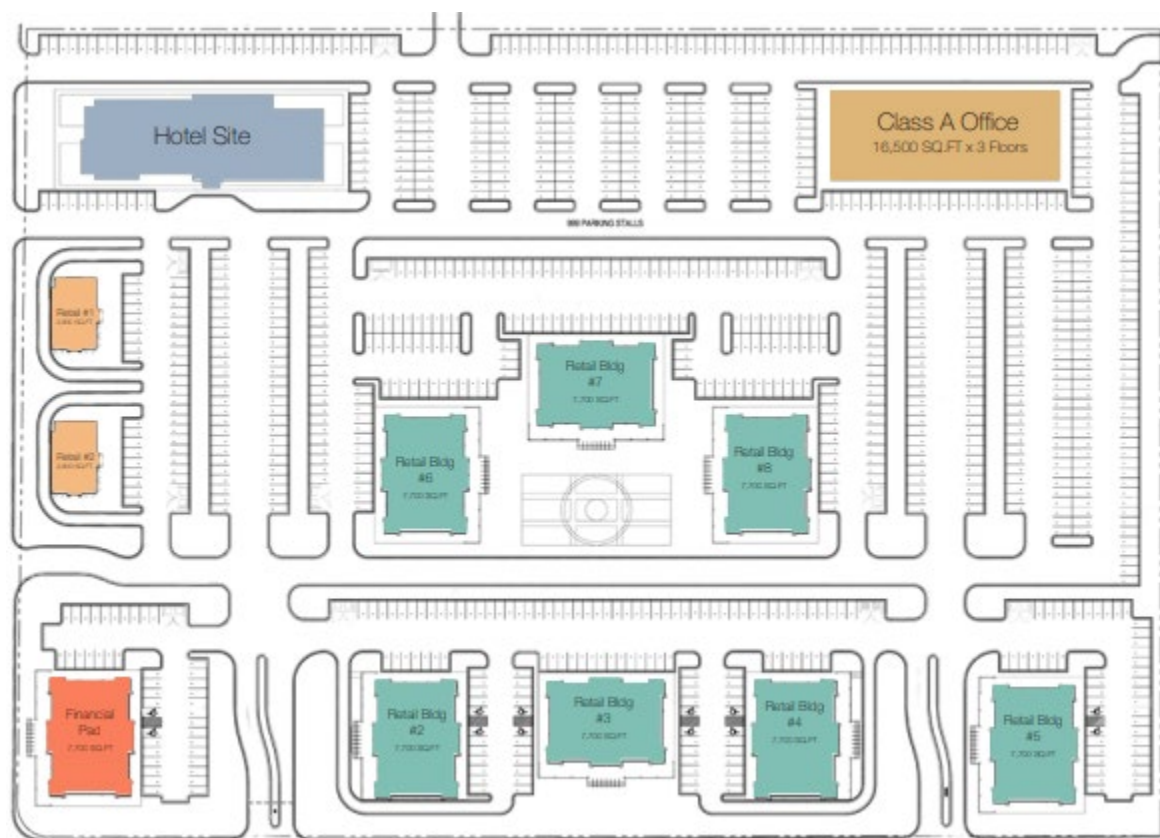
shopping center in 2014 and additional restaurants and medical offices opened around the same time. Over the past several years, additional retail users have moved into this shopping center, and the developer is currently planning the next phase of development on the site.

FIGURE 22: PORTER'S CROSSING SITE PLAN



This new phase will cover 17 vacant acres directly to the east and is planning to contain a mix of office buildings, retail pad sites, with the potential of a hotel on the property as well.

FIGURE 23: PORTER'S CROSSING PHASE 2 SITE PLAN



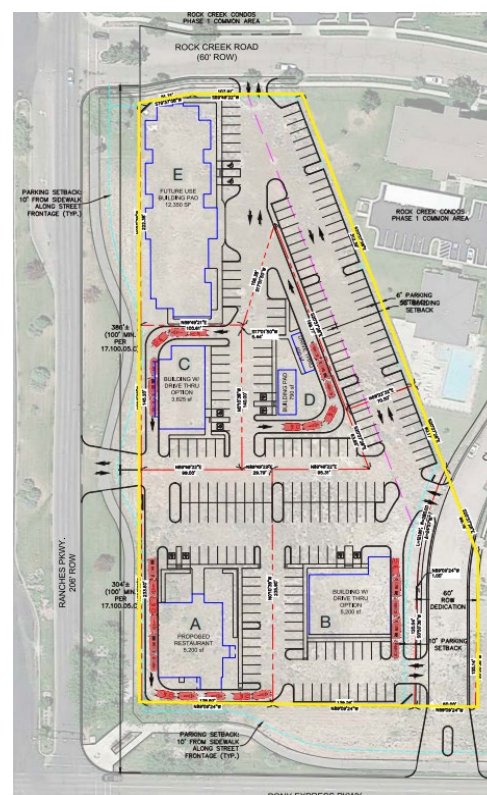
Across Pony Express Parkway to the south, there is additional commercial development occurring, with recent openings of Cascade Collision, a 7-11 gas station, Dollar Tree, and AutoZone. Several medical office buildings are currently being constructed in the area as well.

With strong anchors in place, and additional commercial development planned for the near future, this area will continue to serve as an important neighborhood commercial center for the northern area of the City, as well as drawing from western Saratoga Springs.

6.2 Ranches Parkway

Along Ranches Parkway, the City has several different smaller commercial centers that are currently under development. The initial development came right at the intersection of Pony Express Parkway and Ranches Parkway. Commercial businesses located there include a gas station, a medical office building, several restaurants, and a few service-based retailers. A mixed-use commercial building is under construction that will bring a new restaurant, several retail establishments, and fourteen one-bedroom apartments to the City.

FIGURE 24: RANCHES CORNER SITE PLAN



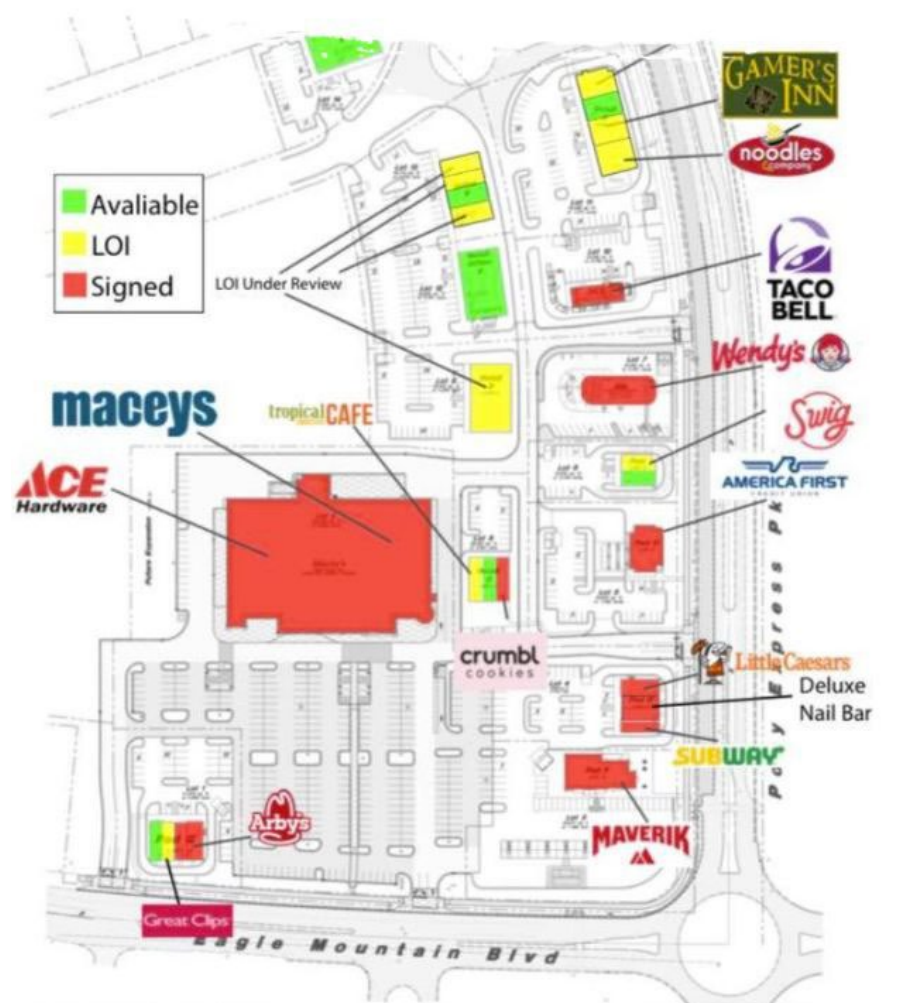
There is one vacant corner remaining, which had a site plan approved by the City Council in early 2022. This property is planned to include several restaurant and retail buildings, and the potential for a hotel on the site as well.

6.3 Eagle Mountain Town Center Commercial

Retail development had been slow in the southern portion of the City, until 2019. The area only had one gas station and a medical office building, which were both built around 2016. With the announcement of the Meta Data Center, and Tyson Fresh Meats, commercial development has rapidly expanded in this area, including several additional restaurants on the southern portion of Eagle Mountain Boulevard.

Currently under construction, Eagle Mountain Town Center Marketplace is located on the northwestern area of the intersection of Pony Express Parkway and Eagle Mountain Blvd. As the figure below demonstrates, this development houses grocery store, a hardware store, and several restaurants, as well as a gas station.

FIGURE 25: EAGLE MOUNTAIN TOWN CENTER MARKETPLACE SITE PLAN



This development will include additional office and retail construction, which will continue the commercial construction in this area for the next three to five years.

Chapter Seven – Key Sites: Future

With land along the I-15 Corridor rapidly filling up, the abundant land in Eagle Mountain has been, and will increasingly become, a tremendous asset to the City. With thousands of planned commercial acreage, the City is primed to capture both industrial and retail growth. There are four major areas of future opportunity to the City as it moves into the future:

- North Bench
- South Tech Campus
- Town Center
- Pole Canyon

7.1 North Bench

FIGURE 27: NORTH BENCH ZONING MAP



Located on the northern eastern corner of the City, along its border with Saratoga Springs, this area totals 500 acres and is only 4% built at this time.

A large portion of this area is currently operating as a gravel pit but will be available for development when those operations cease. Currently, Dominion Energy, ACE Rents, and Eagle Mountain Storage are located here. There are also two multi-tenant flex space buildings in the area, with tenants such as Cupertino Electric, ZAP Electric, Ultimate Air, and Elevate Sports Center.

The City's 2018 General Plan identifies this area for future community commercial and business park/light industry. With its proximity to Saratoga Springs, and Mountain View Corridor and SR-73, this area is poised to experience tremendous

economic growth. Due to the proximity to the commercial developments in Saratoga Springs, some retail uses might be more difficult in this area, but the City would be successful focusing on commercial uses that do not have a current footprint in Saratoga Springs or that serve a smaller trade area. It is also likely that this area would do well with a variety of commercial uses such as light manufacturing uses, distribution, or even office development, including flex office space.

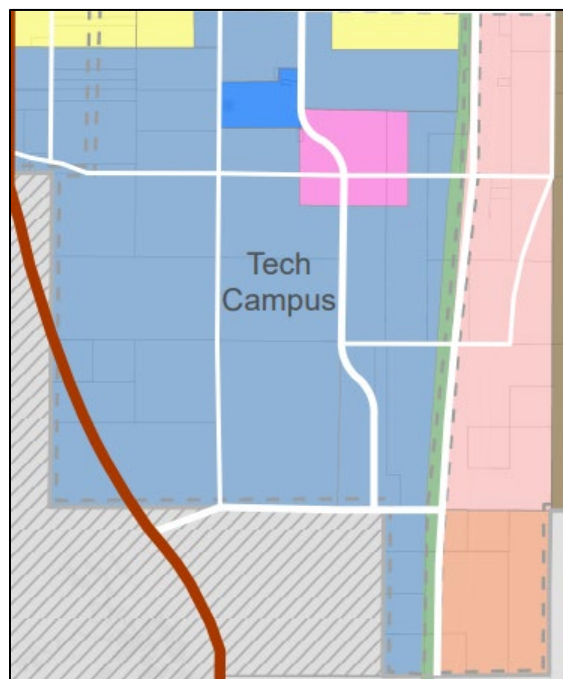
7.2 South Tech Campus

An area of the City that has already seen substantial development is the South Tech Campus of the City. This development center is currently home to the City's Community Development Building and Wastewater Treatment Facility, LBI Satellite, and Meta's Eagle Mountain Data Center. In 2018, the City announced Meta's plans to construct a hyperscale data center located on approximately 500 acres of land. This investment necessitated Rocky Mountain Power to construct a massive substation directly to the South of the Meta property and tapped into the adjacent 345 kV trunk line to provide reliable power to the area. As of October 2022, Meta announced another investment into the property, which brought their total

FIGURE 26: GENERAL PLAN ZONES



FIGURE 28: SOUTH TECH CAMPUS ZONING MAP



Marketplace development. These will continue to serve immediate commercial growth in both the Ranches and City Center. However, the City has a third commercial center that is likely to be a main commercial hub in the future. It consists of several different sections: an eastern section along Pony Express Parkway and the western section along Eagle Mountain Boulevard.

Eastern Section

The Utah School and Institutional Trust Lands Administration (SITLA) owns large amounts of land in Eagle Mountain City. It has partnered with Ivory Homes to develop that land. Currently, Ivory Homes has begun construction on the Overland subdivision, which consists of over 3,000 residential units. A future phase of development will occur on the east side of Pony Express Parkway and is planned for Town Center- Mixed Use, according to the City's General Plan. This area allows for a mix of commercial and residential uses. According to Ivory Home's plans, this area will contain higher density housing and various higher-end commercial uses. This could be office uses that do not have warehousing or storage yards, or more upscale retailers. The City also owns land on both sides of Pony Express Parkway with grass fields on the east and Cory B. Wride Memorial Park on the west. Because of the proximity to City facilities, future growth patterns, and the planned land uses, this area is projected to eventually grow into the downtown core of Eagle Mountain City.

Western Section

Along Eagle Mountain Boulevard, the City has planned for large-scale development to occur for a variety of uses. The land use contemplates light industry/business park, regional commercial, and employment

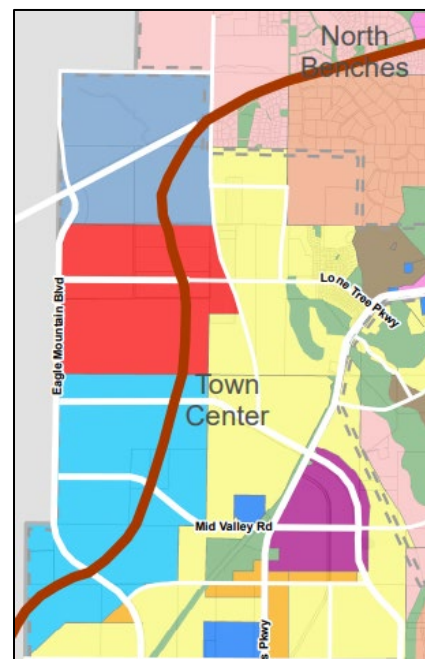
investment to \$3 billion. In 2021, Google announced a major land acquisition of 320 acres directly to the East of Meta. It is likely that similar uses will continue to explore development in this area.

This area also contains the Sweetwater Industrial Park, an area of approximately 200 acres, which contains a special zoning overlay. Because of the parks proximity to the City's wastewater treatment plant, this overlay allows for some alternative design standards to help attract businesses to an area that might not be attractive for all users. Currently, LBI Satellite has a facility in this industrial park. This area is an attractive option for businesses that do not require large acreage or may desire special design standards.

7.3 Town Center

Currently, the City is experiencing strong retail growth in both the Porter's Crossing development and the Eagle Mountain Town Center

FIGURE 29: TOWN CENTER ZONING MAP



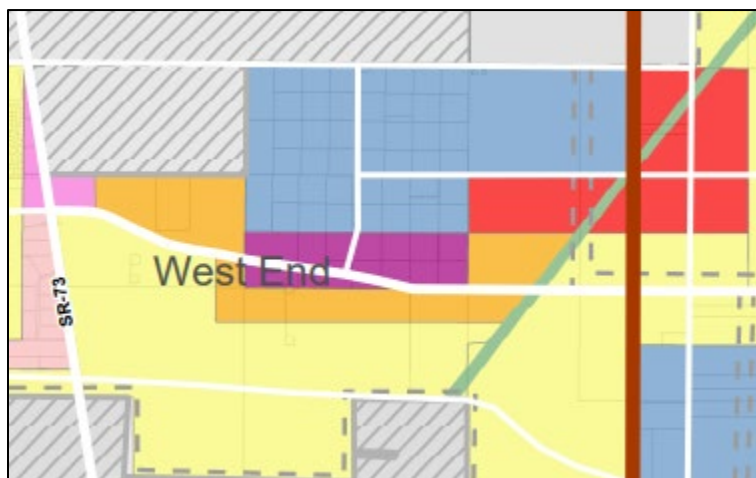
center/campus zoning in this area. A future freeway is planned to come through this area and connect to SR-73 and the Mountain View Corridor. This transportation access, currently unplanned and unfunded, will provide a major impact to the future development of the area and make this area a regional development and not just local.

Although there is a small amount of development along the southern edge of this area, it is largely vacant land currently. Development interest in other areas of the City and the lack of City infrastructure to the area are reasons why this area has not developed. Despite this, because of the strong potential of this area, and the City's need to capture additional commercial development, it is crucial for these areas remain zoned for the intended uses.

7.4 Pole Canyon

In 2009, Eagle Mountain City approved an annexation for a 3,000-acre development on the western edge of the City. The Pole Canyon development contemplated almost 10,000 residential units as well as several hundred acres of industrial and commercial land. On the western side of SR-73, there were a few dozen homes in the White Hills neighborhood, but until 2019, there was not additional development in the area. In 2019, the City announced plans for Tyson Fresh Meats to construct a “case ready facility” of over 300,000 square feet on 80 acres. This development brought necessary infrastructure investment to the area and has introduced a major industrial park to the City.

FIGURE 30: POLE CANYON ZONING MAP



Interest in the Pole Canyon subdivision remains high, and this is an area of the City that will do well with industrial users. The area has good transportation access with SR-73 and is also planned to have a future freeway to travel through the area. It is likely that this area will be attractive to manufacturers and logistics & distribution providers. Because of the transportation infrastructure in the area (and planned infrastructure) this area can take users that have a higher traffic impact, without it affecting the main transportation corridors of the City.

In addition to the industrial land, Pole Canyon also includes several hundred acres of regional commercial and town center/mixed use zoning. This will allow for further capture of sales tax generating businesses.

Chapter Eight – Regional Influences

The regional environment plays an important role in retail growth. As Utah and Salt Lake counties continue to increase in population, there will be an increased demand for retail goods and services in the regional area. Comparisons with a potentially competitive site in Saratoga Springs, as well as three locations in Eagle Mountain, are shown on the maps on the following pages.

FIGURE 31: COMPETITIVE SITES

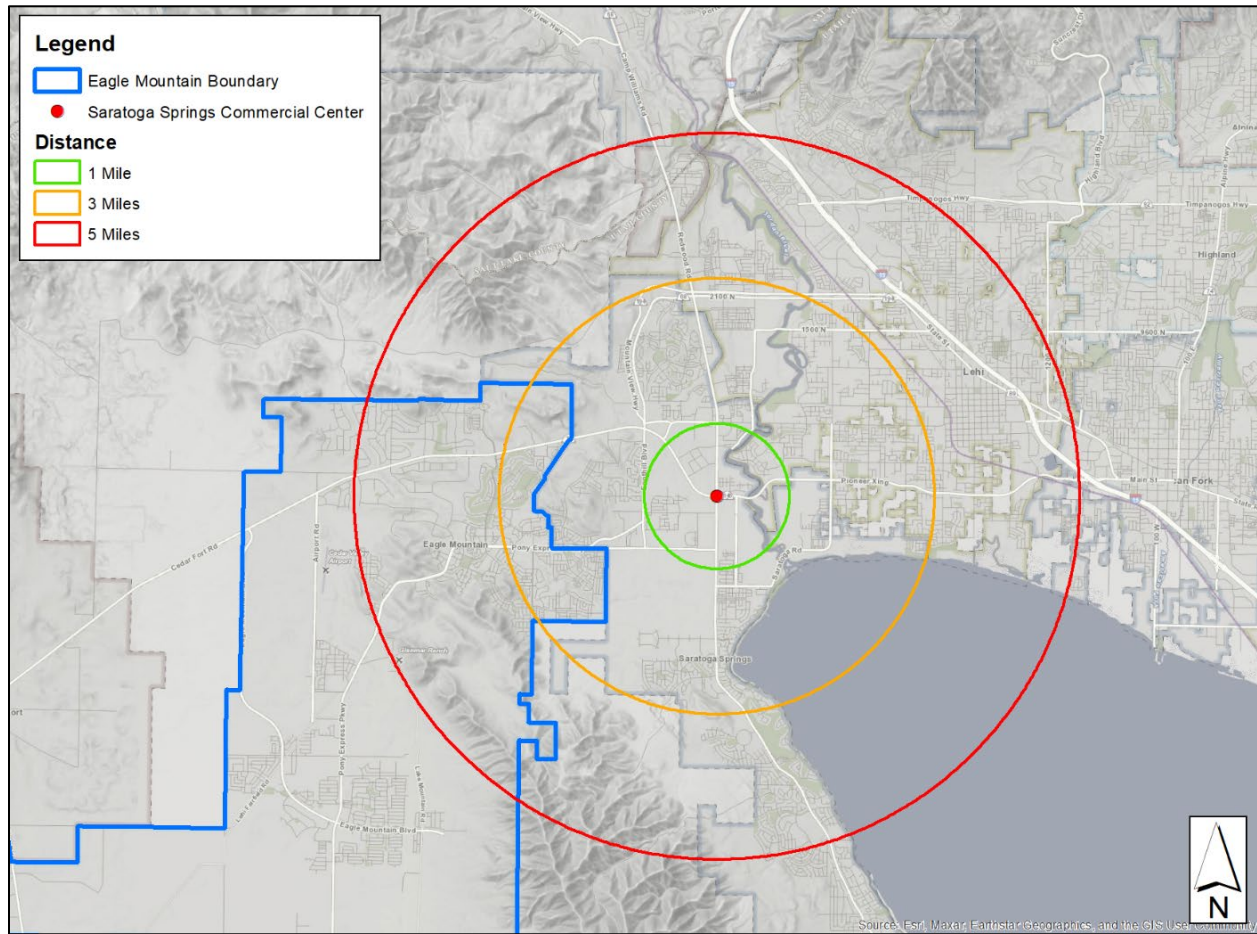
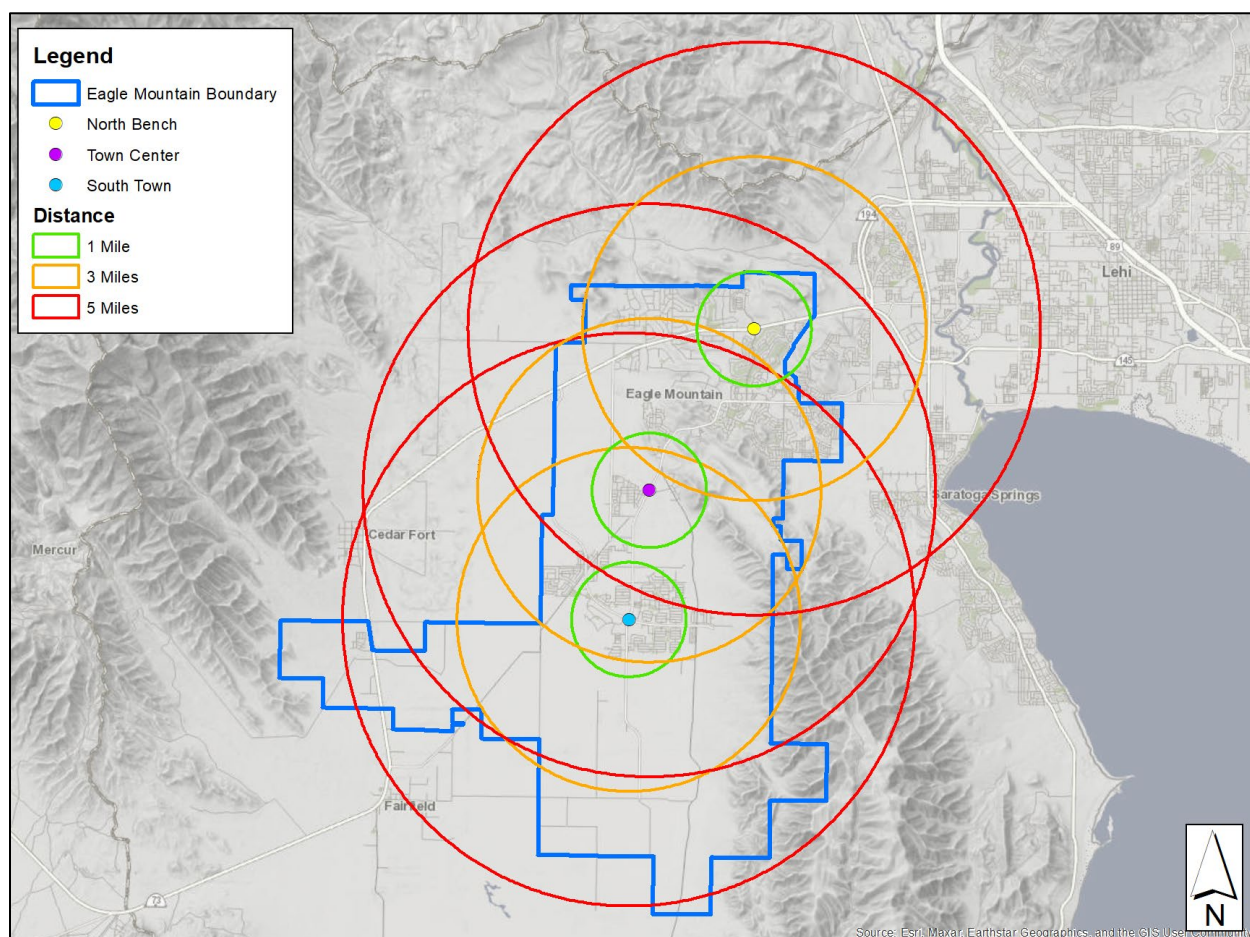


FIGURE 32: COMPARISON SITES



Population numbers are calculated for a 1, 3 and 5-mile radius from several commercial centers in Eagle Mountain, specifically the North Bench commercial area, Town Center, and South Town, as well as from a commercial center site located in Saratoga Springs. Population projections are based on Traffic Area Zone (TAZ) data compiled by Wasatch Front Regional Council (WFRC) and Mountainland Association of Governments (MAG). The purpose of this analysis is to see where the greatest concentration of population is now and will be by 2040. The analysis below shows that the key commercial sites in Eagle Mountain will have substantial population growth by 2040 and will be competitive for expanded commercial development in the regional area.

TABLE 19: PROJECTED POPULATION GROWTH FROM NORTH BENCH

Eagle Mountain North Bench					
Distance	2022	2030	2040	Growth by 2030	Growth by 2040
1 Mile	6,423	7,053	8,360	630	1,937
3 Mile	43,475	58,490	76,004	15,015	32,529
5 Mile	79,579	124,111	179,481	44,532	99,901

Source: WFRC & MAG TAZ Data

TABLE 20: PROJECTED POPULATION GROWTH FROM TOWN CENTER

Eagle Mountain Town Center					
Distance	2022	2030	2040	Growth by 2030	Growth by 2040
1 Mile	2,508	7,411	14,257	4,903	11,749
3 Mile	33,238	49,898	78,161	16,660	44,922
5 Mile	62,194	97,322	147,740	35,128	85,546

Source: WFRC & MAG TAZ Data

TABLE 21: PROJECTED POPULATION GROWTH FROM SOUTH TOWN

Eagle Mountain South Town					
Distance	2022	2030	2040	Growth by 2030	Growth by 2040
1 Mile	9,444	12,141	15,757	2,697	6,313
3 Mile	17,054	32,664	56,855	15,610	39,801
5 Mile	41,572	66,297	104,476	24,724	62,904

Source: WFRC & MAG TAZ Data

TABLE 22: PROJECTED POPULATION GROWTH FROM SARATOGA SPRINGSA COMMERCIAL CENTER

Saratoga Springs Commercial Center					
Distance	2022	2030	2040	Growth by 2030	Growth by 2040
1 Mile	6,245	8,501	11,355	2,257	5,110
3 Mile	61,589	89,523	119,925	27,934	58,336
5 Mile	125,707	168,505	219,379	42,798	93,671

Source: WFRC & MAG TAZ Data

Chapter Nine – Infrastructure

Existing traffic counts are shown on the map below, as well as the forecasted traffic counts for 2024 and 2030. Future traffic counts show marked growth throughout the City. By monitoring the change in traffic counts, the City can use the data as a tool when approaching potential businesses to locate in the City. As stated previously, strong traffic counts are an important component in retail recruitment.

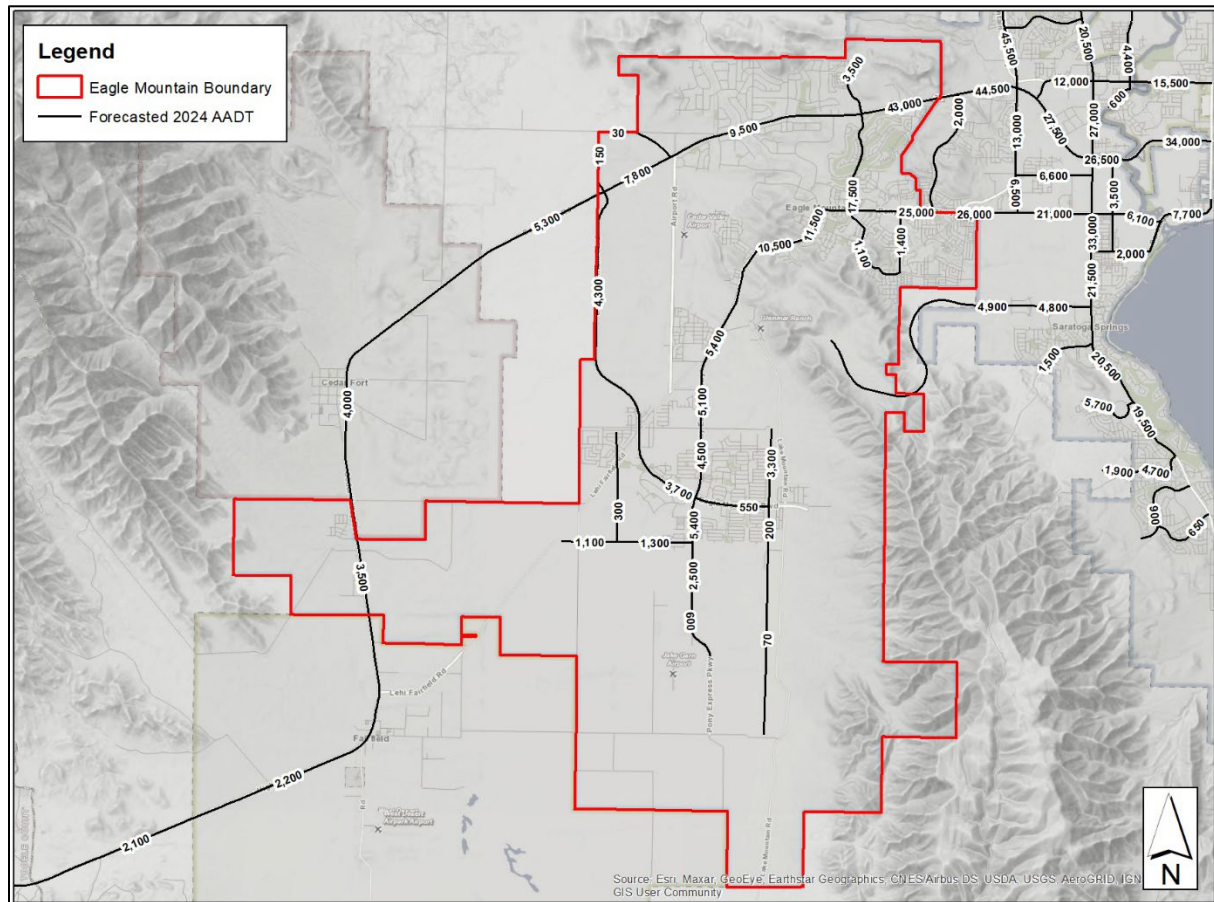
As shown in the following maps, Pony Express Parkway and Eagle Mountain Boulevard are expected to see steadily increasing Average Annual Daily Trips (AADT) over the next ten years. In addition, the East Expressway and the Hidden Valley Rd are expected to help traffic move through the east side of the City by 2030. These two roads will help facilitate quicker travel to and from Saratoga Springs and will provide an alternate route to the Pony Express Parkway. It is notable that the Cedar Valley Freeway is expected to travel just west of the City's center at some point in the future, however, that project does not have a projected completion date yet.

Legend

- Eagle Mountain Boundary
- 2019 AADT

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, GIS User Community

FIGURE 34: 2024 AADT

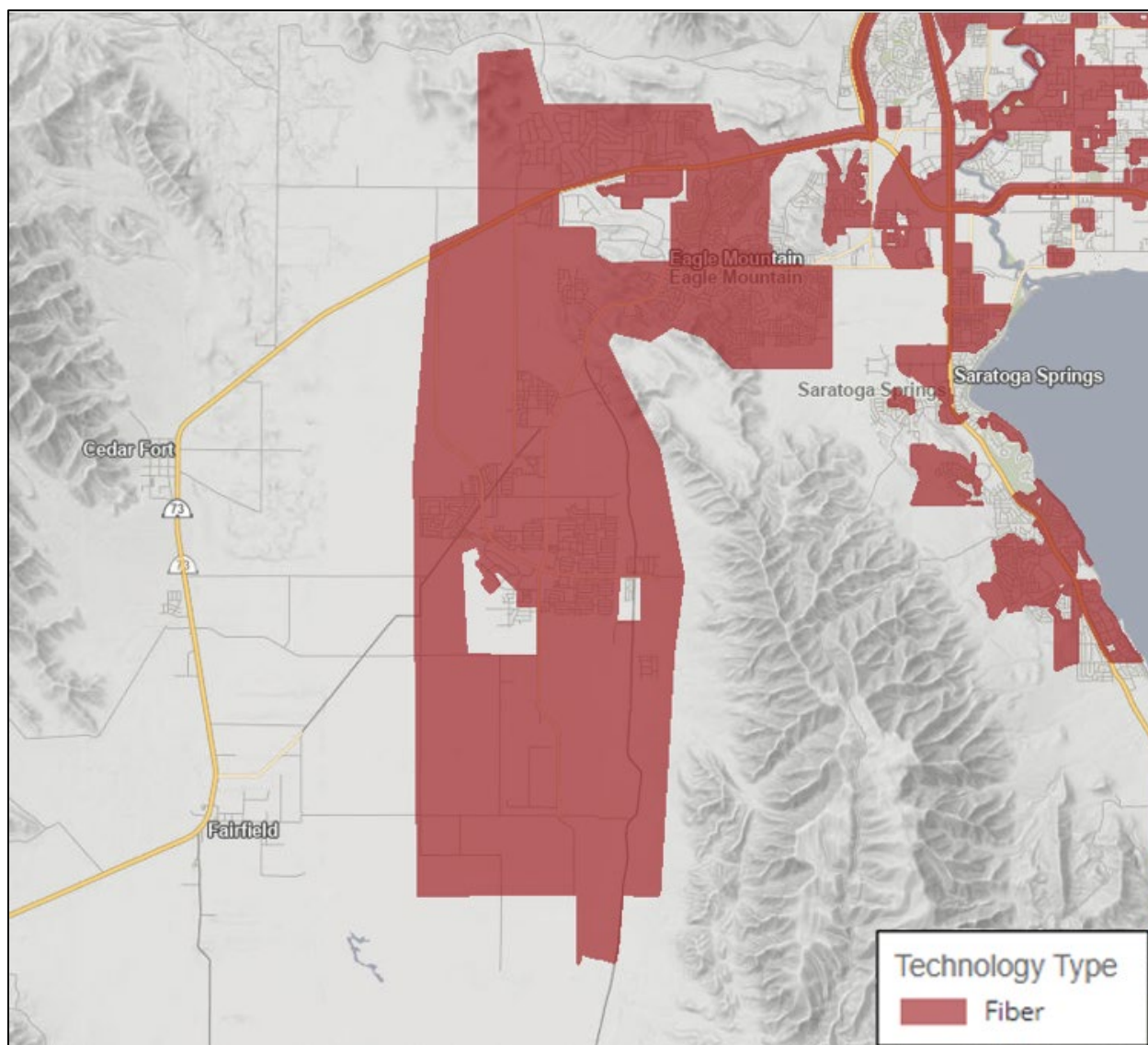


Legend

- Eagle Mountain Boundary
- Forecasted 2030 AADT

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, GIS User Community

FIGURE 36: TECHNOLOGY TYPE



Chapter Ten – Small Business Development

An important part of the City's economy is the numerous small and home-based businesses. Across the nation, there are a total of 31.7 million small businesses, or 99.9% of all the total businesses in the United States.¹⁵ These businesses make up most of the total businesses in Eagle Mountain City. As the City continues to pursue large-scale economic development, it is important that these small businesses are supported to help continue their positive impact on the City.

10.1 Support Strategies

Communication

An important piece of small business support is communication with the small businesses. The City should conduct regular surveys of local small businesses to determine successes as well as pain points for these

¹⁵ "The State of Small Business Now," U.S. Chamber of Commerce, published September 16, 2021.

members of the community. This can aid the City in identifying trends and better understand how the City's perception of the business climate. This could also be done with new businesses as they complete their business licensing process, building permit approvals, or site plan approval.

Part of this communication strategy would be formulating a business retention expansion program (BR&E). This program would allow City staff to engage in direct communication with business decision makers throughout the community. BR&E programs allow government officials to proactively connect with businesses to understand and respond to local needs. Often, small businesses are overlooked in these programs for large businesses that have more name recognition, or command more of a community's resources. Focusing BR&E efforts on small businesses can pay large dividends. Between 2000 and 2020, small businesses accounted for 65.1% of new net job creation and so these businesses are prime targets for a community looking to expand its job base.¹⁶ The data derived from a BR&E program can aid the City in analyzing the strength of the local economy and identify and implement strategies that can help strengthen existing businesses.

Regulation

In April of 2022, the U.S. Chamber of Commerce unveiled a five-point "Small Business Bill of Rights."¹⁷ These five points represent key principles the small business community wants to see from government. While not all these principles relate to the influence of local government, the final principle was to be free of onerous regulations. The City can examine its code, policies, and procedures to ensure that there are not regulations that are extraordinarily burdensome to small businesses. Currently, the City has the RTI Overlay Zone to incentivize large-scale industrial development. The City could explore similar process improvements for small business approval.

Incentives

Across the country, various local governments have approved the use of incentives for small businesses, in addition to the incentive programs that are already in place for large businesses. These take the form of business grants, reduced or waived fees, business loans, free land, and more. Up until 2017, the City leased office space from Direct Communications that was then used to provide free or discounted office space to small businesses in the community. The City may consider discussions on the feasibility of setting aside funds to provide some form of financial incentive program for local small businesses. This can be coupled with workforce development goals to attract and retain a high-quality workforce.

Incentives do not necessarily need to be financial. Until 2022, the City operated a small business focused street fair that grew into an event called ShopFest. The Eagle Mountain Chamber of Commerce took over operations of this event in 2022. Providing events such as this can serve as an incentive to small businesses as it potentially provides them with increased marketing and foot traffic that they may not have seen without these events. To help promote small businesses throughout the City, the City should continue to explore events such as these, even as a supporting sponsor. The City could consider marketing and promoting events such as "Small Business Saturday" (Saturday following Thanksgiving) to help promote small businesses in the area.

Partnerships

In these efforts, the City need not act alone. A part of the federal Small Business Administration (SBA), Utah has its own Small Business Development Center (SBDC) that provides many training and funding services for businesses in this area. The closest SBDC to the City is located at Utah Valley University in Orem. At this

¹⁶ "Frequently Asked Questions About Small Business," U.S Small Business Administration Office of Advocacy, 2020.

¹⁷ "Small Business Bill of Rights," U.S. Chamber of Commerce, published April 26, 2022.

center, small businesses can meet with business advisors to discuss their businesses, attend training events and clinic, or participate in mentorship programs. Many of these services can even be utilized virtually. The City may consider fostering relationships with the SBDC to be better able to educate small businesses on support programs.

The Eagle Mountain Chamber of Commerce has been a tremendous partner to the City since it was created in 2018. The Chamber serves as an advocate for businesses in Eagle Mountain and provides various business-related training, marketing, and networking services. Often, the Chamber provides services that the City is unable to. The City was one of the founding members of the Chamber and has been a key supporter ever since. By utilizing the resources of the Chamber, the City may be able to expand its support of small businesses. A strategy for the City to consider would be to expand its financial support of this organization for key initiatives that directly support the expansion or development of small businesses in the community.

Planning

Another strategy for the City to consider is to effectively plan for small businesses. One major challenge for small businesses located in the City is the lack of available office or retail space for smaller users. The City previously ran an incubator program that helped smaller businesses, primarily home-based businesses, with office/retail space at reduced rates. This program assisted these businesses to develop, in conjunction with business development counselors from Utah Valley University, and to expand their operations. Other locations have found success in partnering with higher education and private development to create incubator spaces, or to provide opportunities for “co-working” space with small offices to be rented. As commercial areas are developed, the City could explore opportunities to provide for these types of spaces or encourage developers to provide adequate smaller/transitional spaces in these areas.

Chapter Eleven – Tourism & Outdoor Recreation

Despite being the second most populous County, Utah County ranks fourth in visitor spending in the State (\$537 million), behind Salt Lake County (\$1.68 billion), Summit County (\$821 million), and Washington County (\$613 million).¹⁸ In 2020 alone, Utah County received a total of \$93.31 million in tourism tax revenue.¹⁹ The bulk of tourism visits to Utah come from visits to ski resorts, national parks, and national monuments. Salt Lake City, St. George, Park City, Moab, and Provo/Orem make up the top five destinations for Utah visitors.²⁰

Although the City may not have the same level of tourism amenities as other areas, the City can still focus on its areas of relative strength to gain tourism visits. The City has an extensive trail system that is slowly gaining more interest from users both internally, and from outside the City. This can serve as a regional draw to users and help capture additional revenue for the City. Additionally, while not in the City, Camp Floyd is a major historical site in the State and attracts over 6,000 visitors a year. Most of these visitors need to pass through Eagle Mountain on their way to and from the State park.

11.1 Opportunities

By expanding the trail system, and mountain bike park, the City will be better able to attract events that utilize these amenities, or users looking for a recreational experience. This would require collaborating with landowners (including the BLM and other Federal agencies) to establish trail access and trailheads for public

¹⁸ Kem C. Gardner Policy Institute

¹⁹ Kem C. Gardner Policy Institute

²⁰ Utah Office of Tourism

use. The trail network's mapping could also be expanded. The City has already received grant funding to work on both efforts, but more would be required to allow these areas to fully realize their potential.

The City could also focus on attracting businesses (restaurants, outdoor recreation focused retail, hotels) that help to service these industries and allow for greater opportunities to attract outdoor recreation events.

Chapter Twelve – Fiscal Sustainability

Cities need to plan for fiscal sustainability and for steady cash flows during the ups and downs of different economic cycles. Property taxes remain relatively constant while sales taxes are more subject to economic swings. A review of the major revenue sources in the table below shows that Eagle Mountain has significantly lower revenues than surrounding cities – overall and for both property and sales taxes. This will make it difficult for the City to keep up with the increasing expenses due to its rapid growth and rising inflation.

TABLE 23: REVENUES PER CAPITA

Revenue Category	Eagle Mountain	Saratoga Springs	Lehi	Bluffdale	Herriman
Property Taxes	\$26.62	\$77.87	\$124.63	\$0.00	\$13.43
Sales & Use Taxes	\$80.42	\$101.76	\$148.29	\$127.55	\$99.26
Municipal Energy Taxes	\$19.90	\$27.77	\$0.00	\$0.00	\$26.15
Other - Transient Room	\$0.00	\$0.00	\$0.00	\$0.04	\$0.00
Other - Fee-in-Lieu of Property Taxes	\$2.86	\$7.34	\$0.00	\$0.00	\$0.00
Other - Penalties and Interest on Delinquent Taxes	\$0.00	\$0.10	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$4.70	\$58.79	\$59.15	\$0.00
Other Taxes	\$0.00	\$0.00	\$0.00	\$0.00	\$4.13
Licenses & Permits	\$97.80	\$32.65	\$76.47	\$79.74	\$142.36
Charges for Services	\$0.00	\$85.62	\$29.07	\$91.04	\$25.86
Fines & Forfeitures	\$2.31	\$0.00	\$10.56	\$17.08	\$3.88
Intergovernmental	\$25.70	\$30.01	\$3.02	\$0.94	\$25.08
Miscellaneous	\$32.79	\$57.79	\$18.37	\$31.87	\$19.18
Contributions & Transfers & Other Sources	-\$44.78	\$0.00	\$24.67	\$45.25	\$0.00
Total General Fund Revenues	\$270.24	\$503.48	\$618.50	\$537.27	\$372.77

Source: Utah State Auditor's Office, ZPFI

Both property taxes and sales taxes are responsible for the lower revenues in Eagle Mountain. The following table shows that Eagle Mountain's property tax rate is significantly lower than that in surrounding cities and thereby produces significantly less revenue per dollar of taxable value. In terms of sales tax, the City receives a sales tax distribution based on both a population distribution and point of sale. Eagle Mountain currently receives most of its sales tax revenues from the population distribution portion of the formula.

TABLE 24: COMPARATIVE TAX RATE AND IMPACTS – PRIMARY RESIDENCE OF \$500,000 MARKET HOME

City	Tax Rate	Property Tax Impact
Eagle Mountain	0.000724	\$199.10
Saratoga Springs	0.001359	\$373.73
Lehi	0.001429	\$392.98

City	Tax Rate	Property Tax Impact
Bluffdale	0.001519	\$417.73
Herriman	0.001997	\$549.18

Source: Utah State Auditor's Office, ZPFI

This sustainability analysis makes evident that the City needs to concentrate on developing retail, which it is sorely lacking, and which brings in the highest revenues to the City. The highest and best fiscal impacts for the City come from retail and set forth in more detail in a later section of this report.

Chapter Thirteen – Highest and Best Use Analysis

The purpose of this section of the Economic Plan is to first evaluate the highest-and-best use of the property from the perspective of a developer, current market conditions and the type of development most likely to take place. Then this analysis takes the City's perspective and compares the fiscal impacts and benefits to the City from various types of development. Finally, strategies are provided to enable the City to bridge the "gap" between its vision for the site and highest-and-best use in the eyes of the developer.

It is important to understand how highest and best use works, and, more importantly, how desired development can be achieved. Historically, highest and best use has only been considered as to what creates the greatest return on the land. This is a developer-centric model for highest and best use and relies on an understanding of developer figures and intentions. A wider implementation of highest and best use should consider the following:

- Highest and best use to the developer. This scenario considers the greatest return to the land, and has historically been all that has been considered by most municipalities; and
- Highest and best use to the City (fiscal). This consideration addresses the proposed fiscal impacts of development and what revenue, and expenses are generated for the City. The impacts may include, but are not limited to, property taxes, sales taxes, municipal energy fees, Class B/C road funds, retail buying power, and costs of services to be provided; and
- Highest and best use to the citizens. This scenario is often less quantitative and relies upon feedback from citizens of what amenities are lacking in the area. This process also requires notable education, as residents will oft resort to desires that are not market feasible. Data is necessary to show, for example, that a certain retailer will not occupy a site until surrounding demographics hit specific metrics. Or residents may be unaware that their transportation costs are higher than those of other communities due to a lack of employment centers, and that adding jobs at a site (instead of an alternative, publicly desired use) may result in notable community benefits.

Ultimately, highest and best use studies will provide the framework for a municipality to understand the full implications of development. These studies will show what the market can build, what impacts the City should expect, and what property types are currently not feasible. If the non-feasible (in the market) uses are still desired by the City, various economic development tools may need to be implemented to see that use to fruition.

13.1 Market Overview

According to a CBRE market report for Utah, this State is one of the best places in the nation for development. Since 2015, Utah has posted the 2nd highest GDP growth rate of any state and the highest annualized employment growth rate. In-migration has soared during the pandemic as many are looking for places to live with less government restrictions. This in-migration has placed significant demand on the housing market, which has seen soaring home prices and rent rates and tightened inventory. Accompanying the population growth in the State is the related demand for jobs and employment.

Utah has the essential pieces in place for a thriving business environment: pro-development mindset, limited government regulations and interference, universities and trade schools, excellent healthcare, growing tech sector and steady supply of talent.

Office Market Overview

The Utah County office market construction totals remain lower than pre-pandemic numbers; however, several new projects have begun which is a positive sign that developers see potential in the Utah County office market post pandemic (Newmark Q1 2022). According to Newmark, “A healthy mix of both sublease and direct new deals occurred in the first quarter of 2022 with some larger blocks of space that had been on market pre-pandemic seeing occupancy as companies finalize workplace plans. Leasing activity is up 69.2% year-over-year.” Although office asking rates have remained flat from quarter to quarter, achieved rates have been increasing (Newmark Office Market Report Q1 2022).

Vacancy rates have declined to about 11 percent, down from nearly 15 percent a year ago. The County has approximately 18 million square feet of office space. Current asking rates are around \$23.00 FSG (Colliers Office Market Report Q4 2021).

While the Utah County office market is improving from the uncertainty surrounding changing workplace policies after COVID, Eagle Mountain is not in a prime location to attract office development. More competitive sites are located along I-15.

Industrial Market Overview

According to the Newmark Q1 2022 Industrial Market Report, “Low vacancy, strong net absorption and rising rents characterized the Utah County industrial market in the first quarter of 2022. The buildings that delivered in the first quarter of 2022 did little to help with supply, as all 600,000+ square feet delivered pre-committed, accounting for close to 85% of the positive net absorption for the quarter. Leasing activity decreased for the third consecutive quarter, which is due to lack of supply rather than a deceleration in market activity.”

Utah County has about 44.5 million square feet of industrial space, with a vacancy rate of 1.3 percent. In other words, supply is not keeping up with demand. This is an incredibly attractive market for Eagle Mountain.

Retail Market Overview

According to Colliers Q1 2022 Retail Report, “Vacancy rates dropped again slightly this quarter, however during this same time, more retail construction has begun which will help provide the much-needed space for national tenants that are actively looking to expand into Utah. Although the supply chain is still an issue, it is not the deterrent that it was last year as retail continues to rebound from the pandemic.”

Utah County currently has about 17.5 million square feet of retail space (Colliers Retail Market Report Q1 2022), or about 25 square feet per capita. While somewhat higher than the national average, Utah County has a large student population which is not counted in the base population for the area, thus driving up the per capita amount. Vacancy rates are about 3 percent showing good potential for additional development.

Multi-Family Overview

From a developer’s perspective, the multi-family market is thriving in Utah with a lack of inventory and rapidly rising rents, but also with rapidly escalating construction costs. CAP rates for multi-family units generally range between 4.0 and 4.5 percent. Heavy demand is expected to outpace supply for the next few years, thereby placing even more pressure on rising rents.

13.2 Highest and Best Use – Developer Perspective

From a developer's viewpoint, multi-family and traditional flex office provide the highest return on land in the current Utah County market. However, with the limited retail and office space currently available in the western part of Utah County, there is still potential for growth in these sectors as well.

To understand the highest-and-best use impacts associated with office, retail, and multi-family development from the perspective of a developer, **a detailed analysis of each development type is included in the Appendix to this report.** The detailed analysis considers the construction costs (including land) incurred by a developer for various product types. It then calculates the net operating income from each development type (calculated through a detailed review of potential revenue streams and operating costs) and divides by current capitalization rates²¹ in the market. The ratio of net operating income divided by an appropriate CAP rate computes the market value of the project. The market value of the project is then compared to the developer's all-in costs for the project to evaluate the developer's profit.

The table below estimates the varying profit margins by development types for targeted commercial sites in Eagle Mountain and helps explain why developers are pushing multi-family development. Detailed calculations for the profit percentages are shown in the Appendix.

TABLE 25: PROFITABILITY COMPARISON BETWEEN DEVELOPMENT TYPES

Type	Likely CAP Rates*	Profit Percentage
Office	6.5%	9%
	7.0%	1%
Multi-Family - 20 units per acre	4.0%	43%
	4.5%	27%
Retail	5.5%	11%
	6.0%	2%
Industrial/Flex Office	4.5%	39%
	5.0%	25%
	5.5%	14%

*Likely CAP rates were determined through a review of broker reports and properties for sale

Source: ZPFI

13.3 Highest and Best Use – City Fiscal Impacts

From the City's perspective, the highest and best use of the property will not only consider community needs and desires, but also the fiscal impacts to the City. Fiscal impacts include revenues from property taxes, sales taxes, municipal energy taxes and class B/C road funds. While Eagle Mountain will receive revenues from other miscellaneous sources, for purposes of comparison, only the primary revenue sources listed above are included in this analysis.

Fiscal impacts to the City from office development are anticipated to reach over \$5,000 per acre per year.

²¹ A capitalization (CAP) rate is the ratio of the project's net operating income over the total market value of the completed project.

TABLE 26: OFFICE DEVELOPMENT FISCAL IMPACTS

Description	Amount
Property	
Bldg. cost per sf	\$250.00
FAR	0.38
SF per acre	16,553
Property value per acre	\$4,138,200
Eagle Mountain property tax rate	0.000724
Property tax revenues	\$2,996.06
Municipal Energy	
Utility/gas costs per sf	\$2.10
Annual energy bill	\$34,761
Tax rate	6.0%
Revenue	\$2,085.65
TOTAL OFFICE	\$5,081.71

Source: ZPFI

Fiscal impacts to the City from retail development are anticipated to reach nearly \$25,000 per acre annually.

TABLE 27: RETAIL DEVELOPMENT FISCAL IMPACTS

Description	Amount
Property	
Bldg. cost per sf	\$220.00
FAR	0.25
SF per acre	10,890
Property value per acre	\$2,395,800
Eagle Mountain property tax rate	0.000724
Property tax revenues	\$1,734.56
Sales	
Sales per sf	\$400
SF per acre	10,890
Gross annual sales	\$4,356,000
Local point-of-sale revenues	\$21,780
Municipal Energy	
Utility/gas costs per sf	\$2.10
Annual energy bill	\$22,869
Tax rate	6.0%
Revenue	\$1,372.14
TOTAL RETAIL	\$24,886.70

Source: ZPFI

Fiscal impacts to the City from multi-family development (20 units per acre) are expected to reach roughly \$13,300 per acre annually.

TABLE 28: MULTI-FAMILY DEVELOPMENT FISCAL IMPACTS - 20 UNITS PER ACRE

Description	Amount
Property	
Property Value per Acre	\$4,000,000
Eagle Mountain property tax rate	0.000724
Total Property Tax per Acre	\$1,592.80
Sales	
Units per Acre	20
Average HH Size	3.0
Population per Acre	60
Population Distribution per Capita	\$100
Point of Sale per Capita	\$2,300
Distribution from Point of Sale per Capita	\$12
Total per Capita Distribution	\$112
Annual Distribution per Acre	\$6,690
Municipal Energy	
Utility - Energy and Gas per Unit - MF	\$981.10
Units	20
Annual ME tax revenues	\$1,177.32
Class B/C Road Funds	
Amount per Capita	\$30.05
Population per Acre	60
Total Population Distribution per Year	\$1,803.00
Total Multi-Family	\$11,263.12

Source: ZPFI

Revenues per acre are substantially less for 8 multi-family units per acre than for 20 units, but costs of some City services would also likely be less (less vehicle trips on the roads, fewer public safety calls for service, etc.).

TABLE 29: MULTI-FAMILY DEVELOPMENT FISCAL IMPACTS - 8 UNITS PER ACRE

Description	Amount
Property	
Property Value per Acre	\$1,760,000
Eagle Mountain Property Tax Rate	0.000724
Total Property Tax per Acre	\$700.83
Sales	
Units per Acre	8
Average HH Size	3.0
Population per Acre	24
Population Distribution per Capita	\$100
Point of Sale per Capita	\$2,300
Distribution from Point of Sale per Capita	\$12
Total per Capita Distribution	\$112

Description	Amount
Annual Distribution per Acre	\$2,676
Municipal Energy	
Utility - Energy and Gas per Unit - MF	\$981.10
Units	8
Annual ME tax revenues	\$470.93
Class B/C Road Funds	
Amount per Capita	\$30.05
Population per Acre	24
Total Population Distribution per Year	\$721.20
Total Multi-Family	\$4,568.96

Source: ZPFI

Fiscal impacts to the City from flex office development are expected to reach roughly \$3,700 per acre annually.

TABLE 30: FLEX OFFICE DEVELOPMENT FISCAL IMPACTS

Description	Amount
Property	
Property Value per Acre	\$3,157,616
Eagle Mountain Property Tax Rate	0.000724
Total Property Tax per Acre	\$2,286.11
Municipal Energy	
Utility Costs per SF per Year	\$2.10
Units	10,890
Annual ME tax revenues	\$1,372.14
Total Flex Office	\$3,658.25

Source: ZPFI

Retail development brings the highest revenues per acre to the City, followed by higher-density multi-family development. However, both of those development types also have higher service costs on a per acre basis (i.e., calls for service, traffic generation and impact on roads, etc.). For these types of development, some of the costs can be mitigated through business licensing fees.

TABLE 31: SUMMARY OF FISCAL IMPACTS PER ACRE BY DEVELOPMENT TYPE

Summary Comparison	Office	Retail	Multi-Family - 20 units per acre	Multi-Family - 8 units per acre	Flex Office
Property Taxes	\$2,996	\$1,735	\$1,593	\$701	\$2,286
Sales Taxes		\$21,780	\$6,690	\$2,676	
Municipal Energy	\$2,086	\$1,372	\$1,177	\$471	\$1,372.14
Class B/C Road Funds			\$1,803	\$721	
Total Annual Revenue per Acre	\$5,082	\$24,887	\$11,263	\$4,569	\$3,658

Source: ZPFI

13.4 Costs of Development

With each type of development, there are certain costs that the City will experience as a result. For example, this could be in increased administrative costs, road maintenance, or even increased public safety costs. The American Farmland Trust completed an extensive Cost of Services Community Studies in 2016. Results of this study showed that, on average, residential development does not pay for itself while business development does pay for itself. For every \$1.00 of revenue collected, average costs are shown on the following table.

TABLE 32: COST-OF-SERVICES COMPARISON BY DEVELOPMENT TYPE

Development Type	Cost of Services per \$1.00 of Revenue Collected
Residential	\$1.16
Agricultural	\$0.37
Business	\$0.30

Source: American Farmland Trust

Although not specific to Eagle Mountain, these costs nevertheless provide an indication of the costs that might be expected for each development type. As the City specifically plans for development areas of the City, it could explore more specific potential costs, based on the development plans of those areas.

13.5 Strategies and Recommendations

If the City desires to expedite the attraction of retail and office development at its prime commercial sites, it may need to consider various economic tools to offset some development costs and thereby see the fruition of its vision. The question then becomes, what order of magnitude of assistance would be required and would the City still see fiscal benefits from retail and office development, above and beyond multi-family development, even if some offsets to costs are provided? Certainly, the provision of such assistance is a City policy. The intent of this report is only to suggest options for the City if it desires to establish areas in the City that include a significant amount of retail and office development.

To bridge the “gap” in highest-and-best use as perceived by the developer v. the City, the City might for example, consider giving the developer property tax increment for a period of time. It should be noted that following the 2022 Utah Legislative Session, a municipality’s ability to use property tax increment for primarily retail-based development has been reduced significantly. The City might also decide to create a SAA (Special Assessment Area) or PID (Public Improvement District) that would allow the developer to borrow money at a lower interest cost and factor those savings into the development equation. A final consideration, in specifically planned areas, the City could allow complimentary and supportive residential development in exchange for increased office or retail development, combined with definitive assurances of commercial development.

The economic tools or public assistance required will differ for each developer proposal and will depend on a variety of factors. For example, if a developer purchased land many years ago at a good price, the developer would not need to earn the same return as if he recently purchased the land at a higher price. Properties with extraordinary costs associated with development, such as environmental cleanup, storm water or grading issues, may require more public assistance than properties without those costs. Development requiring structured or underground parking may find it difficult to achieve rents that would make the project profitable without some sort of public assistance. Each proposal must be evaluated on its own merits.

Potential economic tools to encourage desired types of development include, but are not limited to:

- Creation of a Community Reinvestment Area (CRA) to help with infrastructure costs;

- City assistance with or provision of basic infrastructure to the area;
- Mitigation or waiving some development-related fees;
- Streamlined approval process;
- Sales-tax sharing agreements for retail developed on site; and
- Creation of a special assessment area (SAA) which creates a separate assessment area to borrow funds for infrastructure costs which are then repaid by property owners in the area at plat recordation. Creation of a Public Improvement District (PID) also allows for funds to be borrowed for infrastructure costs.
- Allow for complimentary and supportive residential development in exchange for increased office or retail development, combined with definitive assurances of commercial development.

Chapter Fourteen – Economic Development Tools

Funding opportunities are considered for Eagle Mountain, with consideration for what financial resources and/or incentives may be required to realize some of the potential development and activity outlined in this plan. Possible options include the following:

Community Reinvestment Areas – is a defined area within which taxing entities consent to the Eagle Mountain Redevelopment Agency (RDA) to receive a portion of the increased property taxes associated with new development that occurs within the project area's boundaries for a specified period of time.

- Allows for the use of tax increment in project areas for a wide variety of purposes, including infrastructure costs, beautification, relocation, land buy-downs, recruitment incentives, etc.
- Use in areas where economic incentives are necessary and likely to encourage economic development or redevelopment.

Special Assessment Areas – is a defined area within which businesses are required to pay an additional tax (or levy) to fund projects within the district's boundaries.

- Originally created for infrastructure improvements such as curb, gutter, sidewalk, streetlights, etc.
- Can be difficult to get support from multiple property owners who must consent to having this additional assessment paid, in addition to property taxes.
- Use in large, greenfield areas of development with one or small number of property owners and where infrastructure needs are substantial.

Public Infrastructure Districts – allows for the creation of a separate taxing entity to fund public infrastructure.

- PIDs are generally most successful in larger, undeveloped areas where there are significant infrastructure needs. Because the unanimous consent of all property owners is required for the creation of a PID, it is difficult to establish PIDs in areas with numerous property owners.
- Can be combined with other revenue sources such as tax increment.
- Any debt issued is not on the books of the local government entity.

Public Private Partnerships (P3s) – is a contractual agreement between a public agency and a private sector entity.

- Shared skills and assets of each sector (public and private) in delivering a project for the use of the public.
- In addition to sharing resources, each party shares in the risks and potential rewards in the delivery of the project.

- A P3 is not privatization. The public sector retains ownership and ultimate control of the public asset.

Revolving Loan Fund – is an Economic Adjustment Assistance (EAA) grant award that establishes revolving loan funds that make loans to businesses that cannot otherwise obtain traditional bank financing.

- Have often been successfully used in downtown areas for façade improvements.

Appendix A – Retail Site Criteria

A sampling of various retailers is listed below, along with some of the criteria the retailer considers during site selection. This list does not specify if a specific retailer is targeting Utah, only that a retailer has provided information about site criteria or expansion plans.

Entertainment Site Criteria:

- **Altitude Trampoline Parks** – minimum of 25,000 square feet, up to 50,000 square feet – desired store growth of 4 over next 24 months
- **Catch Air** – population minimum of 50,000, average household income of \$50,000, minimum of 10,000 square feet, up to 25,000 square feet – desired store growth of 6 over next 24 months
- **Dave & Buster's** – minimum population of 500,000 in ten-mile range, minimum of 26,000 square feet, up to 40,000 square feet – desired store growth of 8 over next 24 months
- **Flite Golf & Entertainment** – minimum of 65,000 square feet, up to 100,000 square feet – desired store growth of 9 over next 24 months

Retail Site Criteria:

- **Albertsons** – minimum of 50,000 square feet, up to 60,000 square feet – desired store growth of 12 over next 24 months
- **Charley's Philly Steaks** – population minimum of 30,000, minimum of 600 square feet, up to 2,000 square feet – desired store growth of 100 over next 24 months
- **It's Sugar** – minimum of 2,000 square feet, up to 15,000 square feet – desired store growth of 7 over next 24 months
- **Salad Creations** – minimum of 1,200 square feet, up to 2,000 square feet – population minimum of 20,000 – average household income of \$75,000 – 20,000 traffic count – desired store growth of 200 over next 24 months
- **Old Navy** – minimum of 15,000 square feet, up to 19,000 square feet – desired store growth of 60 over next 24 months
- **Big 5 Sporting Goods** – minimum of 10,000 square feet, up to 12,000 square feet – 25,000 traffic count – desired store growth of 30 over next 24 months
- **Buffalo Wild Wings** – minimum of 4,000 square feet, up to 7,000 square feet – population minimum of 40,000 – average household income of \$30,000 – 25,000 traffic count – desired store growth of 160 over next 24 months

Retailers with Major Growth:

- **Subway** – desired store growth of **2,500** over next 12 months
- **Dollar General** – desired store growth of **730** over next 12 months
- **Rise Southern Biscuits & Righteous Chicken** – desired store growth of **600** over next 12 months
- **Sephora** – desired store growth of **500** over next 12 months
- **KFC** – desired store growth of **350** over next 12 months

Appendix B – Highest and Best Use Analysis

Office Development

Office development is currently in an uncertain stage in Utah and has been described as a “wait-and-see” market. However, much of the uncertainty is offset by the rapid business and population growth occurring in Utah, as well as the relative stability of the office market in Utah County during the pandemic. Colliers reports great optimism for Utah in terms of future job growth:

Utah was ranked with having the best change in Gross Domestic Product and having the lowest Unemployment Rate; was second in the country with Startup Activity and ranked the top 10 in Annual Median Household Income (3rd), percent of Jobs in High-Tech Industries (6th), and States that are Recovering the Quickest from COVID-19 (6th).²²

The following office market assumptions reflect the increased construction costs in today’s market which were used to calculate potential market values and developer profitability for office development and assumes an office campus where higher rents can be achieved.

TABLE 33: OFFICE DEVELOPMENT ASSUMPTIONS

Description	Amount
Annual Rent Per Sq. Ft.	16,553
Expense Reimbursements	\$20.00
Stabilized Vacancy Rate	\$2.00
Management Expense	5%
Reserve Expense	3%
Direct Costs - Sq. Ft.	\$170.50
Indirect Costs - Sq. Ft.	\$55.00
Land Per Sq. Ft.	\$12.00
Parking Per Stall	\$3,500
Parking Ratio	5.5
Floor-Area Ratio	0.38

Source: ZPFI

Using the above assumptions, a value of \$278 per square foot is calculated, assuming a capitalization rate of 6.5 percent. While buildings have been bought and sold in Utah recently for cap rates in the range of 6.0 – 6.5 percent, those buildings are generally fully leased and are found in prime locations such as along the I-15 tech corridor in Salt Lake and Utah counties. There is greater risk with construction of a new building, plus Eagle Mountain is seen as a secondary office market (not located along I-15 or the “Tech Corridor”).

Value is calculated by dividing net operating income (NOI) by current capitalization rates achieved in the market. Net income is calculated in the table below. In the following table, net operating income is divided by a cap rate of 6.5 percent to arrive at a value of \$278 per square foot. This analysis is based on a floor area ratio (FAR) of 0.38.

²² Colliers, 2Q 2021 Office Market Report

TABLE 34: OFFICE DEVELOPMENT VALUATION CALCULATIONS

Office	Building Size	Rent Per Year (Sq.Ft.)	Rent Type	Annual Income
Gross Revenue				
Rental Income	16,553	\$20.00	NNN	\$331,056
Expense Reimbursements				\$33,106
<i>Total Building Size</i>	16,553			
Potential Gross Income				\$364,162
Stabilized Vacancy Rate				
Less Stabilized Vacancy		5%		(\$18,209)
Effective Gross Income				\$345,954
Operating Expenses				
		% of EGI	\$/SQ.FT.	
Management		3%		(\$10,379)
Reserves		1%		(\$3,460)
CAM Charges			\$2.00	(\$33,106)
Total Operating Expenses				(\$46,944)
Net Operating Income				\$299,010
Capitalization Rate			Potential Value per Building	Value per SF
6.0%			\$4,983,496	\$301.07
6.5%			\$4,600,150	\$277.91
7.0%			\$4,271,568	\$258.06
7.5%			\$3,986,797	\$240.85
8.0%			\$3,737,622	\$225.80

Source: ZPFI

The average construction cost per square foot is \$276.33 based on the assumptions shown in the table below. However, construction costs are rising rapidly and are volatile in today's market. If construction costs rise 10 percent higher than those presented, then the cost per square foot increases to \$276. Such increases have a dramatic effect on feasibility and profitability of the project.

TABLE 35: OFFICE DEVELOPMENT CONSTRUCTION COST CALCULATIONS

Construction Costs	Per Sq.Ft.	Total Building Size	Total Costs	
Direct Costs	\$170.50	16,553	\$2,822,252	
Indirect Costs	\$55.00	16,553	\$910,404	
<i>Indirect as % of Direct</i>	32%			
	Per Stall	Parking Ratio	Needed Spaces	Parking Costs
Parking Costs	\$3,500	5.5	91	\$318,641
			Construction Costs	\$4,051,298
	Per Sq. Ft.	Total Land/Acres	Total Land/ Sq. Ft.	Land Costs
Land	\$12.00	1.00	43,560	\$522,720
			Construction Costs + Land	\$4,574,018
			Per Sq. Ft./Bldg.	\$276.33

Source: ZPFI

Generally speaking, investors require a return of 20 percent or higher on office development.

TABLE 36: OFFICE DEVELOPMENT PROFITABILITY ANALYSIS

Capitalization Rate	Potential Value per Building	Potential Costs	Spread	Profit % of Costs
6.0%	\$4,983,496	\$4,574,018	\$409,479	9%
6.5%	\$4,600,150	\$4,574,018	\$26,133	1%
7.0%	\$4,271,568	\$4,574,018	(\$302,450)	(7%)
7.5%	\$3,986,797	\$4,574,018	(\$587,221)	(13%)
8.0%	\$3,737,622	\$4,574,018	(\$836,396)	(18%)

Source: ZPFI

Retail Development

The retail marketplace is undergoing significant change. Consumers are still purchasing, but there is a notable trend toward online purchases rather than in-store. This trend was occurring before COVID-19 and has been expedited since the onset of the pandemic. While there have been a significant number of bankruptcies over the past couple of years, those businesses that were able to quickly adapt to the new environment, have been rewarded. However, because of these changes, overall space needs are declining significantly – from 23 square feet per capita a few years ago to closer to 16 square feet per capita today.

However, Eagle Mountain will still see strong demand for retail space due to steady population growth in the regional area. Eagle Mountain has already established itself with a strong retail base and is poised to capitalize on this base.

TABLE 37: RETAIL DEVELOPMENT ASSUMPTIONS

Description	Amount
Building Size	10,890
Annual Rent Per Sq. Ft.	\$18.00
Expense Reimbursements	\$2.50
Stabilized Vacancy	5%
Management Expense	3%
Reserve Expense	1%
Direct Costs - Sq. Ft.	\$160.00
Indirect Costs - Sq. Ft.	\$40.00
Parking Per Stall	\$3,500
Parking Ratio	5.0
Land Per Sq. Ft.	\$12.00
Floor-Area Ratio	0.25

Source: ZPFI

Retail development is currently requiring cap rates in the range of 5.5 - 6.0 percent. With current trends in the market towards more online buying, retail development is usually not a top choice for developers.

TABLE 38: RETAIL DEVELOPMENT CALCULATION OF NET OPERATING INCOME (NOI)

Retail	Building Size	Rent Per Year (Sq.Ft.)	Rent Type	Annual Income
Gross Revenue				
Rental Income	10,890	\$18.00	NNN	\$196,020
Expense Reimbursements				\$27,225
<i>Total Building Size</i>	10,890			
Potential Gross Income				\$223,245
		Stabilized Vacancy Rate		
Less Stabilized Vacancy		5%		(\$11,162)
Effective Gross Income				\$212,083
		Operating Expenses		
		% of EGI	\$/SQ.FT.	
	Management	3%		(\$6,362)
	Reserves	1%		(\$2,121)
	CAM Charges		\$2.00	(\$27,225)
		Total Operating Expenses		(\$35,708)
Net Operating Income				\$176,371
Capitalization Rate			Potential Value	Per SF
5.0%			\$3,527,489	\$323.92
5.5%			\$3,206,808	\$294.47
6.0%			\$2,939,574	\$269.93
6.5%			\$2,713,453	\$249.17
7.0%			\$2,519,635	\$231.37
7.5%			\$2,351,659	\$215.95
8.0%			\$2,204,681	\$202.45

Source: ZPFI

The average construction cost is \$265.50 per square foot based on the assumptions shown in the table.

TABLE 39: RETAIL DEVELOPMENT CONSTRUCTION COST CALCULATIONS

Construction Costs	Per Sq. Ft.	Total Size	Total Costs
Direct Costs	\$160.00	10,890	\$1,742,400
Indirect Costs	\$40.00	10,890	\$435,600
<i>Indirect as % of Direct</i>	25%		
	Per Stall	Parking Ratio	Needed Spaces
Parking Costs	\$3,500	5.0	54
			Parking Costs
			\$190,575
			Construction Costs
			\$2,368,575
	Per Sq.Ft.	Total Land/Acres	Total Land/ Sq. Ft.
Land	\$12.00	1.00	43,560
			Land Costs
			\$522,720
			Construction Costs + Land
			\$2,891,295
			Per Sq. Ft./Bldg.
			\$265.50

Source: ZPFI

As stated previously, given current cap rates of 5.5 – 6.0 percent, speculative retail development will prove difficult for most developers in today's market.

TABLE 40: RETAIL DEVELOPMENT PROFITABILITY ANALYSIS

Capitalization Rate	Potential Value	Potential Costs	Spread	Profit % of Costs
5.0%	\$3,527,489	\$2,891,295	\$636,194	22%
5.5%	\$3,206,808	\$2,891,295	\$315,513	11%
6.0%	\$2,939,574	\$2,891,295	\$48,279	2%
6.5%	\$2,713,453	\$2,891,295	(\$177,842)	(6%)
7.0%	\$2,519,635	\$2,891,295	(\$371,660)	(13%)
7.5%	\$2,351,659	\$2,891,295	(\$539,636)	(19%)
8.0%	\$2,204,681	\$2,891,295	(\$686,615)	(24%)

Source: ZPFI

Multi-Family Development

The housing market in Utah is extremely tight at the present time. According to Redfin, Utah County home sale prices are up 17% compared to last year, selling for a median price of \$542K as of June 2022. This market has high profitability for developers. The following analysis compares the relative profitability to developers from a higher-density product (20 units per acre) v. a lower-density product (8 units per acre).

TABLE 41: ASSUMPTIONS FOR MULTI-FAMILY DEVELOPMENT – 20 UNITS PER ACRE

Description	Amount
Total Units	20
Average Unit Size	1300
Average Rent Per Month/Sq.Ft.	\$1.30
Other Income Per Unit/Mo.	\$20.00
Stabilized Vacancy	5%
Gross Building Size	29,900
Number of Building Stories	2
Required Parking Per Unit	1.5
Direct Construction Costs	\$120
Indirect Construction Costs	\$30
Cost per Parking Space	\$3,500
Land Costs per Sq.Ft.	\$12.00

Source: ZPFI

TABLE 42: MULTI-FAMILY DEVELOPMENT CALCULATION OF NET OPERATING INCOME (NOI) – 20 UNITS PER ACRE

Multi-Family	Number of Units	Average Unit Size	Rent Per Unit/Month	Annual
Estimated Market Rent - Multi-Family	20	1,300	\$1,690	\$405,600
Other Income (storage, late fees, etc.)				\$4,800
Potential Gross Income (PGI)	<i>Total Size</i>	<i>26,000</i>		\$410,400
% of PGI				
Less Stabilized Vacancy	5%			(\$20,520)
Effective Gross Income (EGI)				\$389,880
Operating Expenses	% of EGI	Per Unit/Year		
Management	3%			(\$11,696)
Reserves	1%			(\$3,899)
Utilities		\$1,020		(\$20,400)
Maintenance & Repair		\$1,200		(\$24,000)
Admin		\$450		(\$9,000)
Property Taxes		\$908		(\$18,150)
Insurance		\$480		(\$9,600)
Total Expenses				(\$96,745)
		<i>Per unit/Year</i>	\$4,837	
Net Operating Income (NOI)				\$293,135

Source: ZPFI

Construction costs are anticipated to reach \$196.64 per square foot based on the assumptions shown in the table below.

TABLE 43: MULTI-FAMILY DEVELOPMENT CONSTRUCTION COST CALCULATIONS – 20 UNITS PER ACRE

	Per Sq. Ft.	Total
Direct Costs - Bldg.	\$120	\$3,588,000
Indirect Costs - Bldg.	\$30	\$897,000
% of Indirect to Direct - Bldg.		25%
	Per Space	
Costs - Surface/Covered Parking	\$3,500	\$105,000
	Total Direct/Indirect	\$4,590,000
Land Costs	\$12.00	\$522,720
	Costs + Land	\$5,112,720
Total Costs		\$5,112,720
	Per Unit	\$255,636
	Per Sq. Ft.	\$196.64

Source: ZPFI

TABLE 44: MULTI-FAMILY DEVELOPMENT PROFITABILITY ANALYSIS – 20 UNITS PER ACRE

Capitalization Rate	Value	Per Unit	Per Sq.Ft.	Value Spread with Costs/Per Unit	Value Spread with Costs/Sq.Ft.	Profit %
4.5%	\$7,328,370	\$366,419	\$282	\$110,783	\$85	43.3%
5.0%	\$6,514,107	\$325,705	\$251	\$70,069	\$54	27.4%
5.5%	\$5,862,696	\$293,135	\$225	\$37,499	\$29	14.7%
6.0%	\$5,329,724	\$266,486	\$205	\$10,850	\$8	4.2%
6.5%	\$4,885,580	\$244,279	\$188	(\$11,357)	-\$9	(4.4%)

Source: ZPFI

In comparison, calculations are also made for multi-family development at 8 units per acre.

TABLE 45: ASSUMPTIONS FOR MULTI-FAMILY DEVELOPMENT – 8 UNITS PER ACRE

Description	Amount
Total Units	8
Average Unit Size	1300
Average Rent Per Month/Sq. Ft.	\$1.30
Other Income Per Unit/Mo.	\$20.00
Stabilized Vacancy	5%
Gross Building Size	11,960
Number of Building Stories	2
Required Parking Per Unit	1.5
Direct Construction Costs	\$120
Indirect Construction Costs	\$30

Description	Amount
Cost per Parking Space	\$3,500
Land Costs per Sq. Ft.	\$12.00

Source: ZPFI

TABLE 46: MULTI-FAMILY DEVELOPMENT CALCULATION OF NET OPERATING INCOME (NOI) – 8 UNITS PER ACRE

Multi-Family	Number of Units	Average Unit Size	Rent Per Unit/Month	Annual
Estimated Market Rent - Multi-Family	8	1,300	\$1,690	\$162,240
Other Income (storage, late fees, etc.)				\$1,920
Potential Gross Income (PGI)	<i>Total Size</i>	<i>10,400</i>		\$164,160
% of PGI				
Less Stabilized Vacancy	5%			(\$8,208)
Effective Gross Income (EGI)				\$155,952
Operating Expenses	% of EGI	Per Unit/Year		
Management	3%			(\$4,679)
Reserves	1%			(\$1,560)
Utilities		\$1,020		(\$8,160)
Operating Expenses	% of EGI	Per Unit/Year		
Maintenance & Repair		\$1,200		(\$9,600)
Admin		\$450		(\$3,600)
Property Taxes		\$908		(\$7,260)
Insurance		\$480		(\$3,840)
Total Expenses				(\$38,698)
		<i>Per unit/Year</i>	\$4,837	
Net Operating Income (NOI)				\$117,254

Source: ZPFI

TABLE 47: MULTI-FAMILY DEVELOPMENT CONSTRUCTION COST CALCULATIONS – 8 UNITS PER ACRE

	Per Sq. Ft.	Total
Direct Costs - Bldg.	\$120	\$1,435,200
Indirect Costs - Bldg.	\$30	\$358,800
% of Indirect to Direct - Bldg.		25%
	Per Space	
Costs - Surface/Covered Parking	\$3,500	\$42,000
	Total Direct/Indirect	\$1,836,000
Land Costs	\$12.00	\$522,720
	Costs + Land	\$2,358,720
Total Costs		\$2,358,720
	Per Unit	\$294,840
	Per Sq.Ft.	\$226.80

Source: ZPFI

TABLE 48: MULTI-FAMILY DEVELOPMENT PROFITABILITY ANALYSIS – 8 UNITS PER ACRE

Capitalization Rate	Value	Per Unit	Per Sq. Ft.	Value Spread with Costs/Per Unit	Value Spread with Costs/Sq. Ft.	Profit %
4.5%	\$2,931,348	\$366,419	\$282	\$71,579	\$55	24.3%
5.0%	\$2,605,643	\$325,705	\$251	\$30,865	\$24	10.5%
5.5%	\$2,345,078	\$293,135	\$225	(\$1,705)	(\$1)	(0.6%)
6.0%	\$2,131,889	\$266,486	\$205	(\$28,354)	(\$22)	(9.6%)
6.5%	\$1,954,232	\$244,279	\$188	(\$50,561)	(\$39)	(17.1%)

Source: ZPFI

Industrial/Flex Office

TABLE 49: FLEX OFFICE VALUATION ASSUMPTIONS

Description	Amount
Annual Rent Per Sq. Ft.	\$14.50
Expense Reimbursements	\$2.00
Stabilized Vacancy	5%
Management Expense	3%
Reserve Expense	1%
Direct Costs - Sq. Ft.	\$140.00
Indirect Costs - Sq. Ft.	\$40.00
Land Per Sq. Ft.	\$12.00
Parking Per Stall	\$3,500
Parking Ratio	2.5
Floor-Area Ratio	0.25

Source: ZPFI

Value is calculated by dividing net operating income (NOI) by current capitalization rates achieved in the market. Net income is calculated in the table below. In the following table, net operating income is divided by a cap rate of 5.0 percent to arrive at a value of \$261 per square foot. This analysis is based on the size of a building that would fit on one acre of property, assuming a floor area ratio (FAR) of 0.25.

TABLE 50: FLEX OFFICE CALCULATION OF NET OPERATING INCOME (NOI)

Office	Building Size	Rent Per Year (Sq.Ft.)	Rent Type	Annual Income
Gross Revenue				
Rental Income	10,890	\$14.50	NNN	\$157,905
Expense Reimbursements				\$21,780
<i>Total Building Size</i>	10,890			
Potential Gross Income				\$179,685
			Stabilized Vacancy Rate	
Less Stabilized Vacancy			5%	(\$8,984)
Effective Gross Income				\$170,701
Operating Expenses				
		% of EGI	\$/SQ.FT.	
Management		3%		(\$5,121)
Reserves		1%		(\$1,707)
CAM Charges			\$2.50	(\$21,780)
Total Operating Expenses				(\$28,608)
Net Operating Income				\$142,093
Capitalization Rate			Potential Value per Building	Value per SF
4.0%			\$3,552,318	\$326.20
4.5%			\$3,157,616	\$289.96
5.0%			\$2,841,854	\$260.96
5.5%			\$2,583,504	\$237.24
6.0%			\$2,368,212	\$217.47
6.5%			\$2,186,042	\$200.74
7.0%			\$2,029,896	\$186.40
7.5%			\$1,894,570	\$173.97

Source: ZPFI

The average construction cost per square foot is \$208.75 based on the assumptions shown in the table on the following page.

TABLE 51: FLEX OFFICE CONSTRUCTION COST CALCULATIONS

Construction Costs	Per Sq.Ft.	Total Building Size		Total Costs
Direct Costs	\$120.00	10,890		\$1,306,800
Indirect Costs	\$32.00	10,890		\$348,480
Indirect as % of Direct	27%			
	Per Stall	Parking Ratio	Needed Spaces	Parking Costs
Parking Costs	\$3,500	2.5	27	\$95,288
			Construction Costs	\$1,750,568
	Per Sq. Ft.	Total Land/Acres	Total Land/ Sq. Ft.	Land Costs
Land	\$12.00	1.00	43,560	\$522,720
			Construction Costs + Land	\$2,273,288
			Per Sq. Ft./Bldg.	\$208.75

Source: ZPFI

Generally speaking, investors require a return of 20 percent or higher on flex office development. With cap rates of 4.5 – 5.0 percent, flex office development is highly feasible and would likely be pursued.

TABLE 52: FLEX OFFICE FEASIBILITY OF DEVELOPMENT

Capitalization Rate	Potential Value per Building	Potential Costs	Spread	Profit % of Costs
4.5%	\$3,157,616	\$2,273,288	\$884,329	39%
5.0%	\$2,841,854	\$2,273,288	\$568,567	25%
5.5%	\$2,583,504	\$2,273,288	\$310,217	14%
6.0%	\$2,368,212	\$2,273,288	\$94,925	4%
6.5%	\$2,186,042	\$2,273,288	(\$87,246)	(4%)
7.0%	\$2,029,896	\$2,273,288	(\$243,392)	(11%)
7.5%	\$1,894,570	\$2,273,288	(\$378,718)	(17%)

Source: ZPFI

Appendix C – Department Analysis

As part of the Economic Development plan, an analysis was performed regarding the current economic development department organizational structure. The analysis evaluated staffing capabilities and budgets compared to other municipalities in the region. The findings of the analysis are shown below.

TABLE 53: DEPARTMENT ANALYSIS

City	Department	Staff Level	2021/2022 Budget
Eagle Mountain	Economic Development	1	\$260,266
Saratoga Springs	Community Development	3	\$311,563
Herriman City	Economic Development	2	\$387,170
Cottonwood Heights	Community & Economic Development	7.75	\$1,073,349
Lehi	Economic Development	1	\$233,676
South Jordan	City Commerce & Sustainability	2	\$318,622
West Jordan	Economic Development	3	\$481,668
Taylorsville	Economic Development	3	\$626,401
Millcreek	Economic Development	4	\$271,150
Midvale	Community Development	5.50	\$787,144
Murray	Community & Economic Development	2	\$149,129*

*A portion of the cost of this division is allocated to the Redevelopment Agency Fund

As shown above, Eagle Mountain has a lower staffing level in comparison to other communities in the valley. As Eagle Mountain continues to grow in population and the number of businesses increase, the City may want to consider hiring additional staff to help with some of the recommendations / strategies in the Economic Plan. Examples of job responsibilities include marketing, business recruitment and expansion, shop local programs and administrative functions. In the interim, the City may choose to contract with a recruitment company to assist with retail recruitment. Marketing efforts may also be partnered with the local Chamber of Commerce for ribbon cuttings, business luncheon events, and social media marketing.

Appendix D – Interviews

As part of the Economic Plan, interviews were conducted to receive input from various perspectives. The outreach included developers, real estate brokers, key partners (government and private groups), residents, and elected officials. A summary of takeaways is listed below.

Development

- Interest rates are going up and affordable housing is scarce
- Construction pricing is completely out of whack and is negatively impacting new development
- There is an increasing need for lower cost housing. More specifically, lower cost housing other than single family residential homes because they are just too expensive for young people
- Retail development obstacle is the proximity to all the new retail development in Saratoga Springs
- Need affordable housing conducive to a live/work community

Key Sites

- Gateway Project. It should be one of the more marketable and developable areas. There are a lot of commercial, educational, and medical opportunities there, along with several hundred acres
- Eagle Mountain Blvd / SR73
- Community center/regional retail by the high school
- City Center and the area in the western part of Eagle Mountain
- The Ranch Area. This is a great spot for retail because there are major roads next to it and that is where development is happening
- Silver Lake

Economic Development Needs

- Sit down restaurants
- Office spaces that would enable small businesses to share spaces
- More entertainment, anything for families such as a bowling alley, mini golf, movie theater, etc.
- Satellite university campus
- Medical campus
- Outdoor recreation
- Event venue
- Neighborhoods with places to live and work, with open space and parks for all ages
- Youth oriented spaces

Employment

- More tech related jobs (not only data centers)
- Restaurants, entertainment, outdoor retailers
- High paying jobs
- Diversity in employment
- Medical technology

Business Recruitment

- The City is Development Ready Communities (DRC) certified, and has been through the RFIs, Site Selection and incentives training sessions with EDCUtah's Business Development team
- Be proactive – go to the businesses you want to recruit; they typically do not come to you

- Tech subsectors are in play for Eagle Mountain, as well as health care, defense, and financial industries
- Some mixed use and retail will benefit the City as it continues to grow
- Hospitality is probably the easiest sector of retail for the City to pursue
- Manufacturing companies with low to moderate water use

Appendix E – Development Counsellors International 2020 Winning Strategies

Appendix F – Merchant Void Analysis

Appendix G – Retail Tenant Lists

UPCOMING AGENDA ITEMS

Upcoming Items

Consolidated Fee Schedule Update – Impact Fees
City Mission Statement

Planning Items

Axio #1 Concept Plan
Citywide Rezone
Walmart General Plan Amendment, Rezone, Code Amendment
Eagle Mountain Pet Care Concept Plan
Eagle Quest East Master Development Agreement
Firefly (Pole Canyon) MDA/MDP Amendment
Gardner Farms Concept Plan
Pinnacles A3 Concept Plan
Porters Crossing Town Center MDA/MDP Amendment
Rush Creek Rezone
Taco Bell Site Plan

Code Amendments

Accessory Structure Size
Application Expirations
Driveway Separation
Landscaping Buffer Onsite
Multifamily Unit Building Height
Setbacks and Accessory Structure Timing
Vacation of ROW, Service Drives, ADA