



CITY COUNCIL AGENDA

July 11, 2023 at 6:30 PM
1020 E. Pioneer Rd. Draper, UT 84020
Council Chambers

6:30 PM STUDY MEETING

- 1. Update: South Salt Lake Valley Mosquito Abatement District - Brad Gilson**
- 2. Update: Draper Days - Kellie Challburg**
- 3. 2023 Moderate Income Housing Report**
Presentation and work session regarding the annual Moderate Income Housing Plan and required reporting to the State. Staff Presentation by Todd Draper.
- 4. Council/Manager Reports**

7:00 PM BUSINESS MEETING

- 1. Call to Order**
- 2. Thought/Prayer and Pledge of Allegiance**
- 3.**
- 4. Public Comments**
To be considerate of everyone attending the meeting, public comments will be restricted to items that are not listed on this or a future agenda and limited to three minutes per person. Comments which cannot be made within these limits should be submitted in writing to the City Recorder prior to noon the day before the meeting. Comments pertaining to an item on the agenda should not be given at this time but should be held until that item is called.
- 5. Consent Items**
 - a. Approval of June 20, 2023, City Council Meeting Minutes**
 - b. Approval of Resolution #23-34**
A Resolution reappointing Adam Crayk, Nate Crowther, and

Doug Anderson as members of the Draper City Parks, Trails, and Recreation Committee.

c. Approval of Resolution #23-35

A Resolution appointing Susan Nixon as a regular member of the Draper City Planning Commission.

d. Approval of Resolution #23-36

A Resolution reappointing Dave Cloward and Janet Simonich to the Draper City Tree Committee.

e. Approval of Resolution #23-37

A Resolution of the Draper City Council amending Section 3040 of the Personnel Policies and Procedures Manual regarding Release of Employee Information. Staff: Malena Murray

f. Approval of Resolution #23-38

A Resolution approving an Interlocal Agreement with Salt Lake County to install a traffic signal at Porter Rockwell Trail (12470 South) and 1300 East.

6. Report: Proposed property tax increase by Jordan Valley Water Conservancy District for water service purposes

Report by Reed Gibby of the Board of Trustees of the Jordan Valley Water Conservancy District, representing Draper City. Comments by members of the public and/or the City Council will be received.

7. Action Item: Resolution #23-39

A Resolution of the Draper City Council granting preliminary approval for the withdrawal of the Little Valley Subdivision from Traverse Ridge Special Service District.

8. Adjournment

SALT LAKE COUNTY AND UTAH COUNTY, STATE OF UTAH

I, the City Recorder of Draper City, certify that copies of the agenda for the **Draper City Council** meeting to be held **July 11, 2023**, were posted at Draper City Hall, Draper City website www.draperutah.gov, and the Utah Public Notice website at www.utah.gov/pmn.

Date Posted: July 7, 2023



Laura Oscarson, CMC, City Recorder
Draper City, State of Utah



In compliance with the Americans with Disabilities Act, any individuals needing special accommodations or services during this meeting shall notify Laura Oscarson, City Recorder at (801) 576-6502 or laura.oscarson@draperutah.gov, at least 24 hours prior to the meeting.



MEMO

To: City Council Meeting

From: Todd Draper

CC:

Date: July 11, 2023

Re: 2023 Moderate Income Housing Report (Discussion and Work Session)

Comments:

Staff presentation and work session reporting on the implementation of the City's Moderate Income Housing Plan and changes to the annual reporting requirements to the State Division of Workforce Services Housing and Community Development Division. The current reporting period is for actions taken between November 22, 2022 and August 1, 2023. Reporting is done online through a google form and is due prior to August 1, 2023.

An outline of the elements that the city will report on and a copy of the currently adopted Moderate Income Housing Plan are attached. Discussion will focus on needed adjustments to the implementation timeframes, results of a work session held with the Planning Commission June 22, 2023, and actions that have been taken or that may be taken to insure compliance with recent changes to State Code.

ATTACHMENTS:

Description	Upload Date	Type
MIH Reporting Draft Outline	7/6/2023	Cover Memo
Draper City MIH Plan	7/6/2023	Cover Memo

Draper City 2023 Moderate Income Housing Report (outline)

General Information:

1. Contact information and selection of correct report type.

Reporting on Strategies:

1. Provide the following for each selected strategy:
 - a. Description of each action taken (Reporting period Nov. 22, 2022 thru July 31, 2023)
 - b. Land use regulations or land use decisions made that support implementation of the strategy.
 - c. Barriers encountered in implementing the strategy.

Market Response to the implementation of the strategy:

1. For each selected strategy provide the following:
 - a. Number and type of new units permitted.
 - b. Number and type of affordable units added.
 - c. Number and type of affordable units rehabilitated.
 - d. Number and type of units converted from other uses.
 - e. Change in local rent amounts.
 - f. Change in the number of persons displaced.
 - g. Change in the number of households experiencing housing cost burden.
 - h. Change in the share of household income spent on housing.
 - i. Number of zoning map changes associated with the MIH strategy.
 - j. Narrative describing the market response observed during the implementation of the strategies.

Accessory Dwelling Units:

1. Provide the following data:
 - a. How does the City count ADU's? (A: Issued ADU permits)
 - b. Total number of ADU's in the City. (A: 26)
 - c. Total number of new building permits for ADU's. (A: 1)
 - d. Total number of ADU Permits granted in the reporting period. (A: 13)
 - e. Total number of other permits or licenses issued for ADU's in reporting period. (A: n/a)

Feedback and Recommendations:

1. What types of support would be helpful to the community in supporting the implementation of the moderate income housing strategies? (Select all that apply)
 - Housing supply data
 - Housing needs data
 - Technical Planning Assistance
 - Model Ordinances
 - Case Studies
 - Staff Resources
 - Technical Assistance for reporting
 - Guidebooks for planning and reporting
 - Other
2. Provide recommendations to the State on how they can support the City in implementing our Moderate Income Housing plan strategies.

HOUSING

Chapter 4



In 2019 the Utah State Legislature first passed legislation requiring cities to adopt a Moderate Income Housing Plan (MIHP) as part of their General Plan and select specific strategies and targets listed within the legislation to increase the number of moderate income housing units available for residents and employees within the municipalities' boundaries. In 2022 the Utah State Legislature made changes to the list of specific strategies and required all cities to amend their General Plans by October 1, 2022 to align with the updated strategies from the new list provided within the State Code. The State also required that the MIHP include five (5) year implementation plans for each selected strategy within the plan, and to provide an annual progress report to the Utah Division of Workforce Services each year. The enacted legislation prescribed a set number of strategies that each city must implement in order to be eligible for certain transportation funding, and an additional count that a city could choose to implement in exchange for receiving priority status for such funding.

Potential Strategies List from Utah Code Section 10-9a-403(2)(b)(iii):

(HB 462) https://le.utah.gov/xcode/Title10/Chapter9A/C10-9a-S403_2022050420220601.pdf

- (A) Rezone for densities necessary to facilitate the production of moderate income housing;
- (B) Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing;
- (C) Demonstrate investment in the rehabilitation of existing uninhabitable housing stock into moderate income housing;
- (D) Identify and utilize general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the municipality for the construction or rehabilitation of moderate income housing;
- (E) Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones;
- (F) Zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers;
- (G) Amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors;
- (H) Amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities;
- (I) Amend land use regulations to allow for single room occupancy developments;
- (J) Implement zoning incentives for moderate income units in new developments;
- (K) Preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or, notwithstanding [Utah State Code] Section 10-9a-535, establishing a housing loss mitigation fund;
- (L) Reduce, waive, or eliminate impact fees related to moderate income housing;
- (M) Demonstrate creation of, or participation in, a community land trust program for moderate income housing;
- (N) Implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality;
- (O) Apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under [Utah State Code] Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing;
- (P) Demonstrate utilization of a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing;

- (Q) Create a housing and transit reinvestment zone pursuant to [Utah State Code] Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act;
- (R) Eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in [Utah State Code] Section 10-9a-530;
- (S) Create a program to transfer development rights for moderate income housing;
- (T) Ratify a joint acquisition agreement with another local political subdivision for the purpose of combining resources to acquire property for moderate income housing;
- (U) Develop a moderate income housing project for residents who are disabled or 55 years old or older;
- (V) Develop and adopt a station area plan in accordance with [Utah State Code] Section 10-9a-403.1;
- (W) Create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones; and
- (X) Demonstrate implementation of any other program or strategy to address the housing needs of residents of the municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing.

As a municipality with a fixed guide-way public transit station, Draper City is required to implement strategy V from the list above; at least one (1) of the strategies G, H, or Q; and three (3) additional strategies for a total of five (5). The City can also choose to implement an additional one (1) strategy for a total of six (6) to receive priority consideration for certain transportation funding. With many strategies to select from, it is important to select strategies that balance the needs of the existing community with those of future residents and employees, particularly those with moderate incomes.

In an effort to assist the City in identifying defined targets that were measurable and reasonably achievable, Draper City engaged Zions Bank to conduct a housing assessment to help inform the Moderate Income Housing Plan elements of the 2019 General Plan. In 2022 Draper City again engaged Zions Bank to provide an update to the 2019 housing assessment to reflect the five (5) year implementation timeline (through the year 2027) as required by the new State legislation. A copy of the study is included as Appendix A and the data and general assessments are also considered as part of the overall Housing Plan.

The population of Draper City has grown by approximately 22.6% over the past decade, and 10% in the past five (5) years. The annual population growth trend is slowing, but continues to remain close to a rate of two-percent (2%) per year. Using uniform and reliable data in decision making and tracking the effectiveness of, and progress made, through programs and policies is vital. The following data and statistics are provided here as important benchmarks and considerations for use in evaluating and implementing plans related to the creation and retention of Moderate Income Housing.

Current Population:

Draper, UT	Amount	Notes:
Total Population 2021	51,749	US Census Quick facts 2021
Total Population 2017 / % increase from 2017-2021	47,043 / 10%	US Census Bureau
Total Population 2012 / % increase from 2012-2021	42,212 / 22.6%	US Census Bureau
Total Households	14,390	2020 American Community Survey 5-Year Estimates
Average Persons per Household	3.21	US Census Bureau
Estimated Households between 50% to 80% AMI	1,887	2019 Zion's Bank housing plan projection for 2023
Estimated Households between 30% to 50% AMI	648	2019 Zion's Bank housing plan projection for 2023
Estimated Households <30% AMI	961	2019 Zion's Bank housing plan projection for 2023

Projected Population:

Linear	2023	2024	2025	2026	2027
(1%) Low:	52,789	53,317	53,850	54,389	54,933
(2%) Medium:	53,840	54,916	56,015	57,135	58,278
(3%) High:	54,901	56,548	58,244	59,991	61,791

Linear	2028	2029	2030	2031	2032
(1%) Low:	55,482	56,037	56,597	57,163	57,735
(2%) Medium:	59,443	60,632	61,845	63,082	64,343
(3%) High:	63,645	65,554	67,521	69,546	71,633

Current Housing Stock:

Total Number of Housing Units	15,590		(H1) 2020 Decennial Census
Owner Occupied	12,129	77.8%	S1101 2020:ACS 5 Year Estimates Subject Tables
Rental	3,461	22.2%	S1101 2020:ACS 5 Year Estimates Subject Tables
Number of Total ADU's	13		City Data
I-ADU's	5		City Data
D-ADU's	8		City Data
ADU'S in review	27		City Data

Fair Market Rent for Salt Lake City, UT HUD Metro FMR Area (Set by HUD):

	Efficiency/ Studio	One-Bedroom	Two-Bedroom	Three-Bedroom	Four-Bedroom
2021	\$829	\$1,001	\$1,204	\$1,690	\$1,892
2022	\$924	\$1,112	\$1,327	\$1,843	\$2,066

Current Moderate Income Housing Availability and Need:

(2022 AMI for a family of 4)	<80% AMI	<50% AMI	<30% AM	
Gross Income (upper limit)	\$81,900	\$51,200	\$30,700	2022 HUD Income Limits Documentation System
Gross Affordable Rent [30% percentage of Gross Income minus \$300 for utilities]	\$1,748	\$980	\$468	Calculated
Estimated number of Housing units affordable to target Households	2,059	217	0	DP04 Selected Housing Characteristics 2020: ACS 5 year estimates data profiles

Current Moderate Income Housing Availability and Need (Continued):

(2022 AMI for a family of 4)	<80% AMI	<50% AMI	<30% AMI	
Approximate % of Housing units affordable to target Households	13.2%	1.4%	0%	Calculated
Approximate Additional units needed 2022	(213)	417	940	Calculated
Approximate Additional units needed 2027	(6)	488	1046	Calculated
Approximate Additional units needed 2032	201	559	1152	Calculated

Projected Number of Target Households:

	2023	2024	2025	2026	2027
<80% AMI	1,887	1,928	1,970	2,011	2,053
<50% AMI	648	662	676	691	705
<30% AMI	961	982	1,003	1,025	1,046

	2028	2029	2030	2031	2032
<80% AMI	2,094	2,135	2,177	2,218	2,260
<50% AMI	719	733	747	762	776
<30% AMI	1,067	1,088	1,109	1,131	1,152

Regulatory Environment:

The character of Draper City has historically been rural in nature consisting of large residential lots and integrated agrarian uses, many of which still remain. Current residents place significant public interest in maintaining the core character of the City as it contributes to protection of the high quality of life they enjoy. Recent changes to zoning regulations to allow for higher residential density, including specific adjustments to zoning near fixed transit stations that have allowed for increased residential development have made some progress in addressing Moderate Income Housing Needs. These have increased the total number of apartment units in the City significantly.



Public sentiment expressed during the creation of the 2022 update to the Moderate Income Housing Plan highlighted that a better balance between housing types used to providing Moderate Income Housing needs to be achieved. Changes to ordinances regarding the Accessory Dwelling Units (ADU's) in 2021 effectively ended the City's prior policy of not monitoring ADU's, and has done very little to increase the overall supply of Moderate income Housing Units. A change in the definition of a family in 2021 did lower barriers so that some less common household types could reside together without the risk of enforcement. Skyrocketing regional housing prices and rents, combined with slower wage growth, and historic inflation have exacerbated the demand for Moderate Income Housing and will likely exert additional pressure to increase the amount of available housing of all types within the City over the coming years.

Plans to meet Moderate Income Housing Need:

Draper City has selected to implement the following strategies that the legislature has determined will encourage the creation of moderate income housing for residents and employees residing and/or working within the city.

- (F) Zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers;
- (G)* Amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors;
- (J) Implement zoning incentives for moderate income units in new developments;
- (L) Reduce, waive, or eliminate impact fees related to moderate income housing;
- (V)* Develop and adopt a station area plan in accordance with [Utah State Code] Section 10-9a-403.1;
- (O) Apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under [Utah State Code] Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing.

* Denotes required selections

Implementation Plans:

Draper City has identified the following implementation measures for the selected Moderate Income Housing Strategies. These are based on current conditions and reasonably reliable data projections. The included timelines are for reference as a general guide only and are not able to account for all situations or barriers to implementation. They are intended to meet the intent of the Utah State legislature in that they represent, *"a reasonable opportunity for a variety of housing including moderate income housing, to meet the needs of people of various income levels living, working, or desiring to live or work in the community; and to allow people with various incomes to benefit from and fully participate in all aspects of neighborhood and community life"* and to, *"provide flexibility for the municipality to make adjustments as needed"*. The City may choose work on implementation in a different order than listed or may modify the timeframe for completion depending on funding and feasibility.

Selected Strategies:

Year	Selection	Proposed 5 year Implementation Plans
	(F) Zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers.	
2024		Begin implementation of the Town Center Station Area Plan by amending the zoning map as applicable.
2025		Continue the implementation of the Town Center Station Area Plan by amending the zoning map as applicable Implement the updated Vista Station Area Plan. Amend zoning Map as applicable.



Selected Strategies (Continued):

Year	Selection	Proposed 5 year Implementation Plans
		(G) Amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors.
2023		Evaluate current mixed-use zones for potential to include increased density when located near major transit investment corridors, commercial centers, or employment centers where units will meet targeted affordability thresholds. Evaluate the feasibility of creating a mixed use zone for targeted implementation near major transit investment corridors.
2024		Amend text of current mixed-use zones based on prior evaluation of opportunities. Begin implementation of the Town Center Station Area Plan by amending the text of the zoning ordinance to increase residential densities as applicable.
2025		Continue implementation of the Town Center Station Area Plan by amending the text of the zoning ordinance as applicable. Implement the updated Vista Station Area Plan. Amend text of the zoning ordinance to increase residential densities as applicable.

Year	Selection	Proposed 5 year Implementation Plans
		(J) Implement zoning incentives for moderate income units in new developments.
2026		Initiate a study regarding potential zoning incentives that could be granted that would have the effect of increasing the number of Moderate Income Housing units.
2027		Implement zoning incentives for developments that provide deed restricted Moderate Income Housing.

Year	Selection	Proposed 5 year Implementation Plans
		(L) Reduce, waive, or eliminate impact fees related to moderate income housing.
2025		Budget for cost of conducting a study regarding the reduction or elimination of impact fees for developments that provide Moderate Income Housing.
2026		Include additional infrastructure costs into annual budget related to the reduction or elimination of impact fees for developments that provide Moderate Income Housing.

Selected Strategies (Continued):

Year	Selection	Proposed 5 year Implementation Plans
	(V)	Develop and adopt a station area plan in accordance with Section 10-9a-403.1.
2023		Complete and adopt the Town Center Station Area Plan. Plan creation process begun in 2022.
2024		Update existing Vista Station Area Plan and adopt changes as necessary for compliance with minimum requirements of Utah Code.
2025		Evaluate Kimballs Lane Station Area for potential Station Area Plan and/or waiver based on existing characteristics. Evaluate 11400 S. Station area zoning and potential for a waiver based on existing characteristics. Create and adopt additional Station Area Plans as applicable before December 31, 2025.

Year	Selection	Proposed 5 year Implementation Plans
	(O)	Apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing.
2023 Through 2027		Draper City will continue to partner with other Cities and Salt Lake County in pooling CDBG funds for use regionally inclusive of funds utilized for affordable housing projects.





MEMO

To: City Council Meeting

From:

CC:

Date: July 11, 2023

Re:

Comments:

The draft minutes of the June 20, 2023 City Council Meeting Minutes are attached for review before approval.

ATTACHMENTS:

Description

CC 6.20 Minutes

Upload Date

6/30/2023

Type

Cover Memo

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, JUNE 20, 2023, IN THE DRAPER CITY COUNCIL CHAMBERS, 1020 EAST PIONEER ROAD, DRAPER, UTAH

PRESENT: Mayor Troy K. Walker, and Councilmembers Tasha Lowery, Fred Lowry, Marsha Vawdrey, and Cal Roberts (joined by phone at 6:27 p.m.)

EXCUSED: Councilmember Mike Green

STAFF PRESENT: David Dobbins, City Manager; Mike Barker, City Attorney; Scott Cooley, City Engineer; Rich Ferguson, Chief of Police; Jennifer Jastremsky, Community Development Director; Bret Millburn, Assistant City Manager; Malena Murray, Human Resources Director; Rhett Ogden, Parks and Recreation Director; Angela Fixmer, Deputy City Recorder; Linda Peterson, Communications Director; Clint Smith, Fire Chief; Jake Sorensen, IT; John Vuyk, Finance Director; and Jared Zacharias, Assistant Finance Director

Study Session

1.0 Jenson Farm Park Final Plan – Rhett Ogden

1.1 Parks and Recreation Director Rhett Ogden presented a master plan for Jenson Farm Park, shared public feedback gathered at a recent open house and online, and answered questions from the Council.

1.2 The Council and staff discussed planned phasing and cost estimates for park construction.

2.0 Council/Manager Reports – moved to end of Business Meeting

Councilmember Roberts joined by phone at 6:27 p.m.

3.0 Closed Session

3.1 Councilmember T. Lowery moved to recess to a Closed Session to discuss professional competency, physical or mental health of an individual, pending or reasonable imminent litigation, or the purchase, exchange, or lease of real property. Councilmember Vawdrey seconded the motion.

3.2 A roll call vote was taken. The motion passed unanimously.

	Yes	No	Absent
Councilmember Green			x
Councilmember T. Lowery	x		
Councilmember F. Lowry	x		
Councilmember Roberts	x		
Councilmember Vawdrey	x		

Business Session

1.0 Call to Order: Mayor Troy K. Walker

2.0 Thought/Prayer and Pledge of Allegiance

2.1 Jake Sorensen offered a prayer, and Rich Ferguson led the Pledge of Allegiance.

3.0 Recognition: Miss Draper Rodeo Queens

3.1 Mayor Walker introduced the 2023 Draper Rodeo Royalty: Reese McCown, Queen; Sarah Serrine, 1st Attendant; and AJ Krieger, 2nd Attendant. The Council took the opportunity for photographs.

4.0 Public Comments

None

5.0 Consent Items

a. Approval of June 6, 2023, City Council Meeting Minutes

b. Approval of Resolution #23-28 approving an Interlocal Agreement with Salt Lake County and Other Cities Regarding Grant Programs Administered by U.S. Department of Housing and Urban Development (HUD)

c. Approval of Resolution #23-29 reappointing Craig Hawker and May Squire as a member of the Draper City Planning Commission

d. Approval of Resolution #23-30 reappointing Doug Vawdrey and Walt Roseman to the Draper City Special Event Arena Committee

e. Approval of Resolution #23-31 adopting the 2023 Fraud Risk Assessment for the City of Draper

f. Approval of Resolution #23-32, reappointing Brad Gilson to the Board of Trustees of the South Salt Lake Valley Mosquito Abatement District

5.1 Councilmember T. Lowery moved to approve the Consent Items. Councilmember F. Lowry seconded the motion.

5.2 A roll call vote was taken. The motion passed unanimously.

	Yes	No	Absent
Councilmember Green			x
Councilmember T. Lowery	x		
Councilmember F. Lowry	x		
Councilmember Roberts	x		
Councilmember Vawdrey	x		

6.0 Public Hearing: Ordinance #1583, an Ordinance approving a text amendment to Titles 9 and 17 of the Draper City Municipal Code in order to amend regulations regarding definitions, site plan review, site design, landscaping including water-wise landscaping, screening, parking area design, outdoor storage and display, improvement completion assurances, and related subdivision requirements, otherwise known as the City Initiated Water-Wise Landscaping and Site Amendments Text Amendment

6.1 Todd Draper, Planner III, presented proposed amendments to Titles 9 and 17 primarily pertaining to incorporation of water-wise landscaping practices and principals, and incorporating Jordan Valley Water Conservancy District water efficiency standards.

6.2 Mayor Walker opened a public hearing, and closed the public hearing seeing no one come forward to comment.

6.3 Councilmember F. Lowry moved to approve Ordinance #1583. Councilmember T. Lowery seconded the motion.

6.4 A roll call vote was taken. The motion passed unanimously.

	Yes	No	Absent
Councilmember Green			x

Councilmember T. Lowery x
Councilmember F. Lowry x
Councilmember Roberts x
Councilmember Vawdrey x

7.0 Resolution #23-33, a resolution of the Draper City Council acting as the governing body of the Traverse Ridge Special Service District adopting and certifying a tax rate for the 2024 taxable year

7.1 Finance Director John Vuyk commented that the adoption of a tax rate is required by State statute.

7.2 Councilmember T. Lowery moved to approve Resolution #23-33. Councilmember Vawdrey seconded the motion.

7.3 A roll call vote was taken. The motion passed unanimously.

	Yes	No	Absent
Councilmember Green			x
Councilmember T. Lowery	x		
Councilmember F. Lowry	x		
Councilmember Roberts	x		
Councilmember Vawdrey	x		

8.0 Public Hearing: Ordinance #1585, an ordinance adopting the Budget including Compensation Schedules and adopting the Certified Tax Rate for Fiscal Year 2023-2024

8.1 Finance Director John Vuyk noted the changes to the FY 2024 Budget since last reviewed by the Council.

8.2 Mayor Walker opened a public hearing and closed the public hearing seeing no one come forward.

8.3 Councilmember T. Lowery moved to approve Ordinance #1585, adding Phase 1 of the Jensen Farm Park Plan for up to \$1.4 million from Park Impact Fees. Councilmember Vawdrey seconded the motion.

8.4 A roll call vote was taken. The motion passed unanimously.

	Yes	No	Absent
Councilmember Green			x
Councilmember T. Lowery	X		
Councilmember F. Lowry	X		
Councilmember Roberts	X		
Councilmember Vawdrey	X		

9.0 Recess to a Draper City Community Reinvestment Agency Meeting

9.1 Councilmember Vawdrey moved to recess to a Community Reinvestment Agency Meeting. Councilmember F. Lowry seconded the motion.

9.2 A roll call vote was taken. The motion passed unanimously.

	Yes	No	Absent
Councilmember Green			x
Councilmember T. Lowery	x		
Councilmember F. Lowry	x		
Councilmember Roberts	x		
Councilmember Vawdrey	x		

Council/Manager Reports – Moved from Study Session

None

10.0 Adjournment

10.1 Councilmember F. Lowry moved to adjourn the meeting. Councilmember T. Lowery seconded the motion.

10.2 A voice vote was taken. The motion passed unanimously.

10.3 The meeting adjourned at 7:43 p.m.



MEMO

To: City Council Meeting

From:

CC:

Date: July 11, 2023

Re:

ATTACHMENTS:

Description

R-23-34, PTRC

Upload Date

7/7/2023

Type

Cover Memo

RESOLUTION NO. 23-34

A RESOLUTION REAPPOINTING ADAM CRAYK, NATE CROWTHER AND DOUG ANDERSON AS MEMBERS OF THE DRAPER CITY PARKS, TRAILS AND RECREATION COMMITTEE

WHEREAS, the City is authorized to establish subordinate bodies within the City as deemed appropriate by the City Council; and

WHEREAS, the City has created a Parks, Trails and Recreation Committee within the City for the purpose of providing a framework for the management of City parks, trails, and recreation assets; and

WHEREAS, the duties of this Committee are to recommend and monitor the establishment of facilities, programs, and policies to meet the recreational and aesthetic needs of the citizens and Draper City; and

WHEREAS, the terms served by Adam Crayk, Nate Crowder, and Doug Anderson has expired and they have expressed a desire to continue to serve as committee members.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Appointment. Adam Crayk, Nate Crowder, and Doug Anderson are hereby appointed to serve as members of the Draper City Parks, Trails, and Recreation Committee according to the laws, ordinances, and regulations governing the Committee and its members for the term specified herein.

Adam Crayk	July 11, 2023, through July 31, 2027
Nate Crowder	July 11, 2023, through July 31, 2027
Doug Anderson	July 11, 2023, through July 31, 2027

Section 2. Severability. If any section, part, or provision of this Resolution is held invalid, or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts, and provisions of this Resolution shall be severable.

Section 3. Effective Date. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, ON THIS THE 11TH DAY OF JULY 2023.

ATTEST:

DRAPER CITY

Laura Oscarson, CMC, City Recorder

Troy K. Walker, Mayor

VOTE TAKEN:

YES

NO

Councilmember Green

Councilmember T. Lowery

Councilmember F. Lowry

Councilmember Roberts

Councilmember Vawdrey

Mayor Walker



MEMO

To: City Council Meeting
From:
CC:
Date: July 11, 2023
Re:

ATTACHMENTS:

Description	Upload Date	Type
R-23-35, appointing S. Nixon to PC	6/30/2023	Cover Memo

RESOLUTION NO. 23-35

A RESOLUTION APPOINTING SUSAN NIXON AS A REGULAR MEMBER OF THE DRAPER CITY PLANNING COMMISSION

WHEREAS, the Draper City Council has adopted Ordinances that provide for the appointment of members to the Draper City Planning Commission; and

WHEREAS, members of the Planning Commission have been appointed by the Mayor with the advice and consent of the City Council; and

WHEREAS, DeLaina Tonks is no longer able to serve as a regular member of the Planning Commission and Susan Nixon is currently serving as an alternate member of the Planning Commission; and

WHEREAS, Susan Nixon has expressed a willingness to serve as a regular member of the Planning Commission and to participate in its deliberations; and

WHEREAS, the Mayor proposes to appoint Susan Nixon to serve as a member of the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, AS FOLLOWS:

The City Council hereby provides its advice and consent to the Mayor's appointment of Susan Nixon to serve as a member of the Planning Commission.

Section 1. Appointment. Susan Nixon is hereby appointed to fill the term listed below as a member of the Draper City Planning Commission according to the laws, ordinances, and regulations governing the Planning Commission and its members for the terms specified herein.

Regular Member:
Susan Nixon July 11, 2023, through July 31, 2027

Section 2. Severability. If any section, part, or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts, and provisions of this Resolution shall be severable.

Section 3. Effective Date. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, ON THIS THE 11TH DAY OF JULY, 2023.

ATTEST:

DRAPER CITY

Laura Oscarson, CMC, City Recorder

Troy K. Walker, Mayor

VOTE TAKEN:

YES

NO

Councilmember Green

—

—

Councilmember T. Lowery

—

—

Councilmember F. Lowry

—

—

Councilmember Roberts

—

—

Councilmember Vawdrey

—

—

Mayor Walker

—

—



MEMO

To: City Council Meeting

From:

CC:

Date: July 11, 2023

Re:

ATTACHMENTS:

Description

Resolution #23-36

Upload Date

7/7/2023

Type

Cover Memo

RESOLUTION #23-36

A RESOLUTION REAPPOINTING DAVE CLOWARD AND JANET SIMONICH TO THE DRAPER CITY TREE COMMITTEE

WHEREAS, the City is authorized to establish subordinate bodies within the city as deemed appropriate by the City Council; and

WHEREAS, the City has created a Draper City Tree Committee to act as an advisory board to the City Council and other City departments on all matters relating to tree culture including the establishment, maintenance, and upkeep of all trees, shrubs, and other plant life located on City property; and

WHEREAS, the Mayor desires to reappoint and the Council hereby consents to the reappointment of Dave Cloward and Janet Simonich to the Tree Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH AS FOLLOWS:

Section 1. Reappointment. Dave Cloward and Janet Simonich are hereby reappointed to serve as members of the Draper City Tree Commission according to the laws, ordinances, and regulations governing the committee and its members for the term specified herein.

David Cloward	July 11, 2023, through July 31, 2027
Janet Simonich	July 11, 2023, through July 31, 2027

Section 2. Severability. If any section, part, or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts, and provisions of this Resolution shall be severable.

Section 3. Effective Date. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, THIS THE 11TH DAY OF JULY, 2023.

DRAPER CITY

Mayor Troy K. Walker

ATTEST:

Laura Oscarson, CMC, City Recorder

VOTE TAKEN:	YES	NO
Councilmember Green	_____	_____
Councilmember T. Lowery	_____	_____
Councilmember F. Lowry	_____	_____
Councilmember Roberts	_____	_____
Councilmember Vawdrey	_____	_____
Mayor Walker	_____	_____



MEMO

To: City Council Meeting
From: Malena Murray
CC:
Date: July 11, 2023
Re:

Comments:

Clarifying the process for providing reference information regarding background investigations and security clearance checks.

ATTACHMENTS:

Description	Upload Date	Type
Resolution #23-37	7/6/2023	Cover Memo

RESOLUTION NO. 23-37

A RESOLUTION OF THE DRAPER CITY COUNCIL AMENDING SECTION 3040 OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL REGARDING POLICY RELEASE OF EMPLOYEE INFORMATION.

WHEREAS, The City Council reviews and adopts policies and procedures to assist in the efficient utilization of City resources and the fair and uniform application of requirements and benefits to City employees; and

WHEREAS, The City Council has reviewed Policy 3040 of the Personnel Policies and Procedures Manual and has determined a need to amend the Release of Employee Information Policy; and

WHEREAS, The City Council believes this amendment is in the best interest of the employees of Draper City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Amendment. The Draper City Council does hereby adopt the amendments to Policy 3040 of the Personnel Policies and Procedures Manual as attached hereto as Exhibit "A."

Section 2. Severability. If any section, part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

Section 3. Effective Date. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, THIS THE 11 DAY OF JULY, 2023.

DRAPER CITY

ATTEST:

Laura Oscarson, CMC, City Recorder

By: _____
Mayor

VOTE TAKEN:

YES

NO

Councilmember Green

Councilmember T. Lowery

Councilmember F. Lowry

Councilmember Roberts

Councilmember Vawdrey

Mayor Walker

EXHIBIT “A”

Section 3040 – Release of Employee Information
(Amended 07/11/2023)

General Policy Statement:

All releases of employee information contained in an employee’s personnel file maintained by Human Resources will be done according to this policy.

Policy:

1. **Release of Employment Verification Information.** All requests for employment verification regarding current and former employees to prospective employers should be directed to the Human Resources department for official response. Only human resources staff may provide verification of employment. Employment verification will be provided verbally or in writing. Only dates of employment and job title will be released.
2. **Requests for Additional Employment Information.** Draper City releases employment information regarding job performance, professional conduct, or evaluation on current and former employees to prospective employers only with written permission of the individual involved through a signed, notarized *Draper City Release of Employee Information Authorization* form. All requests for additional employment information regarding current or former employees should be directed to the Human Resource department for an official response.
 - 2.1 An exception exists for official background investigations, security clearance checks, and similar checks. Draper City must obtain a notarized copy of the applicant’s signed written release before sharing any information. Police personnel are required to obtain written authorization from the Chief of Police or a lieutenant designated by the Chief of Police before speaking to a background investigator. The Chief of Police or designated lieutenant will submit to the Human Resources Director a record of the subject’s name and signed release, the name of the Draper City employee authorized to respond to the request, and the date of the approved response. An employee authorized to speak to a background investigator must make it known to the background investigator that the employee is providing personal opinions. Employees authorized herein are acting within the scope and course of their employment with the City but are not speaking for the City.
 - 2.2 Certain situations require proper disclosure of sensitive information involving public health and public safety, or criminal activity. If an employee’s employment record contains such information, no reference of any type may be provided until the matter has been reviewed by the City Manager, who may choose to seek legal counsel.
3. **Employment Reference for Employees.** No employee may provide an employment reference on behalf of Draper City for any current or former employee. If an individual

employee provides a personal reference on a current or former employee, that individual employee must clearly understand the reference provided is not on behalf of Draper City.

4. **Employment Information for Financial Institutions.** Employment information released to financial institutions will be accompanied by a signed release from the employee. Authorizations will be retained in the employee file.



MEMO

To: City Council Meeting

From:

CC:

Date: July 11, 2023

Re:

ATTACHMENTS:

Description	Upload Date	Type
Resolution #23-38	7/5/2023	Cover Memo
ILA - SLCO, Install Traffic Signal at Porter Rockwell Trail	7/5/2023	Cover Memo

RESOLUTION NO. 23-38

A RESOLUTION OF THE DRAPER CITY COUNCIL ENTERING INTO AN INTERLOCAL AGREEMENT.

WHEREAS, Salt Lake County and Draper City (“the Parties”) are authorized under the Utah Interlocal Cooperation Act, Section 11-13-101, et seq., as amended to enter into agreements with one another to efficiently utilize government powers; and

WHEREAS, the Parties desire to install a traffic signal at Porter Rockwell Trail (12470 S) and 1300 E in Draper City (“the Site”); and

WHEREAS, installing a signal at this location is in the best interest of the health safety and welfare of Draper citizens with particular attention to its trail-using citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Agreement. Upon signature of the contract attached hereto as Exhibit A, Draper City enters into an agreement with Salt Lake County to install a traffic signal at the Site.

Section 2. Terms. Draper City agrees to all the terms and conditions contained in the agreement attached hereto as Exhibit A.

Section 3. Severability. If any section, part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

Section 4. Effective Date. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, THIS THE ___ DAY OF ___, 2023.

DRAPER CITY

Mayor Troy K. Walker

ATTEST:

Laura Oscarson, City Recorder

VOTE TAKEN:

YES

NO

Councilmember Green

Councilmember Lowery

Councilmember Lowry

Councilmember Vawdrey

Councilmember Roberts

**INTERLOCAL COOPERATION AGREEMENT
BETWEEN
CITY OF DRAPER AND
SALT LAKE COUNTY
FOR
TRAFFIC SIGNAL INSTALLATION
*Porter Rockwell Trail (12470 S) 1300 East***

THIS AGREEMENT (“Agreement”) made pursuant to the Utah Interlocal Cooperation Act, by and between SALT LAKE COUNTY (“County”), a body corporate and politic of the state of Utah, and CITY OF DRAPER (“City”), a municipal corporation created under the laws of the State of Utah. The County and the City may be jointly referred to as the “Parties.”

WITNESSETH:

WHEREAS, the Parties are local governmental units and are therefore authorized under the Utah Interlocal Cooperation Act, Section 11-13-101, et seq., U.C.A. 1953, as amended, to enter into agreements with each other which enable them to make the most efficient use of their powers; and

WHEREAS, the City desires to contract with the County for the installation a traffic signal at Porter Rockwell Trail (12470 S) 1300 East (“Site”) in Salt Lake County; and

WHEREAS, the County is willing to enter into such an agreement, and to install the traffic signal at the Site.

AGREEMENT:

NOW, THEREFORE, in consideration of the mutual covenants and promises set forth herein, the Parties agree as follows:

1. **PURPOSE.** The County, through its Public Works Department, Operations Division, shall be responsible for all matters pertaining to the installation of and improvements to

the traffic signal located at the Site and will provide the necessary labor, equipment and materials for said installation, as set out in the Scope of Work, attached hereto as EXHIBIT A and incorporated by reference. Work shall be performed by County to existing County standards for traffic signals on County's public roads. This Agreement governs the County's above installation as set out in the Scope of Work.

2. DURATION. The term of this Agreement shall begin upon execution and shall expire on December 31, 2023.

3. OWNERSHIP. Upon installation, the traffic signal shall be owned by the City.

4. FINANCING AND PAYMENT.

A. A. The City shall pay for the services and materials necessary to complete the work set forth in EXHIBIT A. The estimated total cost of completion is \$113,925.00, including estimated boring costs.

B. If boring services are required for this project, County shall inform City if the actual cost will exceed the estimated cost before commencing work on the project. If actual costs for boring services exceed reasonable expectations, City may elect to terminate the Agreement by providing County with written notice of that decision before work commences on the project. Boring costs for this project are estimated at \$25,000.00.

C. Upon completion of the services each month, the County shall send to City an invoice for the services which the City agrees to pay within thirty (30) days.

5. LIABILITY. The City and the County are governmental entities under the Utah Governmental Immunity Act, Utah Code Ann. § 63G-7-101. Consistent with the terms of the

Act, and as provided herein, it is mutually agreed that each party is responsible and liable for its own wrongful or negligent acts which are committed by it or by its agents, officers or employees. Neither party waives any defenses otherwise available under the Act nor does any party waive any limits of liability currently provided by the Act.

6. INDEMNIFICATION. The City agrees to indemnify and hold the County, its agents, officers, and employees from and against any and all actions, claims, lawsuits, proceedings, liability, damages, losses and expenses (including attorney's fees and costs), that directly result from the performance of this Agreement, but only to the extent the same are caused by any negligent or wrongful act or omission of City, its officers, agents, and employees.

7. REQUIRED INSURANCE POLICIES. Both Parties to this Agreement shall maintain insurance or self-insurance coverage sufficient to meet their obligations hereunder and consistent with applicable law.

8. TERMINATION. This agreement may be terminated (with or without cause) by either party upon at least ninety (90) days prior written notice to the other party. Payment shall be made for all work performed prior to termination.

9. NOTICES. Any notice required or permitted to be given hereunder shall be deemed sufficient if given by a communication in writing, and shall be deemed to have been received (a) upon personal delivery or actual receipt thereof, or (b) within three days after such notice is deposited in the United States mail, postage pre-paid, and certified and addressed as follows:

If to Salt Lake County: Salt Lake County Public Works Operation
Division Director
604 West 6960 South
Midvale, Utah 84047

If to the City: Eric Lundell
City of Draper
1020 E. Pioneer Road
Draper, UT 84020

9. AGENCY. No agent, employee or servant of the City or County is or shall be deemed to be an employee, agent, or servant of the other Party. None of the benefits provided by each party to its employees including, but not limited to, worker's compensation insurance, health insurance, and unemployment insurance, are available to the employees, agents, or servants of the other party. City and County shall each be solely and entirely responsible for its own acts and for the acts of its own agents, employees, and servants during the performance of this Agreement. The County acts as an independent contractor, and is not an employee or agent of the City.

10. FORCE MAJEURE. Neither party shall be liable for any excess costs if the failure to perform arises from causes beyond the control and without the fault or negligence of that part, including but not limited to acts of God, fires, floods, strikes, or unusually severe weather. If such condition continues for a period in excess of 60 days, City or County shall have the right to terminate this Agreement without liability or penalty effective upon written notice to the other party.

11. NO OBLIGATIONS TO THIRD PARTIES. The parties agree that the County's obligations under this Agreement are solely to the City. This Agreement shall not confer any rights to third parties.

12. GOVERNING LAW. The laws of the State of Utah govern all matters arising out of this Agreement.

13. COUNTERPARTS. This Agreement may be executed in counterparts and all so executed will constitute one agreement binding on all the Parties, it being understood that all Parties need not sign the same counterpart. Further, executed copies of this Agreement delivered by facsimile or email will be deemed an original signed copy of this Agreement.

14. COUNTY ETHICAL STANDARDS. The City represents that it has not: (a) provided an illegal gift or payoff to any County officer or employee, or former County officer or employee, or to any relative or business entity of a County officer or employee, or relative or business entity of a former County officer or employee; (b) retained any person to solicit or secure this Agreement upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, other than bona fide employees of bona fide commercial agencies established for the purpose of securing business; (c) breached any of the ethical standards set forth in State statutes or Salt Lake County's Ethics Code, Chapter 2.07, Salt Lake County Code of Ordinances, 2001; or (d) knowingly influenced, and hereby promises that it will not knowingly influence, any County officer or employee or former County officer or employee to breach any of the ethical standards set forth in State statutes or Salt Lake County ordinances.

15. NO OFFICER OR EMPLOYEE INTEREST. It is understood and agreed that no officer or employee of County has or shall have any pecuniary interest, direct or indirect, in this Agreement or the proceeds thereof. No officer or employee of City or any member of their families shall serve on a County Board or Committee or hold any such position which either by rule, practice, or action nominates, recommends, or supervises City's operations, or authorizes funding or payment to City.

16. INTERLOCAL COOPERATION ACT. In satisfaction of the requirements of the Interlocal Act, and in connection with this Agreement, the Parties agree as follows:

- (a) This Agreement shall be approved by each Party pursuant to Section 11-13-202.5 of the Interlocal Act;
- (b) This Agreement shall be reviewed as to proper form and compliance with applicable law by a duly authorized attorney on behalf of each Party, pursuant to Section 11-13-202.5 of the Interlocal Act;
- (c) A duly executed original counterpart of this Agreement shall be filed with keeper of records of each Party, pursuant to Section 11-13-209 of the Interlocal Act;
- (d) Except as otherwise specifically provided herein, each Party shall be responsible for its own costs of any action taken pursuant to this Agreement, and for any financing of such costs; and
- (e) No separate legal entity is created by the terms of this Agreement. To the extent that this Agreement requires administration other than as set forth herein, it shall be administered by a joint board of the public works directors of the City and the County, or their designees. No real or personal property shall be acquired jointly by the Parties as a result of this Agreement. To the extent that a Party acquires, holds or disposes of any real or personal property for use in the joint or cooperative undertaking contemplated by this Agreement, such Party shall do so in the same manner that it deals with other property of such Party.

17. ENTIRE AGREEMENT AND AMENDMENT. This agreement constitutes the entire agreement between the Parties, and no other promises or understandings, express or implied, shall be binding upon the Parties. No amendment to this agreement shall be effective unless made in writing and signed by the parties.

[Signatures on following page]

IN WITNESS WHEREOF, the Parties have subscribed their names hereon and caused this agreement to be duly executed on the _____ day of _____, 2023.

SALT LAKE COUNTY

CITY OF DRAPER

By: _____
Mayor or Designee

By: _____

Name: _____

Title: _____

Departmental Approval:

By: _____
Scott Baird,
Public Works Director

ATTEST:

Date: _____

Draper City Recorder

Division Approval:

By: _____
Crystal Hulbert,
Division Director

Date: _____

Reviewed as to Form:

Approved as to Form:

By: _____
Deputy District Attorney

By: _____
Draper City Attorney

Date: _____

EXHIBIT "A"

SCOPE OF WORK

HAWK traffic signal Installation at Porter Rockwell Trail (12470 South) 1300 East.

- To be completed by December 31, 2023
- Total cost \$88,925.00 for HAWK signal build.
- Boring Cost Estimate \$25,000.00.

Description of work to be performed:

1. Install traffic signal foundation and upright. (1)
2. Install steel mast arm and one street light extension. (1)
3. Install 11' pedestrian pole. (1)
4. Install conduit thru boring contractor.
5. Pull and connect wire.
6. Install power service pedestal.
7. Install pedestrian signals and push buttons.
8. Install concrete junction boxes.
9. Install HAWK signal heads.
10. Galvanized upright and mast arm pole.
11. Install traffic signal control box.
12. Install HAWK metro signage.

Total Cost \$113,925.00 Estimate.

Upon installation of and improvements to the signal, the signal shall be owned by the City and maintained by the County. The traffic signal will be added to the current Traffic Signal Maintenance Agreement between the parties.

Determination of signal phasing and timing shall be the responsibility of the City. Prior to the County activating the signal, the City shall approve in writing the phasing and timing of the signal. Any changes related to signal phasing, timing, or other modification of the signal shall be initiated and approved in the writing by the City's traffic engineer or other authorized engineering representative prior to the County implementing the change.



JORDAN VALLEY WATER
CONSERVANCY DISTRICT

**REPORT TO DRAPER CITY COUNCIL REGARDING A
PROPOSED PROPERTY TAX RATE INCREASE FOR 2023**

July 11, 2023

Jordan Valley Water Conservancy District is proposing a property tax increase for its fiscal year 2023/2024 budget.

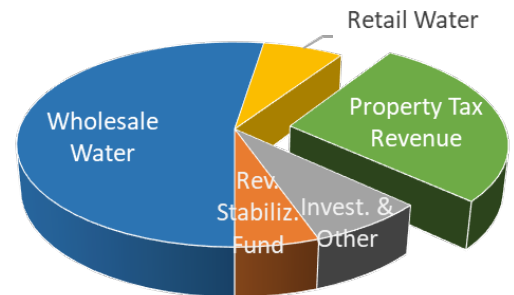
A public hearing is scheduled for August 9, 2023, at 6:00 p.m., where citizens will be able to attend and ask questions or make comments.

A growing service area and increasing water demands require additional water supplies and infrastructure, costing millions of dollars.

Summary information regarding Jordan Valley’s proposed property tax increase:

FROM JORDAN VALLEY’S 2023/2024 TENTATIVE BUDGET:

Total budgeted revenue	\$98.7 million
Property tax revenue as a percentage of total budgeted revenue	29%
Amount of additional revenue from the proposed property tax increase	\$2.3 million
Percent increase in property tax revenue	9.3%
Percent increase in property tax revenue to the total annual cost of water (average residence)	1.8%



PROPERTY TAX INCREASE AMOUNT FOR A HOME OR BUSINESS:

	\$400,000		\$550,000		\$700,000	
	Home	Business	Home	Business	Home	Business
Current annual property tax	\$68.64	\$124.80	\$94.38	\$171.60	\$120.12	\$218.40
New annual property tax	\$75.02	\$136.40	\$103.15	\$187.55	\$131.29	\$238.70
Annual property tax increase	\$6.38	\$11.60	\$8.77	\$15.95	\$11.17	\$20.30

PURPOSE FOR ADDITIONAL PROPERTY TAX REVENUE:

Major capital projects and debt needs over the next five years, which property tax helps support.

Treatment plant upgrades and expansion	\$69.6 million
Two new storage reservoirs	\$40.0 million
New Southwest Aqueduct segment	\$35.0 million
New wells and groundwater development	\$10.3 million
Debt service from \$190 million of new bonds to be issued	\$30.0 million



MEMO

To: City Council Meeting

From:

CC:

Date: July 11, 2023

Re:

ATTACHMENTS:

Description	Upload Date	Type
Resolution #23-39	7/7/2023	Cover Memo
Exhibit A	7/7/2023	Cover Memo

RESOLUTION NO. 23-39

A RESOLUTION OF THE DRAPER CITY COUNCIL GRANTING PRELIMINARY APPROVAL FOR THE WITHDRAWAL OF THE LITTLE VALLEY SUBDIVISION FROM THE TRAVERSE RIDGE SPECIAL SERVICE DISTRICT

WHEREAS, the Draper City Council, by Resolution dated December 28, 1999, has previously established the Traverse Ridge Special Service District (“TRSSD”) for the purpose of providing transportation, snow removal, sanitation and street lighting services within the area designated as the TRSSD; and

WHEREAS, the Draper City Council, by Resolution dated June 17, 2003, previously approved the annexation petition into the TRSSD of the properties located in the Little Valley Condominiums plat (“Little Valley Properties”); and

WHEREAS, Draper City has received a formal request from property owners of Little Valley Properties (“Little Valley Petition”), attached hereto as Exhibit A, to withdraw the Little Valley Properties from the TRSSD; and

WHEREAS, Utah Code Ann. 17D-1-601 provides the municipality that created a special service district may by resolution approve the withdrawal of an area from the special service district if the Draper City Council determines that the area should not or cannot be provided the service that the special service district provides

WHEREAS, the Draper City Council, in accordance with state law, has considered the Little Valley Petition; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Findings. The Draper City Council finds: (1) for the reasons stated in the Little Valley Petition, the Little Valley Properties should not or cannot be provided the services that the TRSSD provides; (2) there aren’t any outstanding and unpaid bonds, notes, or other obligations of the TRSSD; and (3) the TRSSD has no existing contractual obligations to provide services.

Section 2. Preliminary Approval. The Draper City Council grants its preliminary approval for the withdrawal of the Little Valley Properties from the TRSSD. The Draper City Council may grant final approval upon receipt by the City Council of a notice of an impending boundary action and an amended final local entity plat as described in Utah Code Ann. 17D-1-603.

Section 3. Severability. If any section, part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

Section 4 **Effective Date.** This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, THIS 11th DAY OF JULY, 2023.

ATTEST:

DRAPER CITY:

Laura Oscarson, CMC, City Recorder

Mayor, Troy K. Walker

VOTE TAKEN:	YES	NO
Councilmember Green	_____	_____
Councilmember T. Lowery	_____	_____
Councilmember F. Lowry	_____	_____
Councilmember Roberts	_____	_____
Councilmember Vawdrey	_____	_____
Mayor Walker	_____	_____

EXHIBIT A



January 6, 2023

Via Email david.dobbins@draperutah.gov

David Dobbins
Draper City Manager
1020 East Pioneer Road
Draper, UT 84020

Re: *The Cove at Little Valley HOA*
Our File No. 22483-0001

Mr. Dobbins:

Following a phone call with you and Mike Barker on January 4, 2023, I submit the following information in support of The Cove at Little Valley HOA's ("CALV") request for Draper City to adopt a resolution approving the withdrawal of CALV from the service area of the Traverse Ridge Special Service District ("TRSSD"). Below is some data supporting the grounds for CALV's request:

1. CALV is a Utah non-profit corporation formed in or about 2004. It operates as an association of unit owners in Draper City, Utah and representing the interests of at least two homeowners within the CALV boundaries.
2. TRSSD is a Utah special service district established by Draper City. It was created on December 28, 1999 under the provisions of the Utah Special Service District Act, found at [UTAH CODE ANN. §17D-1-101](#), *et seq.* by Draper City Resolution No. 99-82 ("**Resolution 99-82**").
3. The sole purpose of the TRSSD as stated in Resolution 99-82 is as follows: "The District is to be created for the purpose of providing transportation, including snow removal, street lighting services, repairing and maintaining roads, sweeping and disposal services and the District is hereby created for the purposes stated above."
4. TRSSD has not provided such services upon roadways within CALV as required by Resolution 99-82 at any time since its creation. As a result, CALV homeowners have paid fees to the TRSSD annually for the services it was created to provide, but neither the CALV homeowners nor the association itself have received those services.

Richards Brandt Miller Nelson
111 E. Broadway | 4th Floor
Salt Lake City, Utah 84111
PO Box 2465
Salt Lake City, Utah 84110-2465
P 801-531-2000 | F 801-532-5506
www.rbm.com

Craig C. Coburn
Robert G. Wright^{WY}
Matthew C. Barneck^{CO WY}
Mark R. Sumsion
David H. Tolk
Lincoln Harris^{KY}
Rafael A. Seminario

Steven H. Bergman^{AZ CA}
Lori L. Hansen
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Of Counsel:
Lynn S. Davies
Russell C. Fericks
Michael K. Mohrman
Jonathon D. Parry^{WA}
Adam Affleck^{CA}

Barbara Melendez
Jack W. Reed
Cathy Campbell

Founders:
William S. Richards
(1929-2002)
Robert W. Brandt
(1923-2017)
Robert W. Miller
(1940-1983)
P. Keith Nelson
(1939-2013)

Also Admitted in: Arizona California Colorado Kentucky Texas Washington Wyoming

5. From 2005 to the present, CALV homeowners have collectively paid nearly \$200,000 in service fees to TRSSD and during those years TRSSD has refused to provide road maintenance services.
6. The TRSSD service area has a total of about 53 lane miles.
7. The total length of CALV roadways is about 1,950 feet, less than ½ mile.
8. CALV homeowners necessarily travel upon only a small segment of a road within the TRSSD service area.
 - a. Traverse Ridge Road is not within the TRSSD service area at the turnoff to CALV. The turnoff is at Maple Park Court, which is within the TRSSD service area.
 - b. To travel to CALV, a homeowner would drive up Traverse Ridge Road and turn right on Maple Park Court.
 - c. Then, the homeowner would travel about 340 feet on Maple Park Court before entering the CALV boundary at Vista Valley Drive. (See link to interactive TRSSD boundary map.)

<https://draper.maps.arcgis.com/apps/StorytellingTextLegend/index.html?appid=c491973a21a74ab2a3733d4ac08b0064>
9. There are approximately 40 homes in CALV.

A provision of the Special Service District Act states that “the legislative body of the ... municipality that created a special service district may by resolution ... (1) approve the withdrawal of an area from the special service district if the legislative body determines that the area should not or cannot be provided the service that the special service district provides” Utah Code Ann. §17D-1-601(1). In recent communications with TRSSD, the district has reaffirmed that it does not oppose a petition to Draper City to redraw the boundaries and remove CALV from the TRSSD service area.

CALV makes this formal written request for Draper City to adopt a resolution approving the withdrawal of CALV from the service area of the TRSSD. We would like to coordinate with and support the City’s effort and, as mentioned, expect the TRSSD will also do so. Please contact me or Chuck O’Brien 801-205-3548,

January 6, 2023

Page 3

obrienregroup@gmail.com, to let us know what we can do to support the effort. Thank you for your consideration.

Sincerely,

RICHARDS BRANDT MILLER NELSON

A handwritten signature in blue ink, appearing to read "Matthew C. Barneck".

Matthew C. Barneck

MCB/ple

cc: Mike Barker (mike.barker@draperutah.gov)

Chuck O'Brien (Obrienregroup@gmail.com)

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