# Lindon City Council
# Staff Report

Prepared by Lindon City
Administration

April 16, 2019

# REVISED: Notice of Meeting of the *Lindon City Council*

The Lindon City Council will hold a meeting at 7:00 p.m. on Tuesday, April 16, 2019 in the Lindon City Center Council Chambers, 100 North State Street, Lindon, Utah. The agenda will consist of the following:

Scan or click here for link to download agenda & staff report materials:

**REGULAR SESSION – 7:00 P.M.** - Conducting: Jeff Acerson, Mayor
Pledge of Allegiance: By Invitation
Invocation: Mike Vanchiere

*(Review times are estimates only)*

**1. Call to Order / Roll Call** *(2 minutes)*

**2. Presentations and Announcements** *(15 minutes)*

a) Comments / Announcements from Mayor and Council members.

b) Ceremonial Oath of Office - The City Recorder will administer the Oath of Office to new Police Officers Alex Winder and Cody Sampson.

c) Employee Recognition Award, 2019 1st Quarter: Zachery Dalley, Water Technician.

**3. Approval of minutes:** April 2, 2019 *(5 minutes)*

**4. Open Session for Public Comment** *(For items not on the agenda)* *(10 minutes)*

**5. Consent Agenda –** *(Items do not require public comment or discussion and can all be approved by a single motion.)* *(5 minutes)*

a) Resolution #2019-9-R, declaring surplus property for disposal; Dodge Dakota truck with a minimum bid of $2,500.

b) Resolution #2019-10-R, Interlocal Agreement with Utah County contracting with the County to administer the 2019 Municipal "Vote by Mail" elections at an approximate cost of $21,830.40 for both primary and general elections.

**6. Review & Action – Emergency Operations Plan; Resolution #2019-11-R.** *(15 minutes)*

The Lindon City Council will review and consider for approval a new Emergency Operations Plan presented by Lindon City Chief of Police Josh Adams and Administrative Professional Jen Wakeland.

**7. Public Hearing – Ordinance #2019-6-O; Accessory Apartment Ordinance Amendment.**

The Planning Commission recommended approval of the request by Paul Johnson for the Lindon City Council to amend Lindon City Code 14.64.100 to increase the allowable height and square footage for detached accessory apartments. *(15 mins)*

**8. Review & Action – Bid Award for 2019 Street Maintenance Projects** *(15 minutes)*

The Lindon City Council will review and consider the recommendation to award the 2019 Street Maintenance Projects base bid and additive areas A-D to Morgan Pavement Maintenance, based on their bid of $732,347.

**Council Reports:** *(20 minutes)*

A) MAG, COG, UIA, Utah Lake Commission, ULCT, NUVAS, IHC Outreach, Budget Committee - Jeff Acerson
B) Public Works, Irrigation water/canal company boards, City Buildings - Van Broderick
C) Planning Commission, Board of Adjustments, General Plan, Budget Committee - Matt Bean
D) Public Safety, Emergency Management, Economic Development, Tree Board - Carolyn Lundberg
E) Parks & Recreation, Lindon Days, Transfer Station/Solid Waste, Cemetery - Mike Vanchiere
F) Admin., Historic Commission, PG/Lindon Chamber, Budget Committee - Jake Hoyt

**Administrator's Report** *(10 minutes)*

**Adjourn**

All or a portion of this meeting may be held electronically to allow a council member to participate by video conference or teleconference. Staff Reports and application materials for the agenda items above are available for review at the Lindon City Offices, located at 100 N. State Street, Lindon, UT. For specific questions on agenda items our staff may be contacted directly at (801)785-5043. City Codes and ordinances are available on the City web site found at www.lindoncity.org. The City of Lindon, in compliance with the Americans with Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations for city-sponsored public meetings, services programs or events should call Kathy Moosman at 801-785-5043, giving at least 24 hours-notice.

**CERTIFICATE OF POSTING:**
I certify that the above notice and agenda was posted in three public places within the Lindon City limits and on the State (http://pmn.utah.gov) and City (www.lindoncity.org) websites.
Posted by: **/s/ Kathryn A. Moosman, City Recorder**
**Date:** April 12 2019; **Time:** 3:30 p.m.; **Place:** Lindon City Center, Lindon Police Dept., Lindon Community Center

## **REGULAR SESSION – 7:00 P.M.** - Conducting: Jeff Acerson, Mayor

Pledge of Allegiance: By Invitation
Invocation: Mike Vanchiere

## **Item 1 – Call to Order / Roll Call**

April 16, 2019 Lindon City Council meeting.

Jeff Acerson
Matt Bean
Van Broderick
Jake Hoyt
Carolyn Lundberg
Mike Vanchiere

*Staff present:* _____

## **Item 2 – Presentations and Announcements**

a) Comments / Announcements from Mayor and Council members.

## <u>Item 3</u> – Approval of Minutes

- Review and approval of City Council minutes: **April 2, 2019**

The Lindon City Council held a regularly scheduled meeting on **Tuesday, April 2, 2019, beginning at 7:00 p.m.** in the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.

**REGULAR SESSION** – 7:00 P.M.

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|---|---|
| Conducting: | Jeff Acerson, Mayor |
| Pledge of Allegiance: | Kathryn Moosman |
| Invocation: | Jeff Acerson |

| **PRESENT** | **EXCUSED** |
|---|---|
| Jeff Acerson, Mayor | Matt Bean, Councilmember |
| Carolyn Lundberg, Councilmember | Van Broderick, Councilmember |
| Jacob Hoyt, Councilmember | |
| Mike Vanchiere, Councilmember | |
| Adam Cowie, City Administrator | |
| Brian Haws, City Attorney | |
| Kathryn Moosman, City Recorder | |

1. **Call to Order/Roll Call** – The meeting was called to order at 7:00 p.m.

2. **Presentations/Announcements** –
   a) **Comments/Announcements from Mayor and Council** – There were no announcements at this time.

3. **Approval of Minutes** – The minutes of the regular meeting of the City Council meeting of March 5, 2019 were reviewed.

COUNCILMEMBER HOYT MOVED TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MARCH 5, 2019 AS AMENDED. COUNCILMEMBER LUNGBERG SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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|---|---|
| COUNCILMEMBER LUNDBERG | AYE |
| COUNCILMEMBER HOYT | AYE |
| COUNCILMEMBER VANCHIERE | AYE |

THE MOTION CARRIED UNANIMOUSLY.

4. **Open Session for Public Comment** – Mayor Acerson called for any public comment not listed as an agenda item. There were no public comments.

5. **Consent Agenda Items** – Items that do not require public comment or discussion and can all be approved by a single motion.

   a. Proclamation - Lindon City Arbor Day, April 27, 2019
   b. Resolution #2019-7-R, declaring surplus equipment for disposal.

COUNCILMEMBER VANCHIERE MOVED TO APPROVE THE CONSENT AGENDA ITEMS AS PRESENTED. COUNCILMEMBER HOYT SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER HOYT AYE
COUNCILMEMBER VANCHIERE AYE

THE MOTION CARRIED UNANIMOUSLY.

**CURRENT BUSINESS**

6. **Review & Action – Appointment of New Justice Court Judge.** The Lindon City Council will consider for ratification the recommendation by Mayor Acerson for appointment of Judge Brook J. Sessions as the new Lindon City Justice Court Judge.

Adam Cowie, City Administrator, led this discussion by stating after a lengthy interview and background check process by the Judicial Nominating Commission and Mayor Acerson, the Honorable Brook J. Sessions, J.D., has been selected by Mayor Acerson for appointment as the new Lindon City Justice Court Judge. He noted this appointment is required to be ratified by the City Council.

Mr. Cowie explained that Judge Sessions is currently serving as the part-time Justice Court Judge for Wasatch County, located in Heber, and will continue in that role in addition to his new duties at the Lindon City Justice Court. Mr. Cowie noted the city is excited to have Judge Sessions join us in representing Lindon City and serving its citizenry.

Mayor Acerson called for any further comments or discussion from the Council. Hearing none he called for a motion.

COUNCILMEMBER HOYT MOVED TO RATIFY MAYOR ACERSON'S RECOMMENDED APPOINTMENT OF THE HONORABLE BROOK J. SESSIONS AS THE LINDON CITY JUSTICE COURT JUDGE. COUNCILMEMBER VANCHIERE SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER HOYT AYE
COUNCILMEMBER VANCHIERE AYE

THE MOTION CARRIED UNANIMOUSLY.

7. **Lindon City Justice Court Judge Oath of Office.** The Oath of Office shall be administered to Judge Brook J. Sessions by Lindon City Justice Court Clerk, Spencer Foster.

Mr. Cowie stated now that the City Council has ratified the appointment of Judge Brook J. Sessions in the prior agenda item, he will now be sworn into office. At this time Lindon City Justice Court Clerk, Spencer Foster, administered the oath of office to Judge Sessions.

Mayor Acerson called for any further comments or discussion from the Council. Hearing none he moved on to the next agenda item.

8. **Review & Action – Agreement Addendum, Shadow Mountain Industrial Properties**. The City Council will review and consider for approval an agreement addendum between the City and Shadow Mountain Industrial Properties allowing for an extension of time for road plans to remain valid.

Mr. Cowie led this agenda item by inviting Clark Taylor, representing Shadow Mountain Industrial Properties forward. He explained there are a lot of documents that follow this introduction, but technically the only thing changing is one date allowing an extension of time to begin construction on a road. He noted the full original development agreement is provided in the staff report, but again the only thing changing is a date for work on the road to begin by July 1, 2022 instead of July 1, 2019.

Mr. Cowie stated Mr. Taylor has worked with City staff and the City Attorney who are all comfortable with extending the date. He noted Mr. Taylor also provided a detailed summary letter of his request that is included in the staff packet. Mr. Cowie indicated staff feels this is pretty straightforward and they are comfortable with this request. He added this approval is conditional on Ivory Homes signing the agreement.

Mayor Acerson called for any comments or discussion from the Council. Hearing none he called for a motion.

COUNCILMEMBER LUNDBERG MOVED TO APPROVE THE FIRST AMENDMENT TO DEVELOPMENT AGREEMENT BETWEEN LINDON CITY AND SHADOW MOUNTAIN INDUSTRIAL PROPERTIES SUBJECT TO IVORY HOMES SIGNING THE AGREEMENT. COUNCILMEMBER VANCHIERE SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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|---|---|
| COUNCILMEMBER LUNDBERG | AYE |
| COUNCILMEMBER HOYT | AYE |
| COUNCILMEMBER VANCHIERE | AYE |

THE MOTION CARRIED UNANIMOUSLY.

9. **Public Hearing –Ordinance #2019-4-O; Adopting Recreational Vehicle Parks Ordinance and Associated Definitions.** The Planning Commission recommended to the Lindon City Council approval to amend ordinance 17.64 by removing unrestricted habitation time limits in Recreational Vehicle Parks and amending associated definitions, adding Recreational Vehicle Parks as a conditional use under the RMU-W land use district in the Appendix A Standard Land Use Table and adopting a new ordinance section 17.78 titled Recreational Vehicle Parks.

COUNCILMEMBER HOYT MOVED TO OPEN THE PUBLIC HEARING. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Mr. Cowie opened this discussion by stating Ron Madsen (who is in attendance) leases and operates the Lindon Marina from the State of Utah. He noted Mr. Madsen made a concept plan presentation to the Planning Commission and City Council the end of 2018. He noted Mr. Madsen has filed an ordinance amendment application for adoption of a new Lindon City Code chapter 17.78 that would allow Recreational Vehicle (RV) Parks in the Recreational Mixed-Use West zone as a conditional use. RV Parks will also need to be added to the Standards Land Use Table and staff is proposing some "clean up" language to Title 17.64 regarding habitation requirement for recreational vehicles. Campgrounds are currently allowed in the RMU-W zone as a conditional use. However, the City currently does not have development standards for RV Parks.

Mr. Cowie pointed out Mr. Madsen is proposing recreational vehicle rentals called Park Model Recreational Vehicles as part of his proposal for the RV Park. In 2018, the State passed Administrative Rule 392-301 that mainly regulates public health standards at RV parks and assigns the local health department to administer approval and inspections of an RV park. Rule 392-301 addresses items such as water supply, wastewater, on-site service buildings, maintenance, food service, solid waste, standards for Park Model RV's and park inspections. In this case, the Utah County Health Department would be responsible for public health approvals and inspections. He noted the Planning Commission gave a unanimous recommendation of approval to the City Council.

Mr. Cowie indicated the Lindon City General Plan states "The City should work with the property owners of the Lindon Marina to pursue upgrading the Marina to a full-service facility on Utah Lake.

Mr. Cowie then referenced the summary of Lindon City Code Amendments as follows:

1. Updates Title 17.64.010 and .020 to reference recreational vehicles as defined in Utah Administrative Rule 392-301 instead of trailer houses.
   *"Recreational vehicle" means a vehicular unit, other than a mobile home or tiny house, designed as a temporary dwelling for travel, recreational and vacation use, which is either driven or is mounted on or pulled by another vehicle, including: travel trailer, camp trailer, fifth-wheel trailer, folding tent trailer, truck camper, or motorhome.*
2. Updates 17.64.020 to not allow recreational vehicle habitation for an unspecified time limit in mobile home or RV parks.
3. Adds Recreational Vehicle Parks as a conditional under the Recreational Mixed Use – West zone in the Standard Land Use Table. If the ordinance is approved by the city council then RV Park will come back to the planning commission for a conditional use permit before it can begin construction and open for operation.
4. Creates a new ordinance section title 17.68 – Recreational Vehicle Parks
   a. 17.68 references State Code and the new State Administrative Rule 392-301 for complying with those regulations, standards, and definitions;
   b. Establishes RV park development standards with minimum park size, pad site size, landscaping, security and parking standards;
   c. Defines RV park pad sites as either independent or dependent. Independent are those with full hook-up utility services and dependent are reserved for those RV's or tent camping that require restroom and other sanitary services;

d. Requires a recreational area for the RV park;
e. Describes the types of common facilities such as a management office, laundry rooms, restroom and shower facilities and sewer disposal and water stations;
f. Describes the utility requirements for full hook-up pad sites;
g. Describes park management practices as well as the requirement that all overnight camping occur in designated pad sites. Currently, campers are scattered throughout the property. The Utah Department of Forestry and Lands as well as the City would like to see all campers in designated pad sites. Some of the areas where campers are currently staying were never design for camping;
h. RV parks are required to obtain a business license;
i. There is a fourteen (14) day maximum stay in an RV park with a seven (7) day waiting period before returning to the park. The fourteen days is measured as continuous days. In addition, the State of Utah does not allow more than a fourteen (14) continuous days of camping on public lands;
j. Describes requirements for Park Model RV rentals and that only the RV park operator is allowed to rent Park Model RV's. The ordinance also outlines construction standards and specifications for each Park Model RV.

Councilmember Lundberg asked staff if Chief Adams has an opinion in regards to issues with crime and policing with this proposal. Mr. Cowie stated Chief Adams is comfortable with this proposal and any concerns are incorporated into the ordinance.

Mr. Madsen pointed out they are already regulated under the state who monitor the facility; they are comfortable with the ordinance language. He pointed out they have a 28-year lease so it makes sense to do these improvements. Councilmember Hoyt asked about policing and monitoring. Mr. Madsen explained the policing procedures at the facility over the past six seasons in regards to agreements and noticing etc. adding they have rarely had to call the police with any eviction issue etc. Councilmember Lundberg asked how often a Conditional Use Permit will come up for review. Mr. Cowie stated a CUP is not up for review but must meet the conditions but on the business license renewal end of it they will be looked at annually to ensure they remain in compliance. Councilmember Vanchiere asked Mr. Madsen if he had provided the management plan. Mr. Cowie directed the applicant to coordinate with the Planning Director regarding the management practices policies plan. Mr. Madsen also explained the algae bloom issue at the lake noting 99% of the lake is algae bloom free all year long and only 1% are toxic. He indicated there is a lot of disinformation put out on the issue.

Mayor Acerson called for any further public comments. Hearing none he called for a motion to close the public hearing.

COUNCILMEMBER HOYT MOVED TO CLOSE THE PUBLIC HEARING. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

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Mayor Acerson called for any further comments or discussion from the Council. Hearing none he called for a motion.

COUNCILMEMBER HOYT MOVED TO APPROVE ORDINANCE AMENDMENT #2019-4-O AS PRESENTED. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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| COUNCILMEMBER LUNDBERG | AYE |
| COUNCILMEMBER HOYT | AYE |
| COUNCILMEMBER VANCHIERE | AYE |

THE MOTION CARRIED UNANIMOUSLY.

10. **Review & Action – Full Time Pool Manager Position.** The Lindon City Council will review and consider the new FT Pool manager position. If approved the position opening will be advertised and filled with the budget amended later this year. This item was discussed at the last city council meeting.

Parks & Recreation Director, Heath Bateman, gave a brief overview of this agenda item stating as previously discussed, this is a request for approval of changing the current pool manager position from part-time to full-time with the new positions title of 'Aquatics Manager/Recreation Coordinator'. Mr. Bateman noted a copy of the financial analysis and job description has been provided in the staff packet.

Mr. Cowie pointed out the current fiscal year budget is sufficient to cover the anticipated costs for the next few months, so a budget amendment for this change is not needed at this time. He added if the position is approved the final fiscal year budget amendment made in June of each fiscal year will include the financial changes to the budget. Following some general discussion, the Council was in agreement to approve the full-time Pool Manager position change as requested.

Mayor Acerson called for any further comments or discussion from the Council. Hearing none he called for a motion.

COUNCILMEMBER VANCHIERE MOVED TO APPROVE THE AQUATICS MANAGER/RECREATION COORDINATOR AS A FULL-TIME POSITION. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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|---|---|
| COUNCILMEMBER LUNDBERG | AYE |
| COUNCILMEMBER HOYT | AYE |
| COUNCILMEMBER VANCHIERE | AYE |

THE MOTION CARRIED UNANIMOUSLY.

11. **Public Hearing – Resolution #2019-8-R; Amend FY2019 Budget; Adopt FY2020 Tentative Budget.** The City Council will review and consider Resolution #2019-8-R amending the FY2019 budget and adopting the FY2020 Tentative Budget for Lindon City. Lindon City Finance Director, Kristen Colson, will present the budget amendments and Tentative Budget for consideration. The City will hold additional public meetings to review the budget on May 7, 2019 and May 21, 2019. The City will hold a public hearing to adopt the FY2020

Proposed Budget on May 21, 2019 and a public hearing to amend the FY2019 budget and adopt the FY2020 Final Budget on June 18, 2019.

COUNCILMEMBER HOYT MOVED TO OPEN THE PUBLIC HEARING. COUNCILMEMBER VANCHIERE SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Kristen Colson, Lindon City Finance Director, led this discussion by referencing the Tentative Budget document that shows two prior year budgets, the original and amended budget for 2018-2019 (FY2019), and the Tentative Budget proposal for 2019-2020 (FY2020). She noted this Tentative Budget is essentially a 'rough draft' budget proposal that is required by State Code to allow the public to begin review of potential budgetary issues. She stated she won't spend much time discussing this draft budget or specific line items in this meeting as the budget will continue to be refined and updated throughout upcoming work sessions and public hearings.

Ms. Colson stated the Tentative budget includes requested expenditures for roads of $1.3 million, an additional debt payment for the Public Safety Building bond, merit & COLA increases for employees, capital projects and equipment purchases, etc. It is a very conservative budget anticipating all departments' expenditures, and appearing to be adequately covering all potential costs while still maintaining a very health General Fund balance (essentially Lindon's emergency savings). Ms. Colson indicated she will still be meeting with the Department Heads for any requested changes and updates.

Ms. Colson commented the Budget Committee was provided a rough draft of the Tentative Budget and will be meeting again to discuss a few other budgetary matters that may change the final budget proposal (insurance costs, merit & COLA, capital expenditures, etc.). She added there will also be additional public meetings and public hearings to review the budget.

Mr. Cowie stated that the bottom line is they are projecting a good financial position for the city and baring a significant recession or any legislative changes that may drastically change the sales tax revenues, Lindon expects a very healthy financial year and revenues are anticipated to cover all anticipated needs while maintaining a good rainy-day fund.

Following some general discussion, the agreed to approve the proposed Tentative Budget as presented.

Mayor Acerson called for any public comments. Hearing none he called for a motion to close the public hearing.

COUNCILMEMBER HOYT MOVED TO CLOSE THE PUBLIC HEARING. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Mayor Acerson called for any further comments or discussion from the Council. Hearing none he called for a motion.

COUNCILMEMBER HOYT MOVED TO APPROVE RESOLUTION #2019-8-R AMENDING THE CURRENT FY2019 BUDGET, AND ADOPTING THE FY2020

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TENTATIVE BUDGET. COUNCILMEMBER VANCHIERE SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER HOYT AYE
COUNCILMEMBER VANCHIERE AYE
THE MOTION CARRIED UNANIMOUSLY.

12. **Recess to Lindon City Redevelopment Agency Meeting (RDA)**

COUNCILMEMBER VANCHIERE MOVED TO RECESS THE MEETING OF THE LINDON CITY COUNCIL AND CONVENE THE MEETING OF THE LINDON CITY REDEVELOPMENT AGENCY AT 8:07 P.M. COUNCILMEMBER HOYT SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

BOARDMEMBER VANCHIERE MOVED TO ADJOURN THE MEETING OF THE LINDON CITY RDA AND RE-CONVENE THE MEETING OF THE LINDON CITY COUNCIL MEETING AT 8:10 P.M. BOARDMEMBER LUNDBERG SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

13. **Public Hearing – Ordinance #2019-7-O; Government Records Access Management (LCC Title 4). This item was advertised for this date but not ready for review and will be continued.** The City Council will review and consider Ordinance #2019-7-O amending Lindon City Code Title 4; Government Records Access Management. Brian Haws, City Attorney will present.

Mr. Cowie stated this item was advertised for this meeting date but is not ready for review and will be continued. He advised the council to make a motion to continue this item to a future public meeting.

Mayor Acerson called for any further comments or discussion from the Council. Hearing none he called for a motion to continue.

COUNCILMEMBER LUNDBERG MOVED TO CONTINUE THIS ITEM TO A FUTURE PUBLIC MEETING. COUNCILMEMBER VANCHIERE SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

COUNCILMEMBER LUNDBERG AYE
COUNCILMEMBER HOYT AYE
COUNCILMEMBER VANCHIERE AYE
THE MOTION CARRIED UNANIMOUSLY.

14. **Public Hearing – Ordinance #2019-5-O; Amendment to the Appendix A of the Standard Land Use Table.** The Planning Commission recommended approval to the Lindon City Council to amend Appendix A, Standard Land Use Table to remove Recycling businesses as a use category from the Standard Land Use Table.

COUNCILMEMBER HOYT MOVED TO OPEN THE PUBLIC HEARING. COUNCILMEMBER LUNDBERG SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Mr. Cowie gave a brief overview of the item by stating Lindon City is proposing an amendment to Appendix A in the Standard Land Use Table to remove Recycling businesses as a use category from the Standard Land Use Table. The Standard Land Use Table currently lists Recycling businesses as a conditional use in the Heavy Industrial (HI) and Light Industrial (LI) zones and not permitted in all other zones. He pointed out that Lindon City has seen significant new commercial and industrial investment specifically within and those areas that surround the Light and Heavy Industrial zones.

Mr. Cowie stated in addition, there are new residential areas such as Anderson Farms that border the Light Industrial zone. He noted the City seeks to continue to promote new growth through economic development within the Light and Heavy Industrial zones. He pointed out that recycling businesses are a broad classification but would include those businesses that collect solid waste (refuse) or materials for recycling like cardboard or construction materials for processing and transfer to another location.

Mr. Cowie indicated the purpose of removing recycling businesses is to reduce the incompatibility of recycling uses with new and existing development. Recycling businesses can create undesirable secondary effects with outdoor storage, odors, dust, and noise, which discourage businesses from locating in surrounding areas. He added that currently, the only refuse type recycling facility within Lindon is the Utah County North Point Solid Waste Special Service District. The Planning Commission gave a unanimous recommendation of approval to the City Council.

Mr. Cowie indicated this action will remove the following Permitted Primary Use from the Standard Land Use Table:

- Recycling businesses (Indoor processing only. Outdoor product storage areas require sight obscuring fencing. Applications must meet SLU compatibility standards.)

Mayor Acerson called for any public comments. Hearing none he called for a motion to close the public hearing.

COUNCILMEMBER LUNDBERG MOVED TO CLOSE THE PUBLIC HEARING. COUNCILMEMBER HOYT SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Mayor Acerson called for any further comments or discussion from the Council. Hearing none he called for a motion.

COUNCILMEMBER VANCHIERE MOVED TO APPROVE ORDINANCE AMENDMENT 2019-5-O AS PRESENTED. COUNCILMEMBER HOYT SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

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|---|---|
| COUNCILMEMBER LUNDBERG | AYE |
| COUNCILMEMBER HOYT | AYE |
| COUNCILMEMBER VANCHIERE | AYE |

THE MOTION CARRIED UNANIMOUSLY.

**COUNCIL REPORTS:**

**Councilmember Hoyt** – Councilmember Hoyt reported he attended the Utah Leadership Council along with Councilmember Lundberg and Mayor Acerson noting there was a lot of state representation and it was very informative. He added they plan on holding these meetings on a quarterly basis. He also reported the Historic Preservation Commission is coordinating with the Parks and Recreation Department for the 150th anniversary of the transcontinental railroad. He also reported the new president of the Pleasant Grove/Lindon Chamber of Commerce is Eric Jensen. He noted Mr. Jensen will be presenting an assessment to the Council in October.

**Councilmember Broderick** – Councilmember Broderick was absent.

**Councilmember Bean** – Councilmember Bean was absent.

**Councilmember Lundberg** – Councilmember Lundberg expressed her appreciation to Mayor Acerson for doing a great job interviewing the judge appointment. She also reported she met with Ivory Development this past week in regards to potential additional affordable housing geared toward first responders, teachers etc. They also presented a plan that would eliminate the larger lot community noting they plan to come back with additional ideas. She believes there should be further discussion on this topic.

**Councilmember Vanchiere** – Councilmember Vanchiere reported he met with Heath Bateman with Parks and Recreation to discuss the parks and trails plan. He noted they are looking to organize the citizens committee to gather input and to make recommendations. He also reported he had the opportunity to visit every park on the list which was very helpful. He also reported on Lindon Days noting he had lunch with Mr. Walker regarding the magazine and sponsorships where they received a copy of the proposal and the city attorney is reviewing it. He also reported he attended a recycling seminar in St. George where they heard from Rocky Mtn. Recycling on the topic of the future of recycling. They also had a lengthy presentation from Kurt Bramble, the CEO for the Heirhoff Group which was very informative.

**Mayor Acerson** – Mayor Acerson reported the Utah League of Cities and Towns meetings are coming up at the end of the month. He also attended the North Utah Valley Animal Shelter meeting last week noting there is some confusion on a grant that would help them move towards injection as the state legislature hasn't change the rules regarding gas euthanasia at this time; he believes they are half way there. He will also be attending a MAG financial meeting tomorrow. He reported the Utah Lake Commission noticed a tour they will be doing and all public officials are invited.

**Administrator's Report:** Mr. Cowie reported on the following items followed by discussion.

**Misc. Updates:**

- March City newsletter
- March newsletter article: Jake Hoyt - Article due to Kathy Moosman by end of April.
- City Center elevator construction to begin in next week or two. Completion in approximately 10 weeks.
- Mayor out of town Wednesday, May 8th – Saturday, June 8th. Mayor pro tem is Matt Bean.
- Employee changes:
  - New police officers hired to fill vacancies created by Officer Ormond and Officer Gray leaving. Officer Gray was appointed as the Chief of Police for town of Moroni and Officer Ormond is now working for the Ut County Sherriff. Ceremonial swearing-in for new officers is planned for an upcoming Council meeting.
  - Officer John Lloyd has announced official retirement date on May 31st.
  - Matt Winward, prior public works inspector, was hired as new Water Division Superintendent to replace vacancy left by retirement of Dennis Kendall
  - LOTS of openings for seasonal / summer help. Please help spread the word to your local neighborhoods & apply for summer jobs ASAP.
  - Full-time Staff Engineer position is open until filled.
  - Part-time Community Center front desk attendant position open (McCall Payne was formerly in this position)
- Misc. Items

**Upcoming Meetings & Events:**

- April 5th – 14th - Spring clean-up; dumpsters placed around town for public use
- April 8th at Noon - Budget Committee meeting (Mayor, Jake, Matt, Adam, Kristen)
- April 18th at 1:15pm at Public Works – Engineering Coordination meeting with Mayor Acerson and Councilmember Broderick
- April 24th – 26th - ULCT Spring Conference in St. George

Mayor Acerson called for any further comments or discussion from the Council. Hearing none he called for a motion to adjourn.

**Adjourn** –

COUNCILMEMBER LUNDBERG MOVED TO ADJOURN THE MEETING AT 8:55 PM. COUNCILMEMBER VANCHIERE SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

DRAFT

Approved – April 16, 2019

_____

Kathryn Moosman, City Recorder

_____

Jeff Acerson, Mayor

DRAFT

## <u>Item 4</u> – Open Session for Public Comment *(For items not on the agenda* - 10 minutes)

_____

_____

_____

**<u>Item 5</u> – Consent Agenda** – *Consent agenda may contain items which have been discussed beforehand and/or do not require significant discussion, or are administrative in nature, or do not require public comment. The Council may approve all Consent Agenda items in one motion, or may discuss individual items as needed and act on them separately.*

a. Resolution #2019-9-R – Declaring surplus property for disposal

b. Resolution #2019-10-R, Interlocal Agreement with Utah County contracting with the County to administer the 2019 Municipal "Vote by Mail" elections at an approximate cost of $21,830.40 for both primary and general elections.

***Sample Motion:*** *I move to approve the Consent Agenda items.*

**RESOLUTION NO. 2019-9-R**

**A RESOLUTION DECLARING CERTAIN PROPERTY OWNED BY LINDON CITY TO BE SURPLUS PROPERTY AND AUTHORIZING THE DISPOSAL OF THE LISTED PROPERTY.**

WHEREAS, the Municipal Council of Lindon City has adopted policies and procedures for the disposal of surplus property, with said policy found in Section 3 of the Lindon City Policies and Procedures Manual; and

WHEREAS, the policy requires that a public meeting be held concerning the declaration of any property deemed to be surplus by the City and which has an estimated valued over $100; and

WHEREAS, the identified property is no longer needed and/or has exceeded its useful life and needs to be disposed of.

THEREFORE, BE IT RESOLVED by the Lindon City Council as follows:

Section 1. That the items described on the attached listing be declared as surplus property of the City; and

Section 2. That these items be offered for sale to the public through their listing on www.publicsurplus.com or other comparable on-line auction site. The items will be offered for minimum bids when appropriate. If the minimum bid is not realized, administrative staff may dispose of the items at their discretion including selling for less than the minimum bid; and

Section 3. This resolution shall take effect immediately upon passage.

Adopted and approved this 16th day of April 2019.

By _____
Jeff Acerson, Mayor

Attest:

By _____
Kathryn A. Moosman, City Recorder

SEAL:

Surplus truck:  2001 Dodge Dakota truck w/minimum bid of $2,500

**RESOLUTION NO. 2019-10-R**

**A RESOLUTION OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, APPROVING AN INTERLOCAL COOPERATION AGREEMENT TO CONTRACT WITH UTAH COUNTY FOR VOTE BY MAIL SERVICES DURING THE 2019 ELECTIONS, AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Vote by Mail processes have showed a significant increase in voter turnout during past election cycles and location within the State of Utah; and

WHEREAS, Utah County has indicated willingness to administer a Vote by Mail process for the 2019 primary and general elections; and

WHEREAS, increasing voter turnout improves broader community input on election matters and is in the best interest of Lindon City; and

WHEREAS, Lindon City desires to increase its voter turnout and expressed its interest through Resolution #2019-10-R to contract with Utah County for these election services; and

WHEREAS, Lindon City desires to proceed with a vote by mail process administered by Utah County for the 2019 elections per the terms of the Interlocal Cooperation Agreement included as *Exhibit A*.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Lindon City, Utah County, State of Utah, as follows:

1. The Lindon City Council approves the Interlocal Cooperation Agreement Between Utah County and Lindon City for the Administration of the 2019 Municipal Elections as attached in *Exhibit A*.

***(See Exhibit A)***

PASSED AND ADOPTED by the Lindon City Council on this the ____ day of _____, 2019.

_____
Jeff Acerson, Mayor

ATTEST:

_____
Kathryn A. Moosman, City Recorder

SEAL:

**Agreement No. 2019 - ___**

**INTERLOCAL COOPERATION AGREEMENT BETWEEN UTAH COUNTY AND LINDON CITY FOR THE ADMINISTRATION OF THE 2019 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 Lindon 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 2019 CITY Municipal Primary (August 13, 2019) and General (November 5, 2019) Elections (collectively "2019 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 2019 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 2019 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/Auditor 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 2019 CITY Municipal Elections. This Agreement contemplates basic,

traditional primary and general elections for the 2019 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 2019 CITY Municipal Elections.

CITY agrees to pay to Utah County the actual cost of County's administration of the 2019 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/Auditor 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. 2019 -___, authorized and passed on the _____ day of _____ 2019.

BOARD OF COUNTY COMMISSIONERS
UTAH COUNTY, UTAH

By:_____
WILLIAM C. LEE, Chairman

ATTEST: AMELIA A. POWERS
Utah County Clerk/Auditor

By:_____
Deputy

APPROVED AS TO FORM AND COMPATIBILITY
WITH THE LAWS OF THE STATE OF UTAH:
DAVID O. LEAVITT, Utah County Attorney

By:_____
Deputy County Attorney

**CITY**

Authorized by Resolution No. _____, authorized and passed on the _____ day of _____ 2019.

_____
Mayor, CITY

ATTEST:

_____
NAME
CITY Recorder

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

By: _____

**Exhibit A**
**2019 Municipal Elections**
**Scope of Work for Election Services**

**Revised 4/1/2019 for Lindon**

The County shall provide to the City an Official Register as required by Utah Code Ann. § 20A-5-401, (as amended).

The 2019 Elections will be administered by Mail.

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

- All administrative functions related to candidate filing.
- All administrative functions related to financial disclosure required by state code and/or city code.
- Publish Public Notices 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 current on all legal requirements governing candidates and campaigns.
- Thoroughly examine and proof all election programing done for the 2019 City Municipal Election. Final approval of ballots and programming will rest with the City.
- Host on the official City web site a link to or copy of the official reported results as hosted on the County Elections web page.
- City will not change the format or otherwise alter the official reported results, only displaying them in the form and format as provided by the County.
- City will canvass the final elections results. The City Council is the Board of Canvassers for Municipal Elections.

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
- Return Postage
- Ballot Processing
- Printing Optical Scan Ballots
- Program and Test Voting Equipment
- Program Electronic Voter Register
- Poll Worker Recruitment and Training
- Compensate Vote Center Poll Worker
- Delivery of Supplies and Equipment
- Tabulate and Report Election Results on County Website
- Provisional Ballot Verification
- Update Voter History Database
- Conduct Audits (as required)
- Conduct Recounts (as needed)
- Election Day Administrative Support
- Operation of county wide 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.
- Such results will constitute the final Official Results of the Election.

The County will provide a good faith estimate for budgeting purposes. Election costs are based upon the offices scheduled for election, the number of voters, and the number of jurisdictions participating. The City will be invoiced for its share of the actual costs of the elections 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, will remain unchanged.

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.

# 2019 Municipal Elections

**Exhibit B**

Active Voters for billing purposes, will be calculated 7 days before each Election Day

## LINDON

| Election | Active Voters as of 3/1/19 | Not to exceed $1.80 per voter per election |
|---|---|---|
| Primary | 6064 | $ 10,915.20 |
| General | 6064 | $ 10,915.20 |

| | |
|---|---|
| Estimated Cost as of 3/1/2019 | $ 21,830.40 |

**6. Review & Action – Emergency Operations Plan; Resolution #2019-11-R.** *(15 minutes)*

The Lindon City Council will review and consider for approval a new Emergency Operations Plan presented by Lindon City Chief of Police Josh Adams and Administrative Professional Jen Wakeland.

See attached materials provided by the Chief of Police and PD Administrative Professional.

Sample Motion: I move to approve Resolution #2019-11-R.

# LINDON CITY

## RESOLUTION NO. 2019-11-R

### A RESOLUTION OF LINDON CITY, UTAH ADOPTING THE LINDON CITY EMERGENCY OPERATIONS PLAN (EOP), AND SETTING AN EFFECTIVE DATE.

WHEREAS Lindon City recognizes the need of an Emergency Operations Plan (EOP) for the people and property within Lindon City and recognizes the scope of this guide acknowledges the great relationships that Lindon has with its neighboring jurisdictions; and

WHEREAS Lindon City recognizes Lindon City's commitment to emergency preparation, response, and implementation of this Emergency Operations Plan (EOP) includes all emergencies that could threaten life, property, and/or community stability; and

WHEREAS Lindon City has participated in the creation of an Emergency Operations Plan, hereby known as the Lindon City Emergency Operations Plan (EOP) in accordance with the subsequent FEMA requirements and implemented industry wide, and as utilized by Lindon City. These 5 phases are Prevention, Protection, Mitigation, Response, and Recovery; and

WHEREAS Lindon City recognizes the purpose of this plan is to establish an inclusive all hazards guide that provides the residents of Lindon with effective and consistent incident management approaches and practices to incorporate efficient coordination amongst a wide variety of incidents that include not only prevention, but also preparedness, adept response, and agile recovery; and

WHEREAS Lindon City Emergency Operations Plan (EOP) identifies goals and actions to reduce or eliminate emergency risk to people and property in Lindon City from the impacts of future hazards and disasters and a variety of threats, emergencies, and disasters have the potential to disrupt everyday life within the boundaries of Lindon; and

WHEREAS adoption by Lindon City demonstrates its commitment to emergency mitigation and achieving the goals outlined in the Lindon City Emergency Operations Plan (EOP) and ensures the City follows the plan.

NOW THEREFORE, BE IT RESOLVED by the Lindon City Council, that:

Lindon City, Utah hereby adopts the 2019 Lindon City Emergency Operations Plan (EOP) as kept on file with the Lindon City Recorder and additionally found at the following website as may be amended from time to time: http://www.lindoncity.org. Printed copies of the approved Lindon City Emergency Operations Plan (EOP) will also be delivered to the Mayor, City Administrator, elected officials and City Department Heads.

PASSED and made EFFECTIVE this _____ day of _____ , 2019.

_____

Jeff Acerson
Lindon City Mayor

ATTEST

_____
Kathryn A. Moosman
Lindon City Recorder

LINDON

# Emergency Operations Plan

Adopted April 16, 2019

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# RECORD OF CHANGES

This Emergency Operations Plan (EOP) is intended to be a living document that adapts with the needs of the residents, and the abilities and strengths of the responders as it is tested and activated for incidents or exercises. Working in concert with the Plan Maintenance Section (Appendix A) and in planning efforts with surrounding jurisdictions and escalating up the geographical response hierarchy, this plan should be updated by the Lindon City Emergency Response Coordinator annually, to include Lindon City Staff, Mayor, and City Council approvals. Such revisions will be numbered, documented, and recorded here, as well as through City Council dissemination methods. New versions will supersede any previous version. And the table below will act as a record of revision after final drafts are published and disseminated.

Table 1 (Record of Changes)

| Change Number | Date of Change | Section Changed | Recorded By |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

# RECORD OF DISTRIBUTION

Printed copies of the approved Lindon City Emergency Operations Plan (EOP) will be delivered to the following entities, departments, and agencies.

Table 2 (Record of Distribution)

| Date | Group/ Department | Title of Recipient | Electronic/Hard Copy |
|---|---|---|---|
| April 16, 2019 | Elected Officials & City Administration | Council, Mayor, City Administrator | Electronic Copy |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

# Lindon City Emergency Operations Plan (EOP)

# Section 1 - INTRODUCTION

Lindon City's commitment to emergency preparation, response, and implementation of this Emergency Operations Plan (EOP) includes all emergencies that could threaten life, property, and/or community stability. Meant to act as a basic foundation for all emergency situations, it is written in city code that the plan be revised and revisited annually. As found in the sections prior to this introduction, records of changes will be included to document the gained understanding and experiences of best practices as they are implemented and learned from. This EOP is drafted, and approved to be a living document that will change, grow, and be adaptable throughout the forthcoming events that Lindon City staff and residents may endure.

Although it is difficult to plan for every possibility, this plan has been put forward in good faith, to serve as a decision maker's guide (complete with legal documents, forms, and agreements) for those to whom the responsibility of Emergency Response falls within Lindon City. It outlines organizational structure so that specific duties can be adapted by staff that respond during such events without complicating roles and stewardship. It keeps in mind that not only will leadership occur during the events themselves, but also allows for authority and execution of duties well after the emergent threat has been dealt with.

The following subsections describe the purpose, scope and phases of emergency management as it applies largely across the industry, as well as specifically to Lindon.

## PURPOSE

The purpose of this plan is to establish an inclusive all hazards guide that provides the residents of Lindon with effective and consistent incident management approaches and practices to incorporate efficient coordination amongst a wide variety of incidents that include not only prevention, but also preparedness, adept response, and agile recovery. While this EOP works to clearly establish the roles and responsibilities of each department within the city, it also recognizes the strong relationships with outside agencies that are critical to emergency response. Further, it works to guide all vested parties by including not only guidelines to be adapted in individual circumstances, but gives general assessments and lists resources found within the community.

# SCOPE

The scope of this guide acknowledges the great relationships that Lindon has with its neighboring jurisdictions. Without established relationships with Orem Department of Public Safety any emergency response within the borders of Lindon City would be much more complex. This EOP highlights the strengths of both agencies to function within the boundaries of one geographic region, while simultaneously sharing borders. Keeping in mind the responsibilities that both Orem Department of Public Safety and Lindon Department of Public Safety play in emergency response alongside those of Lindon city staff, this EOP works to maintain emergency response within the geographical bounds of Lindon City.

The main geographical boundaries run from the Lindon Boat Harbor on Utah Lake and stretch across the Utah Valley floor crossing both Interstate 15, and Highway 89 until meeting Utah State Wildland space just  outside of the mouth of Dry Canyon located within the Mount Timpanogos mountain range. The Northernmost bound of Lindon share borders with Pleasant Grove, Utah following closely along 800-900 North. The southernmost border has larger variances, but follows closely with 2000 North, Orem, also known as 200 South, Lindon. The jurisdiction is 8.6 squared miles including the .2 squared miles of water access to Utah Lake.

Residents within the boundaries of Lindon have been and are actively served by a 24 hour police department of which Lindon employs 15 full time officers, 2 reserve officers, 3 crossing guards and 4 civilian staff. In addition to serving as a station for the police department to operate out of, the Public Safety Building, which is owned by Lindon, houses 24 hour Firefighters and EMTs. The fire and EMS services are provided on a contract basis by Orem department of Public Safety, as are the critical dispatching services. This relationship with Orem City binds the two cities to work closely together, and is a valuable asset for the residents and staff of both cities. This document clearly outlines the responsibilities each city owes to each other in times of emergency response (Memorandum of Understanding- Appendix D) and further establishes the roles each department will play within Incident command structures.

# PHASES OF EMERGENCY MANAGEMENT

Within this EOP are basic strategies that will outline the activation, mobilization of resources, and emergency operation activities that guide local emergency management response. Further, it defines and outlines the established phases of emergency management as defined by FEMA, implemented industry wide, and as utilized by Lindon City. These 5 phases are Prevention, Protection, Mitigation, Response, and Recovery.

.

Prevention. “Prevent, avoid or stop an imminent, threatened or actual act of terrorism.”

The core concept here is focused on ensuring our responders and staff are optimally prepared to prevent an imminent terrorist attack to ensure the safety and security of Lindon's citizens as well as it's critical infrastructure.

Protection. "Protect our citizens, residents, visitors, and assets against the greatest threats and hazards in a manner that allows our interests, aspiration and way of life to thrive."

Like prevention, this phase focuses on prevention of terroristic threats, but also includes the security of Lindon City and it's residents against manmade and natural disasters. The protection of critical infrastructure and key resources is vital Lindon's security, public health and safety, and economic vitality. Protective actions may occur before, during, or after an incident and prevent, minimize, or contain the impact of an incident. It safeguards liberties, and is mindful of basic needs.

Mitigation. "Reduce the loss of life and property by lessening the impact of future disasters."

This is a mainstay in time tested emergency response measures. It is a vital component of the overall preparedness effort and illustrates the city's sustained intentions to reduce or eliminate long-term risk to people and property from the effects of hazards and threats. Again, we see traits from the Prevention and Protection phases as the core purpose is to protect people and structures while also minimizing the costs of disaster response and recovery.

Response. "Respond quickly to save lives, protect property and the environment, and meet basic human needs in the aftermath of a catastrophic incident."

This is the immediate action taken in the aftermath of any event wherein responders save lives, meet basic human need, reduce the loss of property and/or impact to the environment. It provides for rapid assessments, which have been planned and prepared for so that response can be scalable and adaptable to whatever incident may present. It allows for flexibility within response so that the greater good may be served quickly in the aftermath of chaos.

Recovery. "Recover through a focus on the timely restoration, strengthening and revitalization of infrastructure, housing and a sustainable economy, as well as the health, social, cultural, historic, and environmental fabric of communities affected by a catastrophic incident."

This phase incorporates both short-term and long-term work that will rebuild Lindon, but also revitalize affected communities. encompasses both short-term and long-term efforts to rebuild and revitalize affected communities. The planning efforts for this phase focuses on seamless transitions between response to short-term, and short-term to long term recovery operations. This includes mass search and rescue operations, public health and healthcare service tasks, restoration of interrupted utility services or transportation routes, and provides for food and shelter needs of displaced residents.

# Section 2 – SITUATION AND HAZARDS

## SITUATION

A variety of threats, emergencies, and disasters have the potential to disrupt everyday life within the boundaries of Lindon. Preparation for such events come in the form of planning, training, running exercises, and forward planning funding preparations for both infrastructure and equipment are all ongoing measures taken on by staff. Should any of the aforementioned threats occur and require activation of an Emergency Operations Center, this Emergency Operation Plan details the efforts that would result from such triggered response. Immediately below are the hazards particular to Lindon, of which this guide is meant to prepare for.

## HAZARDS

### EARTHQUAKES

It's been well documented and established that the threat of earthquakes is a top concern for resident in Utah. Because Utah lies within a seismically active region, such events should be planned for with careful consideration. The last major quake along the Wasatch Fault was approximately 400 years ago with an average interval of serious occurrence every 350 years. For this reason alone, considerations should be made by the residents of Lindon for such activity to occur in their lifetimes with great potential for devastating loss, personal injuries and property damage.

Established by the Utah Geologic Survey and the U.S. Geological Survey, the Working Group on Utah Earthquake Probabilities have published studies expecting a greater than 57% probability for one or more M6.0 earthquakes within the Wasatch Fault segments over the next 50 years. And although the most recent documents were published in 2016, forecasts for this region are extended out to the year 3019 highlighting the very likely threat for large earthquakes in the region.

### WATER RELATED DISASTERS

#### Natural Water Sources

##### Flooding

A common natural event most often as a result of rapid spring snowmelt, being located at the mouth of Dry Canyon and the base of Mount Timpanogos, alongside the possibility for violent thunderstorms, flooding poses a viable threat.

### Drought

Simultaneously, being situated within high desert geography, the possibility for dry seasons creating drought is also likely. Spring melt after an unusually warm and dry winter can result in depleted culinary and secondary water supplies for the community. This could result in several scenarios that would be to the detriment of Lindon, even leading to larger incidents such as wildfire and changes to quality of life

## City Maintained Water Resources

### Water Purity and Delivery

Lindon City's culinary water is sourced from an underground system of wells throughout the city as well as from a spring on the east side of Lindon. Purity standards for this supply, as well as the maintenance of the infrastructure for delivery of the water present multiple challenges that could potentially threaten way of life for the residents of Lindon.

### Sanitation and Infrastructure of Waste Water

Likewise, infrastructure and sanitation of wastewater, or greywater, can also pose a threat if not adequately prepared for and maintained. Breaks or interruptions in services and ruptures in service lines should be considered just as threatening as natural disasters, and will likely occur alongside natural disasters of large magnitude.

### Secondary Water

Through the use of a canal system, residents have access to water supplies for yards, gardens, and other agricultural based activities that have long been a part of Lindon's history and establishment. This water is not for consumption as the standards for its purity are lesser than those required and maintained for culinary use. This should be kept under advisement, as it could potentially threaten quality of life in several ways.

# SEVERE STORMS

Both severe thunderstorms and hurricane force winds can pair with hail and cause mild to moderate damage to homes, businesses, and personal assets stored outdoors. Not only is damage from hail a threat that faces Lindon, but tornadoes, funnel clouds, and other such storms have been present in Utah's recent history. Being near the mouth the canyon winds in excess of 75 miles per hour have been logged. In addition, heavy snowfall during severe winter storms also cause widespread outages to electrical services, and communications, while frozen pipes can cause water and gas outages in both homes and businesses alike. Being located in between the foothills of Mount Timpanogos mountain, and extending out toward the low lying Utah Lake can mean a variety of threats during severe storms should be considered.

## LANDSLIDES AND DEBRIS FLOWS

Although often associated with seismic activity, these two natural phenomena can also be associated with the above listed threat of Severe Storms. Unstable land due to either seismic activity or soil saturation can easily create a climate for such movement to include land slips, debris flow and rock slides or falls. Often these threats will follow others, but can occur independently given the steep nature of terrain that Lindon incorporates.

## WILDLAND FIRES

Positioned within the Wasatch Mountain Range, a significant threat of wildland fire exists to the residents of Lindon. Property damage could reach catastrophic levels as most of the mountain range is largely free from fire breaks that would mitigate such disasters. These fires could be man-made, or occur as part of lightning strikes from severe storms. Such fires would cause strain on city, county and state resources as has been seen in previous summer seasons in nearby jurisdictions, not to mention posing threat not only to property, but life as well and as such is considered in this EOP.

## HAZARDOUS MATERIALS

With Interstate 15, Highway 89, and State Road 114 as major arteries within Lindon city limits the threat of hazardous material accidents and or spills presents clear opportunity for evacuation, protective sheltering, and medical care response needs to be considered. With a strong industrial base within the city, and just south of the jurisdiction

## TERRORISM and CIVIL DISTURBANCE

Although the perceived threat of terrorism could be considered minor, several types of terroristic events fall under this category and include but are not limited to  Weapons of Mass Destruction, Bio-Terrorism, Agro-Terrorism, Cyber-Terrorism and Domestic Terrorism. While this plan focuses on some of the more critical natural hazards of Lindon’s location, accounting must be taken into consideration for the rising threats that occur at the hands of citizens who seek to promote social chaos and otherwise destroy the way of life within the city. This includes civil disturbances such as protest and demonstrations, which can arise at anytime with little to no provocation. Other such incidents might be the result of social economic struggle and dissonance, mental health deterioration, or general malevolent intent in small or on a large scale.

# Section 3- THE BASIC PLAN

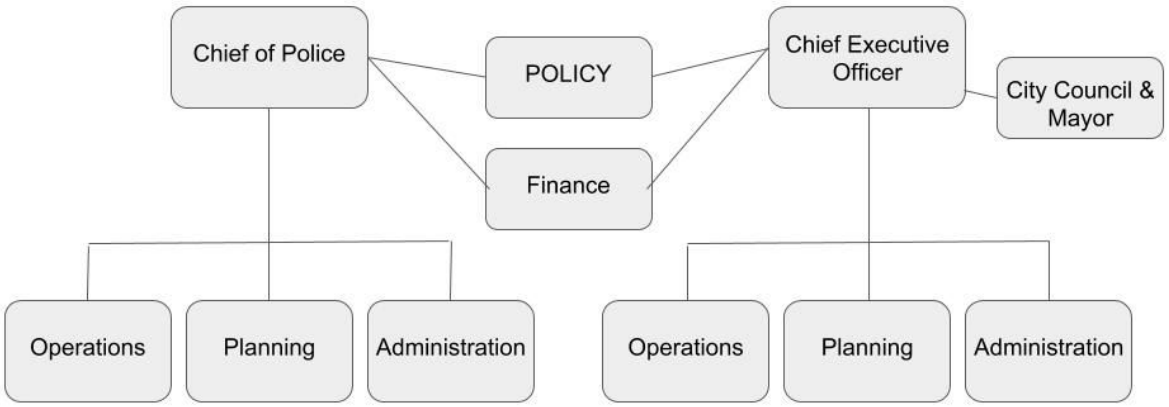
## ORGANIZATIONAL STRUCTURE

As a smaller city within Utah County and the State of Utah, the structure of command for this EOP will be a smaller scale than those of larger jurisdictions and will require employees to take on more roles, but will keep them in line with their general day to day duties as established by Lindon City Policy and job description. Such instances might include that the Police Department would be responsible for enforcing curfews or shelter in place statutes as necessitated by the level of response, or the Public Works Department aiding in the repair of critical infrastructure.

This EOP recognizes the importance of Policy and how it will work to bind together the efforts of both EMS personnel and City Staff in Emergency Response. As such, the command structure has been build so that the Chief of Police as Commander over Fire, EMS and Police Response within the EOC will be head of this arm of response, while the City Manager, as Chief Executive Officer will head and lead non EMS personnel in their response. Together both teams will work to mitigate losses, respond to active emergencies, and work to establish recovery efforts.

Traditionally in NIMS and basic ICS structure there are 15 Emergency Support Functions (ESF), Lindon will utilize 4 basic groupings to cover the needs of the 15 ESF designation. These four groups will be Emergency Policy Council (as noted above, the bridge between the Emergency Response Commander and the CEO), Operations, Planning, and Finance/Administration. Both heads will utilize Operations, Planning and Finance/Administration under their chain of command to address the emergencies as they occur and will work to perform functions that most closely resemble their day to day operations for the city.

In the event that there is confusion about department response to a particular emergency, the CEO will direct Department Heads as to whom is responsible for which aspect of emergency operations.Below, a flow chart illustrates the distribution of responsibility and chain of command to be followed as each city department has a vital role to play in response and recovery efforts.



## Roles and Definitions

Chief Executive Officer:
The City Manager is the Chief Executive Officer as it pertains to this plan. This role is responsible for the oversight of non-EMS personnel response, working jointly with the Chief of Police as the Emergency Response Commander. In addition to directing the work of staff, department heads, and response and recovery efforts, this role also acts as the Public Information Officer (PIO) to include social media, press releases, media statements and interviews and briefs as well as communication between Lindon City and other shareholder entities.

Policy Council:
This role is designed with the intent of bridging the gap that can exist between Police Department Policy, City Policy, and National standards for Policy as they pertain to Emergency Response. Optimally, this work will be housed within the Emergency Operations Center (EOC) and will include (but not be limited to) the following responsibilities:

- ❏ Provide policy guidance on Emergency Management issues such as mitigation
- ❏ Prepare, Document and Issue the Declaration that Local State of Emergency exists, as necessary (Appendix C)
- ❏ Authorize at the direction of the CEO and Chief of Police, the opening and staffing of the Emergency Operations Center (EOC)
- ❏ Liaise with Finance and Police Department Admin to provide policy direction specific to Emergency Responders
- ❏ Provide for the enacting of ordinances and resolutions required before, during and after the emergency to mitigate the effects of disasters to aid in speedy recover (could include curfews, suspensions of existing city ordinances, or evacuation orders)
- ❏ Act as Liaison for Lindon City in dealings with County, State and Federal Delegations, the Governor and/or the President of the United States
- ❏ Establish appropriate forms, documentation, and information systems to allow for appropriate emergency funds and resources to be allocated.

This position can be left to one individual, but as written is intended to bridge the gap between City and Police Department policies as different standards exist within the current framework, and thus could be a panel or group of individuals whose skills, knowledge, and experience can ensure the successful execution of this plan. Because of this, both the CEO and Chief of Police can advise or ask for direction from this role.

Finance:
This role will fall under the Policy Role answering to both the CEO and Chief of Police and will work to also augment the Policy Group as they work to maintain the appropriate procedures to

ensure appropriate funding can be obtained from County, State, and Federal levels if necessary. This work will require not only the facilitation of accounts payable and receivable, but also will be responsible for the documentation of hours and time worked for compensation. Often, because worked man hours will include volunteer hours/funding/resources, the receipt of that documentation will also fall squarely under the Finance Duties. Again, designed in such a way that one individual could manage this responsibility, it can be divided against a group of individuals working jointly but at the direction of Lindon City's Finance Director.

Below are loose descriptions for the three broad categories that the CEO and Chief of Police will direct.This because the functionality of the three are the same in name and intention, but have varied application as it pertains to what kind of emergency has presented. In this way, both the CEO and Chief of Police have at their direction Management level teams that have specialized training, skills, and first hand experience that can aid in speedy response and recovery efforts.

The Chief of Police will use traditional Command Staff levels of Rank and Authority as established within Lindon Police Department and Orem Department of Public Safety to work through functionality of Operations, Planning, and Administration. The Chief will rely on industry best practices as he utilizes the NIMS and ICS structure in response efforts, coordinating between his team and Orem's Department of Public Safety to include both Dispatch services and Fire/EMS service response.

The CEO will use department heads and supervisors from across Lindon City staff to create roles for Operations, Planning and Administration. These tasks will be left to the CEO to designate, coordinate, and relate information back and forth with the Chief of Police. While the **Operations** section may be the largest group lead by the CEO, it will require high skill to execute, but not be limited to, such tasks as carrying out policy as directed by the Policy Group, coordination of available resources, employees, and donations, collecting needs/damage assessments, making recommendations to the Policy and Finance Groups, as well as advising of conditions out in the affected areas. **Planning** will work to facilitate the needs of the Operations team while keeping a target for future response and recovery efforts by acting as a Liaison with the Policy role, Finance role and Chief of Police's Planning role. This individual works to ensure that the existing plan is being followed, that future needs are anticipated and coordinated for implementation. Such examples might include the logistics of a shelter in place, an evacuation, temporary housing, mass care and/or resource support. **Administration** will be the coordination of all required documentation for rosters and SOP's. Where the Finance group is responsible for the receipt of such documents, Administration will generate the documents and maintain the records as the work is executed. They will aid Policy in the preparation, negotiation, and coordination of Mutual Aid Agreements. The will determine specific communications resource needs for coordination with the EOC for proper compatibility and procedures. And they will work with Operations to identify sources of additional equipment and supplies.

# EMERGENCY LEVELS

Key to effective response, or that which alleviates suffering or hardship, provides efficient resource management, and incorporates successful planning and hazard mitigation efforts, are expedient and substantiated systems that assess damages that may have already occurred, or are likely to occur in the near future. Although such systems are expected to be executed by all Lindon employees in their regular duties, a transition from day to day operation to Emergency Operation must occur with unerring order. As such, it is paramount that all departments use a standard definition of each level of emergency so that transitions can be seamless from daily duties to Emergency Operations in addition to allowing for coordination with other agencies or departments.

**Level I:** No outside assistance necessary
An emergency that poses threat to life, property, or the environment and where ample resources exist. The responding department(s) handles the incident with on-duty resources and notifies the City Manager or their designee via department notification protocols.

**Level II:** Enhanced Response Required
An emergency or a greater hazard, which poses a threat to life, property, or the environment, and requires coordination between more than one City department. Lindon City personnel handle the emergency with City resources, mutual aid, and resource sharing. Once a Level II emergency is in effect, any request for assistance or resources will take precedence over other daily activities. If needed, request for EOC activation may be made by involved department chiefs or department heads, or the City Manager.

**Level III:** Major Incident
An emergency involving a catastrophic incident. The incident may result from a natural or man-made disaster such as earthquake, flood, fire, terrorism, etc. The incident may result in an immediate threat to persons, property, or the environment and requires the resources of the entire City, including government, private, and outside assistance even being fully escalated up to County, State and/or Federal level support. The Mayor or designee may issue a formal Declaration of Emergency. (See Appendix C).

Regardless of the emergency level, all responders will maintain the model of centralized control and decentralized execution. As such, all response actions will fall in line with this EOP and can be orchestrated with succinct authority from the Emergency Operations Center (EOC). Additionally, because this method of emergency level has been established, all response operations can follow the corresponding Respons Condition Levels outlined below.

# RESPONSE CONDITIONS

**Response Condition I:** No Outside Assistance Needed

- ❏ Monitor the situation regularly.
- ❏ Review applicable plans and Standard Operating Procedures.
- ❏ Review the status of all equipment and supplies.
- ❏ Notify the City Manager and key personnel.

**Response Condition II:** Enhanced Response Required

- ❏ The Emergency Operations Center may be activated as needed with partial staffing.
- ❏ Notify City Manager and key personnel.
- ❏ Accelerate repair or procurement of equipment and supplies on an emergency basis 24 hours a day, if necessary. Emergency procedures for procurement of supplies and equipment may be implemented.
- ❏ Place personnel on standby status as needed.

**Response Condition III:** Major Incident

- ❏ Place Emergency Operations Center on full staffing.
- ❏ Bring equipment and supplies to full operational status.
- ❏ Recall personnel as necessary.
- ❏ Freeze supplies and resources and commit them to the emergency as needed.
- ❏ Notify the County and the State

# APPENDIX A - PLAN MAINTENANCE AND DISTRIBUTION

Lindon City actively employs a Part Time Emergency Planning Coordinator. This staff member is responsible for the maintenance of this EOP to include regular updates, revisions, audits, assessments, and distribution. This work also include the coordination between local, state and county officials in the preparation for such emergency response and will require an annual maintenance to ensure organizational and technological feasibility. All changes shall be recorded by the receiving department or agency.
Further, EOP revisions will be forwarded to all organizations and agencies that have jurisdiction within the functioning larger plan by the Emergency Planning Coordinator who will also be responsible for updated contact information contained herein.

Emergency Operations Plan Maintenance
The following table has been organized as a set forth plan for the maintenance and evaluation of this EOP. It will be carried out by the Emergency Planning Coordinator but will be subject to revision based on needs established by the CEO and the Chief of Police.

EOP Maintenance Standards

| **Activity** | **Tasks** | **Frequency** |
|---|---|---|
| Plan Update & Certification | ● Review plan for accuracy<br>● Incorporate lessons learned and changes in policy & philosophy<br>● Manage distribution | Annually |
| Orient new policy officials and senior leadership | ● Brief officials on existence and concepts of the EOP<br>● Brief officials in their responsibilities under the EOP | Within 90 days of appointment |
| Plan and conduct exercises | ● Conduct internal EOP exercises<br>● Support and participate in state-level and local-level exercises | Semiannually |

# APPENDIX B – EMERGENCY MANAGEMENT CHECKLIST

General Duties

- ❏ Assess the situation/consequences with City Manager to determine the level of EOC activation, priorities and immediate actions required for the coordination of joint response, continuity, mitigation, and recovery efforts. (See Damage Assessment Document?)

- ❏ Determine the need to declare a local disaster and/or the need to enact other orders such as evacuation orders or curfews.
- ❏ Initial notification and recall EOC representatives as appropriate.

- ❏ Notify dispatch of EOC activation.

- ❏ Notify Utah County Emergency Management of EOC Activation. (See Appendix 4)

- ❏ Implement the Response and Operations Plan in support of ICS field operations.

- ❏ Establish direct communications with the Incident Command Staff(s) and other affected jurisdictions or agencies.

- ❏ Compile and display incident status information including maps within the EOC.

- ❏ Notify Utah County Emergency Management of initial situation assessment. Provide periodic updated situation reports as needed.

- ❏ Request security personnel to control access to the EOC and for other security needs as required.

- ❏ Conduct periodic internal briefings for all EOC personnel.

- ❏ Implement procedures to mobilize local resources and procure supplies and contract services from outside sources as needed. (List of resources/assets, contract services, see appendix …?)

- ❏ Coordinate response and recovery resources beyond normal mutual aid based on requests by the Incident Command Staff.

- ❏ Collect, evaluate, and disseminate emergency/disaster information.
- ❏ Support/coordinate essential public safety actions such as public warning and evacuation.
- ❏ Manage/coordinate resources, including allocation of facilities, services, personnel, equipment, materials, and other critical resources.
- ❏ Determine 24-hour EOC staffing requirements and provide for shift changes when extended EOC operations and additional support staff are required.
- ❏ Implement financial record keeping procedures to track resources and to document all disaster related costs and financial commitments. (How would this be done? What documents would be needed? Templates?)
- ❏ Coordinate functions such as resource management and public information that are being performed both in the field using ICS and in the EOC to minimize misinformation and duplication of effort.
- ❏ Assess and document damages. Provide results to Utah County Emergency Management and State of Utah, Division of Emergency Management.
- ❏ Involve elected officials whenever possible to make formal requests for public and private resources on behalf of the City.
- ❏ Coordinate public information activities and news media releases.
- ❏ Coordination of disaster recovery activities, including decisions about re-entry into disaster areas, reconstruction of damaged services and facilities, and identification of long-term hazard mitigation issues and plans.
- ❏ Implement EOC deactivation procedures when the emergency/disaster situation is over (e.g. notification to other EOCs and jurisdictions, compilation of EOC logs and financial records, notice to news media, compilation of damage assessments information, and preparation of after action reports.)
- ❏ Develop and maintain a log of current and anticipated expenses. (Document?)
- ❏ Ensure close liaison between local, county, state, federal, and private sector stakeholders.

# APPENDIX C – GUIDANCE FOR DECLARATIONS OF EMERGENCIES AND CHECKLISTS

In the event that a disaster or emergency falls outside the capabilities of Lindon City's ability to respond, the city has authority to review the need to declare a local state of emergency or disaster that would then request assistance of neighboring jurisdictions, mutual aid partners, county resources, and/or state level response. This process begins with the formal request from the governing body to the appropriate county or state office.

Lindon's Mayor, on recommendation from Lindon's City Manager, may issue a proclamation or executive order stating that there exists a state of disaster or severe emergency within the city boundaries. It must indicate the following:

1. The Nature of the Disaster
2. The Geographical Area(s) Affected and
3. The Conditions that Created the Disaster or Emergency.

As required by Utah State Code (UCA § 53-2a-208), the Mayor, or the Mayor Pro Tempore in the Mayor's absence, is the only individual who may issue official "State of Emergency" declarations. These declarations must be made before any County, State, and/or Federal assistance can be requested.

Rationale for issuing such a declaration has three components:

1. To acknowledge that the local jurisdiction has experienced a disaster and has responded to the best of its ability.
2. To alert Utah County Emergency Management and State of Utah Department of Public Safety and the Division of Emergency Management that local resources are being fully utilized and that county and state assistance may be requested; and
3. To empower the local officials to take extraordinary measures necessary for protecting life, property, and the environment while affording some safeguards against legal liability.

A copy of the declaration shall be forwarded to Salt Lake County.

Finally, the declaration of a "State of Emergency" by the Mayor, or Mayor Pro Tempore, shall be valid for a period not to exceed 30 days. If the emergency exceeds thirty days, it must be declared by the City Council. (UCA § 53-2a-208)

## Declaration Process Checklist

- ❏ Determine if the situation warrant issuing a declaration.
- ❏ Gather information needed to prepare a declaration statement. (See above)
- ❏ Draft the declaration statement. (See template below)
- ❏ Submit copy of declaration to City Attorney's Office for review.
- ❏ Submit copy of declaration to City Manager's Office for approval.
- ❏ Prepare copy for Mayor, or Mayor Pro Tempore, to sign.
- ❏ File copy of the signed declaration with City Recorder.
- ❏ Forward a copy of the declaration to Utah County Emergency Management. (See Appendix 4 List of Contacts)
- ❏ Forward a copy of the declaration to State of Utah, Division of Emergency Management. (See Appendix 4 List of Contacts)
- ❏ Coordinate public release of declaration and media inquiries with the PIO.
- ❏ If the situation continues longer than thirty days, the City Council must declare the emergency.
- ❏ Prepare a declaration of "state of emergency" expiration. (Sample in Section 4)

## Essential Information for Declaring an Emergency

The following information, if possible, should be included in the declaration statement:

NATURE OR CAUSE

…of the events, condition(s) or the threat(s), with the phrase 'on or about' just before the date.

IMPACT

…general numbers of people affected; lifelines compromised (hospitals, roads, access for emergency services, utilities, mass care needs), numbers of dead/injured; services disrupted

SCOPE or SPREAD

…of the overall effect on the jurisdiction and to the quality of life, health, environment and economic issues.

ACTIONS

…being taken such as; public safety measures; EOC is in operation; general idea of resources and people committed to the effort' other agencies activated (such as Search and Rescue, ARES, Mutual aid agreements). Also state that the emergency operations plan is activated.

NEEDS / SHORTFALLS

…such as: response assistance, equipment, services, experts or other personnel; to assess damage; care for residents. If possible, FORECAST a projection of time the jurisdiction will be in danger and, if unknown, state 'do not know when situation will end or resolve'. (Forecast example: 'need is immediate'; and/or 'not expected to change in the near future'.)

SIGNATURES

- ❏ Signed and dated by Chief Elected Official or designee
- ❏ Signature of City Recorder

**Formatted Example**

LINDON DECLARATION OF LOCAL EMERGENCY
No. 1 of 20__

Pursuant to UCA Sections 53-2a-208, the undersigned Mayor of Lindon City hereby declares a local emergency.

Pursuant to UCA Section 53-2a-208 the undersigned Mayor makes the following statements:

| 1. | Nature of the Local Emergency | The following damages, Injury, and impacts have been incurred as indicated: |
|---|---|---|
| | Loss of Life | |
| | Damage to Residential Buildings | |
| | Damage to Commercial Buildings | |
| | Damage to City Buildings | |
| | Damage to streets, highways, and/or bridges | |
| | Damage to culinary water infrastructure | |
| | Damage to electric power infrastructure | |
| | Damage to gas infrastructure | |
| | Disease | |
| | Ability of Lindon Police to respond | |
| | Ability of Lindon Fire/EMS to respond | |
| | Air Pollution | |
| | Other | |

| 2. | The Area(s) Affected or Threatened | : |
|---|---|---|
| | The Entire City | |

| | | |
|---|---|---|
| | The Following Areas: | |

| 3. | Conditions that caused the emergency: | |
|---|---|---|
| | Earthquake beginning at approximately: ____, and Estimated magnitude _____. | |
| | Flooding beginning at approximately | |
| | Tornado beginning at approximately | |
| | High winds beginning at approximately | |
| | Hazardous material event beginning at approximately | |
| | Pandemic | |
| | Bombing | |
| | Other | |
| | | |

Pursuant to UCA Section 53-2a-208, this declaration of local emergency shall expire on _____ unless the City Council consents to its continuation.

Dated this ___ day of _____, 20___ at _____

_____
Mayor

Approved as to Form

_____
City Attorney

ATTEST

_____
City Recorder

**Formatted Example**

CITY OF LINDON “LOCAL STATE OF EMERGENCY” EXPIRATION

A DECLARATION OF THE CITY OF LINDON, UTAH, DECLARING THAT A STATE OF EMERGENCY NO LONGER EXISTS OR IS IMMINENT

WHEREAS, on the <number> day of <month>, <year> the City of Lindon, Utah declared a local state of emergency due to a <describe the conditions which warranted the state of emergency declaration (use same notice from the emergency declaration notice)>; and

WHEREAS, conditions resulting from the event have now returned to a manageable and safe state,

NOW THEREFORE, the City of Lindon, Utah, declares that the local state of emergency has ended and the City of Lindon, Utah, can return to a normal operation condition..

<number> o’clock AM /PM.; this the <number> day of <month>, <year>

Mayor

_____
Jeff Acerson, Mayor

ATTEST:
City Recorder

_____
Kathy Moosman, City Recorder

# APPENDIX D – LIST OF EMERGENCY MANAGEMENT CONTACTS

City Attorney's Office
Brian Haws
Phone:
Email: bhaws@lindoncity.org

Utah County Emergency Manager
Peter Quittner
Phone: (801) 404-6050
Email: peterg@utahcounty.gov

State of Utah, Division of Emergency Management
Jesse Valenzuala
Phone: (801) 707-0930
Email: jessev@utah.gov

# APPENDIX E – EMPLOYEE CONTACT LIST

This section has been edited to keep personal contact information private as it is not for public circulation. Contact email, phone numbers, etc can be found in the official copy.

Lindon City Employee Directory – February 8, 2019 *(Not for public circulation)*

**Mayor & City Council**

Jeff Acerson
Mayor
[redacted]

Matt Bean
Council member
[redacted]

Mike Vanchiere
Council member
[redacted]

Jacob Hoyt
Council member
jhoyt@lindoncity.org
[redacted]

Carolyn Lundberg
Council member
[redacted]

Van Broderick
Council member
[redacted]

**Planning Commission**

Sharon Call
Chair
[redacted]

Mike Marchbanks
Commissioner
[redacted]

Rob Kallas
Commissioner
[redacted]

(vacant)
Commissioner
@
Address:
Cell: 801-

Lindon City Employee Directory – February 8, 2019 *(Not for public circulation)*

| | | | |
|---|---|---|---|
| <br>Steven Johnson<br>Commissioner<br>[redacted] | (Photo)<br>Scott Thompson<br>Commissioner<br>[redacted] | (Photo)<br>Jared Schauers<br>Commissioner<br>[redacted] | |

| Board of Adjustment | | | |
|---|---|---|---|
| <br>Jeff Southard<br>Chair<br>[redacted] | <br>Steve Smith<br>[redacted] | <br>Jeff Wilson<br>[redacted] | <br>Greg Slater<br>[redacted] |
| <br>Glen Mitchell<br>[redacted] | | | |

Lindon City Employee Directory – February 8, 2019 *(Not for public circulation)*

## Administration, Finance, Legal, Facilities, Justice Court

City Center, 100 N. State Street *(801)785-5043*

Adam Cowie
City Administrator
Full-time
[redacted]

Kathy Moosman
City Recorder
Full-time
[redacted]

Kristen Colson
Finance Director
Full-time
[redacted]

Dona Haacke
Treasurer / HR
Full-time
[redacted]

Kathy Bird
Accounts Payable Clerk
Full-time
[redacted]

Sherrie Laidler
Utilities Clerk
Full-time
[redacted]

Laura Rytting
Front Desk Attendant
Part-time
[redacted]

Brian Haws
City Attorney
Full-time
[redacted]

Jodell Clark
Legal Secretary
Part-time
[redacted]

Management Intern
Temporary
[redacted]

Alex Roylance
Facilities & Fleet Mgr
Full-time
[redacted]

Lindon City Employee Directory – February 8, 2019 *(Not for public circulation)*

| | | | |
|---|---|---|---|
| Brent Bullock<br>Justice Court Judge<br>Part-time<br>[redacted] | Spencer Foster<br>Court Clerk<br>Full-time<br>[redacted] | Britni Laidler<br>Court Clerk<br>Part-time<br>[redacted] | (VACANT)<br>Court Clerk<br>Part-time<br>[redacted] |

Lindon City Employee Directory – February 8, 2019 *(Not for public circulation)*

| Fire Department<br>Fire Station / Public Safety Building, 90 North State Street | | | |
|---|---|---|---|
| M. Scott Gurney<br>Fire Chief<br>(Full-time, Contract Position)<br>[redacted] | Kerry J. McClellan<br>Fire Inspector<br>(Full-time, Contract Position)<br>[redacted] | **Lindon Fire Station**<br>801-796-8600 (Public Safety Building)<br><br>**Orem Fire Administration**<br>801-229-7327<br><br>• Other full-time fire & EMS personnel as employed by Orem City. | |

Lindon City Employee Directory – February 8, 2019 *(Not for public circulation)*

| Police<br>Public Safety Building, 90 N. State Street **Office:** *(801)769-8600* ***Non-Emergency Dispatch:*** *801-229-7070* | | | |
|---|---|---|---|
| Josh Adams<br>Chief of Police<br>Full-time<br>[redacted] | Jen Wakeland<br>Administrative Professional<br>Full-time<br>[redacted] | Barbara Allen<br>Records Clerk<br>Full-time<br>[redacted] | Taryn Christensen<br>PD Intern<br>Part-time<br>[redacted] |

| | | | |
|---|---|---|---|
| (photo)<br>vacant<br>Sergeant, Full-time<br>@lindoncity.org<br>[redacted] | <br>Josh Edwards<br>Sergeant, Full-time<br>[redacted] | <br>Dave Welcker<br>Corporal, Full-time<br>[redacted] | (photo)<br>Alex Winder<br>Officer, Full-time |
| <br>Gilbert Sanchez<br>Officer, Full-time<br>[redacted] | <br>Marc Wright<br>Officer, Full-time<br>[redacted] | <br>Matt Barlow<br>Officer, Full-time<br>[redacted] | <br>John Lloyd<br>Officer, Full-time<br>[redacted] |
| <br>Curtis Campbell<br>Officer, Full-time<br>[redacted] | <br>Tony Weinmuller<br>Officer, Full-time<br>[redacted] | (photo)<br>Cody Sampson<br>Officer, Full-time | <br>Jake Simmons<br>Officer, Full-time<br>[redacted] |

Lindon City Employee Directory – February 8, 2019 *(Not for public circulation)*

| | | | |
|---|---|---|---|
| <br>Jeremy Christensen<br>Officer, Full-time<br>[redacted] | <br>Derek Clegg<br>Officer, Full-time<br>[redacted] | (photo)<br>Orlando Ruiz<br>Officer, Full-time<br>[redacted] | Temp Positions:<br>• Police Dept Intern<br>• Reserve Officers (unpaid)<br>(photo)<br>Kelly Johnson<br>Emergency Planning Coordinator<br>Temporary/Seasonal<br>[redacted] |
| Kathy Stillwell<br>Crossing Guard<br>Part-time | Kathy Miller<br>Crossing Guard<br>Part-time | RaeAnn Anderson<br>Crossing Guard<br>Part-time | Michael Conley<br>Crossing Guard<br>Part-time |

Lindon City Employee Directory – February 8, 2019 *(Not for public circulation)*

## Parks & Recreation

Community Center, 25 N. Main Street ***Community Center*** *(801)769-8625* ***Aquatics Center*** *(801)610-4160*

Heath Bateman
Parks & Recreation Director
Full-time
[redacted]

Hannah Silvey
Recreation Supervisor
Full-time
[redacted]

Wade Webb
Parks Superintendent
Full-time
[redacted]

Jacob Woodcox
Parks Worker
Full-time
[redacted]

Jacob Boone
Recreation Coordinator
Part-time
[redacted]

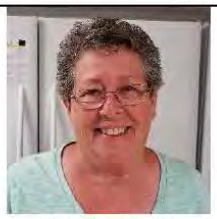
Judy Harper
Front Desk Attendant
Part-time
[redacted]

McCall Payne
Front Desk Attendant
Part-time
[redacted]

Traci Stone
Front Desk Attendant
Part-time
[redacted]

Diane Hepting
Lunch Aide
Part-time
[redacted]

Kathy Rhodes
Lead Volunteer
Part-time
[redacted]



Bernie Eggett
Front Desk /Lunch Aide, PT
[redacted]

Cyndi Hall
Senior Coordinator, Part-time
[redacted]

Alan Walker
Pool Manager / Part-time
[redacted]

(photo)
Ronald Harper
Senior Bus Driver
Part-time
[redacted]

Seasonal & Temp Positions:

- Parks Laborers
- Pool Manager
- Pool Cashiers
- Head Guards
- Life Guards
- Swim Instructors
- Coaches
- Class Instructors

Lindon City Employee Directory – February 8, 2019 *(Not for public circulation)*

## Public Works

946 West Center Street *(801)796-7954*

| | | | |
|---|---|---|---|
| <br>Brad Jorgensen<br>Public Works Director<br>Full-time<br>[redacted] | <br>Denise Brassfield<br>Administrative Secretary<br>Full-time<br>[redacted] | <br>Shelly Church<br>Secretary<br>Part-time<br>[redacted] | <br>Noah Gordon<br>City Engineer<br>Full-time<br>[redacted] |
| <br>Gary Taylor<br>Streets Superintendent<br>Full-time<br>[redacted] | <br>Heath Peters<br>Streets Technician<br>Full-time<br>[redacted] | <br>Matt Winward<br>Public Works Inspector<br>Full-time<br>[redacted] | (photo)<br>(Vacant)<br>Public Works Inspector<br>Full-time<br>@lindoncity.org<br>[redacted] |
| <br>Kevin Muhlestein<br>Waste Water Superintendent<br>Full-time<br>[redacted] | <br>Chad Hendrickson<br>Waste Water Technician<br>Full-time<br>[redacted] | (photo)<br>(Vacant)<br>Waste Water Technician<br>Full-time<br>[redacted] | |
| <br>Paul Miller<br>Storm Water Superintendent<br>Full-time<br>[redacted] | <br>Matt Neer<br>Storm Water Technician<br>Full-time<br>[redacted] | | Seasonal & Temp Positions:<br>• PW Laborers |

Lindon City Employee Directory – February 8, 2019 *(Not for public circulation)*

| | | | |
|---|---|---|---|
| | | | |
| Dennis Kendall<br>Water Superintendent<br>Full-time<br>[redacted] | Zackery Dalley<br>Water Technician<br>Full-time<br>[redacted] | Colby Church<br>Water Technician<br>Full-time<br>[redacted] | Deion Rutland<br>Water Technician<br>Full-time<br>[redacted] |

Lindon City Employee Directory – February 8, 2019 *(Not for public circulation)*

**Community Development (Building, Planning)**
City Center, 100 N. State Street *(801)785-7687*

| | | | |
|---|---|---|---|
| | | | |
| Phil Brown<br>Chief Building Official<br>Full-time<br>[redacted] | Gary Hoglund<br>Building Inspector / Code Enforcement<br>Full-time<br>[redacted] | Mike Florence<br>Planning & Economic Development Director<br>Full-time<br>[redacted] | Anders Bake<br>Associate Planner<br>Full-time<br>[redacted] |
| | | (VACANT)<br>Building Inspector / Code Enforcement<br>Full-time<br>[redacted] | Temporary Positions:<br>• Planning Interns |
| Carolyn Shepherd<br>Community Development Clerk II<br>Full-time<br>[redacted] | Marcie Allphin<br>Community Development Clerk I<br>Part-time<br>[redacted] | | |

# APPENDIX F – MUTUAL AID AGREEMENTS & MEMORANDUMS OF UNDERSTANDING

Attached in the following pages is an MOU template between Lindon City, Lindon Police Department and Orem Fire Department. This template has been included here as an example that will allow for the future expansion of this EOP into several different areas to include, but may not be limited to, Wildland Fire Service, Dominion Energy, Orem Department of Public Safety, and/or other assorted infrastructure suppliers.

## Lindon, Utah

# Memorandum of Understanding:

**Between the City of Lindon, Utah**
**and**

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**Declaration and Concurrence Page**

This list needs to be customized to the individual plan. Provide the names and affiliations of all cooperators. This page will then be signed after all cooperators have reviewed the plan and concur with its contents.

| Name | Affiliation |
|---|---|
| Signature | Date |
| Name | Affiliation |
| Signature | Date |
| Name | Affiliation |
| Signature | Date |
| Name | Affiliation |
| Signature | Date |

***Declaration and Concurrence Page, continued***

| Name | Affiliation |
|---|---|
| Signature | Date |
| Name | Affiliation |
| Signature | Date |
| Name | Affiliation |
| Signature | Date |
| Name | Affiliation |
| Signature | Date |
| Name | Affiliation |
| Signature | Date |

## INTRODUCTION

The safety of the citizens of any community and the protection of private property and community infrastructure is a shared responsibility between the citizens; the owner, developer or association; and the local, county, state and federal governments. **The primary responsibility, however, remains with the local government and the citizen/owner.**

**The purpose of preparedness planning is to…**

- Motivate and empower local government, communities, and property owners to organize, plan, and take action on issues impacting the safety and resilience of values at risk
- Enhance levels of resilience and protection to the communities and infrastructure
- Identify the nature of related threats within an area
- Identify strategies to reduce the risks to structures, infrastructure and commerce in the community during an emergency, disaster, or other catastrophic event
- Identify hazards, provide education, and initiate mitigative actions needed to reduce risk
- Transfer practical knowledge through collaboration between stakeholders toward common goals and objectives

**Outcomes of preparedness planning…**

- Facilitate organization of sustainable efforts to guide planning and implementation of actions:
  **1. Adapted communities 2. Resilient citizens and commerce 3. Safe and effective emergency response**
- Improve community safety through:
  - ✓ Coordination and collaboration
  - ✓ Public awareness and education
  - ✓ Response training
  - ✓ Transparent planning
  - ✓ Improved disaster response capabilities
  - ✓ Crisis prevention
  - ✓ Development of long-term strategies

## RESOURCES

For resources to complete a preparedness plan for your community, consider organizations such as the following:

## STATEMENT OF LIABILITY

The activities suggested by this template, associated checklist and guidance document, the assessments and recommendations of
The City of Lindon, Utah assumes no liability and makes no guarantees regarding the level of success users of this plan will experience. Emergencies occur, despite efforts to prevent or contain them; the intention of all decisions and actions made under this plan is to reduce the potential for, and the consequences of emergencies.

This document provides the outline for and specifies the information recommended for inclusion in a preparedness plan.

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# PLANNING OVERVIEW

## PLAN OVERVIEW MAP
## Area of Interest

**(insert are overview map of the area of interest/community/municipality/county including a buffer of greater than 1,000 yards)**

# PARTNERSHIPS AND COLLABORATION

.

# PART I
# COMMUNITY DESCRIPTION

| **Community Legal Structure**<br>List the government entities associated with the community – city, town, unincorporated community, special service district, homeowner association(s), other. | | | |
|---|---|---|---|
| **Organization** | **Contact Person** | **Phone Number** | **E-mail** |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

| **Population** | |
|---|---|
| **Approximate number of homes** | |
| **Approximate number of lots** | |
| **Approximate number of commercial entities** | |
| **Approximate number of full-time residents** | |
| **Approximated number of part-time residents** | |
| *Notes/comments:* | |

| **Restricting Covenants, Ordinances, etc. (Attach as appendix)**<br>For example, home association bylaws may have requirements regarding building construction materials or vegetation removal, or regarding access in a gated community. | |
|---|---|
| **Source** | **Details** |
| | |
| | |
| | |

**7. Public Hearing – Ordinance #2019-6-O; Accessory Apartment Ordinance Amendment.**

The Planning Commission recommended approval of the request by Paul Johnson for the Lindon City Council to amend Lindon City Code 14.64.100 to increase the allowable height and square footage for detached accessory apartments. *(15 minutes)*

See attached materials provided by the Planning Department.

# Ordinance Amendment
# Lindon City Code 17.46.100

| | |
|---|---|
| Date: April 16, 2019<br>Applicant: Paul Johnson<br>Presenting Staff: Michael Florence<br><br>Type of Decision: Legislative<br><br>Planning Commission Recommendation: The planning commission unanimously recommended approval | MOTION<br>I move to (*approve, deny, continue*) ordinance amendment 2019-6-O (or *as presented, with changes*). |

**Overview:**

Paul Johnson made application to amend Title 17.64.100 pertaining to height and size requirements for detached accessory structures. After planning commission review, the follow changes have been recommended to the City Council:

- Detached accessory apartments are limited to two (2) stories above grade with a maximum height not to exceed the height of the primary residence or thirty (30) feet high, whichever is less.
- To minimize direct views to adjacent neighboring properties and to preserve privacy, clerestory windows shall be required no less than six (6) feet above the finished floor if the two-story structure is located between ten to fifteen (10-15) feet from the side property line.
- If a deck is constructed on the second story, the building setback will be measured from the deck.
- The maximum livable floor area is fifteen hundred (1,500) square feet or forty (40) percent of the primary residence, whichever is less. The total livable square footage is calculated for both stories and does not apply separately to each story.
- Stairways for access to the second story shall be constructed on the interior of the accessory apartment. No exterior staircases shall be constructed unless required by building code. If an accessory apartment is connected to or constructed above a garage, the apartment shall have a separate entrance from the garage area. This is an existing building code requirement that is required in case there is a hazard such as a fire in the garage that a tenant can safely get out of the apartment.

Lindon City Code currently allows detached or substantially attached accessory structures with the following requirements:

- Height: Single story with a maximum height of 20 feet, whichever is less
- Setbacks: Same setbacks as the primary structure. Rear 30, Sides 10
- Size: Minimum 300 square feet with a maximum square footage of 1,000 and a maximum number of bedrooms of 3
- Entrances to detached accessory apartments shall also not face a street unless the detached accessory apartment is placed behind the primary residence so that the entrance is not substantially visible from the street. The purpose of this requirement is to preserve the single- family residential appearance of the single-family dwelling and/or the detached accessory apartment.
- Garages and accessory buildings substantially attached to the main building by covered walkways, breeze ways, and covered porches may include an accessory apartment. In such instances, the garage/accessory building shall not be more than a distance of eighteen feet (18') from the main dwelling unit measured linearly between the foundation lines of the two structures, and the apartment may not exceed 60% of the footprint of the primary residence livable floor area, but in no case shall it exceed one thousand two hundred (1,200) square feet of maximum livable floor area.

**Analysis**

Review of City records show that there are approximately 192 approved accessory apartments with most of those being within or attached to a single-family home. Of the 192 accessory apartments, there are only a few which are detached. This may be due to the construction expense of building a detached apartment and, for some, meeting the 30-foot rear setback may be a hardship due to lot size. The City does have a number of detached accessory garages that have game rooms or offices above a garage.

Since Lindon City currently allows detached accessory apartments, the staff and the planning commission considered whether the proposed changes will help to support additional detached accessory apartments within the community while also considering how the proposed changes are contextually sensitive to residential neighborhoods.

Staff researched many accessory apartment ordinances from across the country and most limited the maximum square footage to 1,200 square feet. However, there were a few which allowed up to 2,000 square feet on larger lots. As the planning commission reviewed this issue they agreed with the applicant and felt as though the ordinance needed to provide a larger livable area to make it feasible and cost effective for detached accessory apartments to be constructed. The commission liked the idea of tying, as a ratio, the square footage of the apartment to the size of the primary home. They felt that the ratio allowed for varying sizes and needs as well as neighborhood compatibility. In regards to the extended height, the commission felt that with the existing requirement of a 30-foot rear setback and the propsoed regulation for clerestory windows these requirements helped to mitigate height and privacy concerns for adjacent neighbors.

**Exhibits**

- Ordinance
- Planning Commission meeting minutes from March 26, 2019

ORDINANCE NO. 2019-6-O

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, AMENDING TITLE 17.46.100 AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council is authorized by state law to enact and amend ordinances establishing land use regulations; and

WHEREAS, the proposed amendment is consistent with the goal of the General Plan to encourage new accessory apartments and affordable housing; and

WHEREAS, on March 26, 2019, the Planning Commission held a properly noticed public hearing to hear testimony regarding the ordinance amendment; and

WHEREAS, after the public hearing, the Planning Commission further considered the proposed ordinance and recommended that the Council adopt the attached ordinance;

WHEREAS, the Council held a public hearing on April 16, 2019, to consider the recommendation and the Council received and considered all public comments that were made therein.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lindon, Utah County, State of Utah, as follows:

**SECTION I**: Amendment. Amend Lindon City Code Section 17.46.100 as follows:

## 17.46.100 Accessory Apartments.

This section establishes requirements and regulations regarding accessory apartments.

1. *Purpose Statement.* It is the intent of the R2 Overlay Zone to allow accessory apartments in conjunction with owner occupied single family homes in residential zones, where such single family homes were not approved as part of an R2 Overlay project. The purpose of the accessory apartment provisions are to:

   a. Provide a mix of housing options that responds to changing family needs and smaller households;

   b. Offer a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship, and services;

   c. Provide a broader range of affordable housing;

   d. Create new housing units within existing residential zones while respecting the look and scale of single-family dwelling development within Lindon.

2. *General Requirements for all Accessory Apartments.*

   a. *Location.* Accessory apartments shall be allowed only in conjunction with owner occupied single-family dwellings, but shall not be approved in conjunction with other R2 Overlay projects.

   b. *Number of Accessory Apartments.* A maximum number of one (1) accessory apartment shall be allowed in

conjunction with each owner occupied single family dwelling.

c. *Parking.* A single family dwelling with an accessory apartment shall provide at least four total off-street parking stalls (2 for the single-family dwelling and 2 for the accessory apartment). Parking stalls within a garage or carport utilized by the single-family dwelling shall not count toward the two additional required parking stalls for the accessory apartment, or vice versa, unless the garage is sized for more than two vehicles and an accessible route from the garage parking to the accessory apartment can be maintained. No required parking shall be within the front or street-side yard setback. Tandem (end-to-end) parking in a side-yard may be acceptable for the required parking. Parking areas and driveways shall be provided with a dustless, hard surface material such as asphalt, concrete, compacted gravel, masonry, or concrete pavers. A hard surfaced path, sidewalk, or walkway shall be provided from the accessory apartment entrance to the required accessory apartment off-street parking stalls.

d. *Size Restrictions.* The size of an accessory apartment shall be at least three hundred (300) square feet and shall not contain more than three (3) bedrooms.

e. *Building Code.* All construction and remodeling shall comply with building codes in effect at the time of construction or remodeling.

f. *Building Entrances.* A single-family dwelling approved with an accessory apartment shall not have a separate entrance at the front of the building or side of the building facing the street where the sole purpose of the entrance is to provide access to the accessory apartment. Entrances to detached accessory apartments shall also not face a street unless the detached accessory apartment is placed behind the primary residence so that the entrance is not substantially visible from the street. The purpose of this requirement is to preserve the single- family residential appearance of the single-family dwelling and/or the detached accessory apartment.

g. New or existing garages and accessory buildings substantially attached to the main dwelling by covered walkways, covered breeze ways, and covered porches may include an accessory apartment. In such instances, the garage/accessory building shall not be more than a distance of eighteen feet (18') from the main dwelling unit measured linearly between the foundation lines of the two structures, and the apartment may not exceed 60% of the footprint of the primary residence livable floor area, but in no case shall it exceed on thousand two hundred (1,200) square feet of maximum livable floor area.

h. *Apartment address.* The address of the accessory apartment shall be clearly posted so as to be seen from the public street.

i. *Ownership.* An accessory apartment shall not be sold separately, or subdivided from the principal dwelling unit, parcel, or lot.

3. *Additional Requirements for Detached Accessory Apartments.*

a. *Height Restrictions.* Detached accessory apartments are limited to ~~one (1) single- story~~ two (2) stories above grade with a maximum height not to exceed the height of the primary residence or ~~twenty feet (20')~~ thirty (30) feet high, whichever is less. Building height is determined by averaging the measurements of the four (4) corners of the structure from finished grade to the highest point of the roof structure. The Planning Director and Chief

Building Official shall be responsible for designating and identifying the four corners of a structure and determining building height.

b. *Setbacks.* A detached accessory apartment must meet the same setbacks as the primary residence for the underlying zone in which it is located, except that it shall be set back at least 10' further from a front-facing façade of the primary residence which faces a street. Detached accessory apartments on the street- side yard of corner lots are only required to be set back 10' further than the front- facing façade of the primary residence. No additional setback applies to street- side yard areas. See Table 17.46B. To minimize direct views to adjacent neighboring properties and to preserve privacy, clerestory windows shall be required no less than six (6) feet above the finished floor if the two-story structure is located between ten to fifteen (10-15) feet from the side property line. If a deck is constructed on the second story, the building setback will be measured from the deck.

c. *Size limit.* The detached accessory apartment may be attached to or part of other accessory structures, but in no case shall the maximum livable floor area of the detached accessory apartment exceed ~~one thousand (1,000)~~ fifteen hundred (1,500) square feet or forty (40) percent of the primary residence, whichever is less. The total livable square footage is calculated for both stories and does not apply separately to each story. Stairways for access to the second story shall be constructed on the interior of the accessory apartment. No exterior staircases shall be constructed unless required by building code. If an accessory apartment is connected to or constructed above a garage, the apartment shall have a separate entrance from the garage area.

d. *Exterior design.* Architectural features and roofline of the detached accessory apartment shall be designed and constructed to be compatible with the character and materials used on the exterior of the primary residence.

e. *Utilities.* Except for sewer service, all public and private utility services to the detached accessory apartment shall be provided through utility lines which service the primary residence. Additional utility meters, utility laterals, or secondary service hook-ups are not permitted except as approved by the Chief Building Official and/or the Public Works Director in cases where options to provide utilities through the primary residence service laterals are not feasible or cause significant hardship to the applicant.

4. *Accessory Apartment Permit.* Any person constructing or causing the construction of a residence that has an accessory apartment or any person remodeling or causing the remodeling of a residence for an accessory apartment, or any person desiring an accessory apartment shall obtain a building permit from the City. Before the permit is issued the applicant shall:

a. Submit a site plan drawn accurately to scale that shows property lines and dimensions, the location of existing buildings and building entrances, proposed buildings or additions, dimensions from buildings or additions to property lines, and the location of parking stalls.

b. Include detailed floor plans drawn to scale with labels on rooms indicating uses or proposed uses and other criteria required by the Chief Building Official.

5. The City shall evaluate the permit and shall approve or deny the application based on the criteria as outlined in LCC 17.46.100. If the application meets all requirements, the City shall mail notice to owners of record within 300' of the subject property. This notice shall summarize the nature of the request, give the location of the apartment, list the approval criteria with an indication that the City intends to issue the permit, and inform the property owners that they

may request that the accessory apartment application be reviewed by the Planning Commission if they feel that the application does not meet the approval criteria. Any interested party requesting Planning Commission review shall submit a written request to the Planning Commission within fourteen (14) days after the date of the notice received and shall state how the application does not meet the ordinance criteria. If no written request for Planning Commission review is received by the City within 14 days after the date of the notice, the permit for the accessory apartment can be issued.

6. Upon submittal to the Planning Department of a written request for Planning Commission review, the Planning Commission shall hear the item at their next regularly scheduled meeting and shall review the request to determine compliance with the approval criteria as found within LCC 17.46. The Planning Commission shall then approve, continue, or deny the application.

7. Upon issuance of the accessory apartment building permit, the applicant shall pay fees in accordance with the currently adopted Lindon City Fee Schedule.

8. *Affidavit and Agreement Requirements.* The following affidavits and agreements shall be required prior to issuance or final approval of a building permit for an accessory apartment:

a. The owner of any single-family dwelling requesting an accessory apartment shall sign an affidavit therein stating that the primary dwelling and/or the accessory apartment on the lot or parcel will be owner occupied. This affidavit shall be recorded against the property and run with the land and be binding on future successors of the property; and

b. The owner shall provide documentation that the accessory apartment rental rates will meet the "moderate income housing" definition as per Utah State Code. On a form approved by the City, a certification regarding the owner's understanding of the moderate income housing requirements and an agreement to abide by said requirements shall be signed by the owner and recorded against the property and shall run with the land and be binding on future successors of the property.

c. The provisions of subsection b. above shall apply to any accessory apartment which was approved by Lindon City after February 1, 2012. (Ord. 2012-2, amended, 2012; Ord. 2008-6, amended, 2008; Ord. 2008-1, amended, 2008; Ord. 2001-10, amended, 2001; Ord. 2000-13, amended, 2000; Ord. 99-22, amended, 2000; Ord. 98-13, amended, 2000)

**SECTION II:** The provisions of this ordinance and the provisions adopted or incorporated by reference are severable. If any provision of this ordinance is found to be invalid, unlawful, or unconstitutional by a court of competent jurisdiction, the balance of the ordinance shall nevertheless be unaffected and continue in full force and effect.

**SECTION III:** Provisions of other ordinances in conflict with this ordinance and the provisions adopted or incorporated by reference are hereby repealed or amended as provided herein.

**SECTION IV:** This ordinance shall take effect immediately upon its passage and posting as provide by law.

PASSED and ADOPTED and made EFFECTIVE by the City Council of Lindon City, Utah, this _____day of _____, 2019.

_____
Jeff Acerson, Mayor

ATTEST:

_____
Kathryn A. Moosman,
Lindon City Recorder

SEAL

**March 26, 2019 Planning Commission Meeting Minutes**

The Lindon City Planning Commission held a regularly scheduled meeting on **Tuesday, March 26, 2019 beginning at 7:00 p.m.** at the Lindon City Center, City Council Chambers, 100 North State Street, Lindon, Utah.

**REGULAR SESSION – 7:00 P.M.**

**Public Hearing -** A recommendation to the Lindon City Council to amend ordinance 14.64.100 to increase the allowable height and square footage for detached accessory apartments. – Paul Johnson

COMMISSIONER JOHNSON MOVED TO OPEN THE PUBLIC HEARING. COMMISSIONER THOMPSON SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Mr. Florence led this discussion by stating Paul Johnson has made application to amend Title 17.64.100 pertaining to height and size requirements for detached accessory apartments. Mr. Florence stated Paul and Orva Johnson (who are in attendance) are requesting the following changes for detached accessory apartments:

- Increase the livable floor area from 1,000 square feet to 1,500 square feet or 30% of the primary residence, whichever is less;
- Increase the maximum height requirement from 20 feet to a height not to exceed the height of the primary residence or 30 feet high, whichever is less.
- Mr. Johnson also desires to construct a detached accessory apartment above a new garage.

Mr. Florence noted Lindon City Code currently allows detached or substantially attached accessory structures with the following requirements:

- Height: Single story with a maximum height of 20 feet, whichever is less
- Setbacks: Same setbacks as the primary structure. Rear 30, Sides 10
- Size: Minimum 300 square feet with a maximum square footage of 1,000 and a maximum number of bedrooms of three Entrances to detached accessory apartments shall also not face a street unless the detached accessory apartment is placed behind the primary residence so that the entrance is not substantially visible from the street. The purpose of this requirement is to preserve the single-family residential appearance of the single-family dwelling and/or the detached accessory apartment.
- Garages and accessory buildings substantially attached to the main building by covered walkways, breeze ways, and covered porches may include an accessory apartment. In such instances, the garage/accessory building shall not be more than a distance of eighteen feet (18') from the main dwelling unit measured linearly between the foundation lines of the two structures, and the apartment may not exceed 60% of the footprint of the primary residence livable floor area, but in no case shall it exceed one thousand two hundred (1,200) square feet of maximum livable floor area.

Mr. Florence indicated if the planning commission approves the proposed changes, staff recommends that additional items be added to the ordinance for detached accessory apartments as follows:

- Any stairways for access to the second story shall be constructed on the interior of the accessory building/apartment. No exterior staircases unless required by building code. This is to maintain the residential appearance of the home;
- To minimize direct views to adjacent neighboring properties and to preserve privacy, clerestory windows shall be required no less than 6 feet above the finished floor if the two-story structure is located between 10-15 feet from the side property line.
- The total livable square footage applies to the entire two-story apartment and is not applied to each floor area. For example, an apartment could not be 1,500 square feet per floor.

- If a deck is constructed on the second story then the deck may only be oriented to the primary residence on the same parcel.

Mr. Florence went on to say as staff researched detached accessory apartment ordinances throughout the country, many ordinances limit the maximum size to 1,200 square feet. Danville, California is an exception which allows a square footage of up to 2,000 square feet but the lot size has to be a minimum of 40,000 square feet. In regards to height, every city has varying standards due to neighborhood characteristics as well goals for the community. Typically, heights range between 20 and 25 feet but many communities also allow the accessory structure to be the same height as the primary residential structure on the property. In addition, many two-story detached accessory apartment ordinances require that the living space be above the garage. He noted Lindon City currently allows single family homes to be built to 35 feet in height.

Mr. Florence stated after reviewing City records, the City has approved 192 accessory apartments with most of all of those being within or attached to a single-family home. This is probably due to the construction expense of building a detached apartment and, for some, meeting the 30-foot rear setback may be a hardship due to lot size. The City does have a number of detached accessory garages that have game rooms or offices above a garage.

Mr. Florence pointed out since Lindon City already allows detached accessory apartments, the planning commission should consider whether the proposed changes will help to support additional detached accessory apartments within the community while also considering how the proposed changes are contextually sensitive to residential neighborhoods.

Mr. Florence mentioned one option would be to allow accessory apartments above a garage only so that the two-story structure is more architecturally compatible with the neighborhood. Residents are already accustomed to accessory structures such as detached garages or sheds in their back yard and accessory apartments above a garage may have less of an impact. He then referenced some examples. Mr. Florence then turned the time over to the applicant for comment.

Mr. Johnson then spoke on the purpose for this request. He explained they are selling their home in Orem and downsizing. Their daughter and son in law bought a lot to build a home in Lindon and they would like to build them a detached accessory apartment. He explained they want to be next door to their daughter but in a detached dwelling. He noted the house they are building is 8,500 sq. ft for the primary dwelling with a separate garage and they want to put the accessory apartment above it.

Mr. Johnson expressed he feels they need 1,500 square ft. as the 1,000 ft. (maximum allowed) is not large enough and they think the current ordinance tries to fit a one size fits all. They also believe it would look better and would not take away from the main dwelling. Mr. Johnson indicated they believe using a sliding scale up to a maximum of 1,500 square ft. would not violate any of the stated purposes in the ordinance for accessory apartments. This will also serve the objection for residents and seniors to remain in their homes and neighborhoods in Lindon and will provide a wider range of affordable housing. It would also increase the benefit and lend strength to the purpose of the accessory apartment ordinance. Mr. Johnson stated they would propose to keep the 1,000 sq. ft. maximums for smaller homes but to also allow any home over 5,000 sq. ft to have up to a 1,500 sq. ft accessory apartment. He noted the planning department thought it would be best to make a 30% limitation or whichever is less, but that penalizes the smaller ones.

Mr. Johnson stated they agree with the other addition's that staff is recommending in the ordinance except for the deck having to face the primary dwelling, as there is no residence at least 160 ft. from their property line. They would ask for some consideration on this point. They are only asking for 30 ft. in height but would suggest making the height limit 35 ft.

Commissioner Marchbanks commented he thinks this is a reasonable request and feels this is the way the ordinance should have always been. He asked if their daughter's house plans have been drawn up and if it works out with the accessory apartment. Mr. Johnson confirmed that statement. Commissioner Marchbanks also questioned staff if this can only be a 2-story accessory apartment as he would not want to limit it to a 2-story building. Mr. Florence confirmed the ordinance states it is already limited to a maximum of two stories.

Commissioner Marchbanks stated he likes the way the ordinance is written pointing out there will not be a lot of similar requests coming to the city because they have to fit in the buildable envelope. Commissioner Kallas spoke on building footprints and livable space. He suggested implementing something to the effect of using the lesser of 40% or 1,500 square feet.
At this time Chairperson Call asked if there were any public comments or discussion. Hearing none she called for a motion to close the public hearing.

COMMISSIONER KALLAS MOVED TO CLOSE THE PUBLIC HEARING. COMMISSIONER MARCHBANKS SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED.

Chairperson Call called for any comments from the commissioners at this time. Commissioner Thompson suggested scaling it based towards lot size not to the home size. Commissioner Kallas asked staff if accessory apartments have to have the same sewer and water connections as the primary dwelling. Mr. Florence stated the ordinance states except for sewer everything can be separate.

Commissioner Kallas added, looking at staff recommendations, he would like clarification on internal stairwells. Mr. Florence stated it is just for the visual aspect and acts like a residence. Commissioner Kallas also addressed the height limit of 30 ft. Mr. Florence pointed out that the average single-family home is 28 to 30 ft in height. Following discussion, the commission was in agreement to implement the lesser of 40% (instead of 30%) or 1,500 sq. ft., the deck meets all setbacks, and a standard 30 ft. height limit.

Chairperson Call stated her concerns noting she does not want to make this site specific so this can apply to any home in the city. Chairperson Call would suggest continuing this item and directed staff to look at the recommendations discussed and rewrite the ordinance and bring it back before the commission. She also made note that the commission's recommendation will go to the city council for approval.

Chairperson Call called for any further comments or discussion from the Commission. Hearing none she called for a motion to continue.

COMMISSIONER KALLAS MOVED TO CONTINUE ORDINANCE AMENDMENT 2019-5-O TO ALLOW STAFF THE TIME TO MAKE CHANGES TO THE ORDINANCE AS DISCUSSED. COMMISSIONER MARCHBANKS SECONDED THE MOTION. THE VOTE WAS RECORDED AS FOLLOWS:

| | |
|---|---|
| CHAIRPERSON CALL | AYE |
| COMMISSIONER KALLAS | AYE |
| COMMISSIONER MARCHBANKS | AYE |
| COMMISSIONER JOHNSON | AYE |
| COMMISSIONER THOMPSON | AYE |
| COMMISSIONER SCHAUERS | AYE |

THE MOTION CARRIED UNANIMOUSLY.

**8. Review & Action – Bid Award for 2019 Street Maintenance Projects** *(15 minutes)*

The Lindon City Council will review and consider the recommendation to award the 2019 Street Maintenance Projects base bid and additive areas A-D to Morgan Pavement Maintenance, based on their bid of $732,347.

Please see attached documents provided by JUB Engineers.

Sample Motion: I move to approve the 2019 Street Maintenance Projects to the low bidder, Morgan Pavement Maintenance.

J-U-B ENGINEERS, INC.

J-U-B COMPANIES THE LANGDON GROUP GATEWAY MAPPING INC.

April 11, 2019

Adam Cowie, City Administrator
Lindon City Corporation
100 North State Street
Lindon, UT 84042

RE: Lindon City 2019 Street Maintenance Projects

Dear Adam:

We have tabulated the bids opened Tuesday, April 9, 2019 at 10:30 a.m. for the above project.

The bids on this project include street maintenance work throughout Lindon involving asphalt patching, manhole repair, surface treatments and overlays in locations identified by the public works department. In order to maximize what we could do with the available funding, we bid the project with a base bid and seven additives in order to award the project to the contractor that could get the most done with the available funding of about $800,000 for this work. The base bid and additive areas consisted of the following. See the attached map for a graphical representation of the additive areas.

**Base Bid:** Spot patching asphalt, including areas of settling around manholes in many locations around Lindon; frictional mastic surface treatment and micro-surfacing seal coats on specific roads
**Additive A**: Asphalt overlay and frictional mastic surface treatment on 10 North
**Additive B**: Asphalt overlay and frictional mastic surface treatment on 20 South
**Additive C**: Asphalt overlay and frictional mastic surface treatment on 600 West
**Additive D**: Asphalt overlay and frictional mastic surface treatment on 40 South
**Additive E**: Asphalt overlay and frictional mastic surface treatment on 100 South and 640 West
**Additive F**: Asphalt overlay and micro-surface seal coat on 1200 East
**Additive G**: Asphalt overlay and frictional mastic surface treatment on 520 North

We told bidders that the low bidder would be the contractor who could complete the most areas of additive work, based on the established quantities and the unit prices bid, assuming funding of $800,000; that If more than one bidder was able to complete the same areas of additive work, the one who could do it at the lowest cost will be the low bidder; and that for the purpose of evaluating bids, additives would be considered in the order listed.

We received bids from three contractors, Morgan Pavement Maintenance, Black Forest Paving, and Staker & Parson Companies. Tabulations of their bids are attached. Staker & Parsons made an error in their bid tabulation by writing $2.40 rather than $240 in bid item 11. They informed us of the error and withdrew their bid. Therefore we have shown their bid with $240 on bid item 11 for information only.

The following summary shows the unit prices bid and the total for the base bid and the additive areas.

As evident below, the bid prices for Morgan Pavement Maintenance and Blake Forest Paving would allow a funding amount of $800,000 to get the Base Bid and Additives A-D work done. Since Morgan Pavement Maintenance could do it at the lower cost, they are the low bidder.

| | | | Engineers Opinion | Morgan Pavement Maitenance | Black Forest Paving | Staker & Parson |
|---|---|---|---|---|---|---|
| Item No. | Description | Unit | Unit Price | Unit Price | Unit Price | Unit Price |
| 1 | Mobilization | % SUB-TOTAL B | 8.01% | 2.50% | 5.00% | 9.00% |
| 2 | Traffic Control | % SUB-TOTAL B | 8.65% | 3.00% | 2.00% | 9.00% |
| | | | | | | |
| 3 | Remove and dispose of existing asphalt | SF | $ 2.00 | $ 0.78 | $ 0.47 | $ 0.90 |
| 4 | Sawcut existing asphalt | LF | $ 1.00 | $ 0.80 | $ 1.00 | $ 1.40 |
| 5 | Mill 7' wide strip along asphalt edge (partial depth) and deliver milled material to Lindon City | LF | $ 5.15 | $ 2.08 | $ 1.75 | $ 2.00 |
| 6 | Roadway overexcavation | CY | $ 30.00 | $ 31.00 | $ 35.00 | $ 57.00 |
| 7 | Stabilization and separation geotextile fabric | SY | $ 3.00 | $ 0.75 | $ 1.50 | $ 1.04 |
| 8 | Furnish, place, shape and compact untreated base course | TON | $ 16.40 | $ 22.25 | $ 32.00 | $ 65.00 |
| 9 | Furnish, lay and compact asphalt pavement | TON | $ 70.00 | $ 74.50 | $ 76.40 | $ 90.00 |
| 10 | Furnish and place asphalt cement sealant and fabric membrane | SY | $ 1.68 | $ 1.15 | $ 1.12 | $ 1.55 |
| 11 | Furnish and place type II micro-surface seal | TON | $ 160.00 | $ 235.00 | $ 247.00 | $ 240.00 |
| 12 | Furnish and place frictional mastic surface Treatment | SF | $ 0.16 | $ 0.19 | $ 0.20 | $ 0.19 |
| 13 | Remove concrete collar from around valve box | EACH | $ 125.00 | $ 85.00 | $ 150.00 | $ 250.00 |
| 14 | Adjust valve boxto grade | EACH | $ 50.00 | $ 415.00 | $ 75.00 | $ 90.00 |
| 15 | Remove concrete collar from around manhole | EACH | $ 175.00 | $ 165.00 | $ 200.00 | $ 300.00 |
| 16 | Place concrete collar around valve box | EACH | $ 325.00 | $ 415.00 | $ 350.00 | $ 535.00 |
| 17 | Adjust manhole to grade | EACH | $ 50.00 | $ 550.00 | $ 75.00 | $ 100.00 |
| 18 | Place concrete collar around manhole | EACH | $ 450.00 | $ 550.00 | $ 400.00 | $ 900.00 |
| 19 | Single 4" traffic stripe | LF | $ 0.09 | $ 0.23 | $ 0.40 | $ 0.15 |
| 20 | Double 4" traffic stripe | LF | $ 0.18 | $ 0.46 | $ 0.50 | $ 0.31 |
| 21 | Place pavement marking symbol | EACH | $ 25.00 | $ 40.00 | $ 50.00 | $ 20.00 |
| 22 | Rebuild structure, replacing grate with standard manhole, ring, cover and lid | EACH | $ 4,000.00 | $ 1,350.00 | $ 1,500.00 | $ 2,500.00 |
| 23 | Remove concrete and place disabled pedestrian ramps | SF | $ 25.00 | $ 11.55 | $ 22.00 | $ 15.27 |
| 24 | Furnish and install detectable warning panels | EACH | $ 300.00 | $ 140.00 | $ 500.00 | $ 155.00 |
| | | **BASE BID** | **$ 404,236** | **$ 410,134** | **$ 424,936** | **$ 536,512** |
| | | **BASE BID + ADDITIVE A** | **$ 545,344** | **$ 523,989** | **$ 544,570** | **$ 682,130** |
| | | **BASE BID + ADDITIVE A-B** | **$ 654,989** | **$ 610,698** | **$ 636,762** | **$ 794,890** |
| | | **BASE BID + ADDITIVE A-C** | **$ 761,515** | **$ 687,095** | **$ 727,741** | **$ 895,735** |
| | | **BASE BID + ADDITIVE A-D** | **$ 827,440** | **$ 732,347** | **$ 784,607** | **$ 957,537** |
| | | **BASE BID + ADDITIVE A-E** | **$ 1,057,220** | **$ 917,446** | **$ 983,746** | **$ 1,198,287** |
| | | **BASE BID + ADDITIVE A-F** | **$ 1,406,489** | **$ 1,257,032** | **$ 1,328,151** | **$ 1,626,733** |
| | | **BASE BID + ADDITIVE A-G** | **$ 1,467,537** | **$ 1,301,810** | **$ 1,380,725** | **$ 1,686,850** |

Having established that Morgan Pavement Maintenance is the low bidder, and that we could do the base bid and additives A-D, we have tabulated the bids using the quantities associated with the base bid and additives A-D. They are shown on the following sheet. This means that we will likely not be able to fund the overlay on 100 South and 640 West (Additive E), though we plan to separate storm drainage improvements there in preparation for a future overlay; the overlay on 1200 East (Additive F); or the overlay on 520 North.

We recommend awarding the base bid and additive areas A-D on the project to Morgan Pavement Maintenance, based on their bid of $732,347. Our Opinion of Probable Construction Cost for the base bid plus additives A, B & C was $761,515. Their bid was to complete the same work was $29,168 (3.8%) lower than the Engineer's Opinion. Lindon City has worked with Morgan Pavement Maintenance, and in fact has a current contract for crack repair with them. They have no concerns about their ability to complete the work.

We have prepared the Notice of Award and attached it to this letter. If the City Council awards the Contract on Tuesday, April 16, please sign and return it to us.

Please let us know of the Council's decision and we will proceed in accordance with the direction given. We are happy to answer any questions you may have.

Best regards,
J-U-B Engineers, Inc.

Mark L. Christensen, P.E.
Project Manager

Enclosures

cc Brad Jorgensen, Public Works Director
Tres Smith, Morgan Pavement Maintenance

# Notice of Award

Dated: April 16, 2019

| Project: | Owner: | Owner's Contract No.: |
|---|---|---|
| Lindon City 2019 Street Maintenance Projects | Lindon City Corporation | |
| Contract: | | Engineer's Project No.: 50-18-067 |

Bidder:

Morgan Pavement Maintenance

Bidder's Address: (send Certified Mail, Return Receipt Requested)

625 S. Main Street, Clearfield, UT 84015

You are notified that your Bid dated April 9 2019 for the above Contract has been considered. You are the Successful Bidder and are awarded a Contract for the **Lindon City 2019 Street Maintenance Projects**, as modified per Supplemental Attachment A.

Description and Scope of Work: The Project consists of street improvements in multiple locations in Lindon as described in the Base Bid and Additive Areas A, B, C and D,

The work includes all items as listed and described in the Bid Form and Measurement and Payment.

The Contract Price of your Contract is $ 732,347.00, Seven hundred thirty-two thousand three hundred forty-seven dollars,

3 copies of each of the proposed Contract Documents and Drawings accompany this Notice of Award.

You must comply with the following conditions precedent within 15 days of the date you receive this Notice of Award.

1. Deliver to the Owner three fully executed counterparts of the Contract Documents.
2. Deliver with the executed Contract Documents the Contract Security Bonds as specified in the Instructions to Bidders (Article 20), and General Conditions (Paragraph 5.01), and Supplementary Conditions (Paragraph SC-5.01).
3. Deliver with the executed Contract Documents the Insurance Certificates as specified in the Instructions to Bidders (Article 20), and General Conditions (Paragraph 5.03), and the Supplementary Conditions (Paragraph SC-5.04).
4. Other conditions precedent:

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award and declare your Bid security forfeited.

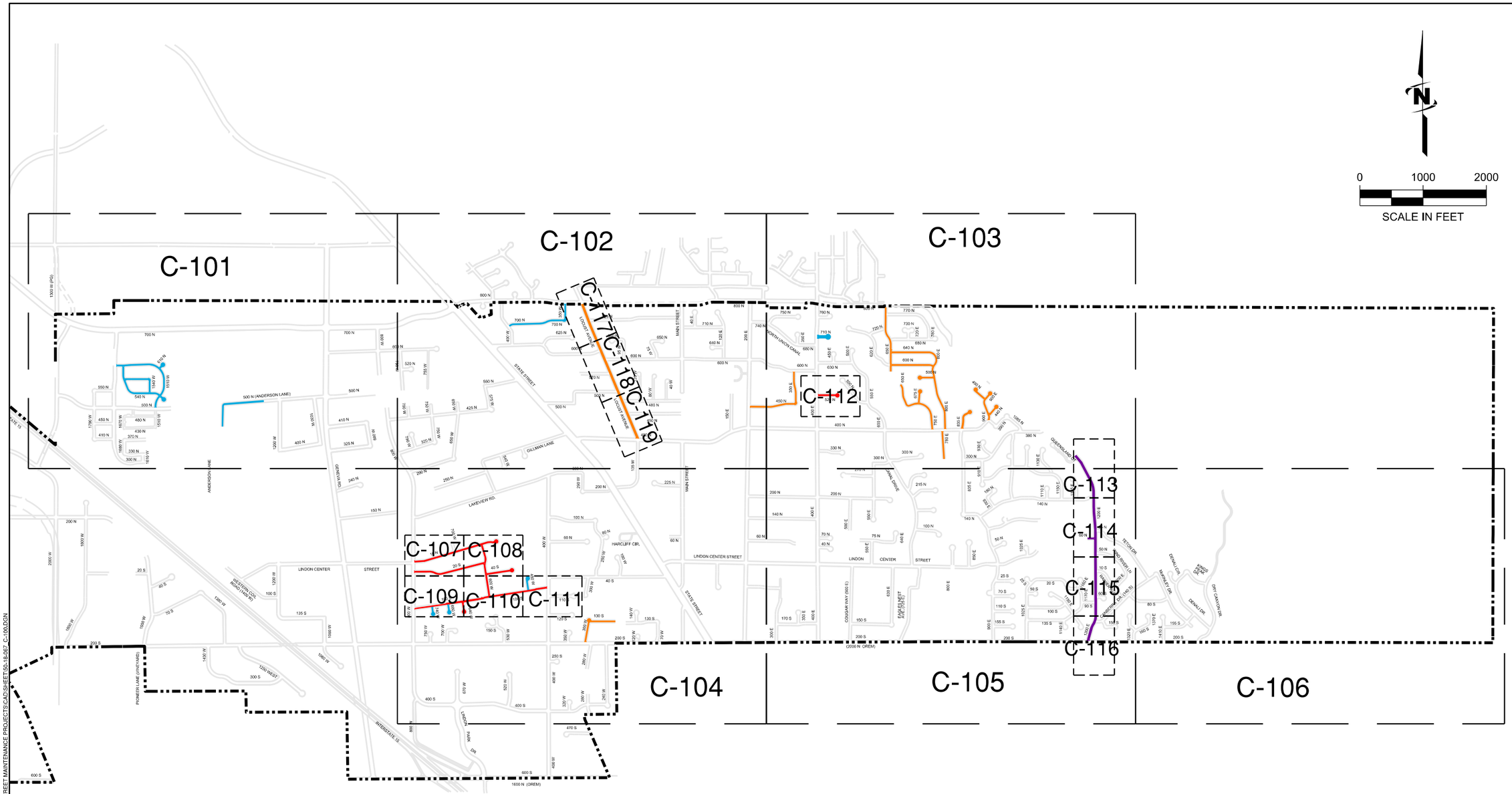
Within ten days after you comply with the above conditions, Owner will return to you one fully executed counterpart of the Contract Documents.

Lindon City Corporation
Owner

By:

Jeff Acerson
Mayor

Copy to Engineer




## LEGEND

- MICROSURFACE SEAL TREATMENT
- FRICTIONAL MASTIC SURFACE TREATMENT
- OVERLAY MICROSURFACE SEAL TREATMENT
- OVERLAY FRICTIONAL MASTIC SURFACE TREATMENT


J-U-B ENGINEERS, INC.

J-U-B ENGINEERS, INC.
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Orem, UT 84057
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Fax: 801.226.0394
www.jub.com



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| NO. | DESCRIPTION | BY | APPR. | DATE |
|---|---|---|---|---|

REVISION

# LINDON CITY 2019 STREET MAINTENANCE PROJECTS

## SITE PLAN - SHEET LOCATIONS SHEET
LINDON CITY CORPORATION
LINDON, UTAH

FILE: 50-18-067_C-100
JUB PROJ. #: 50-18-067
DRAWN BY: NTA
DESIGN BY: EVZ
CHECKED BY: MLC

ONE INCH
AT FULL SIZE, IF NOT ONE INCH, SCALE ACCORDINGLY

LAST UPDATED: 3/22/2019

SHEET NUMBER:
C-100


Plot Date:--- Plotted By:Samuel Powell
Date Created:02/22/2019 \\OREMFILES\PUBLIC\PROJECTS\JUB\LINDON_C\50-18-067 - LINDON - 2019 STREET MAINTENANCE PROJECTS\CAD\SHEETS\50-18-067_C-100.DGN

**Council Reports:** *(20 minutes)*

| | |
|---|---|
| A) MAG, COG, UIA, Utah Lake Commission, ULCT, NUVAS, IHC Outreach, Budget Committee | - Jeff Acerson |
| B) Public Works, Irrigation water/canal company boards, City Buildings | - Van Broderick |
| C) Planning Commission, Board of Adjustments, General Plan, Budget Committee | - Matt Bean |
| D) Public Safety, Emergency Management, Economic Development, Tree Board | - Carolyn Lundberg |
| E) Parks & Recreation, Lindon Days, Transfer Station/Solid Waste, Cemetery | - Mike Vanchiere |
| F) Admin., Historic Commission, PG/Lindon Chamber, Budget Committee | - Jake Hoyt |

**Administrator's Report** *(10 minutes)*

**Misc. Updates:**

- April City newsletter: https://media.rainpos.com/442/april19final_20190401171755.pdf
- May newsletter article: Jake Hoyt - Article due to Kathy by end of April.
- UTOPIA update: Growing customer base; good financial outlook; OpEx being repaid to cities that participated; estimated build-out of all member cities within next 2-5 years.
- Possible Discussion Item: Secondary water metering bill (SB 52) and its implications to Lindon City.
- Budget questions please contact Kristen or Adam. 6:00pm work session on May 7th.
- City Center elevator construction to begin in next week or two. Completion in approx. 10 weeks.
- Mayor out of town Wed, May 8th – Sat, June 8th. Mayor pro tem is Matt Bean.
- Employee changes:
  - Officer John Lloyd has announced official retirement date on May 31st.
  - LOTS of openings for seasonal / summer help. Please help spread the word to your local neighborhoods & apply for summer jobs ASAP.
  - Full-time Staff Engineer position is open until filled.
  - Part-time Receptionist front desk attendant position open (Laura Rytting will be leaving in May)
    - See full job announcements at this link: http://www.lindoncity.org/employment.htm
- Misc. Items:

**Upcoming Meetings & Events:**

- April 18th @ 1:15pm at Public Works – Engineering Coordination meeting w/Mayor, Van
- April 24th – 26th - ULCT Spring Conference in St. George

# Adjourn