



HIDEOUT, UTAH TOWN COUNCIL REGULAR MEETING AND PUBLIC HEARINGS

June 13, 2024

Agenda

PUBLIC NOTICE IS HEREBY GIVEN that the Town Council of Hideout, Utah will hold its Regular Meeting and Public Hearings electronically and in-person at Hideout Town Hall, located at 10860 N. Hideout Trail, Hideout Utah, for the purposes and at the times as described below on Thursday, June 13, 2024.

All public meetings are available via ZOOM conference call and YouTube Live.

Interested parties may join by dialing in as follows:

Zoom Meeting URL: <https://zoom.us/j/4356594739>

To join by telephone dial: US: +1 408 638 0986

Meeting ID: 435 659 4739

YouTube Live Channel: <https://www.youtube.com/channel/UCKdWnJad-WwvcAK75QjRb1w/>

Regular Meeting and Public Hearings

6:00 PM

I. Call to Order

II. Roll Call

III. Approval of Council Minutes

1. [April 11, 2024 Town Council Meeting Minutes DRAFT](#)

IV. Follow up of Items from Approved Minutes

V. Public Hearing Items:

1. [Discussion and possible approval of the amendments to the Town Budget for the Fiscal Year 2023-2024](#)
2. [Discussion and possible approval of an amendment to lot R-3 of Hideout Canyon Phase 8 \(parcel number 00-0020-8717\) to relocate the twenty foot \(20'\) wide limited common area for the driveway](#)
3. [Discussion and possible approval for amendments to Hideout Municipal Code Chapter 10.08, including, but not limited to, placement of hot tubs as in 10.08.08.15](#)

VI. Public Input - Floor open for any attendee to speak on items not listed on the agenda

VII. Agenda Items

1. [Announcement of the Hideout Summer Concert and Silent Auction to benefit Station 56](#)
2. [Presentation of wildfire outlook report](#)
3. [Discussion and possible adoption of Resolution 2024-R-XX regarding the restriction of fireworks for the 2024 season](#)
4. [Discussion and possible approval of ORDINANCE # 2024-O-XX regarding executive municipal officer salary increases](#)
5. [Discussion and consideration of adopting Ordinance 2024-O-XX amending sections of the Hideout code updating sections in Chapter 1.16 Purchasing](#)
6. [Presentation of Fraud Risk](#)
7. Discussion of the Hideout Coalition

8. [Authorization for the Mayor to enter into a contract with Hansen, Allen, and Luce \(HAL\) Engineering for engineering services to the Town](#)
9. [Consideration and possible approval of a statement by the Town Council regarding density under the Hideout Master Development Agreement](#)
10. Fire Station 56 update

VIII. Committee Updates

1. Planning Commission - *Planning Commissioner Chase Winder*
2. Economic Development Committee - *Council Member Severini*
3. Design Review Committee - *Thomas Eddington*
4. Parks, Open Space and Trails (POST) Committee - *Council Member Baier*
5. Transportation Committee - *Council Member Haselton*

IX. Closed Executive Session - Discussion of pending or reasonably imminent litigation, personnel matters, deployment of security personnel, devices or systems, and/or sale or acquisition of real property as needed

X. Meeting Adjournment

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Mayor or City Recorder at 435-659-4739 at least 24 hours prior to the meeting.

HIDEOUT TOWN COUNCIL

10860 N. Hideout Trail
Hideout, UT 84036
Phone: 435-659-4739
Posted 06/12/2024

File Attachments for Item:

1. April 11, 2024 Town Council Meeting Minutes DRAFT

Minutes
Town of Hideout
Town Council Regular Meeting and Continued Public Hearing
April 11, 2024

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting on April 11, 2024 at 6:00 PM electronically via Zoom and in the City Council Chambers located at 10860 N. Hideout Trail, Hideout, Utah.

Regular Meeting

I. Call to Order and Pledge of Allegiance

Mayor Rubin called the meeting to order at 6:01 pm and explained the meeting was a hybrid meeting held both in person and electronically via Zoom.

Mayor Rubin led the Pledge of Allegiance.

II. Roll Call

Present: Mayor Phil Rubin
Council Member Jonathan Gunn

Attending Remotely: Council Member Chris Baier
Council Member Carol Haselton
Council Member Ralph Severini

Excused: Council Member Bob Nadelberg

Staff Present: Recorder for Hideout Alicia Fairbourne
Administrative Assistant Carol Kusterle

Staff Attending Remotely: Town Administrator Jan McCosh
Town Attorney Polly McClean
Town Planner Thomas Eddington

Public Present: None.

Public Attending Remotely: Laura Lauthridge, Joseph Silverzwig, Daniel Warner, JD Cronin, Edward Kim, Briana Warner and others who may have logged in using a partial name or using only a phone number.

III. Approval of Council Minutes

1. February 28, 2024 Town Council Meeting Minutes DRAFT

There were no corrections.

Motion: Council Member Haselton moved to approve the February 28, 2024 Town Council Meeting Minutes. Council Member Gunn made the second. Voting Yes: Council Member Baier, Council Member Gunn, Council Member Haselton, Council Member Severini. Absent from voting: Council Member Nadelberg. There were none opposed. The motion carried.

IV. Follow up of Items from Approved Minutes

Council Member Severini asked if the support letters that Council Member Haselton had requested be sent to High Valley Transit were sent. Council Member Haselton stated they had not been sent; however, High Valley Transit was still reviewing upcoming contracts. She would provide a more thorough update during the committee update portion of the meeting.

V. Public Input - Floor open for any attendee to speak on items not listed on the agenda

At 6:06 pm, Mayor Rubin opened the floor for public input. There being none, Mayor Rubin closed the floor at 6:07 pm.

VI. Continued Public Hearing

Prior to discussing the Deer Springs Master Development Agreement, Mayor Rubin announced that the applicants for the Bloom development project had withdrawn the application. There would be no further follow-up regarding the project.

1. Consideration of an amendment of the Master Development Agreement (MDA) for Deer Springs allowing short-term rentals in Phases 2B, 4, and 8

Mayor Rubin presented a theoretical five-year financial plan for the Town, emphasizing the necessity to generate additional income to avoid significant tax increases by 2028. He highlighted a proposal from the Deer Springs developer, which included modifying the MDA to permit nightly rentals and offering additional benefits to the town, such as twenty (20) acre-feet of water at no cost and a fifty-thousand-dollar (\$50,000) donation to the fire station fund.

Town Administrator Jan McCosh displayed various occupancy scenarios, though the discussion revealed a lack of detailed cost analysis, prompting Council Member Severini to stress the importance of understanding net profits and associated costs. Council Member Severini expressed concerns based on research and discussions with Park City officials about potential additional costs for the Town, such as monitoring and enforcement of rental regulations.

Council Member Gunn also pointed out potential costs related to processing business licenses, monitoring and auditing, and code enforcement. He speculated on the possible impact on sales tax revenue if properties shifted from full-time residences to rentals. Town Attorney Polly McLean noted she had experience with other municipalities managing short-term rentals and suggested that the taxing process was generally seamless and highlighted minimal enforcement costs, though she noted the need for potential additional enforcement measures.

Council Member Baier supported the idea of allowing nightly rentals, viewing it as a critical opportunity for revenue generation given the Town's limited growth prospects. She emphasized that the current situation in Deer Springs, with Phase 1 already operating nightly rentals without reported issues, presented an immediate opportunity for financial benefits.

1 Council Member Severini, however, was cautious, advocating for a disciplined approach,
2 reflecting the community's preferences against nightly rentals as indicated in surveys and the
3 General Plan. He supported a more segmented and planned approach to development, aligning
4 with the Planning Commission's recommendations for allowing short-term rentals in Phase 8.

5 Mayor Rubin and Council Member Baier acknowledged the Planning Commission's good
6 work but stressed the Council's broader responsibility to consider revenue and Town
7 sustainability.

8 Council Member Gunn leaned towards a controlled, incremental approach, emphasizing the
9 need for realistic revenue projections and a clear enforcement strategy. He raised concerns
10 about potential contractual issues regarding expiration of the water and tax assignments, but
11 noted these could easily be worked through with legal counsel.

12 Council Member Haselton expressed the need for a town hall-type of meeting to communicate
13 with residents and gather their input on the issue of nightly rentals. She acknowledged the
14 concerns of residents who were initially told there would be no nightly rentals, and the
15 necessity of generating revenue for the Town. Council Member Haselton remained undecided,
16 considering both the negative experiences with nightly rentals and the financial needs of the
17 community.

18 Council Member Gunn inquired if Phase 2A properties, some of which were under contract,
19 were excluded from the proposal. Mayor Rubin confirmed that Phase 2A properties were
20 indeed off the table, ensuring that current commitments would not be affected. Mayor Rubin
21 further clarified that any approved rentals would be managed by designated property
22 management companies, preventing independent rentals and aiming for proper management
23 and revenue generation.

24 Council Member Severini supported the economic benefits of the proposal, emphasizing the
25 need for revenue and the advantages offered by the developer. He also acknowledged the
26 community's opposition to nightly rentals due to potential impacts on property values and
27 shared a personal dilemma between economic growth and preserving home values.

28 Mayor Rubin suggested deferring the decision to gather more data but recognized the urgency
29 for builders and potential buyers. He also noted it was a public hearing, and therefore, at 6:54
30 pm, he opened the floor for any member of the public to speak on the topic.

31 *Laura Lauthridge* a buyer under contract on a home in Phase 2A, requested revenue figures
32 from short-term rentals over the past three years. Mayor Rubin indicated the numbers were
33 minimal and not significant for the current debate. Ms. Lauthridge questioned the new
34 requirement for local management companies for nightly rentals, concerned about the impact
35 on current users of platforms like Airbnb and VRBO. Ms. McLean clarified the current
36 Hideout Code required the use of a property management company that could respond on site
37 within thirty (30 minutes), and that platforms such as Airbnb and VRBO were online services
38 to advertise and not a property management company.

39 Ms. Lauthridge shared concerns about the potential negative impacts of short-term rentals,
40 such as noise and disruptive behavior, drawing from her experiences in other states. She
41 advocated for a new survey or town hall meeting to gather more comprehensive community
42 feedback on the matter.

1 Council Member Baier responded to Ms. Lauthridge, acknowledging the concerns but
2 stressing the necessity of considering the overall financial health of the Town. Council
3 Member Baier emphasized that the decision at hand was limited to the current proposal, and
4 any future changes would require further discussion and approval.

5 Mayor Rubin emphasized that past revenue figures from nightly rentals did not accurately
6 predict future income, especially with potential adjustments from the Military Installation
7 Development Authority (MIDA) funds. He noted that historical data only included transient
8 room tax (TRT) and did not account for additional revenue sources that might be realized with
9 new regulations. Council Member Gunn added that many residents likely bypassed
10 management companies by using platforms like Airbnb and VRBO, which deprived the Town
11 of potential revenue.

12 Mayor Rubin elaborated on the benefits of requiring local management companies, including
13 better enforcement and monitoring of independent rentals to ensure compliance and maximize
14 revenue collection. He also highlighted the increasing operational costs for the Town as more
15 homes were built and infrastructure responsibilities expanded. Developments like Golden
16 Eagle, Soaring Hawk, and others would soon require the Town to maintain additional roads,
17 water lines, sewer lines, and storm drains, significantly increasing expenses.

18 Mayor Rubin presented a stark projection, indicating that the Town's costs would rise
19 substantially with continued development, which the current financial models might
20 understate. He warned that without additional revenue mechanisms, such as those provided
21 by nightly rentals, the Town might face substantial tax increases.

22 Ms. Lauthridge questioned whether the Town was planning to rely on nightly rental revenue
23 to cover the projected shortfalls. Mayor Rubin clarified that while nightly rentals were not the
24 sole solution, they were one viable mechanism to help generate necessary revenue. Ms.
25 Lauthridge expressed skepticism, pointing out that the current revenue from nightly rentals,
26 which was approximately \$1,500 annually, would be insignificant in addressing the Town's
27 financial needs.

28 *Edward (Ted) Kim*, a buyer under contract on a home in Phase 2A, raised concerns regarding
29 the MDA. He mentioned that the developer, Nate Brockbank, had committed to ensuring that
30 Phase 2A would not allow short-term rentals. Mr. Kim emphasized that this commitment was
31 crucial for the agreement and urged that the final document reflected this promise. Mayor
32 Rubin acknowledged the request and agreed to include the specified language in the
33 agreement.

34 Mr. Kim also shared his personal experience living near short-term rentals, noting significant
35 noise issues that eventually drove him to sell his home. He disagreed with previous assertions
36 that most short-term renters were respectful, explaining that in his experience, especially
37 during summer, short-term rentals often attracted large, noisy groups that disrupted the
38 community.

39 In response, Mayor Rubin shared his positive experience living in Bear Hollow, a community
40 which allowed short-term rentals. He noted that incidents were rare and did not significantly
41 impact his living environment. Mayor Rubin emphasized that while some disturbances may
42 occur, they were not unique to short-term renters.

Daniel Warner noted he owned a home Hideout and multiple rentals, expressed skepticism about the financial benefits of short-term rentals for the Town. He suggested that the potential negative impacts outweighed the revenue generated. Mr. Warner also noted that occupancy rates for nightly rentals typically peaked at thirty-five percent (35%), which might not yield the expected financial benefits. He proposed an alternative solution of modestly increasing property taxes to cover potential revenue shortfalls, suggesting that many residents would prefer this approach to dealing with the disruptions from short-term rentals.

There being no further public comments, Mayor Rubin closed public input at 7:18 pm.

Council Member Gunn suggested that if the Council decided to proceed with the current direction, they should do so with a thorough understanding of the financial implications. He emphasized the need for a deeper financial analysis and consideration of enforcement issues and overall impacts.

Council Member Baier agreed and highlighted the importance of fully understanding the financial considerations. She noted that while the lifestyle and feeling of community were significant, financial implications were also critical and should be thoroughly analyzed before a decision was made.

Council Member Severini added that the previous analysis lacked detailed financial projections, such as how changes in the tax base would affect revenue. He pointed out that the presented spreadsheet was incomplete and called for more detailed cost and revenue analysis.

Council Member Baier also mentioned the offer of water shares as part of the consideration, stressing their importance and the need to include them in the overall calculation. However, Council Member Severini expressed concern that no public analysis on the value and necessity of the water shares had been published, making it difficult to gauge their true value for the Town.

Mayor Rubin acknowledged the need for further work and agreed that more detailed information should be gathered before a decision was made. Council Member Severini expressed his willingness to participate in defining the required analyses to ensure the next iteration of the MDA reflected the necessary revisions. Council Member Gunn requested that the MDA include language ensuring that the tax collection rights, and the water rights survived the termination in perpetuity.

Motion: Council Member Gunn moved to defer the decision to the May 9, 2024 meeting to allow time for a more comprehensive analysis and revisions to the MDA. Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Gunn, Council Member Haselton, Council Member Severini. Absent from voting: Council Member Nadelberg. There were none opposed. The motion carried.

VII. Agenda Items

1. Announcement of the annual 2024 Jordanelle Community Clean Up day

Council Member Baier announced the annual 2024 Jordanelle Community Clean Up Day, scheduled for Sunday, April 28. The event would begin at 10:00 am and would last for approximately two hours. Participants would gather to pick up trash that had accumulated

over the winter, with trash bags provided by the organizers. She recommended bringing a grabber tool, available at Home Depot, to make the task easier.

Volunteers could sign in and collect their supplies at either the Hideout Town Hall area or the clubhouse at The Retreat at Jordanelle. A dumpster would be accessible at the Hideout Public Works building, and an employee from the Hideout Public Works Department had volunteered to assist on the day. The cleanup would be followed by a lunch and social gathering at The Retreat clubhouse. For more information, participants could refer to the flyer on the Hideout website or contact Nikki Key, who organized the event annually.

2. Presentation from the Economic Development Committee regarding the town-owned land at the entrance at Ross Creek

Council Member Severini introduced a presentation from the Economic Development Committee (EDC) regarding Town-owned land near the entrance to Ross Creek. Council Member Severini praised the collaborative efforts of the EDC members, including resident JD Cronin, Financial Consultant Katie Shepley, Council Member Jonathan Gunn, and Planning Commission Chair Tony Matyszczyk. Mr. Cronin then provided an overview of the framework they developed, highlighting the importance of documenting processes to support good decision-making and maintaining transparency.

Mr. Cronin explained that the framework was not intended to rewrite policies but to provide structure and archival documentation for the Town's projects, ensuring repeatable and auditable processes. He emphasized the necessity of clear communication and structured handling of Requests for Information (RFIs) and Requests for Proposals (RFPs). Mr. Cronin acknowledged the challenges in implementing such processes and the importance of having a simple reference for volunteers and officials working on these projects.

Council Member Severini added that the Committee had met with potential developers to discuss the Ross Creek property and other opportunities. He summarized the presentation, which included information about the property, its potential uses, zoning details, and survey results indicating strong community support for amenities associated with the land.

The Committee identified potential challenges and opportunities, including the possibility of acquiring additional land from the Bureau of Reclamation (BOR) to expand development. They were considering various development options, such as mixed-use projects, commercial and retail spaces, and possibly a midsize hotel as an anchor tenant. Council Member Severini noted that the current economic environment, including particularly high interest rates, affected development feasibility.

Ms. McCosh mentioned that they had begun reaching out to contacts at the BOR to explore the possibility of acquiring adjacent land. Council Member Baier suggested leveraging past experiences with the BOR to navigate the process more effectively. The discussion highlighted the need for strategic contacts and potential partnerships to facilitate development.

Mayor Rubin and other Council Members expressed their appreciation for the Committee's efforts and the thoroughness of the presentation.

1 **3. Consideration of approval of a Franchise Agreement between Comcast of Wasatch Inc.**
2 **and the Town of Hideout**

3 Mayor Rubin introduced the item and explained that public utilities required agreements with
4 the Town to provide services. Comcast had expressed interest in expanding its cable services
5 to Hideout.

6 Ms. McLean provided an overview of the franchise agreement, highlighting its standard
7 language and the emphasis on placing lines underground, except for necessary above-ground
8 components. She noted that Comcast had been cooperative and the agreement included the
9 maximum franchise fee, ensuring the Town would receive the highest possible revenue.

10 Joseph Silverzwig from Comcast addressed the Council, emphasizing the company's
11 commitment to minimizing visual and physical disruption through the use of Epon
12 architecture, which involves fiber-to-premises and reduced above-ground structures. He
13 reassured the Council that the majority of the infrastructure would be underground and
14 outlined the construction methods to avoid significant road disruptions. He also emphasized
15 Comcast's commitment to being a reliable community partner and detailed their efforts to
16 support local nonprofits and provide affordable internet programs.

17 Council Member Baier raised concerns about the placement of infrastructure above ground
18 and requested clarification on the build-out plans. Mr. Silverzwig confirmed that Comcast
19 planned to build out one hundred percent (100%) of the current and future parts of Hideout,
20 with no new poles to be installed unless existing infrastructure required it. He reassured the
21 Council that the construction method involved horizontal drilling to minimize road damage
22 and that any damage to private property, such as sprinkler systems, would be repaired by
23 Comcast.

24 Council Member Gunn raised three questions regarding the franchise agreement with
25 Comcast. First, Council Member Gunn inquired about the five percent (5%) franchise fee and
26 whether it applied to all services provided by Comcast, including internet service, or just
27 specific services like television.

28 Mr. Silverzwig explained that the five percent (5%) franchise fee was limited to television
29 services due to regulations under the Federal Cable Act. This Act, part of broader FCC
30 regulations, capped franchise fees at five percent (5%) of television revenue for cable
31 providers. Therefore, the fee would be applied only to the television portion of a customer's
32 bill. For instance, if a customer's total bill was two-hundred dollars (\$200) per month, with
33 one-hundred fifty (\$150) allocated to television services, the franchise fee would be five
34 percent (5%) of that one-hundred fifty dollars (\$150). The collected fees would then be paid
35 quarterly to the Town of Hideout.

36 Council Member Gunn inquired if a map of the service area could be attached as an exhibit
37 to the contract. Mr. Silverzwig agreed to provide the map but preferred not to include it as a
38 formal exhibit in the contract. He assured Council that the map would be available for public
39 record.

40 Lastly, Council Member Gunn expressed strong opposition to any new poles or the stringing
41 of cables on existing poles, referencing Section 3.1 of the agreement. Council Member Gunn
42 requested the removal of the term "poles" and the addition of language explicitly prohibiting
43 new pole installations or cable stringing. Mr. Silverzwig explained that while the current plan

1 did not include new poles and mostly involved underground infrastructure, the existing
2 language allowed necessary flexibility for future infrastructure changes or unusual situations.
3 He emphasized that any construction would still require local permits and compliance with
4 community ordinances, assuring that Comcast would follow the Town's regulations and
5 preferences.

6 Council Member Gunn expressed skepticism and highlighted that the existing language gave
7 Comcast the freedom to install poles, despite verbal assurances. Council Member Gunn
8 indicated an intention to vote against the agreement unless the contract language was amended
9 to explicitly prohibit poles, pointing out that the merger and integration clause (Section 3.3)
10 would render verbal promises unenforceable. Mr. Silverzwig acknowledged Council Member
11 Gunn's right to vote as he saw fit, maintaining that the current language was standard and
12 necessary for operational flexibility while reiterating Comcast's commitment to following
13 local guidelines and maintaining open communication with the Town.

14 Council Member Severini expressed appreciation for Comcast's interest in the Town and
15 raised several questions. First, he sought clarification on the franchise fee structure,
16 confirming that the Town would receive five percent (5%) of Comcast's television service
17 revenue. Mr. Silverzwig explained that the fee was based on the percentage of customers
18 purchasing cable plans, which was consistent with similar broadband franchises.

19 Council Member Severini inquired about the timeframe for laying fiber in the Town. Mr.
20 Silverzwig indicated that construction of trunk lines was expected to begin in 2025, with
21 customer services likely to be available by 2026.

22 Council Member Severini also asked for statistics on service outages, noting the importance
23 of reliable internet service. Mr. Silverzwig highlighted Comcast's high reliability, citing a
24 ninety-nine point ninety-nine percent (99.99%) uptime due to continuous network upgrades
25 and advanced technology that enabled quick identification and repair of outages. He agreed
26 to provide regular outage reports and assured the Council of Comcast's commitment to
27 maintaining a highly reliable network.

28 Council Member Baier sought clarification from Ms. McLean about the Council's options
29 when presented with a franchise agreement. Ms. McLean explained that state law required
30 parity among service providers, meaning the Town could not favor one company over another.
31 The agreements must be consistent, and similar in key terms, which had been ensured through
32 careful review.

33 Council Member Baier mentioned the Town's initial franchise agreement, which included a
34 commitment to cover the entire town, addressed a critical need for reliable internet service.
35 Mr. Silverzwig reiterated that Comcast planned to build out to every residence in Hideout and
36 emphasized the necessity of flexibility in the agreement to accommodate future changes and
37 community needs.

38 Council Member Baier expressed concerns about ensuring that commitments were
39 enforceable within the contract's written terms, highlighting the importance of doing the right
40 thing for the Town. Mr. Silverzwig acknowledged this concern and stressed Comcast's
41 commitment to serving the community fully, while noting the challenge of incorporating
42 every specific assurance into the contract without compromising necessary flexibility.

Council Member Gunn emphasized the Town's scenic views as a significant asset and opposed any infrastructure that could impact these views negatively, particularly new poles or wires on existing poles. Mr. Silverzwig stated that while the current construction plans did not involve installing poles, removing the authorization for poles from the contract would require consultation with his technical team. He proposed that the Town's permitting authority could reject any such proposals, ensuring the community's interests were protected. He urged the Council to rely on existing ordinances to regulate construction rather than amending the franchise agreement, aiming to maintain flexibility while addressing community concerns.

Council Member Baier asked Mr. Silverzwig about the urgency behind the request for immediate action on the franchise agreement. Mr. Silverzwig explained that while there was some urgency due to pre-committed funding and the planned construction of trunk lines next year, a delay of a few weeks would not be an issue. He emphasized the importance of securing confidence in their ability to proceed with spending the allocated funds.

Mayor Rubin intervened and noted that Comcast had approached the Council many months ago, but the final document only recently became available for discussion. He highlighted that the delay was not due to the Council's actions but rather the time it took Comcast to finalize the agreement. Mayor Rubin proposed delaying the decision until the next Town Council Meeting on May 9th to allow both parties to address the comments and concerns raised during the current meeting.

Mr. Silverzwig agreed to this timeline and committed to reviewing the undergrounding provisions and finding ways to make them more acceptable to the Council. He also agreed to investigate and potentially include a required build-out provision similar to what might exist in other franchise agreements the Town had, and committed to working with his team to ensure these adjustments could be made.

Motion: Council Member Gunn moved to continue the approval of the Comcast Franchise Agreement to the May 9, 2024 meeting to allow Mr. Silverzwig time to address the comments and concerns raised. Council Member Baier made the second. Voting Yes: Council Member Baier, Council Member Gunn, Council Member Haselton, Council Member Severini. Absent from voting: Council Member Nadelberg. There were none opposed. The motion carried.

4. Update and discussion regarding noxious weed abatement methods

Mayor Rubin adjusted the meeting agenda to prioritize Administrative Assistant Carol Kusterle's update on noxious weed abatement methods. Ms. Kusterle outlined the process of weed abatement, mentioning that unpaid invoices from last year's treatment could be financially significant for the Town. She explained that these costs would be added to the tax statements of the affected parcels, which could take years to collect, particularly from developers who delay paying taxes. She emphasized the need to determine by September whether continuing with the abatement process would be financially feasible.

Council Member Gunn inquired about accrued interest on unpaid amounts, which Ms. Kusterle confirmed accrues at one point five percent (1.5%) per month. Despite the potential for earning interest, the delay in payment could extend up to five years. Mayor Rubin suggested including the anticipated costs in the budget to ensure the Town could sustain another season of treatments if developers remain non-compliant.

Ms. Kusterle reported significant compliance among single-family homes but highlighted ongoing issues with large undeveloped parcels owned by developers. Council Member Baier encouraged maintaining the current momentum, acknowledging the progress made and the importance of continued efforts. The discussion concluded with consensus on budgeting for potential costs and ensuring continued communication and enforcement with developers to manage noxious weeds effectively.

5. Update regarding the implementation of speed control measures on Shoreline Drive

Mayor Rubin provided an update on the implementation of speed control measures on Shoreline Drive. He mentioned that the Town had initiated a spring and summer maintenance package that included crack sealing, striping, and rubber banding with a focus on enhancing visibility and effectiveness of speed reduction efforts. The proposed striping would feature a wide band to reinforce the slowdown message.

Additionally, the Public Works team was in the process of installing new speed signs, ensuring they were properly powered and functional. Proposed locations for these signs included areas identified as problematic, such as the Longview side near the roundabout towards Rustler and the Shoreline section, which had received significant feedback. Temporary signs installed during the winter would be replaced with permanent ones when weather permitted. The implementation of these measures was expected to occur shortly.

6. Consideration of adopting Resolution 2024-R-XX prohibiting fireworks within the Town of Hideout during the 2024 year

Mayor Rubin introduced Resolution 2024-R-04, which would prohibit fireworks within the Town of Hideout during the 2024 year. This annual resolution aimed to control open flames and fireworks, consistent with previous years. Mayor Rubin mentioned that despite occasional small backyard fireworks, there had been no significant incidents.

Council Member Baier raised concerns about aerial fireworks and stressed the importance of enforcement. She inquired if the Town might issue permits for private or public fireworks displays. Ms. McLean clarified that the Resolution targeted individuals setting off fireworks without permits, while there was an existing provision for permitted shows in coordination with the fire department.

Council Member Baier expressed full support for the ban, citing wildfire threats and awaiting further information on the wildfire season forecast.

Council Member Severini highlighted the recent increase in home insurance rates due to wildfire risks, emphasizing the importance of proactive measures. Council Member Haselton mentioned past issues with people setting off fireworks in State Park parking lot. Mayor Rubin clarified that the Town had no authority over the State Park but noted their alignment with county fire guidelines.

The Council discussed leveraging their good relationship with the State Park to ensure enforcement of the fireworks ban and effective communication regarding fire safety measures.

There being no further discussion from Council, Mayor Rubin asked for a motion to adopt the Resolution.

Motion: Council Member Gunn moved to adopt Resolution 2024-R-04 prohibiting fireworks within the Town of Hideout in the 2024 year. Council Member Baier made the second. Voting Yes: Council Member Baier, Council Member Gunn, Council Member Haselton, Council Member Severini. Absent from voting: Council Member Nadelberg. There were none opposed. The motion carried.

7. Approval for the Mayor to execute an Interlocal Agreement between the Town of Hideout and Heber Valley Animal Services

Mayor Rubin introduced the proposal to execute an Interlocal Agreement between the Town of Hideout and Heber Valley Animal Services. This agreement was brought forth because Heber City had taken over animal control duties from Wasatch County. Mayor Rubin clarified that the Town currently paid extra for animal control and had experienced several incidents, including a recent one involving injuries caused by uncontrolled dogs.

Council Member Severini inquired whether the service level would remain the same, to which Mayor Rubin responded that the change was purely administrative, with Heber City managing the services instead of the county. The service level and response would remain unchanged.

Council Member Gunn discussed the contract terms, noting the 24-month termination notice, and the importance of maintaining service quality. Mayor Rubin reassured the Council that the Town would retain oversight and could address any service deficiencies.

Statistics on service calls and budget impacts were reviewed, indicating a growing number of calls and a consistent budget allocation of ten-thousand dollars (\$10,000) per year. Mayor Rubin emphasized the agreement's value and the benefits of continued robust animal control services.

Motion: Council Member Baier moved to authorize the Mayor to execute an Interlocal Agreement between the Town of Hideout and Heber Valley Animal Services. Council Member Severini made the second. Voting Yes: Council Member Baier, Council Member Gunn, Council Member Haselton, and Council Member Severini. Absent from voting: Council Member Nadelberg. There were none opposed. The motion carried.

Mayor Rubin expressed appreciation for the support, highlighting the effectiveness of the animal control services in addressing and escalating serious incidents appropriately.

8. Consideration and approval for an allocation of funds not to exceed \$99,479.00 to pay the Vantage Lift Station invoice

Mayor Rubin presented the need for an allocation of funds to pay the Vantage Lift Station invoice. This request followed a previous Council approval of three-hundred thousand dollars (\$300,000) for building a new lift station, a project that had since incurred additional costs due to changes and enhancements aimed at ensuring long-term reliability. The final cost had increased by roughly one-hundred thousand dollars (\$100,000), primarily due to adding a third pump and managing elevation changes in the pressurized pipeline.

Mayor Rubin emphasized the necessity of these changes for the system's robustness and noted that while the Town had the funds available, Council approval was required to cover this overage. The additional funds would cover the improvements and ensure continuous waste management without the risk of system overloads or backups.

Council Member Severini questioned if the bill would be paid before the project's completion. Mayor Rubin clarified that while the immediate work covered by this invoice was complete, there were remaining items to be finished, including the removal of the old lift station and restoration of affected areas. Mayor Rubin assured that the remaining funds would be withheld until these items were completed to satisfaction.

Council Member Severini raised concerns about the potential to delay payments until the entire project was finished. Ms. McLean indicated that while some leverage could be used to ensure completion, they could not withhold payment for the completed work. However, additional protective measures and contractual agreements would be put in place to cap costs and ensure no further increases.

Council Member Gunn expressed the need to abstain from voting due to a potential conflict of interest, as the completion of the lift station would directly benefit his property by mitigating unpleasant odors.

Motion: Council Member Severini moved to authorize the allocation of funds not to exceed \$99,479.00 to pay the Vantage Lift Station invoice, with the conditions as described. Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Severini. Abstaining from voting: Council Member Gunn. Absent from voting: Council Member Nadelberg. There were none opposed. The motion carried.

9. Discussion regarding designated code enforcement officers and procedure

The Council discussed the issue of code enforcement, which had been requested for more detailed consideration in a previous meeting. Ms. McLean explained that while the Public Works staff served as primary code enforcement officers, they faced threats while performing their duties. This situation raised concerns about their safety, prompting a discussion on whether and when to involve the Sheriff's department.

Council Member Baier expressed deep concern about the threats against Public Works staff and suggested tabling the discussion until the next meeting. She requested more information on who the designated code enforcement officers were, recent statistics on code violations, and a clear procedure for when to escalate issues to the Sheriff's department.

The Council agreed to delay the discussion to the next meeting, with Ms. McLean committing to prepare a detailed staff report to facilitate a comprehensive discussion.

10. Consideration of approving Ordinance 2024-O-XX amending Hideout Municipal Code 1.16.060 Exemptions to Competitive Bidding Requirements

Clerk's note: This item was not discussed due to lack of presentation materials.

11. Presentation and discussion of responses to a Request for Proposal (RFP) for public relations services, with consideration of authorization for the Mayor to enter into a contract for public relations

Mayor Rubin introduced the discussion on the responses to the Request for Proposal (RFP) for public relations services. The focus was to engage professional public relations (PR) services to assist in creating a strategic plan for the Town and to effectively communicate the need for an upcoming property tax increase due to necessary investments.

Ms. McCosh provided an overview of the RFP process and the three responses received. After evaluating the proposals, Ms. McCosh recommended Jacques and Associates for their expertise, particularly in municipal communications and prior relevant work with other cities. Despite having familiarity with X Factor, which had been previously engaged for the Town Retreat and temporary fire station fundraising efforts, Ms. McCosh considered it beneficial to work with a new firm to gain fresh perspectives and comparisons.

Council Member Baier raised questions about the number of hours and cost estimates provided by each firm, highlighting a need for clarity on deliverables and how costs might escalate with changes in the project scope. Ms. McCosh responded by emphasizing the importance of milestones and fixed pricing to manage the scope and costs effectively.

Council Member Severini echoed concerns about scope creep and the necessity of having clear milestones and specific deliverables. The importance of having a well-defined scope to avoid unexpected costs and to ensure accountability was discussed.

Ultimately, Council decided to table the decision, agreeing that more work was needed to clarify the deliverables and to get further details from all the proposals. Mayor Rubin and Ms. McCosh, along with Council Member Baier, planned to refine the list of deliverables and seek confirmation from the PR firms on whether these could be met within the proposed fee structures.

The Council agreed to revisit the matter in the next meeting with the refined details to make a well-informed decision.

12. Consideration of approving a resolution to authorize the leasing terms on the Public Works vehicles

Mayor Rubin introduced the agenda item regarding the leasing terms for Public Works vehicles. Historically, the Town had leased vehicles on a yearly basis, which involved significant costs and efforts related to outfitting the trucks with plows and other equipment. However, the leasing rules had changed, allowing for longer-term leases, such as three years, which could offer more stability and reduce the repetitive labor associated with the annual lease renewals.

Mayor Rubin explained that while the longer-term leases were beneficial, they raised concerns for leasing companies about the potential for changes in Town leadership due to elections. Therefore, leasing companies required written assurances that the Town would honor the lease terms regardless of future Council changes.

Ms. McLean confirmed that the current Council could not bind future Councils and that budgets were approved annually, which was why the leasing companies sought these assurances.

Council Member Severini inquired about the reasons for leasing rather than purchasing vehicles. Mayor Rubin explained that leasing had been financially advantageous compared to buying, but the Town was considering a mix of leasing and purchasing to optimize costs and manage the vehicle fleet's lifecycle more effectively.

The discussion included questions about interest rates and terms of the lease, with Mayor Rubin and Council Member Severini seeking clarification on whether the rates were adjustable and how they would be affected by market changes. Ms. McLean assured the

Council that the terms were standard and vetted through the State Procurement Office, emphasizing the benefits of using the state program for better rates and streamlined processes.

Motion: Council Member Baier moved to approve Resolution 2024-R-05, authorizing the leasing terms on the Public Works vehicles. Council Member Severini made the second. Voting Yes: Council Member Baier, Council Member Gunn, Council Member Haselton, and Council Member Severini. Absent from voting: Council Member Nadelberg. There were none opposed. The motion carried.

13. Consideration and approval for the Mayor to advance funds for the temporary fire station fundraising efforts

Mayor Rubin brought up the final agenda item regarding the temporary fire station fundraising efforts. He explained that a line item had been included for temporarily utilizing Town funds to maintain progress on the fire station until the fundraising efforts provided the necessary financial support, and that the issue would be more appropriately addressed through a budget adjustment public hearing which would be held in June.

The idea was that the Town would commit funds to initiate the fire station project, with the expectation that these costs would be offset by future fundraising. Mayor Rubin noted that the Town had sufficient funds to cover any immediate costs and reiterated that the budget adjustment would be handled in the upcoming budget amendment process, rather than through a resolution at this meeting.

Prior to starting the Committee Updates, there was a recess at 10:06 pm.

The meeting resumed at 10:11 pm.

VIII. Committee Updates

1. Design Review Committee - Thomas Eddington

Mr. Eddington stated there were no new applications to the DRC.

2. Parks, Open Space and Trails (POST) Committee - Council Member Baier

Council Member Baier provided an update on the Parks, Open Space, and Trails (POST) Committee's recent activities. She noted that Nancy O'Toole, a grant writer from Mountainland Association of Governments (MAG), submitted a Utah outdoor recreation grant application for a project at Ross Creek, sponsored by Hideout. The estimated total project cost was around one-hundred fifty thousand dollars (\$150,000), which would encompass cash, grant money, in-kind contributions, and donations. The project would involve creating a new trail section to connect the original Ross Creek parking lot to the existing perimeter trail, along with various improvements like culverts, erosion matting, fencing, ramps, a bridge with railings, a kiosk, and benches.

Council Member Baier highlighted the significant contribution commitment from the State Park and Park Manager Jason Whitaker, who offered to donate equipment and crew to aid in the project. Additionally, volunteers and a trail builder were expected to contribute to the effort. The Committee was optimistic about securing the grant for the project and was awaiting further feedback.

Council Member Baier also mentioned that the POST Committee had a meeting scheduled for the following Tuesday, with plans to focus on the Klaim trail network design as their next endeavor.

3. Transportation Committee - Council Member Haselton

Council Member Haselton provided an update on the Transportation Committee's recent activities. The Richardson Flat bus service, operated by Park City, had been serving Hideout members due to the absence of High Valley Transit. However, Park City found the service costly and was deliberating its continuation for the summer and next winter. The main challenge was the lack of parking in Hideout for bus pickups. There was discussion on possible proactive measures to encourage Park City to continue the service, such as incentivizing or collaborating with them.

The conversation also touched on the developments around the Jordanelle area, specifically regarding transportation. Mayor Rubin mentioned that MIDA was working on transit around the north side of the Jordanelle, potentially offering opportunities for Hideout. The discussion veered towards exploring partnerships with MIDA and Deer Valley to address transportation needs, especially during peak seasons.

Council Member Baier raised concerns about understanding the needs of residents living in the Hideout area, particularly those in the affordable housing community. There was a consensus on the importance of staying informed about their needs and exploring ways to support them effectively.

IX. Closed Executive Session - Discussion of pending or reasonably imminent litigation, personnel matters, and/or sale or acquisition of real property as needed

There was no need for executive session.

X. Meeting Adjournment

There being no further business, Mayor Rubin called for a motion to adjourn.

Motion: Council Member Gunn moved to adjourn the meeting. Council Member Baier made the second. Voting Yes: Council Member Baier, Council Member Gunn, Council Member Haselton, and Council Member Severini. Absent from voting: Council Member Nadelberg. There were none opposed. The motion carried.

The meeting adjourned at 10:31 pm.

Alicia Fairbourne, Recorder for Hideout

File Attachments for Item:

1. Discussion and possible approval of the amendments to the Town Budget for the Fiscal Year 2023-2024

HIDEOUT, UTAH RESOLUTION NUMBER 2024-R-06

A RESOLUTION AMENDING THE FISCAL YEAR 2023-2024 HIDEOUT BUDGET

WHEREAS, Utah Law allows for the amendment of the budgets of municipalities to reflect changes in revenues and expenditures and to make transfers between departments to meet the best interests of the municipalities; and

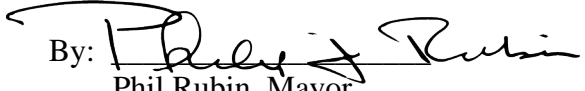
WHEREAS, the Town of Hideout has complied with the notice and public hearing requirements of the Utah law in considering an amendment of its 2023-2024 fiscal budgets for the General Fund Enterprise, Enterprise Fund, MIDA Fund, and Class C Road Fund; and

WHEREAS, the Town of Hideout Council has determined that an amendment to its 2023-2024 budget is in the best interest of the municipality and its residents and in order for the budget to match the actual revenues and expenditures for the fiscal year.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS: that the amended Town of Hideout Budgets as attached as Exhibit A, for the 2023-2024 fiscal year of the Town of Hideout, Utah are hereby adopted. That any amounts in the General Fund in excess of thirty-five percent (35%) shall be designated to be used within the Town of Hideout Capital Projects Fund plan as specified in Utah Code Annotated §10-6-116.

ADOPTED and resolved by the Town Council of the Town of Hideout, this 13th day of June 2024.

TOWN OF HIDEOUT

By: 
Phil Rubin, Mayor

ATTEST:


Alicia Fairbourne, Recorder for Hideout

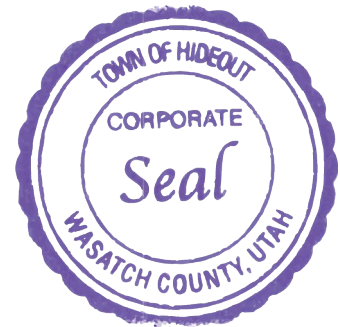


Exhibit A: Town of Hideout Budget FY ended June 30, 2024

Town of Hideout – General Fund FY24 Budget Restatement

Item # 1.

Revenues/Expenditures	Budget FY24	Actuals + Fcst FY24	Budget Adjustments	Revised Budget
Revenues				
Total Taxes	\$638,705	\$657,964	\$19,259	\$657,964
Total License and Permits	\$1,036,866	\$731,069	(\$305,797)	\$731,069
Total Miscellaneous Revenues	\$94,833	\$116,048	\$21,215	\$116,048
Total Contributions & Transfers	\$189,843	\$189,843	\$0	\$189,843
Total General Fund Revenues	\$1,960,247	\$1,694,924	(\$265,324)	\$1,694,923
Expenditures				
Salaries and Benefits	\$615,850	\$485,474	\$130,376	\$485,474
Administration	\$86,889	\$83,748	\$3,141	\$83,748
Professional Services	\$973,901	\$597,361	\$376,540	\$597,361
Public Safety	\$102,111	\$91,931	\$10,180	\$91,931
Streets	\$511,542	\$504,003	\$7,539	\$504,003
Parks	\$28,000	\$12,357	\$15,643	\$12,357
Debt Services	\$31,629	\$38,924	(\$7,295)	\$38,924
Total General Fund Expenditures	\$2,349,922	\$1,813,797	\$536,125	\$1,813,797
Surplus/(Deficit)	(\$389,675)	(\$118,873)	\$270,801	(\$118,874)

License/Permits net with professional services

\$270k favorable to budget is primarily due to:

- ✓ Lower legal expense - \$152k.
- ✓ Change in the allocation of salaries/benefits between general and enterprise fund as well as not hiring a new employee until end of fiscal year and loss of town engineer - \$130k.
- ✓ Lower parks and trail expense, \$16k, and public safety due to lower noxious weed expense, \$10k.
- ✓ Favorability was partially offset by higher outsourced engineering costs due to new town projects and outsourcing town engineer's responsibilities who resigned in January – (\$50k).

Town of Hideout – Enterprise Fund FY24 Budget Restatement

Item # 1.

Revenue / Expense	Budget FY24	Actuals + Fcst FY24	Budget Adjustments	Revised Budget
Total Revenues	\$1,561,089	\$1,640,654	\$79,565	\$1,640,654
Total Expenses	\$1,866,085	\$1,549,449	\$316,636	\$1,549,449
Surplus/(Deficit)	(\$304,996)	\$91,204	\$396,200	\$91,204

\$396k favorable to budget is primarily due to:

- ✓ Revenue favorability of \$80k is primarily due to higher stand-by water fees and water/sewer/storm billing to residents.
- ✓ Expense favorability of \$317k is primarily due to:
 - ❖ Lower sewer, storm and water repairs and maintenance - \$251k
 - ❖ Lower engineering expense - \$34k
 - ❖ Offset by higher depreciation – \$25k

Town of Hideout
Operational Budget Report
10 General Fund - 07/01/2023 to 06/30/2024
100.00% of the fiscal year has expired

	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
Change In Net Position					
Revenue:					
Taxes					
3110 Property taxes - current	248,641.10	0.00	267,578.61	267,579.00	100.00%
3120 Prior year property taxes - delinquent paid	38,548.54	0.00	38,321.93	41,806.00	91.67%
3124 Fee-in-lieu of property taxes	6,004.32	0.00	5,461.83	5,958.00	91.67%
3130 Sales tax	209,493.64	0.00	200,176.66	240,212.00	83.33%
3136 Transient Room Tax Revenue	1,571.04	0.00	867.58	946.00	91.71%
3137 Franchise Fee Revenue	4,676.28	0.00	3,335.06	4,002.00	83.33%
3140 Municipal energy taxes	62,751.83	0.00	81,217.53	97,461.00	83.33%
Total Taxes	571,686.75	0.00	596,959.20	657,964.00	90.73%
Licenses and permits					
3210 Business licenses	1,275.00	0.00	2,209.00	2,410.00	91.66%
3215 MDA revenue	108,000.00	0.00	108,000.00	108,000.00	100.00%
3221 Building permits	293,659.67	0.00	258,647.09	366,417.00	70.59%
3222 Roadway Fee	37,500.00	0.00	27,100.00	38,392.00	70.59%
3223 Excavation Permit Fee Revenue	7,748.00	0.00	1,704.00	1,859.00	91.66%
3225 Application Fee Revenue	10,050.00	0.00	500.00	545.00	91.74%
3227 Construction/Other Sign Fee	7,400.00	0.00	5,380.00	5,869.00	91.67%
3229 Subdivision Development Fees	21,400.00	0.00	5,000.00	5,000.00	100.00%
3230 5% Project (Engineering) Fees	134,092.00	0.00	15,611.55	15,612.00	100.00%
3231 Planning & Zoning Fees	124,579.27	0.00	131,975.59	186,965.00	70.59%
Total Licenses and permits	745,703.94	0.00	556,127.23	731,069.00	76.07%
Charges for services					
3490 Other services revenue	2,445.89	0.00	500.00	500.00	100.00%
Total Charges for services	2,445.89	0.00	500.00	500.00	100.00%
Fines and forfeitures					
3510 Fines and forfeitures	0.00	6.00	262.00	250.00	104.80%
Total Fines and forfeitures	0.00	6.00	262.00	250.00	104.80%
Interest					
3610 Interest earnings	22,437.03	0.00	97,902.09	99,102.00	98.79%
3615 Street impact fees (interest)	16,698.00	0.00	12,554.94	16,740.00	75.00%
Total Interest	39,135.03	0.00	110,457.03	115,842.00	95.35%
Miscellaneous revenue					
3690 Other revenue	408.95	0.00	632.78	633.00	99.97%
Total Miscellaneous revenue	408.95	0.00	632.78	633.00	99.97%
Contributions and transfers					
3848 Transfer From Class C Road Fund	0.00	0.00	189,843.00	189,843.00	100.00%
3891 Gain/Loss on Sale of Assets	0.00	0.00	(1,177.00)	(1,177.00)	100.00%
Total Contributions and transfers	0.00	0.00	188,666.00	188,666.00	100.00%
Total Revenue:	1,359,380.56	6.00	1,453,604.24	1,694,924.00	85.76%
Expenditures:					
General government					
Administrative					
5001.1 Admin Contract services	4,858.49	0.00	8,921.43	9,732.00	91.67%
5001.2 Admin Council pay	266.14	0.00	944.57	1,030.00	91.71%
5001.4 Admin Insurance	11,805.34	0.00	23,045.59	25,141.00	91.67%
5001.6 Admin Mileage reimbursement	1,928.64	114.63	3,011.54	3,285.00	91.68%
5001.7 Admin Office supplies	3,687.93	0.00	6,744.79	7,358.00	91.67%
5001.8 Admin Personnel	343,733.96	10,654.91	266,907.33	291,172.00	91.67%
5001.9 Admin Public notices	731.49	0.00	3,967.57	4,328.00	91.67%
5001.A Admin Security Alarm Monitoring	912.00	0.00	1,320.00	1,440.00	91.67%
5003 Admin Benefits	141,173.65	2,035.97	178,110.22	194,302.00	91.67%
5004 Admin Other	1,151.88	35.00	8,389.25	9,152.00	91.67%
5010 Admin Information Technology	15,002.07	0.00	45,279.71	21,396.00	211.63%
5016 Admin Telephone	5,662.72	0.00	11,454.04	12,495.00	91.67%
5017 Admin Training	2,177.67	0.00	3,628.79	3,959.00	91.66%
5018 Admin Website	1,181.00	0.00	40.00	44.00	90.91%
5019 Admin Membership	5,540.10	0.00	10,109.13	11,028.00	91.67%
5030 Admin Repairs & Maintenance	4,250.40	0.00	7,235.50	7,893.00	91.67%
5050 Admin Utilities	10,299.52	0.00	16,010.64	17,466.00	91.67%
5069 Miscellaneous	278.95	0.00	0.00	(52,000.00)	0.00%
Total Administrative	554,641.95	12,840.51	595,120.10	569,221.00	104.55%

Town of Hideout
Operational Budget Report
10 General Fund - 07/01/2023 to 06/30/2024
100.00% of the fiscal year has expired

	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
Professional services					
5002.1 Accounting	80,099.69	4,000.00	41,829.83	50,196.00	83.33%
5002.2 Legal	274,494.61	11,225.00	114,414.06	137,297.00	83.33%
5002.3 Engineering 5% project/escrow	42,980.25	0.00	56,742.06	68,090.00	83.33%
5002.35 Town Engineering	56,604.13	0.00	90,909.34	109,091.00	83.33%
5002.36 Town Engineering - projects	30,380.00	0.00	27,347.20	32,817.00	83.33%
5002.4 Building inspection	176,055.55	0.00	102,891.53	145,763.00	70.59%
5002.5 Plan prints	7,263.88	0.00	609.00	863.00	70.57%
5002.6 Auditor	6,940.00	0.00	11,100.00	18,600.00	59.68%
5002.60 Planning	59,840.00	0.00	43,750.00	52,500.00	83.33%
5002.65 Building Plan Review	15,012.50	0.00	(17,856.00)	(17,856.00)	100.00%
Total Professional services	749,670.61	15,225.00	471,737.02	597,361.00	78.97%
Total General government	1,304,312.56	28,065.51	1,066,857.12	1,166,582.00	91.45%
Public Safety					
5105 Safety Police department	77,501.94	0.00	66,770.00	80,124.00	83.33%
5305 Animal Services	11,996.47	727.25	8,854.89	11,807.00	75.00%
Total Public Safety	89,498.41	727.25	75,624.89	91,931.00	82.26%
Streets					
5201 Streets Personnel	425.00	0.00	0.00	0.00	0.00%
5202 Streets Auto maintenance	2,784.43	0.00	27,670.83	30,186.00	91.67%
5203 Streets Benefits	8,685.85	0.00	0.00	0.00	0.00%
5204 Streets Fuel	13,496.31	0.00	8,904.63	9,714.00	91.67%
5205 Streets Materials & Supplies	102,985.66	0.00	65,512.26	78,615.00	83.33%
5207 City Road Repairs	0.00	0.00	322,110.34	322,110.00	100.00%
5208 Streets Repair & maintenance	63,582.30	0.00	47,335.41	51,639.00	91.67%
5209 Streets Equipment lease	30,750.00	0.00	8,062.50	10,750.00	75.00%
5215 Streets Utilities	572.32	0.00	824.17	989.00	83.33%
Total Streets	223,281.87	0.00	480,420.14	504,003.00	95.32%
Parks					
5450 Parks and Recreation	5,834.34	0.00	2,310.00	2,310.00	100.00%
Total Parks	5,834.34	0.00	2,310.00	2,310.00	100.00%
Miscellaneous					
5650 Community Development	4,960.05	0.00	5,046.84	10,047.00	50.23%
5660 Fire Station Expenses	0.00	0.00	95,206.03	0.00	0.00%
Total Miscellaneous	4,960.05	0.00	100,252.87	10,047.00	997.84%
Debt service					
5800 Principal	19,552.24	0.00	26,220.94	26,221.00	100.00%
5801 Interest	10,458.24	0.00	12,467.97	12,468.00	100.00%
5802 penalties and fines	14,521.93	0.00	156.58	235.00	66.63%
Total Debt service	44,532.41	0.00	38,845.49	38,924.00	99.80%
Total Expenditures:	1,672,419.64	28,792.76	1,764,310.51	1,813,797.00	97.27%
Total Change In Net Position	(313,039.08)	(28,786.76)	(310,706.27)	(118,873.00)	261.38%

Town of Hideout
Operational Budget Report
23 Municipal Services - MIDA - 07/01/2023 to 06/30/2024
100.00% of the fiscal year has expired

	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
Change In Net Position					
Revenue:					
Taxes					
3110 Property taxes - Current MIDA	20,520.14	0.00	0.00	51,138.00	0.00%
3140 Energy - Current MIDA	12,645.91	0.00	0.00	15,525.00	0.00%
3145 Transient Room tax - Current MIDA	524.41	0.00	0.00	240.00	0.00%
Total Taxes	33,690.46	0.00	0.00	66,903.00	0.00%
Interest					
3610 Interest earnings	0.00	0.00	1,874.00	1,874.00	100.00%
Total Interest	0.00	0.00	1,874.00	1,874.00	100.00%
Total Revenue:	33,690.46	0.00	1,874.00	68,777.00	2.72%
Expenditures:					
General government					
Administrative					
4700 MIDA-Admin	1,317.03	0.00	0.00	1,389.00	0.00%
Total Administrative	1,317.03	0.00	0.00	1,389.00	0.00%
Total General government	1,317.03	0.00	0.00	1,389.00	0.00%
Total Expenditures:	1,317.03	0.00	0.00	1,389.00	0.00%
Total Change In Net Position	32,373.43	0.00	1,874.00	67,388.00	2.78%

Town of Hideout
Operational Budget Report
24 Development- MIDA - 07/01/2023 to 06/30/2024
100.00% of the fiscal year has expired

	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
Change In Net Position					
Revenue:					
Taxes					
3110 Property taxes - Current MIDA	100,431.34	0.00	0.00	250,277.00	0.00%
3130 MIDA - Sales tax	24,850.71	0.00	0.00	37,407.00	0.00%
Total Taxes	125,282.05	0.00	0.00	287,684.00	0.00%
Interest					
3610 Interest earnings	0.00	0.00	6,554.00	6,554.00	100.00%
Total Interest	0.00	0.00	6,554.00	6,554.00	100.00%
Total Revenue:	125,282.05	0.00	6,554.00	294,238.00	2.23%
Expenditures:					
General government					
Administrative					
4000 Parks	0.00	0.00	0.00	15,000.00	0.00%
4700 MIDA - admin	2,485.07	0.00	0.00	1,762.00	0.00%
Total Administrative	2,485.07	0.00	0.00	16,762.00	0.00%
Total General government	2,485.07	0.00	0.00	16,762.00	0.00%
Total Expenditures:	2,485.07	0.00	0.00	16,762.00	0.00%
Total Change In Net Position	122,796.98	0.00	6,554.00	277,476.00	2.36%

Town of Hideout
Operational Budget Report
48 Class C Road Fund - 07/01/2023 to 06/30/2024
100.00% of the fiscal year has expired

	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
Change In Net Position					
Revenue:					
Intergovernmental revenue					
3356 Class C road allotment	62,860.32	0.00	(29,484.11)	160,800.00	-18.34%
Total Intergovernmental revenue	62,860.32	0.00	(29,484.11)	160,800.00	-18.34%
Interest					
3610 Interest earnings	0.00	0.00	7,751.00	4,351.00	178.14%
Total Interest	0.00	0.00	7,751.00	4,351.00	178.14%
Total Revenue:	62,860.32	0.00	(21,733.11)	165,151.00	-13.16%
Total Change In Net Position	62,860.32	0.00	(21,733.11)	165,151.00	-13.16%
Income or Expense					
Income From Operations:					
Operating expense					
6010 Transfers to General Fund	0.00	0.00	0.00	189,843.00	0.00%
Total Operating expense	0.00	0.00	0.00	189,843.00	0.00%
Total Income From Operations:	0.00	0.00	0.00	189,843.00	0.00%
Total Income or Expense	0.00	0.00	0.00	189,843.00	0.00%

Town of Hideout
Operational Budget Report
51 Water Fund - 07/01/2023 to 06/30/2024
100.00% of the fiscal year has expired

Item # 1.

	Prior YTD	Current Period	Current YTD	Annual Budget	Percent Used
Income or Expense					
Income From Operations:					
Operating income					
5110 Interest earnings	0.00	0.00	19,211.00	28,657.00	67.04%
5140 Water service	927,081.46	0.00	823,143.77	987,773.00	83.33%
5141 Standby water	271,535.50	0.00	202,208.66	207,209.00	97.59%
5142 Water reservation fee	(1,108.00)	0.00	0.00	0.00	0.00%
5143 Meter rental	1,350.00	0.00	2,750.00	3,300.00	83.33%
5145 Storm water service	34,092.96	0.00	38,070.08	45,684.00	83.33%
5150 Sewer service	223,106.83	0.00	209,733.51	251,680.00	83.33%
5310 Connection fees	78,683.00	0.00	81,068.25	97,282.00	83.33%
5315 Water Transfer fees	2,259.70	0.00	2,374.00	2,849.00	83.33%
5410 Late penalties and fees	10,639.80	0.00	21,849.88	26,220.00	83.33%
5490 Other operating income	355.00	0.00	0.00	0.00	0.00%
Total Operating income	1,547,996.25	0.00	1,400,409.15	1,650,654.00	84.84%
Operating expense					
5001.1 Admin Contract Services	4,280.00	0.00	0.00	903.00	0.00%
5001.2 Admin Council Pay	328.00	0.00	0.00	69.00	0.00%
5001.4 Admin Insurance	7,815.00	0.00	0.00	0.00	0.00%
5001.6 Admin Mileage Reimbursement	2,112.00	0.00	0.00	1,446.00	0.00%
5001.7 Admin Office Supplies	3,489.00	0.00	0.00	736.00	0.00%
5001.9 Admin Public Notices	900.00	0.00	0.00	190.00	0.00%
5001.A Admin Security Alarm Monitoring	973.00	0.00	0.00	205.00	0.00%
5004 Admin Other	405.00	0.00	0.00	85.00	0.00%
5019 Admin Membership	6,623.00	0.00	735.00	1,250.00	58.80%
5030 Admin Repairs & Maintenance	5,556.00	0.00	0.00	1,172.00	0.00%
5050 Admin Utilities	10,141.00	0.00	0.00	2,140.00	0.00%
5069 Miscellaneous	3,750.72	0.00	0.00	0.00	0.00%
5080 Interest Expense	368.05	0.00	277.77	370.00	75.07%
6001.1 Insurance	0.00	0.00	0.00	1,649.00	0.00%
6005 Accounting and Audit	24,752.56	0.00	34,945.97	45,941.00	76.07%
6006 Consulting Services - PW	0.00	0.00	0.00	52,000.00	0.00%
6010 Information Technology	15,591.00	0.00	1,000.00	7,709.00	12.97%
6016 Telephone	4,821.00	0.00	0.00	1,017.00	0.00%
6017 Training	8,102.00	0.00	1,349.00	2,040.00	66.13%
6018 Website	465.00	0.00	0.00	298.00	0.00%
6120 Depreciation Expense	220,264.00	2,425.00	239,642.00	239,642.00	100.00%
6140 Engineering	51,353.75	0.00	12,171.25	14,606.00	83.33%
6141 Engineering - projects	2,396.00	0.00	(2,382.17)	(2,382.00)	100.01%
6150 Legal	39,966.43	0.00	36,704.75	40,375.00	90.91%
6205 materials and supplies	21,468.70	0.00	9,229.88	10,069.00	91.67%
6209 Street Equipment Lease	0.00	0.00	24,187.50	0.00	0.00%
6210 Meters	51,069.74	0.00	52,611.46	68,394.00	76.92%
6241 Contract Services	0.00	0.00	0.00	32,250.00	0.00%
6250 Operating expenses	1,337.00	0.00	0.00	0.00	0.00%
6305 Repairs and Maint - Sewer	1,069.00	0.00	7,446.37	8,123.00	91.67%
6310 Repairs and Maint - Water	2,136.11	0.00	5,535.87	6,039.00	91.67%
6350 Salaries and wages	365,357.44	16,413.60	422,040.85	460,408.00	91.67%
6355 Benefits	90,631.82	3,837.50	155,892.26	170,064.00	91.67%
6360 Software and technology	2,644.80	0.00	7,694.80	0.00	0.00%
6405 JSSD - Sewer	48,379.61	4,388.71	46,479.63	50,509.00	92.02%
6410 JSSD - Water	277,038.71	23,062.50	251,472.94	274,093.00	91.75%
6412 Water reservation fees	56,364.53	0.00	58,037.43	58,037.00	100.00%
Total Operating expense	1,331,949.97	50,127.31	1,365,072.56	1,549,447.00	88.10%
Total Income From Operations:	216,046.28	(50,127.31)	35,336.59	101,207.00	34.92%
Non-Operating Items:					
Non-operating income					
7000 Gain/Loss on Disposal of Assets	0.00	0.00	(41,247.00)	(10,000.00)	412.47%
Total Non-operating income	0.00	0.00	(41,247.00)	(10,000.00)	412.47%
Total Non-Operating Items:	0.00	0.00	(41,247.00)	(10,000.00)	412.47%
Total Income or Expense	216,046.28	(50,127.31)	(5,910.41)	91,207.00	-6.48%

File Attachments for Item:

2. Discussion and possible approval of an amendment to lot R-3 of Hideout Canyon Phase 8 (parcel number 00-0020-8717) to relocate the twenty foot (20') wide limited common area for the driveway

Staff Review of Proposed Subdivision Amendment

To: Mayor Philip Rubin
Hideout Town Council

From: Thomas Eddington Jr., AICP, ASLA
Town Planner

Re: Hideout Canyon Phase 8 – Lot R-3 Amendment to Residential Subdivision

Date: June 13, 2024 Town Council Meeting

Submittals: The Applicant submitted the following plans:

- *Original Subdivision Amendment Application dated October 12, 2021*
 - *Subdivision Plat dated May 10, 2024*
-

Overview of Current Site Conditions

Site Area: Lot Size is 4,356 SF (plus common space surrounding)

Zoning: Resort Specially Planned Area (RSPA) and within a Residential Medium Density (RMD) Density Pod

Required Setbacks: Front: 20'
Rear: 20'
Side (distance between buildings): 10' minimum

Max Height: 42' maximum (3 ½ stories)

Planning Overview

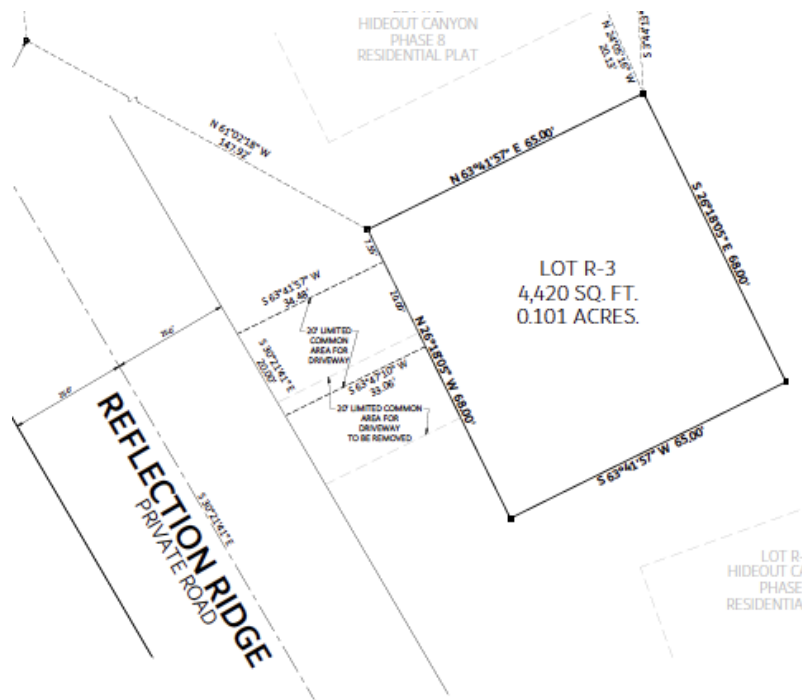
This project was originally presented to the Planning Commission in November 2021. At that time, the Planning Commission recommended the Applicant coordinate with the property owner across street where the new road, Reflection Lane, was built in relation to this lot. Reflection Lane was not built according to the approved Hideout Canyon Phase 8 plat but rather built directly across the street from Lot R-3 and now bifurcates Lot 6 rather than following the platted right-of-way area. The Applicant's contractor and engineering team have made repeated attempts to coordinate with the engineer that represents the property owner, Mustang Development, with no success. The Applicant's team drafted a

subdivision revision that illustrated one way to address the road going through the lot – essentially removing Lot 6 and distributing the remaining land to Lot 5 and Lot 7 (the surrounding lots). That draft document was forwarded to Dave Erichsen, Mustang’s engineer, to see if there was any interest in collaborating on a more complete subdivision amendment. The engineer never responded, however the owner, via his attorney, Scott DuBois, did not agree to this draft revision.

The Applicant now wishes to pursue their original application to realign the limited common space assigned for the driveway.

The Proposed Subdivision Amendment

The Applicant is proposing to move a driveway location for Lot R-3 in the Hideout Canyon Subdivision (10652 North Reflection Ridge). The existing driveway location (limited common designation) is a 20'-0" wide single driveway that is centered on the property creating an awkward/centered garage location for the proposed house. The Applicant wishes to have the garage and the driveway moved slightly to the north side of the house (see the detailed subdivision amendment on the following page).



A few noteworthy items:

- Placing the driveway on the side of the house allows for a more typical house/garage design.
- The proposed location for the driveway provides additional space between the 'T' intersection which was created through an easement put in after the original plat was recorded, and the

driveway itself. This additional space may help to reduce traffic conflicts between the driveway and the intersection.

A few issues must be addressed and/or conditions attached to any approval of the proposed Subdivision Amendment:

1. Any approval by the Town must be reviewed and approved by the HOA Design Review Committee.
2. The slope of the driveway cannot exceed 10% per Town code unless approved by the Town Engineer.
3. The Applicant must confirm that no utilities exist under the proposed location for the driveway.
4. The HOA must sign off on the plat because the area being moved is common area which is owned by HOA.

In addition to these conditions, Community Preservation Association (CPA) sent the following request with some additional conditions to be added to the Resolution should the Town Council approve the amendment to the subdivision:

Regarding the proposal from the owner of Lot R3-PH 8 to move their driveway easement to another location, the Hideout Canyon DRC supports the proposal subject to the following conditions:

- 1. The width of the new driveway easement does not exceed the width of the current one.*
- 2. The former platted drive easement is vacated and cannot be used for future driveway expansion.*
- 3. No other changes are approved as part of this plat amendment, including movement, subdivision or increase in size of this pad or others in the area.*

Staff and the Planning Commission agreed that these conditions should be included in the Resolution. The Resolution (attached) has been updated to incorporate these conditions.

Recommendation

The Planning Commission forwarded a positive recommendation for the proposed amendment to the Hideout Canyon Residential Subdivision, Phase 8 – Lot R-3. Town Council should review the materials presented and consider adopting this amendment to the subdivision. The draft minutes from the Planning Commission meeting are included below:

- 1. Discussion and possible recommendation to the Hideout Town Council of an amendment to lot R-3 of Hideout Canyon Phase 8 (parcel number 00-0020-8717) to relocate the twenty foot (20') wide limited common area for the driveway**

Chair Matyszczyk announced that Planning Commissioner Chase Winder was the Applicant of this item and would therefore be recused from speaking on this matter other than as the Applicant.

Town Planner Thomas Eddington provided an overview of this Application to amend lot R-3 of Hideout Canyon Phase 8 solely to relocate the driveway from the center of the lot to the left hand side. Mr. Eddington reminded the Planning Commissioners they had reviewed this matter in November of 2021 as part of a broader discussion of the possibility to similarly move the driveway locations of several neighboring lots which also were platted with center driveways rather than on either side of the building lots, as well as to correct the plat to show the actual location of the Reflection Ridge street which did not follow the platted right of way.

Mr. Eddington noted the issues regarding the neighboring lots and the street right of way had not been resolved, so the Application under consideration was related solely to lot R-3. He noted the house being constructed on the lot was nearing completion and the driveway was already poured, and located on the left side of the lot, in alignment with the garage. Mr. Eddington referred to an email from Mr. Scott DuBois, counsel for Mustang Development which had been circulated to the Planning Commissioners prior to the meeting, and which was supportive of the amendment solely regarding lot R-3 and if the width of the driveway did not exceed the currently approved twenty feet.

Mr. Eddington also referred to another email circulated to the Planning Commissioners prior to the meeting from Mr. Will Pratt of Community Preservation Association, the master homeowner's association (HOA), which also supported the amendment if 1) the new driveway easement did not exceed the width of the current one, 2) the former platted drive easement was vacated and would not be used for future driveway expansion, and 3) no other changes were approved as part of this plat amendment including movement, subdivision or increase in this pad or others in the area. Mr. Eddington stated these conditions were all met.

Commissioner Peter Ginsberg asked what impact this amendment would have on any surrounding property owners. Mr. Eddington responded there was no impact, and agreed the matter was more form than substance. Town Attorney Polly McLean stated the purpose of the amendment was to make sure the recorded plat matched what was actually built.

Mr. Eddington reviewed the draft ordinance related to the amendment and discussed options for the HOA to consider future removal of the driveway locations on the surrounding lots with center driveways to avoid the need for future homeowners to go through a similar amendment process. Mr. Eddington also noted the recorded subdivision plat did not match the as-built street (Reflection Lane) which bisected Lot 6 from Reflection Ridge. He stated that matter was not under consideration at this time, but ultimately the Town would like to see the plat corrected to accurately depict the as-built conditions of the subdivision.

There being no further questions from the Planning Commissioners, the public hearing was opened at 6:28 PM.

Mr. Chase Winder, Applicant, thanked the Planning Commissioners for considering the application, and noted the house plans were designed in part for safety reasons to locate the driveway further away from the intersection with Reflection Ridge and Reflection Lane. He noted the Design Review Committee of the HOA had approved his plans which matched the submitted plans in his building permit.

There were no further public comments, and the public hearing was closed at 6:30 PM.

Mr. Eddington discussed the draft ordinance, and noted three additional conditions to be included which would reflect the items outlined in the HOA letter.

Motion: Commissioner Ginsberg moved to approve the amendment to lot R-3 of Hideout Canyon Phase 8 (parcel number 00-0020-8717) to relocate the twenty foot (20') wide limited common area for the driveway, per the draft resolution reviewed and to include the three additional conditions requested by Community Preservation Association. Commissioner Tihansky made the second. Voting Yes: Commissioner Ginsberg, Chair Matyszczyk, Commissioner Pieper, Commissioner Tihansky and Commissioner Turner. Voting No: None. Absent from Voting: Commissioner Cooper. The motion carried.

Exhibit A
Amended Subdivision for Hideout Canyon, Phase 8, Lot R-3

[illegible]

Resolution 2024-R-07**AN RESOLUTION APPROVING A SUBDIVISION AMENDMENT FOR LOT R-3 IN PHASE 8 OF THE HIDEOUT CANYON SUBDIVISION LOCATED IN HIDEOUT, UTAH**

WHEREAS, owners of the property known as Lot R-3 in Phase 8 of the Hideout Canyon Subdivision, located in Hideout, Utah, have petitioned the Town Council for approval of a subdivision amendment; and

WHEREAS, legal notice of the public hearing was published on May 6, 2024 according to the requirements of the Hideout Municipal Code; and

WHEREAS, the Planning Commission held a public hearing on May 16, 2024 to receive input on the proposed subdivision amendment; and

WHEREAS, the Planning Commission, on May 16th conducted a public hearing and forwarded a positive recommendation to the Town Council; and

WHEREAS, on June 13, 2024 the Town Council held a public hearing on the subdivision amendment; and

WHEREAS, it is in the best interest of Hideout, Utah to approve the amendment to the Hideout Canyon Subdivision (Phase 8) in that the owners wish to relocate the driveway to the north side of the house.

NOW, THEREFORE BE IT RESOLVED by the Town Council of Hideout, Utah as follows:

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The subdivision plats illustrating the lot combination as shown in Exhibit A is approved subject to the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. Hideout Canyon (Phase 8) Subdivision was recorded on June 5, 2009.
2. Hideout Canyon (Phase 8) Subdivision was comprised of 15 lots (9 single family lots and 6 condo lots) at time of recordation and includes 7.958 acres.
3. The property is located within the Town of Hideout along SR248, the east side about midway through Town.
4. Zoning for the property is RSPA – Resort Specially Planned Area.
5. The Subdivision is within the geographic area covered by the Master Development Agreement (MDA) between the Town and the developer dated March 11, 2010.
6. Shifting the existing limited common area for the driveway to the north side of the house, from the center, will keep the same 20'-0" width.

Conclusions of Law

1. The subdivision amendment, as conditioned, complies with Hideout Municipal Code.
2. The subdivision amendment as conditioned, is consistent with the applicable State law regarding subdivision plats.
3. Neither the public nor any person will be materially injured as a result of approval of the proposed subdivision amendment as conditioned.
4. Approval of the subdivision amendment, subject to the conditions stated herein, will not adversely affect the health, safety and welfare of the citizens of Hideout.
5. If the Applicant requests an extension for the subdivision amendment, the Hideout Municipal

Code requires that these submittals “satisfy[ies] any new Town requirements pertaining to the public health, safety and welfare.”

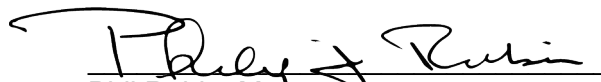
Conditions of Approval

1. The Town Attorney, Town Planner and Town Engineer will review and approve the final form and content of the subdivision amendment for compliance with State law, the Hideout Municipal Code, the Master Development Agreement and these conditions of approval, prior to recordation of the plat.
2. The applicant will record the subdivision amendment at Wasatch County within six (6) months from the date of Town Council approval. If recordation has not occurred within six (6) months' time, this approval for the plat will be void unless a written request for an extension is submitted to the Town prior to the expiration date and the Town Council grants an extension.
3. Non-exclusive public utility easements, if applicable, shall be indicated on the plat prior to recordation as approved by the Town Engineer and JSSD and consistent with the utility plan, including drainage easements.
4. The Applicant must adhere to all requirements of the Master HOA, including Design Review Committee (DRC) requirements.
5. The Master HOA will need to sign the final plat.
6. The Town Engineer and the Applicant must verify that no utility lines exist in the new location proposed for the driveway (limited common area).
7. The Applicant agrees to complete subdivision construction permit, pay all required fees and post all required bonds before starting construction.
8. The final plat (mylar) is subject to review may require additional notes and corrections.
9. The exact language of the plat notes shall be finalized by the Town Attorney, Town Planner and Town Engineer as necessary to implement these conditions of approval and applicable provisions of the Hideout Municipal Code or State Code prior to Mylar signatures by the Town.
10. The width of the new driveway easement does not exceed the width of the current one.
11. The former platted drive easement is vacated and cannot be used for future driveway expansion.
12. No other changes are approved as part of this plat amendment, including movement, subdivision or increase in size of this pad or others in the area.

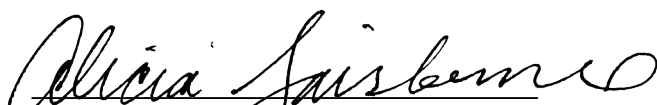
SECTION 2. EFFECTIVE DATE. This Resolution shall take effect upon adoption.

PASSED AND ADOPTED this 13th day of June, 2024

TOWN OF HIDEOUT


Phil Rubin, Mayor

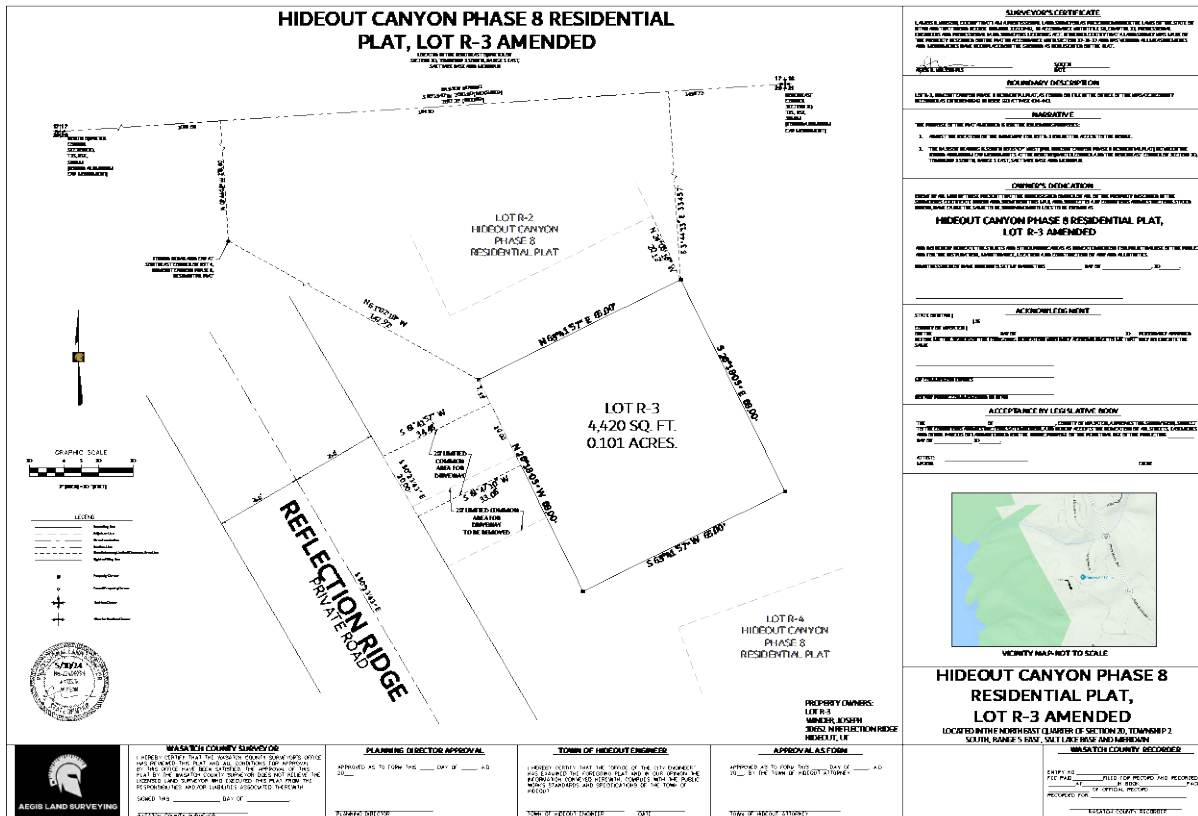
ATTEST:


Alicia Fairbourne, Recorder for the Town of Hideout



Exhibit

Exhibit A – Lot R-3 in Phase 8 of the Hideout Canyon Subdivision



File Attachments for Item:

3. Discussion and possible approval for amendments to Hideout Municipal Code Chapter 10.08, including, but not limited to, placement of hot tubs as in 10.08.08.15

Staff Report to Town Council for Revisions to Zoning Ordinance

To: Mayor Philip Rubin
Hideout Town Council

From: Thomas Eddington Jr., AICP, ASLA
Town Planner

Re: Revisions to Zoning Ordinance

Date: June 13, 2024 Town Council Meeting

Background

The Planning Commission, on February 26, 2024, reviewed and favorably recommended several Zoning Ordinance revisions and new language for inclusion in the ordinance. The Town Council adopted these zoning code revisions on February 28, 2024.

One section of new language addressed hot tubs as well as pools and fencing. It has been brought to our attention that the language prohibiting hot tubs in the front yard should be more definitive since some existing homes have a hot tub in the front yard - on the second level on a deck or balcony. The following revisions, in red, are recommended so that these hot tubs do not fall into the category of 'existing non-conforming' uses. The update to setbacks is to allow hot tubs in rear yards that may have houses built to the rear setback limits which, with the previous language, would prohibit those homeowners from locating a hot tub in the rear yard.

10.08.08.15 Hot Tubs, Swim Spas, and Swimming Pools

All hot tubs, swim spas, and swimming pools, inground and above-ground, must meet the following setback and screening requirements:

- Hot tubs must be located in the rear yard unless as provided for herein. No hot tubs, swim spas, and or swimming pools are allowed in the front yard or side yards of any structure unless situated on an upper-story deck or balcony that is integral to the building's architecture. They must be located in the rear yard only.
- All hot tubs, swim spas, and swimming pools must meet a minimum 5'-0" setback from all side and rear yards. building setbacks as required in the applicable zoning district.
- All swimming pools must have a fence of at least six (6') feet high surrounding the complete perimeter of the pool. Utah law (Utah Office of

Administrative Rules) specifies that this fence “may not permit a sphere greater than 4 inches” through any part of the fence. The door for the gate must be self-closing, self-latching, and require a key, electronic sensor, or combination to be opened. Chain link fencing is not a permitted fence type; any fencing must be decorative in terms of material and design. The fence must be approved by the Town Planner and meet the Town’s Development Standards. and Design Guidelines.

Recommendation

The Planning Commission reviewed the language and, in a split vote, favorably recommended these Zoning Ordinance updates to the Town Council (see draft minutes below). The Town Council should consider adopting the proposed/revised zoning language regarding hot tubs.

2. Discussion and possible recommendation to the Hideout Town Council for amendments to Hideout Municipal Code Chapter 10.08, including, but not limited to, placement of hot tubs as in 10.08.08.15

Mr. Eddington reviewed this item which had been included in the zoning ordinance discussed at the February Planning Commission meeting and subsequently adopted by the Town Council. He noted one item had been identified for correction regarding locations of hot tubs being prohibited in the fronts of homes. The designs of some of the homes in Deer Waters and Lakeview Estates included second story front facing balconies with hot tubs already installed.

Mr. Eddington suggested the code language should be revised to allow for hot tubs on upper-level balconies or decks, however not on street level decks or in front yards. In response to a question from Commissioner Ginsberg, Mr. Eddington noted that HOA requirements may be stricter than the Town code. It was discussed that any existing hot tubs would be grandfathered if the revised language was adopted.

There being no further questions from the Planning Commissioners, the public hearing was opened at 6:43 PM. There was no public comment, and the public hearing was closed at 6:44 PM.

Further discussion ensued among the Planning Commissioners regarding whether lattice or other types of privacy screens on front balconies was appropriate, noting the preference for hot tub locations to take advantage of the Town’s mountain and water views, preferences to avoid locating hot tubs at street level, and acknowledging the fact that some homes were designed with only front facing locations for such use. Commissioner Joel Pieper noted he was not comfortable with hot tubs being in the line of site from the street.

Motion: Commissioner Ginsberg moved to make a positive recommendation to the Hideout Town Council for amendments to Hideout Municipal Code Chapter 10.08, including, but not limited to, placement of hot tubs as in 10.08.08.15. Commissioner Turner made the second. Voting Yes: Commissioner Ginsberg, Commissioner Tihansky

*and Commissioner Turner. Voting No: Chair Matyszczyk and Commissioner Pieper.
Absent from Voting: Commissioner Cooper. The motion carried.*

TOWN OF HIDEOUT

ORDINANCE 2024-O-XX

**AN ORDINANCE AMENDING CHAPTER 10.08 SETBACKS RELATED HOT TUBS IN THE
HIDEOUT MUNICIPAL CODE**

WHEREAS, the Council of the Town of Hideout recognizes the importance of regulating the placement hot tubs, swim spas, and swimming pools within the city limits for the protection and well-being of residents and visitors; and

WHEREAS, the Council finds it necessary to assign setback requirements for hot tubs, swim spas, and swimming pools to ensure compatibility with the surrounding environment and to maintain the aesthetic quality of residential areas; and

WHEREAS, Council wishes to allow hottubs to be located on upper decks or balconies even if within the front yard;

Now, Therefore, be it Ordained by the Council of the Town of Hideout, State of Utah:

Section I: Amendment. Chapter 10.08 “Hot Tubs, Swim Spas, and Swimming Pools” is hereby amended as redlined (Exhibit A).

Section II. Effective Date: This ordinance shall become effective upon publication as required by law.

Passed and Adopted by the Town Council of Hideout, Utah, this _____ day of _____, in the year 2024.

TOWN OF HIDEOUT

Philip J. Rubin, Mayor

ATTEST:

Alicia Fairbourne, Recorder for Hideout

Exhibit A
Revised Zoning Ordinance Language

10.08.08.15 Hot Tubs, Swim Spas, and Swimming Pools

All hot tubs, swim spas, and swimming pools, inground and above-ground, must meet the following setback and screening requirements:

- Hot tubs must be located in the rear yard unless as provided for herein. No hot tubs, swim spas, ~~and~~ or swimming pools are allowed in the front yard or side yards of any structure unless situated on an upper-story deck or balcony that is integral to the building's architecture. They must be located in the rear yard only.
- All hot tubs, swim spas, and swimming pools must meet a minimum 5'-0" setback from all side and rear yards. ~~building setbacks as required in the applicable zoning district.~~
- All swimming pools must have a fence of at least six (6') feet high surrounding the complete perimeter of the pool. Utah law (Utah Office of Administrative Rules) specifies that this fence "may not permit a sphere greater than 4 inches" through any part of the fence. The door for the gate must be self-closing, self-latching, and require a key, electronic sensor, or combination to be opened. Chain link fencing is not a permitted fence type; any fencing must be decorative in terms of material and design. The fence must be approved by the Town Planner and meet the Town's Development Standards. ~~and Design Guidelines.~~

File Attachments for Item:

1. Announcement of the Hideout Summer Concert and Silent Auction to benefit Station 56

Hideout Summer Concert Series
& Silent Auction to Benefit Temporary Fire Station

Item # 1.

Summer Solstice Concert

FEATURING THE DISCOGRAPHERS

Back by popular demand – you will need your dancing shoes!

FRIDAY
JUNE
21

6pm - 9pm
Music starts at 6:30

Hideout Public Works
12490 N Belaview Way

Tickets: \$20 in advance / \$25 at the door
(\$5 per ticket to go to fire station)

Kids under 10 Free

***Please support Shaka Shake Food
Truck! Delicious and Healthy!***

Bring your own chairs, blankets
Beverages. Sunscreen.

For More Information & Ticketing: Scan QR Code or visit
www.ticketleap.events/tickets/town-of-hideout/June21-Concert



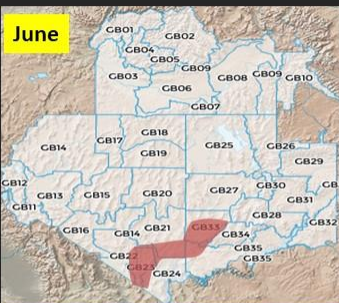
File Attachments for Item:

2. Presentation of wildfire outlook report

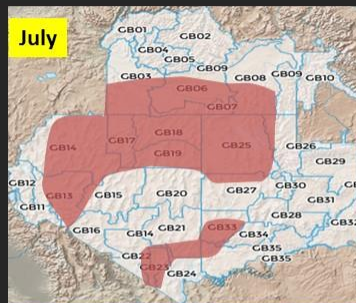
Great Basin Seasonal Outlook – June - September 2024

GBCC Fire Potential Outlook: June – September 2024

June



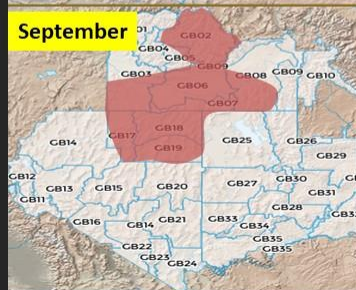
July



August



September



Fire danger is low in the Great Basin, with live fuel moisture high. Prescribed burning is winding down across the Great Basin. Hot and dry weather along with winds will likely dominate in June and should accelerate the curing of the fine fuels and shrubs. Drier weather is forecast through the monsoon season across much of the Great Basin, which should allow fire potential to peak in July and August, with above normal potential possibly lingering into September. (Fig 7). Due to the forecast hot June, drier than normal monsoon and pockets of continuous fine fuel growth in parts of the south, above normal fire potential is expected over parts of southern Nevada into southwest Utah.

Typically, years of no drought lead to active fire seasons in the lower elevations where fine fuel loading is above normal. Many areas of western and northern Nevada, southern Idaho, northwest Utah and parts of southwest Utah and far southern Nevada have reported above normal fine fuel growth. And model estimations show well above normal carryover and new fine fuel loading for many of these areas, especially northeast Nevada and southern Idaho. Invasive species are also showing high continuity across western and northern Nevada, even if loading is not as high as other areas to the northeast. (Fig 9) Central Idaho saw below normal snowpack much of the winter/spring, and this could lead to above normal fire potential heading toward late July and August. Above normal fire potential is most likely by July and August from western and northern Nevada into Idaho and northwest Utah due to expectations of above normal fine fuel loading, and into Central Idaho due to low snowpack. The monsoon forecast for July and August still looks on the drier side for the Great Basin, which could allow the active fire season to extend into September. (Fig 8)

PAST WEATHER:

Temperatures over the last 30 days have been cooler than normal across the Great Basin, with cold fronts moving through dropping temperatures and bringing strong winds but only modest precipitation. There have been periods in the last weeks in May of above normal temperatures, but these have been moderated by the cooler periods earlier in the month. Precipitation has been near normal in small parts of Utah and Idaho, but largely well below normal in other areas of the Great Basin. (Fig 1 and 2). Snowpack remains above normal in many areas of Nevada and Utah and below normal in Idaho. (Fig 3).

ENSO neutral conditions are likely through much of the fire season, with a possible shift to La Nina later in the summer or fall. Drought conditions are nearly non-existent across much of the Great Basin after a wet 12+ months and 2 wet winters (Fig 4), except for small areas of abnormally dry conditions in the AZ Strip, srn/ern Utah, and the Salmon-Challis in Idaho, which may intensify. The lack of drought in lower elevations and increasing drought in Central Idaho indicate above normal fire potential for portions of lower elevations in Nevada, Utah and southern Idaho and in the higher elevations in Central Idaho (Fig 5 and 6).

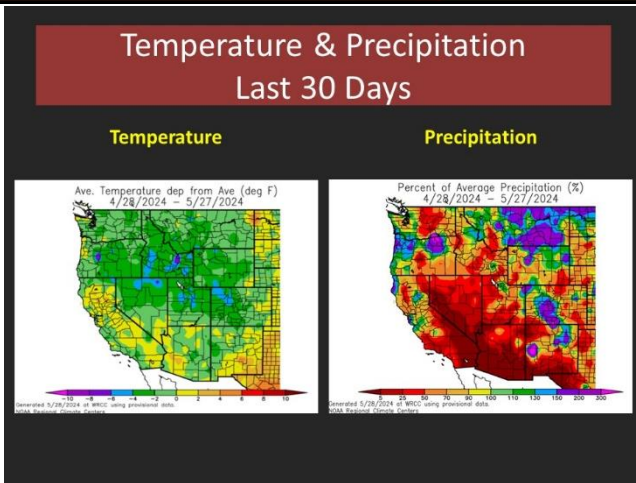


Fig 1. (Precipitation & Temperature)

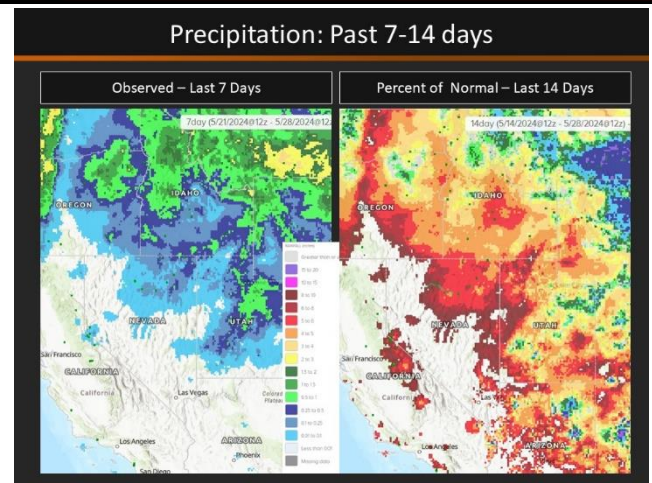


Fig 2. (Precipitation Last 2 Weeks of May)

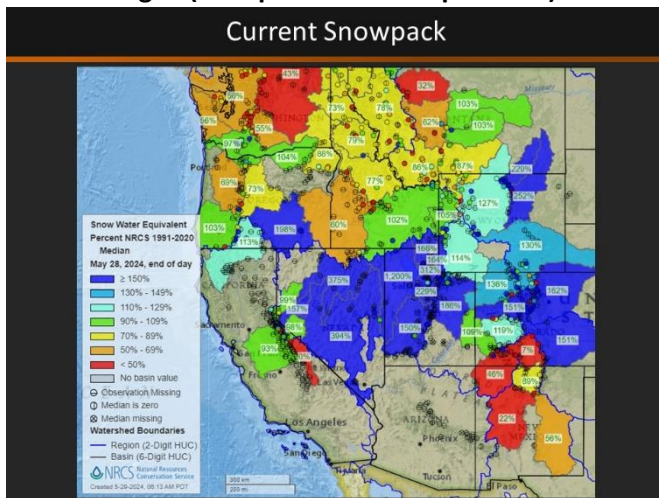


Fig 3. (Late May Snowpack)

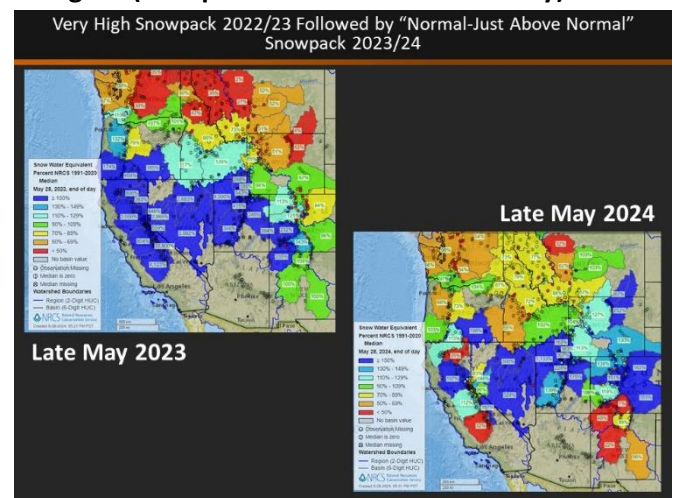


Fig 4. (Two High Snowpack Winters)

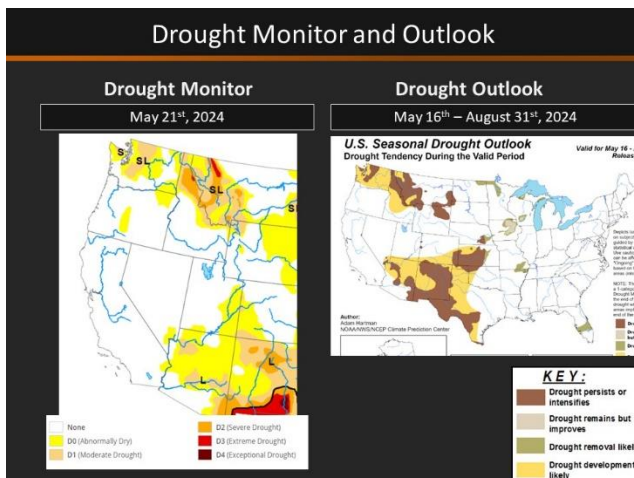


Fig 5. (Drought Conditions)

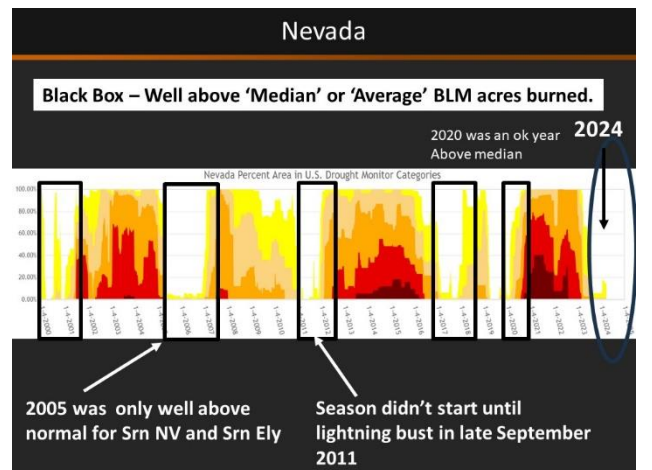


Fig 6. (Fire Season/Drought Correlation)

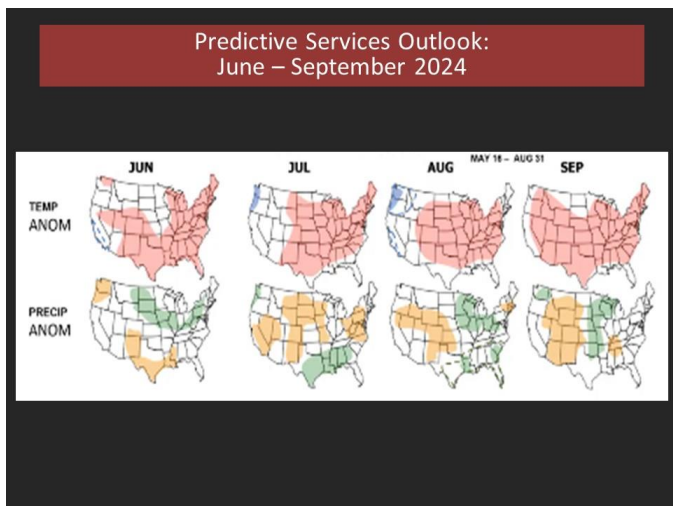


Fig 7. (PS 4-Month Outlook)

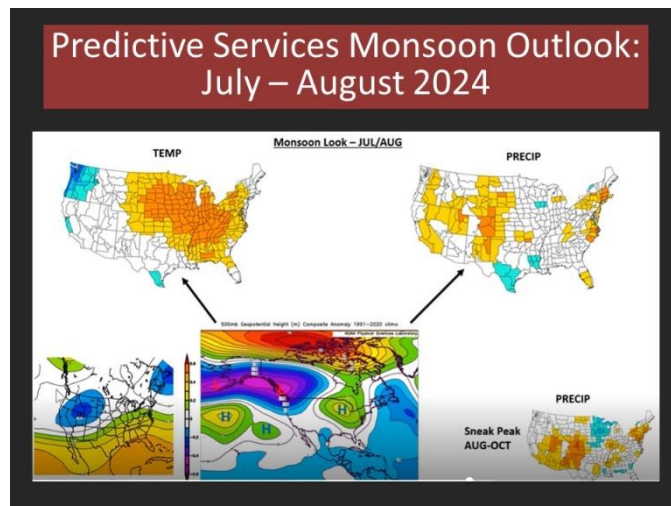


Fig. 8 (PS Monsoon Outlook)

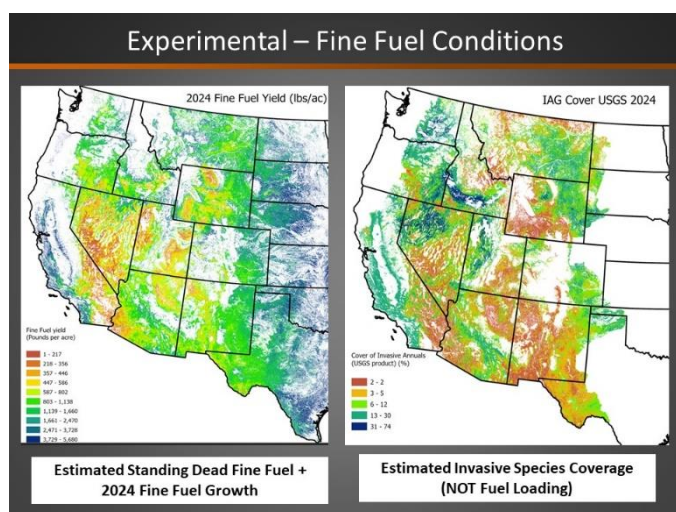


Fig. 9 (Estimated Fine Fuel Conditions)



Gina Palma

Meteorologist - Predictive Services

Great Basin Coordination Center, Salt Lake City UT

File Attachments for Item:

3. Discussion and possible adoption of Resolution 2024-R-XX regarding the restriction of fireworks for the 2024 season

RESOLUTION #2024-R-08

RESOLUTION FINDING HAZARDOUS ENVIRONMENTAL CONDITIONS AND
RESTRICTION OF FIREWORKS WITHIN ALL PORTIONS OF HIDEOUT

WHEREAS, Utah Code §53-7-225, prohibits the discharge of Class C common state approved explosives (fireworks) except around certain holidays including beginning on July 2 and ending on July 5, and beginning on July 22 and ending on July 25;

WHEREAS, Utah Code § 15A-5-202.5(1)(b) allows municipalities to “close a defined area to the discharge of fireworks due to a historical hazardous environmental condition” if the “historical hazardous environmental condition has existed in the defined area before July 1 of at least two of the preceding five years;”

WHEREAS, the Hideout City Council (“Council”) finds that Hideout, throughout all areas, contains innumerable mountainous, brush-covered, forest covered, and dry grass-covered areas which historically and, for at least two of the preceding five years before July 1st, are in an extremely flammable condition;

WHEREAS, if existing or historical hazardous environmental conditions exist within the boundaries of Hideout, Utah Code §15A-5-202.5 allows the Council to prohibit the ignition and use of fireworks while these conditions exist in the following areas: (1) mountainous, brush-covered, forest covered, or dry grass-covered areas; (2) within 200 feet of waterways, trails, canyons, washes, ravines, or similar areas; (3) wildland urban interface area, which means the line, area, or zone where structures or other human development meet or intermingle with undeveloped wildland or land being used for an agricultural purpose; or (4) a limited area outside the hazardous areas;

WHEREAS, the Council finds that the entirety of Hideout consists of the above listed hazardous areas and a map of Hideout is attached hereto as Exhibit A;

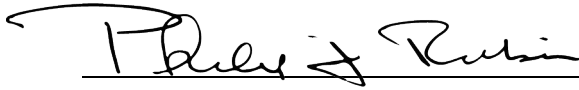
NOW, THEREFORE, BE IT ORDAINED BY THE HIDEOUT CITY COUNCIL OF, UTAH, THAT:

SECTION I: Pursuant to the provisions of Utah Code Ann. 15A-5-202.5, and based on the findings as noted above, the use of Class C fireworks are hereby restricted in all areas of Hideout as shown in the attached map in Exhibit A.

Section II: Effective Date. This resolution shall be effective upon receipt of the attached map (Exhibit A) by Wasatch County and publication of the Resolution by the City Recorder.

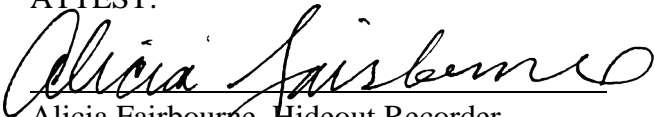
PASSED AND APPROVED by the Hideout City Council, Utah, this 13th day of June in the year 2024.

HIDEOUT



Phil Rubin, Mayor

ATTEST:



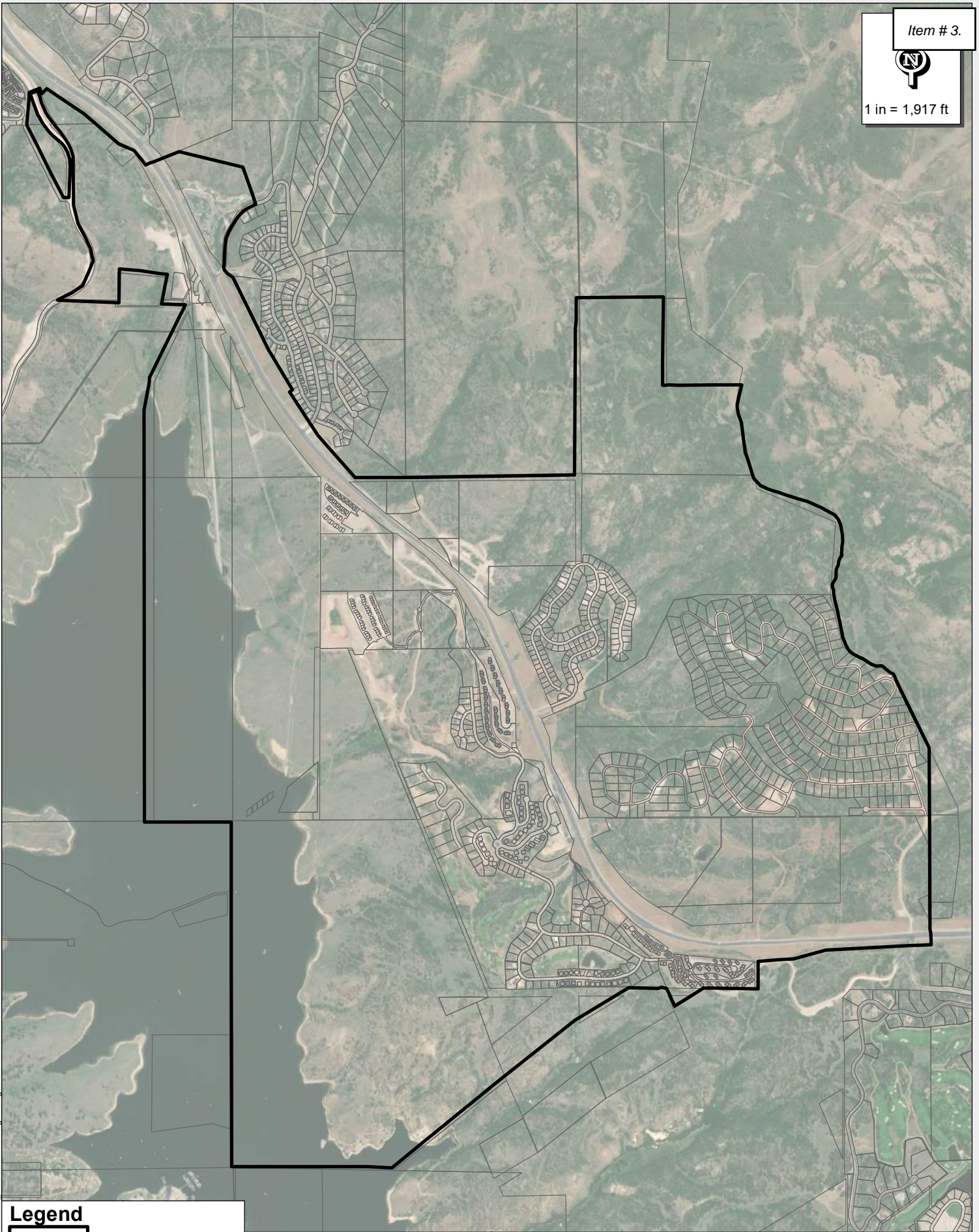
Alicia Fairbourne, Hideout Recorder

Exhibit A: Map of Existing Hazardous Conditions Hideout. (Entire City)





1 in = 1,917 ft



Legend

Town Boundary

Parcels

TOWN OF HIDEOUT

DATE: 4/06/2022



T.O ENGINEERS

File Attachments for Item:

4. Discussion and possible approval of ORDINANCE # 2024-O-XX regarding executive municipal officer salary increases

TOWN OF HIDEOUT
ORDINANCE # 2024-O-06
AN ORDINANCE SETTING THE COMPENSATION OF
STATUTORY OFFICERS

WHEREAS, the Utah State Legislature during the 2024 General Session passed S.B. 91;
and

WHEREAS, S.B. 91 amended Utah Code Section 10-3-818 regarding executive
municipal officer compensation; and

WHEREAS, the Town of Hideout must now publish public notice and hold a separate
public hearing on proposed compensation increases for executive municipal officers before
adopting those increases; and

WHEREAS, Utah law 10-3-818 provides that statutory officers in municipalities may
only receive compensation for services pursuant to ordinance enacted by the legislative body
following a public hearing; and

WHEREAS, the table in Section I contains compensation increases for executive
municipal officers proposed for inclusion in the City's Fiscal Year 2025 budget;

NOW THEREFORE, BE IT ORDAINED by Town Council of Hideout, Utah that:

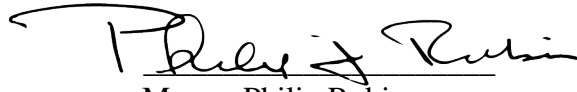
Section I: The annual compensation for elective and statutory officials is as follows:

Title	COLA Increase	Proposed Total Salary
City Administrator	4%	\$110,074.00
Director of Public Works	4%	\$82,556.00

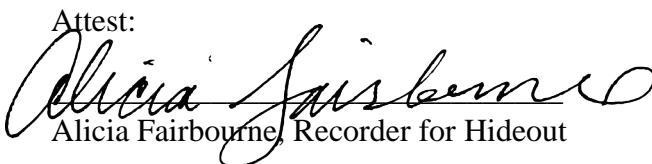
Section II: Effective Date. This Ordinance shall become effective July 1, 2024.

PASSED AND APPROVED by the Hideout Town Council, Utah, this 13th day of June, 2024.

By: TOWN OF HIDEOUT


Mayor, Philip Rubin

Attest:


Alicia Fairbourne, Recorder for Hideout



File Attachments for Item:

5. Discussion and consideration of adopting Ordinance 2024-O-XX amending sections of the Hideout code updating sections in Chapter 1.16 Purchasing

To: Mayor and Council

From: Polly McLean, Town Attorney
Cameron Platt, Assistant Town Attorney

Date: June 7, 2024 (Council Meeting on June 13, 2024)

Re: Staff Report on Procurement Policy (Chapter 1.16 of the Hideout Municipal Code)

Council briefly discussed updating the procurement chapter in its April Council meeting. Below include the information provided at that meeting as well as some additional information and recommendations. The Code includes definitions specific to this Chapter. The Code appoints the Mayor as the finance officer.

Purchase Approval amounts:

The current code has the following amounts:

1. Purchase up to one thousand five hundred dollars (\$1,500.00) may be authorized and must have the approval of the town clerk. **Recommend raising to up to \$5,000**
 2. Purchase of up to five thousand dollars (\$5,000.00) may be authorized and must have the approval of the town engineer or town administrator. **Recommend raising to up to \$25,000 and remove engineer since a contract position.**
 3. Purchase up to fifteen thousand dollars (\$15,000.00) may be authorized and must have the approval of the mayor. **Recommend raising to up to \$50,000**
 4. Purchase over fifteen thousand dollars (\$15,000.00) may be authorized and must have the approval of the town council. **Recommend raising to over \$50,000**
- In a review of other entities (Heber City, Park City, Brian Head, Brighton, and Alta), the amounts the other entities delegate are quite a bit higher. For example, Heber City allows for the City Manager to approve up to \$50,000. Many municipalities allow the Purchasing Agent (often the Town Clerk, Town Administrator or Mayor) to approve up to a threshold and then otherwise it goes to the Council for approval. That amount ranges from \$15,000 (template for districts procurement) to \$25,000 (Brian Head, Alta, State Auditor Template Suggestion) to \$50,000 (Heber City) to \$100,000 (Park City). Ivins breaks it down to department head up to \$7,500, city manager up to \$15,000 and up if routine, and City Council if not-routine and over \$15,000 (Routine expenses such as payroll, utility bills and, payment for previously approved leases, contracts, professional services and maintenance of city equipment and property.)
 - Hideout has not designated any one person to be the purchasing agent but instead has several different people who can approve based on the amount of the Purchase.
 - Having higher limits allows the staff and Mayor to enter into agreements as they come up and avoid the need to wait to enter into contracts or call special meetings.
 - I would also recommend amending this section to include authorization for purchases and services and make the language mandatory. That includes amending this section to include services and making the authorization mandatory. (For example, "Purchase or services over

fifty thousand dollars (\$50,000.00) shall be authorized and must have the approval of the town council”)

- This section applies to all purchasing in Chapter 1.16.
- Added a section prohibiting amounts to be subdivided to get around thresholds.
- Added section to address change orders. See 1.16.045
 - A. Change orders may be approved by the person in the amounts indicated above, provided the total contract price, including the change order, is within the original budget amount.
 - B. If the Change Order increases the amount so that another level of approval is required, that approval shall be sought.
 - C. The Mayor or Designee shall provide a full and complete accounting and description to the Council for any change order or series of change orders with respect to a project that is over \$20,000, or for competitive bids, 20% of the original amount. If a competitive bid change order exceeds \$50,000, Council must approve the change order.
- **Recommendation:** The Council should consider raising the threshold for when they see purchases to a higher amount, include service and that threshold amounts should match other thresholds in the chapter to be consistent with one another.

1.16.040 CONTRACT, PURCHASE AND SERVICE APPROVAL REQUIREMENTS

1. Contract, Purchase or service up to ~~one thousand five hundred dollars (\$1,500.00)~~ five thousand dollars (\$5,000) ~~may shall~~ be authorized and must have the approval of the town clerk.
2. Contract, purchase or service Purchase of up to ~~five thousand dollars (\$5,000.00)~~ twenty-five thousand dollars (\$25,000) ~~may shall~~ be authorized and must have the approval of the ~~town engineer or~~ town administrator.
3. Contract, purchase or servicePurchase up to ~~fifteen thousand dollars (\$15,000.00)~~ fifty-thousand dollars (\$50,000) ~~may shall~~ be authorized and must have the approval of the mayor.
4. Contract, purchase or service Purchase over ~~fifteen thousand dollars (\$15,000.00)~~ fifty-thousand dollars (\$50,000) ~~may shall~~ be authorized and must have the approval of the town council.
Purchases allocated as part of the budget have received Council approval through the budget process.

Competitive Bid Amounts:

Competitive Bids are required for work, materials or services where price is the determining factor. The types of items that would fall in this category would be construction projects, road work, equipment or supplies. This ensures that the Town is getting the work from the lowest responsible bidder. Currently our code requires the following:

Under \$1,000 – not required (**Recommend under \$5,000**)

\$1,000-\$10,000 – 3 quotations should be solicited (**Recommend from \$5,000 to \$50,000**)

Over \$10,000 – competitive bid process required (**Recommend over \$50,000**)

Review of other entities shows the following trends:

Requirement	Amount	Entity
No bid required	\$500	Districts Template
	\$1,000	Ivins
	\$2,500	Brighton,
	\$4,000	Heber City
	\$5,000	Alta, SLVLESA (police district)
	\$25,000	Brian Head
Two or Three Quotes	\$500-\$50,000	Districts Template
	\$2,500-5,000	Brighton
	\$4,000-\$100,000	Heber City
	\$5,000- \$25,000	Alta
	\$5,000-\$20,000	SLVLESA
Competitive Bid Process	Over \$5,000	Brighton
	Over \$15,000	Auditor Template Suggestion
	Over \$20,000	SLVLESA
	Over \$25,000	Brian Head, Alta
	Over \$50,000	District Template
	Over \$100,000	Heber City

Based on this sample, **staff recommends over \$5,000 for needing price quotations and over \$50,000 for competitive bids.** Having these numbers also matches the thresholds for purchasing/services and would have the award of the bid be granted by the Council.

The code for an unknown reason puts the requirements for competitive bids for building improvements and public work projects, which is set by State law, in the section for Prohibited Acts (1.16.070). Staff has moved these sections to a new section next to the competitive bidding section. A sub-section to allow design build projects pursuant to State law has also been added.

Exemptions to Competitive Bidding/Purchase not requiring Sealed Bids: There are situations where the Town is ensured that the amount of the Contract will be the lowest price or that there is a unique situation related to contract where a lower price would not be available. The following language adds specialized contracts, sole sources and public agency procurement.

1. **(replace generally) Specialized Contracts** which are not adapted to award by competitive bidding or proposals, such as 1) contracts for additions to, repairs and

maintenance of equipment owned by the Town, which may be more efficiently done by a certain person or firm; 2) contracts for a particular brand of equipment or product which is uniquely suited to the town's needs by reason of training of its personnel or compatibility with existing equipment or to assure standardization or a continuation of supplies or services, or 3) contracts for the purchase of used equipment or items that are unique as to quality, condition and price.

2. Sole Source

Purchases made from a single-source provider. The Purchasing Agent may procure from a sole source when after conducting a good faith review of available sources, determines that no other sources are reasonably available, or that competition would be unlikely to produce other acceptable offers. The Purchasing Agent shall put that determination in writing for the file.

3. Auctions

Auction, Closeout, Bankruptcy Sales: The Purchasing Agent may determine that supplies, materials, or equipment can be purchased at any public auction, closeout sale, bankruptcy sale or similar sale and that it will be at or below the market cost in the community.

4. State Procurement

Purchases made through the cooperative purchasing contracts administered by the State Division of Purchasing, or any other public agencies of the state, shall not require bids or quotes of any type.

5. Emergency

Emergency Procurements. The Purchasing Agent, the Mayor or designee may make emergency procurements when there exists a threat to public health, safety and welfare or circumstances which place the city or its officers and agents in a position of serious legal liability; provided that such emergency procurements shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the emergency and for the selection of the contractor shall be included in the contract file. The Council shall be notified of any emergency contract which would have normally required their approval at the next regularly scheduled council meeting. Emergency procurements shall be limited to those supplies, services, or construction items necessary to meet the emergency.

Professional Services Professional Services is another type of service that is exempt from competitive bidding. It has been put into its own section. Request for Proposals shall be used for Professional Services estimated to be over \$50,000. This matches the threshold where competitive bids are required. Because the amount has been increased, it is recommended to remove the fiscal year qualifier to the amount. In a review of other jurisdictions, some except professional services from any RFP process, others only require a RFP when over \$50,000. For uniformity, it would make sense for the RFP threshold to match that of the competitive bidding. Council approval amounts are now uniform for all contracts and purchasing.

- A. Procurement of Professional Services: The procurement of professional services shall be based upon qualifications and shall be secured

Amount Of Contract	Request For Proposals
Up to \$50,000	No RFP is required; competitive quotes recommended
Over \$50,000	Formal request for proposals required

- B. Awards shall be made to the individual or firm whose proposal is determined to be the most advantageous to the town, taking into consideration price and the evaluation factors set forth in the request for proposals.

TOWN OF HIDEOUT
ORDINANCE #2024 – O-_____

AN ORDINANCE AMENDING SECTIONS OF THE HIDEOUT CODE UPDATING
SECTIONS IN CHAPTER 1.16 PURCHASING

WHEREAS, Town Council wishes to update its code related to its purchasing chapter;

WHEREAS, the Council desires to maintain the most efficient process possible for procurement of services, supplies and equipment while balancing oversight by the administrator, the mayor or the council; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interest of the health, safety and welfare of the citizens to update the policy regarding procurement quotation requirements, competitive bid requirements, and removing council approval for requests for proposals and competitive bid openings;

WHEREAS, after careful consideration, the Council has determined that it is in the best interest of the health, safety and welfare of the citizens to update the policy regarding procurement of services, supplies and equipment.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF HIDEOUT, UTAH, THAT:

SECTION I: Amendment. Chapter 1.16 Purchasing is hereby amended as redlined in Exhibit A.

SECTION II: Effective Date. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED by the Town Council of Hideout, Utah, this ____ day of _____ in the year 2024.

TOWN OF HIDEOUT

Phil Rubin, Mayor

ATTEST:

Alicia Fairbourne, Recorder for the Town of Hideout

Exhibit A

1.16 PURCHASING**1.16.010 DEFINITIONS - PURCHASING**

Unless the context requires otherwise, the terms as used in this chapter, or in the rules and regulations adopted pursuant to this chapter, shall have the following meaning:

ADEQUATE APPROPRIATION BALANCES: Sufficient fund balance which must exist in the line item appropriation of the account number against which the purchase order is charged

BIDDING: Procedure used to solicit quotations on price and delivery from various prospective suppliers of supplies, equipments and contractual services.

CONTRACTUAL SERVICES: Forecasts of future requirements of supplies, equipment of contractual services submitted by town departments upon request of the mayor or his designee.

LOCAL BIDDER: A firm or individual who regularly maintains a place of business and transacts business in, or maintains an inventory of merchandise for sale in, or is licensed by or pays sales to, the town.

PROFESSIONAL SERVICES : Professional and other skilled services such as auditing, architecture, engineering, surveying, appraisals, legal service, or counseling, sought or obtained from sources other than regular city employees.

PUBLIC PROPERTY: Any item of real or personal property owned by the town.

RESPONSIBLE BID: An offer, submitted by a responsible bidder, to furnish supplies, equipment or contractual services in conformity with the specifications, delivery terms, conditions and other requirements included in the invitation for bids.

RESPONSIBLE BIDDER: A bidder who submits a responsible bid; a bidder who has furnished, when requested, information and data to prove that his financial resources, production or service facilities, service reputation and experience are adequate to make satisfactory delivery of supplies, equipment or contractual services on which he bids; and a bidder who has not violated or attempted to violate any provision of this chapter.

SUPPLIES, MATERIALS: Any and all articles or things which shall be furnished to or used by any town department.

TOWN PURCHASE ORDERS: Official documents used in committing town funds toward the purchase of supplies, equipment and contractual services.

TOWN REQUISITIONS: Standard forms used by departments providing detailed information as to quantity, description, estimated price, recommended supplier and signature authorization for requested purchases.

1.16.020 FINANCE OFFICER

The mayor is hereby appointed the finance officer of the town, and is authorized to exercise the powers conferred upon such finance officer as specified in Utah Code Annotated, as amended, as follows:

1. Authority: The mayor is hereby authorized to:
 1. Approve any payroll checks prepared for an authorized town employee hired in accordance with personnel policies established by town ordinance or resolution. The amount paid to any such authorized employee shall also be in agreement to be specific salary assigned to such employee pursuant to a salary schedule adopted by the governing body or a salary amount assigned by ordinance of the town council.
 2. Give final approval to all claims submitted for the payment of routine expenditures, such as utility bills, payroll related expenses, supplies and materials, which were purchased according to authorized purchasing procedures established by ordinance or resolution.
 3. Give final approval to all claims submitted for capital purchases which were made pursuant to established purchasing procedures, referenced in the budget document and approved by an appropriate resolution adopted for the current fiscal year budget.
2. Restrictions: The above approval authority delegated to the mayor is hereby subject to the following restrictions:
 1. No claim may be approved by the mayor which is not within the duly and legally adopted budget.
 2. No claim may be approved which was not made in accordance with personnel and purchasing procedures established by ordinance or resolution.
3. Verified Claims: The above authorization shall not prevent the governing body from approving all or part of a list of verified claims, including a specific claim in an amount in excess of the stated maximum, where certified by the finance officer.
4. Pre-audit Required: The town clerk shall pre-audit all claims pursuant to state statute requirements and shall not disburse any payments without appropriate approval. Procedures shall be established whereby documented approval is obtained as authorized by this chapter.

1.16.030 REQUISITIONS AND ESTIMATES

All persons responsible for a department in the town shall file with the town clerk, detailed requisitions or estimates of their requirements in supplies and contractual services in such a manner, at such times and for such future periods as the mayor and/or town council shall prescribe.

1.16.035 PROHIBITION AGAINST SPLITTING OR SUBDIVIDING

No contract or purchase shall be split or subdivided so as to avoid the requirements of this chapter.

1.16.040 CONTRACT, PURCHASE AND SERVICE APPROVAL REQUIREMENTS

1. Contract, purchase or service up to five thousand dollars (\$5,000) shall be authorized and must have the approval of the town clerk.
2. Contract, purchase or service of up to twenty-five thousand dollars (\$25,000) shall be authorized and must have the approval of the town administrator.
3. Contract, purchase or service up to fifty-thousand dollars (\$50,000) shall be authorized and must have the approval of the mayor.
4. Contract, purchase or service over fifty-thousand dollars (\$50,000) shall be authorized and must have the approval of the town council. Purchases allocated as part of the budget have received Council approval through the budget process.

1.16.045 CHANGE ORDERS.

A. Change orders may be approved by the person in the amounts indicated above, provided the total contract price, including the change order, is within the original budget amount.

B. If the Change Order increases the amount so that another level of approval is required, that approval shall be sought.

C. The Mayor or Designee shall provide a full and complete accounting and description to the Council for any change order or series of change orders with respect to a project that are over \$20,000 , or for competitive bids, 20% of the original amount. If a competitive bid change order, exceeds \$50,000, Council must approve the change order.

1.16.050 COMPETITIVE (SEALED) BID OR QUOTATION REQUIREMENTS

A. Specified

Purchase of up to \$5,000	No competitive price quotations are required.
Purchase from \$ \$5,000 to \$50,000	Informal price quotations shall be obtained prior to purchase. It shall be the responsibility of each department to obtain said quotations. Quotations shall be recorded on an "Informal competitive price quotation record". At least three (3) quotations should be solicited if possible.
Purchases over \$ \$50,000	Formal sealed bids must be obtained prior to purchase. Requests for formal bids shall be submitted to the town clerk. Sealed bids shall be submitted as designed in the notice with the statement "bid for (item)" on the envelope. Bids shall be opened in public at the time and place stated in the public notice..

- B. Rejection of Bids: In its discretion, the town council may reject, without cause, any/all bids presented, and re-advertise for bids pursuant to the procedure hereinafter prescribed.
- C. Award of Contracts: Except as otherwise provided herein, contracts shall be awarded by the town council to the lowest responsible bidder, except that in the event the Town Council, as part of its review and approval of the town budget, has approved a specific line item appropriation for the supplies or services, the contract may be awarded by the Town Administrator, regardless of amount, as long as the approved line item appropriation is not exceeded. In such event, the Town Administrator shall follow applicable bidding requirements before award of the bid.
- D. In determining "lowest responsible bidder", in addition to price, the town council shall consider:
 - 1. The ability, capacity and skill of the bidder to perform the contract or provide the service required;
 - 2. Whether the bidder can perform the contract or provide the service promptly, or within the time specified, without delay or interference;
 - 3. The character, integrity, reputation, judgment, experience and efficiency of the bidder;
 - 4. The quality of performance of previous contracts or services;
 - 5. The previous and existing compliance by the bidder with laws and ordinances relating to the contract or service;
 - 6. The sufficiency of the financial resources and the ability of the contract to provide the service;
 - 7. The quality, availability and adaptability of the supplies or contractual services to the particular use required;
 - 8. The ability of the bidder to provide future maintenance and service for the use of the subject of the contract.
- E. Award To Other Than Lowest Bidder: When the award is not given to the lowest bidder, a full and complete statement of the reasons for placing the order elsewhere shall be prepared by the town clerk as directed by the mayor and filed with the other papers relating to the transaction.
- F. Tie Bids: If two (2) or more bids received are for the same total amount or unit price, quality and service being equal, the town council shall re-advertise for bids unless the matter is otherwise resolved without controversy.
- G. Performance Bonds: Before entering a contract, the town council shall have the authority to require a performance bond in such amount as it shall find necessary to protect the best interests of the town. The form and amount of said bond shall be described in the notice inviting bids.

1.16.055 BUILDING IMPROVEMENT OR PUBLIC WORKS PROJECTS AND DESIGN-BUILD SERVICES:

A. Notwithstanding the requirements stated above, if the estimated cost of a building improvement, public works project, or road project exceeds the bid limit (all as defined in UTAH CODE ANN. § 11-39-101, et seq. and UTAH CODE ANN. § 72-6-108 and 109), the City shall request bids as required in UTAH CODE ANN. § 11-39-101, et seq

B. BID LIMIT: The estimated dollar cost of a building improvement or public works project which, if exceeded, requires bids to be requested for the project. The bid limit is as follows:

1. For a building improvement:

- a. For the year 2003, forty thousand dollars (\$40,000.00); and
- b. For each year after 2003, the amount of the bid limit for the previous year, plus an amount calculated by multiplying the amount of the bid limit for the previous year by the lesser of three percent (3%) or the actual percent change in the consumer price index during the previous calendar year; and

2. For a public works project:

- a. For the year 2003, one hundred twenty five thousand dollars (\$125,000.00); and
- b. For each year after 2003, the amount of the bid limit for the previous year, plus an amount calculated by multiplying the amount of the bid limit for the previous year by the lesser of three percent (3%) or the actual percent change in the consumer price index during the previous calendar year.

3. For Class C roads,

- a. for the year 2024, \$350,000; and
- b. for each year after 2024, the amount of the bid limit for the previous year, plus an amount calculated by multiplying the amount of the bid limit for the previous year by the actual percent change in the National Highway Construction Cost Index during the previous calendar year.

C. The Town hereby adopts by this reference Utah Code Ann. §11-39-103 and § 63G-6a-1205(4)(i), and authorizes the Mayor or Designee to utilize the construction delivery methods known as design build services.

1.16.060 EXEMPTIONS TO COMPETITIVE BIDDING REQUIREMENTS

1. **Specialized Contracts** which are not adapted to award by competitive bidding or proposals, such as:
 - a) contracts for additions to, repairs and maintenance of equipment owned by the Town, which may be more efficiently done by a certain person or firm;
 - b) contracts for a particular brand of equipment or product which is uniquely suited to the town's needs by reason of training of its personnel or compatibility with existing equipment or to assure standardization or a continuation of supplies or services, or
2. c) contracts for the purchase of used equipment or items that are unique as to quality, condition and price. **Sole Source/Purchases made from a single-source provider.** The Town Administrator or their designee may procure from a sole source when after conducting a good

faith review of available sources, determines that no other sources are reasonably available, or that competition would be unlikely to produce other acceptable offers. The Town Administrator or designee shall put that determination in writing for the file.

- 3.
4. **Auction, Closeout, Bankruptcy Sales:** If the department head determines that supplies, materials or equipment can be purchased at any public auction, closeout sale, bankruptcy sale or similar sale, and that it will be made at a cost below the market cost in the community.
5. **Public Agency Procurement.** Purchases made through the cooperative purchasing contracts administered by the State Division of Purchasing, or any other public agencies of the state, shall not require bids or quotes of any type
6. **: Emergency Purchases:** The Town Administrator, the Mayor or designee may make emergency procurements when there exists a threat to public health, safety and welfare or circumstances which place the Town or its officers and agents in a position of serious legal liability; provided that such emergency procurements shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the emergency and for the selection of the contractor shall be included in the contract file. The Council shall be notified of any emergency contract which would have normally required their approval at the next regularly scheduled council meeting. Emergency procurements shall be limited to those supplies, services, or construction items necessary to meet the emergency.

1.16.065 PROCUREMENT OF PROFESSIONAL SERVICES AND REQUEST FOR PROPOSALS: The procurement of professional services shall be based upon qualifications:

Amount Of Contract	Request For Proposals
Up to \$50,000	No RFP is required; competitive quotes recommended
Over \$50,000	Formal request for proposals required

Awards shall be made to the individual or firm whose proposal is determined to be the most advantageous to the town, taking into consideration price and the evaluation factors set forth in the request for proposals. Awards shall be authorized under the same requirements as 1.16.040 PURCHASE AND SERVICE APPROVAL REQUIREMENTS above.

1.16.070 PROHIBITED ACTS AND ACTIVITIES

1. **Conflicts Of Interest:** Elected officials, officers and employees that own a substantial interest in a business which does or anticipates doing business with the town must disclose such interest prior to discussion by the governing body.

2. Collusion Among Bidders: Any agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition, by agreement to bid a fixed price, or otherwise, shall render the bid of such bidders void.
3. Advance Disclosures: Any disclosures in advance of the opening of bids, whether in response to advertising or an informal request for bids, made or permitted by a member of the town council or a town employee, shall render void the advertisement or request for bids.
4. Gratuities: The acceptance of any gratuity in the form of cash, merchandise or any other thing of value by an official or employee of the town from any vendor, contractor or prospective vendor or contractor, shall be cause for removal or other disciplinary action.

File Attachments for Item:

6. Presentation of Fraud Risk

Fraud Risk Assessment

Continued

*Total Points Earned: 335/395 *Risk Level: Very Low Low Moderate High Very High
 > 355 316-355 276-315 200-275 < 200

	Yes	Pts
1. Does the entity have adequate basic separation of duties or mitigating controls as outlined in the attached Basic Separation of Duties Questionnaire?	Yes	200
2. Does the entity have governing body adopted written policies in the following areas:		
a. Conflict of interest?	Yes	5
b. Procurement?	Yes	5
c. Ethical behavior?	Yes	5
d. Reporting fraud and abuse?	Yes	5
e. Travel?	Yes	5
f. Credit/Purchasing cards (where applicable)?	Yes	5
g. Personal use of entity assets?	Yes	5
h. IT and computer security?	Yes	5
i. Cash receipting and deposits?	Yes	5
3. Does the entity have a licensed or certified (CPA, CGFM, CMA, CIA, CFE, CGAP, CPFO) expert as part of its management team?		20
a. Do any members of the management team have at least a bachelor's degree in accounting?	Yes	10
4. Are employees and elected officials required to annually commit in writing to abide by a statement of ethical behavior?	Yes	20
5. Have all governing body members completed entity specific (District Board Member Training for local/special service districts & interlocal entities, Introductory Training for Municipal Officials for cities & towns, etc.) online training (training.auditor.utah.gov) within four years of term appointment/election date?	Yes	20
6. Regardless of license or formal education, does at least one member of the management team receive at least 40 hours of formal training related to accounting, budgeting, or other financial areas each year?	Yes	20
7. Does the entity have or promote a fraud hotline?	Yes	20
8. Does the entity have a formal internal audit function?		20
9. Does the entity have a formal audit committee?		20

*Entity Name: Town of Hideout

*Completed for Fiscal Year Ending: 6/30/24 *Completion Date: 6/5/24

*CAO Name: Phil Rubin *CFO Name: Keri Wilson

*CAO Signature: Phil Rubin CFO Signature: Keri Wilson

*Required

File Attachments for Item:

8. Authorization for the Mayor to enter into a contract with Hansen, Allen, and Luce (HAL) Engineering for engineering services to the Town

TOWN OF HIDEOUT PROFESSIONAL SERVICES AGREEMENT FOR ENGINEER PROFESSIONALS

THIS AGREEMENT is entered into this 13th day of June, 2024 between the TOWN OF HIDEOUT, a Utah municipal corporation, (“Hideout”), and Hansen, Allen, and Luce a Utah Professional Corporation (“Service Provider”), and collectively, the “Parties.”

RECITALS:

- A. Hideout desires to have engineering services and tasks performed requiring specialized skills and other supportive capabilities;
- B. Service Provider is engaged in the business and profession of professional engineering;
- C. Hideout does not have sufficient resources to provide such services;
- D. Utah State Code Section 13-8-7 has specific requirements when a governmental entity contracts with design professionals which includes architects, professional engineers and land surveyors and landscape architects, and this Agreement meets those requirements; and,
- E. Service Provider represents that the Service Provider is properly qualified and licensed in the State of Utah. and possesses sufficient skills and the necessary capabilities, including technical and professional expertise, where required, to perform the services and/or tasks set forth in this Agreement.

AGREEMENT:

NOW, THEREFORE, in consideration of the terms, conditions, covenants, and performance contained herein, the Parties hereto agree as follows:

1. SCOPE OF SERVICES.

The Service Provider shall perform such services and accomplish such tasks, including the furnishing of all materials and equipment necessary for full performance thereof, as are identified and designated as Service Provider responsibilities throughout this Agreement.

Hideout shall pay Service Provider for Services rendered according to the Project Task Order and fee structure approved attached hereto as “Exhibit A” and incorporated herein (the “Project”). These forms will be signed and approved by Hideout and Service Provider and will be subject to the terms and conditions of this Agreement. Service Provider shall proceed as directed by Hideout and shall be paid hourly or as approved by the Project Task Order. The scope, schedule, and cost of such work shall be set forth by the Project Task Order and may be amended from time to time by mutual agreement of both parties. Hideout acknowledges that all work performed by Service Provider should be contained within the scope of the Project Task Order. At times, Hideout circumstances may require Service Provider to respond to verbal direction and tasks from Hideout that will require work to be performed without a written specific project task order. Under these circumstances, the

Hideout will pay for these services at Service Provider's then current Fee Schedule. and as set forth in the "Scope of Services"

Service Provider shall render to Hideout professional and technical engineering services set forth in the Project Task Order(s) accepted by Service Provider (herein referred to as the "Services").

2. FEES FOR SERVICES.

- A. Service Provider specifically agrees to pay any applicable fees or charges which may be due on account of this Agreement.
- B. Payments for services provided hereunder shall be made monthly following the performance of such services. Service Provider shall provide an invoice for services rendered during that period. Hideout shall make payment to the Service Provider within thirty (30) days thereafter. No payment shall be made for any service rendered by Service Provider except for services identified and set forth in this Agreement. For all "extra" work Hideout requires and is approved by Hideout, Hideout shall pay Service Provider at a rate as outlined in Service Provider's proposal.
- C. Service Provider acknowledges that the continuation of this Agreement after the end of the Hideout's fiscal year is specifically subject to the Hideout Council's approval of the annual budget.

3. TERM.

The execution of this Agreement commence the term and the term shall terminate on June 30, 2026 or earlier subject to an annual evaluation by the Town of Hideout, unless extended by mutual written agreement of the Parties.

4. RECORDS AND INSPECTIONS.

- A. Service Provider shall maintain records, documents, reports, data, information, and other material with respect to matters covered, directly or indirectly, by this Agreement for six (6) years after expiration of the Agreement.
- B. The Hideout is subject to the requirements of the Government Records Access and Management Act, Chapter 2, Title 63G, Utah Code Annotated, 1953, as amended and Hideout Municipal Code Title 5 ("GRAMA"). All materials submitted by Service Provider pursuant to this Agreement are subject to disclosure unless such materials are exempt from disclosure pursuant to GRAMA. The burden of claiming and exemption from disclosure rests solely with Service Provider. Any materials for which Service Provider claims a privilege from disclosure based on business confidentiality shall be submitted marked as "confidential - business confidentiality" and accompanied by a concise statement from Service Provider of reasons supporting its claim of business confidentiality. Generally, GRAMA only protects against the disclosure of trade secrets or commercial information that could reasonably be expected to result in unfair

competitive injury. The Hideout will make reasonable efforts to notify Service Provider of any requests made for disclosure of documents submitted under a claim of confidentiality. Service Provider specifically waives any claims against the Hideout related to any disclosure of materials pursuant to GRAMA.

5. INDEPENDENT CONTRACTOR RELATIONSHIP.

- A. The Parties intend that an independent contractor relationship will be created by this Agreement. No agent, employee, or representative of Service Provider shall be deemed to be an employee, agent, or representative of Hideout for any purpose, and the employees of Service Provider are not entitled to any of the benefits Hideout provides for its employees. Service Provider will be solely and entirely responsible for its acts and for the acts of its agents, employees, subcontractors or representatives during the performance of this Agreement.
- B. In the performance of the services herein contemplated Service Provider is an independent contractor with the authority to control and direct the performance of the details of the work, however, the results of the work contemplated herein must meet the approval of Hideout and shall be subject to Hideout's general rights of inspection and review to secure the satisfactory completion thereof.

6. HOLD HARMLESS INDEMNIFICATION

- A. The Service Provider shall indemnify and hold the Hideout and its agents, employees, and officers, harmless from any and all liability for damages, including claims, demands, suits, at law or equity, actions, penalties, losses, damages, or costs, of whatsoever kind or nature, brought against the Hideout arising out of, in connection with, or incident to (1) the Service Provider's negligence, or intentional misconduct; or (2) the Service Provider's subconsultant's or subcontractor's negligence.
- B. The Service Provider shall also reimburse the Hideout, including its agents, employees, and officers, and any other person for attorney fees or other costs incurred by the person in defending against a claim alleging liability for damages to the extent the attorney fees or costs were incurred due to (1) the Service Provider's negligence or intentional misconduct; or (2) the Service Provider's subconsultant's or subcontractor's negligence.
- C. If such claims are caused by or result from the concurrent negligence of the Hideout, its agents, employees, and officers, this indemnity provision shall be valid and enforceable to the extent of the Service Provider's negligence, or intentional misconduct; or the Service Provider's subconsultant's or subcontractor's negligence.
- D. The Service Provider expressly agrees that the indemnification provided herein constitutes the Service Provider's limited waiver of immunity as an employer under Utah Code Section 34A-2-105; provided, however, this waiver shall apply only to the extent an employee of Service Provider claims or recovers compensation from the Hideout for a loss or injury that Service Provider would be obligated to indemnify the Hideout for under this Agreement. This limited

waiver has been mutually negotiated by the Parties, and is expressly made effective only for the purposes of this Agreement.

E. Further, nothing herein shall require the Service Provider to hold harmless, defend, or reimburse the Hideout, its agents, employees and/or officers from any claims arising from the sole negligence of the Hideout, its agents, employees, and/or officers.

F. The Service Provider is required to maintain and to provide a standard of care consistent with other Service Providers with the same or similar professional license, who normally provide projects, work, and/or services as is established in this Agreement in Hideout, Utah. Accordingly, if the nature of the project, work, and/or services established in this Agreement requires specialized design expertise, the Service Provider is required to provide services consistent with the specialized design expertise established in this Agreement.

G. No liability shall attach to the Hideout by reason of entering into this Agreement except as expressly provided herein.

H. The provisions of this section shall survive the expiration or termination of this Agreement.

7. INSURANCE.

Service Provider shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by Service Provider, their agents, representatives, employees, or subcontractors. Service Provider shall provide a Certificate of Insurance evidencing:

- A. General Liability insurance written on an occurrence basis with limits no less than One Million Dollars (\$1,000,000) combined single limit per occurrence and Two Million Dollars (\$2,000,000) aggregate for personal injury, bodily injury and property damage.
- B. Automobile Liability insurance with limits no less than Two Million Dollars (\$2,000,000) combined single limit per accident for bodily injury and property damage.
- C. Professional Liability (Errors and Omissions) insurance with annual limits no less than One Million Dollars (\$1,000,000) per occurrence. If written on a claims-made basis, Service Provider warrants that the retroactive date applicable to coverage precedes the effective date of this agreement; and that continuous coverage will be maintained for an extended reporting period and tail coverage will be purchased for a period of at least three (3) years beginning from the time that work under this agreement is complete.
- D. Workers Compensation insurance limits written as follows:

Bodily Injury by Accident Five Hundred Thousand Dollars (\$500,000) each accident; Bodily Injury by Disease Five Hundred Thousand Dollars (\$500,000) each employee, Five Hundred Thousand Dollar (\$500,000) policy limit.

- E. Hideout shall be named as an additional insured on general liability and auto liability insurance policies, with respect to work performed by or on behalf of Service Provider and a copy of the endorsement naming Hideout as an additional insured shall be attached to the Certificate of Insurance. Should any of the above described policies be cancelled before the expiration date thereof, Service Provider shall deliver notice to Hideout within thirty (30) days of cancellation. Hideout reserves the right to request certified copies of any required policies.
- F. Service Provider's insurance shall contain a clause stating that coverage shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

8. TREATMENT OF ASSETS.

Title to all property furnished by Hideout shall remain in the name of Hideout and Hideout shall become the owner of the work product and other documents, if any, prepared by Service Provider pursuant to this Agreement.

9. COMPLIANCE WITH LAWS AND WARRANTIES.

- A. Service Provider, in the performance of this Agreement, shall comply with all applicable federal, state, and local laws and ordinances, including regulations for licensing, certification and operation of facilities, programs and accreditation, and licensing of individuals, and any other standards or criteria as described in this Agreement to assure quality of services including but not limited to the status verify system requirements, also known as E-Verify, for contractors and the physical performance of services within Utah as required by Utah Code Ann. § 63G-12-101 et seq.
- B. Service Provider shall be solely responsible to Hideout for the quality of all services performed by its employees or sub-contractors under this Agreement. Service Provider hereby warrants that the services performed by its employees or sub-contractors will be performed in a professional manner, substantially in conformance with the standard of care observed by similarly situated companies providing services under similar conditions.
- C. Service Provider understands and agrees that the Town is subject to the requirements of the Government Records Access and Management Act, Chapter 2, Title 63G, Utah Code Annotated, 1953, as amended. All materials submitted by Service Provider pursuant to this Agreement are subject to disclosure unless such materials are exempt from disclosure pursuant to GRAMA. The burden of claiming and exemption from disclosure rests solely with Service Provider. Any materials for which Service Provider claims a privilege from disclosure based on business

confidentiality shall be submitted marked as “confidential - business confidentiality” and accompanied by a concise statement from Service Provider of reasons supporting its claim of business confidentiality. Service Provider specifically waives any claims against the Town related to any disclosure of materials pursuant to GRAMA.

10. ASSIGNMENTS/SUBCONTRACTING.

Service Provider shall not assign or delegate its performance under this Agreement or any portion of this Agreement without the written consent of Hideout. Hideout reserves the right to reject without cause any such assignment. Any assignment made without the prior express consent of Hideout, as required by this part, shall be deemed null and void.

11. CHANGES/AMENDMENTS.

Either party may request changes to the scope of services and performance to be provided hereunder, however, no change or addition to this Agreement shall be valid or binding upon either party unless such change or addition be in writing and signed by both Parties. Such amendments shall be attached to and made part of this Agreement.

12. PROHIBITED INTEREST, NO THIRD PARTY RIGHTS AND NO GRATUITY TO HIDEOUT EMPLOYEES.

No member, officer, or employee of Hideout shall have any interest, direct or indirect, in this Agreement or the proceeds thereof. Nothing herein is intended to confer rights of any kind in any third party. No Hideout employee who has procurement decision making authority and is engaged in the procurement process, or the process of administering a contract may knowingly receive anything of value including but not limited to gifts, meals, lodging or travel from anyone that is seeking or has a contract with Hideout.

13. TERMINATION.

- A. Either party may terminate this Agreement, in whole or in part, at any time, by at least thirty (30) days' written notice to the other party. Service Provider shall be paid its costs, including contract close-out costs, and profit on work performed up to the time of termination. Service Provider shall promptly submit a termination claim to Hideout. If Service Provider has any property in its possession belonging to Hideout, Service Provider will account for the same, and dispose of it in a manner directed by Hideout.
- B. If Service Provider fails to perform in the manner called for in this Agreement, or if Service Provider fails to comply with any other provisions of the Agreement and fails to correct such noncompliance within three (3) days' written notice thereof, Hideout may immediately terminate this Agreement for cause. Termination shall be effected by serving a notice of termination on Service Provider setting forth the manner in which Service Provider is in default. Service Provider will only be paid for services performed in accordance with the manner of performance set forth in this Agreement.

14. NOTICE.

Notice provided for in this Agreement shall be sent by electronic mail or by certified mail to the addresses designated for the Parties as set forth below. Notice is effective upon the date it was sent except that a notice of termination is effective upon receipt. All reference to “days” in this Agreement shall mean calendar days.

Hideout: TOWN OF HIDEOUT
Attn: Jan McCosh, Town Administrator
10860 No. Hideout Trail
Hideout, UT 84036
Jan McCosh <jmccosh@hideoututah.gov>

With a copy to: Polly McLean, Esq.
Peak Law
395 Crestview Drive
Park City UT 84098
Polly@Peaklaw.net

Service Provider: Hansen, Allen, & Luce
859 W. South Jordan Pkwy. Ste. 200
South Jordan, UT 84095
Tel: (801) 566-5599

15. JURISDICTION, VENUE AND APPLICABLE LAW.

Claims, disputes and other issues between the Parties arising out of or related to this Agreement shall be decided in the Third Judicial District Court in and for Salt Lake County. The provisions hereof shall be governed by and construed in accordance with the laws of the State of Utah.

16. SEVERABILITY AND NON-WAIVER.

- A. If, for any reason, any part, term, or provision of this Agreement is held by a court of the United States to be illegal, void or unenforceable, the validity of the remaining provisions shall not be affected, and the rights and obligations of the Parties shall be construed and enforced as if the Agreement did not contain the particular provision held to be invalid.
- B. If it should appear that any provision hereof is in conflict with any statutory provision of the State of Utah, said provision which may conflict therewith shall be deemed inoperative and null and void insofar as it may be in conflict therewith, and shall be deemed modified to conform in such statutory provisions.

- C. It is agreed by the Parties that the forgiveness of the non-performance of any provision of this Agreement does not constitute a subsequent waiver of the provisions of this Agreement. No waiver shall be effective unless it is in writing and signed by an authorized representative of the waiving party.

17. ENTIRE AGREEMENT.

The Parties agree that this Agreement is the complete expression of the terms hereto and any oral representations or understandings not incorporated herein are excluded. Further, any modification of this Agreement shall be in writing and signed by both Parties. Failure to comply with any of the provisions stated herein shall constitute material breach of contract and cause for termination. Both Parties recognize time is of the essence in the performance of the provisions of this Agreement.

IN WITNESS WHEREOF the Parties hereto have caused this Agreement to be executed the day and year first hereinabove written.

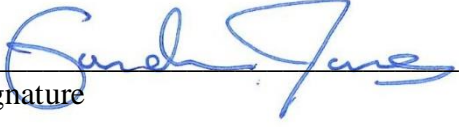
TOWN OF HIDEOUT

Philip Rubin, Mayor

Attest:

Alicia Fairbourne, Recorder for Town of Hideout

Service Provider: **Hansen, Allen & Luce**



Signature

Gordon Jones

(printed name)

Title President

Exhibit A Scope of Services

Exhibit B Schedule of Hourly Fees



SALT LAKE AREA OFFICE
 859 W South Jordan Pkwy, Ste 200
 South Jordan, Utah 84095
 Phone: (801) 566-5599
www.HALengineers.com

Item # 8.

Phil Rubin
 Hideout, Mayor
 Via electronic mail: mayor@hideoututah.gov

May 20, 2024

RE: Statement of Qualifications (SOQ) for City Engineering, Planning and Related Services

Dear Mayor and Selection Committee:

We appreciate the opportunity to be considered for service as your City Engineer and to provide engineering services. We look forward to working with you soon. HAL is a multi-disciplined engineering firm that specializes in municipal engineering services. We respectfully request that you consider Hansen, Allen & Luce for the following reasons:

- ◆ HAL is an **established municipal engineering firm**. Our firm has specialized in municipal projects for **50 years**. HAL has worked for over 500 clients on thousands of projects including; drinking water, stormwater, wastewater, irrigation, system optimization, as well as roadway improvements and funding.
- ◆ We offer a **qualified project team**. Our project team members **specialize in municipal projects**. ***Our projects work!*** Our project team consists of highly trained, specialized engineers and support staff who have experience working with all aspects involved in complex civil engineering projects.
- ◆ **Gordon Miner, MEM, PE is ready to serve as the City's Engineer**. Gordon has extensive experience as a city engineer and has over 30 years serving the engineering needs of municipalities. He is readily available to work as the City Engineer for Hideout. Ben Miner is a resident of Francis and Gordon Jones is a resident of Park City. Their proximity will facilitate local communication and response to the City's project needs.
- ◆ We make **financial sense**. With Gordon Miner and HAL available on an as-needed basis, the City would save the overhead and underutilization expenses of an FTE. The City's liability would be minimized with Gordon's work insured under HAL's professional liability insurance policy.
- ◆ We are **highly motivated**. We have the required manpower to **complete Hideout projects on time. We are committed to the city being completely satisfied with all of our services**. We look forward to meeting personally to understand the City's needs and put Hideout in the driver's seat of its engineering program.

Key Contacts:

Gordon Miner, MEM, PE
 Sr. Project Manager
 801.566.5599
gminer@halengineers.com

Gordon Jones, MS, PE
 President
 801.566.5599
gjones@halengineers.com

Please contact us with any questions or if you need any additional information.

Sincerely,

HANSEN, ALLEN & LUCE, INC.


 Gordon Jones, MS, PE
 President



FIRM INTRODUCTION

Established in 1974, Hansen, Allen & Luce, Inc. (HAL) has been serving the engineering needs of the public infrastructure community for 50 years. During that time HAL has worked for over 500 clients on thousands of civil engineering projects. We appreciate the long-term relationships we have established in government and industry throughout the region.

HAL specializes in municipal engineering, drinking water, sanitary sewer, stormwater, flood plain and pressurized irrigation systems projects. By choice, over 85 percent of our work is for public or quasi-public clients including cities; water, sewer, and storm water special districts; county and state agencies; and irrigation companies. HAL also works for industry clientele.

Our entire history has been dedicated to meeting the specialized needs of our many repeat water clients. Hansen, Allen & Luce, Inc. (HAL) is a Utah corporation with headquarters in South Jordan, Utah. HAL has 75 employees, most of which have been with the firm for many years. The average tenure is about 13 ½ years. HAL has 35 Professional Engineers on staff, all licensed to practice in Utah.

OFFICE LOCATION



Hansen, Allen & Luce, Inc. (HAL)

859 W. South Jordan Pkwy. Ste. 200

South Jordan, Utah 84095

www.halengineers.com

801.566.5599

Primary Point of Contact:

Gordon Miner, MEM, PE

Senior Project Manager

gminer@halengineers.com

Gordon Jones, MS, PE

President

gjones@halengineers.com



"The design drawings were excellent, complete, and concise in the illustration of the project requirements. With the project taking place in a residential area, HAL was sensitive to the surrounding neighbors and designed safeguards and protections into the project. Throughout the project they worked very well with the Contractor and KID Staff, along with the various governmental agencies in meeting their entity standards and requirements." Board of Trustees, Greg Christensen, Chair, Kearns Improvement District

HAL provides the full range of services required to address the public infrastructure planning and design needs of Hideout. We are an engineering team specialized in meeting the municipal, water, storm, sewer, storm drainage and irrigation needs of our clients just like you.

KEY TO A SUCCESSFUL PROJECT

With 50 years of experience focused on municipal civil engineering, HAL has become a smoothly operating team which meets our clients' needs over and over again. With our strengths of expertise and experience we will not be "practicing" on the City's projects but, performing at an elevated level.

Although there are similarities in municipal, civil, water, stormwater, wastewater and irrigation projects, our approach to successful projects anticipates each project will have unique features which must be carefully addressed. We know a successful project begins by **carefully listening** to the City's staff and elected officials to make sure we understand the project goals, objectives and concerns of the city staff.

UNDERSTANDING OF THE WORK TO BE PERFORMED

Planning and Developing Responsibly

The City is experiencing growth pressure and needs a City Engineer who is experienced in representing municipalities.

Our expertise in helping communities grow responsibly has been invaluable to our clients.

As an example, a little more than 20 years ago the Saratoga Springs area was in a similar situation as Hideout - ready to grow. At the time, the largest land and water right owner was (and still is) The Church of Jesus Christ of Latter-day Saints which was managed by Farmland Reserve. Twelve years ago, Saratoga Springs was running out of capacity in both their drinking water and secondary water systems because of growth and poor planning and design choices.

HAL was invited to step in and help the City develop efficient and sustainable capacity solutions to support their massive growth. To this day HAL continues working alongside the City in a critical advisory role. Please contact Mr. Mark Christensen, Saratoga Springs City Manager at 801.766.9793 ext. 111.

HAL serves in a similar role as a trusted advisor to dozens of other fast-growing communities in Utah. Some of these communities include Tooele, Moab, Santaquin, Payson, Salem, Spanish Fork, Mapleton, Springville, Provo, Orem, Cedar Hills, Lindon, Lehi, Saratoga Springs, Central Utah Water Conservancy District, Mt. Nebo Water Agency, Salt Lake City, Murray City, Sandy City, South Salt Lake City, Kearns Improvement District, Mount Olympus Improvement District, and South Valley Sewer District.

HAL is also uniquely experienced in serving the industrial community for over 50 years for clients such as Procter & Gamble, Circle Four Farms, Clean Harbors and many others.

TEAM ORGANIZATION AND KEY PERSONNEL

PROFESSIONAL STAFF | Our most valuable resource is our professional staff. Most of our engineers have a graduate degree in one of the areas of civil engineering. All HAL project engineers are supported by experienced technical and administrative personnel.

Communication with Client – A Key to Quality Projects | HAL puts significant emphasis on empowering our clients to remain in control of their project. We refer to this as “Keeping the client in the driver’s seat.” This is realized primarily by adapting a principle taught by the founder of the firm, Dr. Vaughn E. Hansen, who encouraged all employees to continually think of the needs of the client and to ask ourselves and the client, “How can we help?”

We employ a number of client communication techniques, including holding regular project coordination meetings, preparing a Memorandum of Understanding after significant project coordination meetings, preparing written notes after significant meetings, making regular phone calls or sending frequent emails to the client, and implementing a project status-based invoicing.

Steve Jones, MS, PE | Sr. Technical Advisor



MS and BS, Civil Engineering
& Environmental Engineering,
Brigham Young University
Professional Engineer, UT
25 Years of Experience

Why Steve? Steve is an extremely talented and experienced technical advisor. He specializes in helping rapidly growing communities navigate the complexities that come with development.

Besides his extensive engineering knowledge, he has a deep understanding of the laws and best practices surrounding municipal development. This expertise is a valuable guide to city staff and leaders as they work to develop a legally defensible and financially responsible path forward for their community.

Steve is a team builder. He is skilled and experienced in working with stakeholders at all levels and positions within a municipality, from elected officials, to administrative staff, to operations personnel. He is a skilled communicator and a fierce advocate for the interests of the communities he serves.

He has assisted dozens of municipalities in negotiations with both local and national land developers. His approach involves presenting information in a clear and concise manner so that the need for system improvements is clearly demonstrated to the developer. This approach is both effective and defensible.

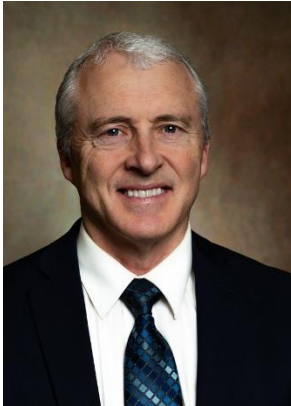
As Chief Executive Officer at HAL, he has helped many municipalities navigate very difficult and complex situations. His diplomacy and creative thinking have been key in developing positive solutions. He is often invited to present at conferences and provide training on various aspects of his work.

For 25 years, Steve has focused his career on municipal utility systems. A sample of relevant experience includes:

Hoytsville Pipe Water Company. Like Hideout, Hoytsville Pipe Water Company (HPWC) is experiencing heavy development pressure within their service area. Steve first worked with HPWC to identify limitations within their water system and identify possible solutions. He then worked on behalf of HPWC to present these limitations to prospective land developers and assist HPWC with negotiation of a development agreement. All parties involved appreciated Steve's fact-based approach and came to an agreement that will provide significant benefits to the HPWC water system.

City of Saratoga Springs. Steve has served in an ongoing advisory role to the City of Saratoga Springs for over ten years. During that time, the City has added more than 10,000 residents within dozens of large developments. Steve has been key in helping the City negotiate agreements with developers. These agreements have helped the City to improve their utility systems while accommodating development, without placing any financial burden on the City's existing residents and ratepayers. Steve works regularly to help the City update their rates and impact fees to keep them fair and help keep the City financially strong.

Gordon Miner, MEM, PE | City Engineer



Master of Engineering
Management,
Brigham Young University
BS, Civil Engineering,
Brigham Young University
Professional Engineer, UT
30+ Years of Experience

Why Gordon? Gordon has extensive experience as a city engineer and has over 30 years serving the engineering needs of municipalities.

Gordon is readily available to work as the City Engineer for Hideout and his proximity will facilitate local communication and response to the City's project needs. Gordon will work with Hideout to determine how much time is needed each week from Gordon or supporting staff to meet the City's needs.

He has helped dozens of clients identify efficient ways to operate their water systems, minimize operating costs, and recover growth-related expenses with impact fees. He has extensive experience in the capital facilities planning, hydraulic and transient modeling, cost estimating, master plan preparation and the related coordination with financial planners, local governments, and regulatory agency officials.

He has extensive experience in engineering and construction project management, stakeholder involvement, and coordination with public officials, agency staff, city councils, governing boards, funding agencies, local, state and federal agencies.

He also has experience building successful teams of civil, structural, electrical, mechanical, and geotechnical engineers, surveyors, biologists, landscape designers and public relations experts. On a regular basis, Gordon makes presentations before City Councils, Boards of Trustees, staff, contractors, and suppliers.

A brief sample of Gordon's experience is as follows:

Pleasant Grove City. Gordon served as the City Engineer and Assistant City Engineer. Gordon formulated city-wide engineering-related policies and standards. Gordon provided the City with direction, control, and management over key engineering functions including: infrastructure and utilities engineering, transportation engineering, and development review.

Heber City. Gordon served as a Senior Engineer. Services included revision of engineering standards and design review of commercial and residential land development, and agency coordination.

Riverton City. Gordon served as the City Engineer and Development Engineer. Gordon formulated city-wide engineering-related policies and standards. Gordon provided the City with direction, control, and management over key engineering functions including: infrastructure and utilities engineering, transportation engineering, and development review.

Saratoga Springs City. Gordon served as the City Engineer. Gordon formulated city-wide engineering-related policies and standards. Gordon provided Saratoga Springs with direction, control, and management over key engineering functions including: infrastructure and utilities engineering, transportation engineering, and development review.

Springville City. As the Public Works Director and City Engineer, Gordon formulated city-wide engineering-related policies and standards and provided planning, organization, staffing, development and control of public works department programs. He also offered leadership and policy direction to assigned division superintendents and design review of commercial and residential land development.

Wasatch County. Gordon served as a consultant for Wasatch County, and his work included the formulation of county-wide engineering standards and design review of commercial and residential land development.

Benjamin Miner, MPA, PE | Principal in Charge



BS, Civil Engineering
Utah State University
MPA,

Professional Engineer, UT
27 Years of Experience

Why Ben? Ben has worked for many cities, counties and districts over the past decades helping with planning, design and construction of water, wastewater, storm water, floodplain and street

infrastructure. Ben's work includes the engineering review of hundreds of residential and commercial developments. Ben has worked with City and County Councils, Boards of Trustees, Mayors, City Staff, Developers, Citizen Groups, local, state and federal agencies and other stakeholders. Ben will oversee HAL's team and ensure that Hideout is completely satisfied with HAL's services.

Ben is one of the most well-rounded engineers at HAL, having been involved in almost every aspect of city engineering, including drinking water systems, irrigation, stormwater, sewer, water source, roads, and development review.

As an engineering professional with a Master of Public Administration, he has helped many municipalities with their engineering needs, helping assist as a "City Engineer" as an outside consultant. His steady hand and deep experience have helped many clients with all the engineering needs that come to a city.

For 27 years, Ben has focused his career on municipal systems. A sample of relevant experience includes:

Tooele City. Ben has reviewed hundreds of plats and plans for Tooele City over the course of more than 25 years. These reviews include water, wastewater, storm drainage, site issue, plats, planning, streets and other issues. Key focuses of these reviews include collecting information for the City's hydraulic models, tracking available capacity within the City's utility systems, and facilitating a smooth workflow for Tooele City staff. Ben has also helped Tooele develop master plans for drinking water, storm water, and sewer; drill and develop wells; study groundwater and water rights; and design pump stations, pipelines, and stream channels, among others.

City of Moab. Ben has provided water system master planning, development water review, water and wastewater consultation, storm drainage and flood plain consultation and design for the City of Moab. He has also assisted with long term water planning and worked with public officials, stakeholders and the public on planning, design and project delivery.

EXPERIENCE AND TECHNICAL COMPETENCE

Hideout is growing and will need new facilities to accommodate that growth. The City will benefit greatly from an engineering team experienced in all aspects of infrastructure development, including planning, analysis, design, and construction support. HAL engineers are a fully capable team. We have grown and evolved over our 50 years to specifically address the unique aspects of a wide variety of projects. HAL provides the full range of services required to assist the City in addressing upcoming growth and resulting projects. We are an engineering team specialized in meeting the municipal, water, storm, sewer, and irrigation needs of our clients just like you.

WASTEWATER / SEWER

The HAL team has the expertise and capabilities to help our clients be successful in providing reliable sanitary sewer systems. The City will benefit from having the HAL team on its side. Our sewer capabilities include the following:

- Sanitary Sewer Computer Modeling
- Impact Fee calculation
- Master Planning
- Collection Pipeline Design
- Pump Station Design
- Construction Services
- Grinders and Screening
- Pipeline Rehabilitation

SYSTEM OPTIMIZATION

The primary focus of system optimization is to help water utilities improve water quality, reduce energy consumption, reduce costs, and develop a culture of efficiency and conservation. Our team has achieved these goals by approaching treatment and pumping systems in a holistic manner that includes:

- Optimizing treatment processes while preserving system reliability
- Optimizing system hydraulics configurations
- Selecting energy efficient equipment
- Developing control strategies that are based on maximizing system efficiencies
- Coordinating with operation staff to solicit their feedback and input and providing training as needed.

DRINKING WATER / PRESSURIZED IRRIGATION

The HAL team has a proven capacity to meet the drinking water needs of the City in the many areas of expertise required for drinking water systems. Our long history and reputation with the Utah Division of Drinking Water and our knowledge of current and proposed standards ensure plan approval with very few, if any, revisions required. Our skill set addresses the following areas:

- Wells (Supply and Recharge)
- Springs
- Source Protection

- Surface Diversions
- Sampling Plans and Stations
- Treatment
- Energy Efficient Pump Stations
- Storage Tanks
- Transmission and Distribution Pipelines
- Pressure and Flow Control Valves
- Pump station and pipeline design.

STORM DRAIN / FLOODING / STREAMS

HAL's unique combination of hydrologic and hydraulic expertise, together with our extensive experience in civil engineering, enables us to meet significant client needs in storm drainage & flood control including design and construction management services.

- Flood Plain Delineation
- Flood Damage Assessment
- Storm Drains
- Detention Basins
- Control Structures
- Erosion Control
- Water Quality Management
- Storm Water Master Planning
- Impact Fee Calculation

ROADWAY IMPROVEMENTS

HAL has experience with roadway and sidewalk design:

- Sidewalk design
- Roadway resurfacing
- Roadway design and construction services
- Striping and signage
- Roadside landscaping and sprinkler system

FUNDING

HAL has experience helping our clients obtain funding from many sources including the following sample:

- The Federal and State Revolving Funds
- Division of Water Resources
- ARPA, NRCS, CDBG, ZIONS
- FEMA – BRIC
- Native American Affairs Technical Assistance
- WaterSmart

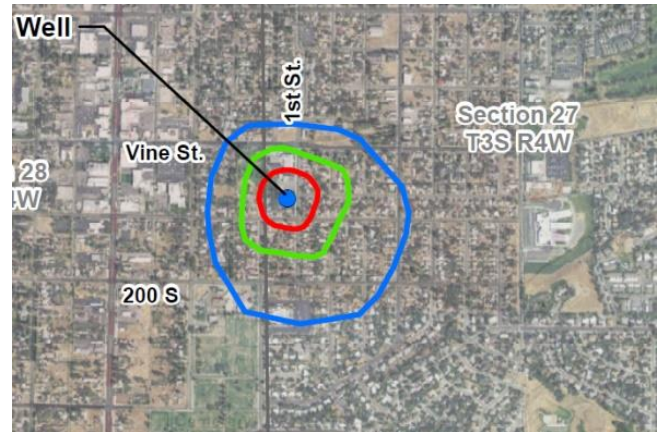
RELEVANT PROJECT EXPERIENCE

HAL has extensive experience working with rural communities, including smaller Cities like Hideout. HAL knows how to support communities and public officials with limited staff resources. HAL helps provide the technical and project management guidance for staff and public officials.

TOOELE CITY | Reference: Mr. Paul G. Hansen, P.E. 435-843-2139 | City Engineer

HAL has worked with the City of Tooele since 1996 performing engineering services. During that time, HAL has performed the following types of projects:

- Water Master Plans This water system master plan included evaluation of water use data, estimation of peak water system demands for existing and future conditions, evaluation of water sources and storage needs, hydraulic computer modeling, identification of existing deficiencies and future infrastructure needs. HAL also prepared the analysis and report for the IFFP and supported Lewis Young in creating the IFA.
- Water Development Review and Water Model Maintenance. HAL maintains the Tooele City Drinking Water model and responds to staff requests about water system pressures and conveyance capacity. HAL uses the hydraulic model to study and determine the effects that proposed development will have on the City water system. Results are communicated with staff and elected officials.
- Storm Water Master Plan. HAL assisted Tooele City plan by preparing a storm water master plan. This plan provided hydrologic and hydraulic analyses, prediction of 10 year and 100 year storm flow rates, identification of existing deficiencies in storm drain piping and detention basins, preparation of a capital facilities plan, preparation of project cost estimates.
- Groundwater Studies, Drinking Water Source Protection and Well Design. HAL has provided water quality and well siting studies for Tooele City for two decades. HAL reviews well logs, geological reports and other available information to identify locations of good water quality for well development. HAL prepares drinking water source protections plans, well design and well guidance to the City. HAL prepares permit applications with the respective agencies and provides services during drilling, testing and commissioning.
- Water rights studies and preparation of stream alteration studies. HAL prepared a comprehensive review of Tooele City water right and offered recommendations on water rights management. HAL provides ongoing consultation with Tooele City on water rights issues.
- Pump Station and Pipeline Design and Construction. HAL has designed pump stations and pipelines for the City. This includes land surveying, property boundary identification, pump and well head design, HVAC and electrical design, structural design, bidding document preparation and services during construction.
- Stream Channel Design, Environmental Compliance and FEMA CLOMR and LOMR Permitting. HAL provided a design to relocate Middle Canyon Creek to facilitate land development changes desired by the City and to provide flood improvement infrastructure. HAL conducted surveying and environmental studies and prepared the stream alteration permit application. HAL prepared the channel design, including channel armor, drop structures and energy dissipation basins. HAL prepared a FEMA CLOMR application.



SPANISH FORK CITY | Reference: Mr. Chris Thompson | 801.804.4556 | Public Works Director & City Engineer

Spanish Fork City has experienced rapid growth over the last 30 years. From 1990 to 2020 the population has almost quadrupled from 11,272 to 42,602. The City is a public water supplier with both a drinking water and pressurized irrigation distribution system. Water for these systems is provided by wells, springs, surface water, and irrigation companies. The City is considering developing several new water sources to supply its water systems and is considering acquiring additional water right shares.

Water Rights Evaluation. HAL had previously completed master plans for Spanish Fork City's drinking water and pressurized irrigation systems. These master plans identify present and future drinking water system and irrigation system needs.

- As an extension of those efforts, HAL prepared a report to document the City's current water rights and provide a 40-year analysis to show the planned beneficial use of those water rights and additional water rights that would be required. This was done by evaluating the water rights the City currently owns and estimating the reasonable future water requirements of the City through the year 2055.
- A detailed literature search and review was performed to gain understanding of Spanish Fork's water rights, their priority, and historical use. Reviewed documents include High Council decisions, court decrees, and water right claims and applications on file with the Utah Division of Water Rights. Hydrologic and hydraulic evaluations were made based on streamflow data and the hydraulic capacity of diverting works. These evaluations allowed estimates to be made of historical diversions.
- Other water right stakeholders were engaged in a collaborative effort to develop a common understanding on how the City's water rights were used historically and how they could be used in the future. Significant discussion and coordination occurred with the Spanish Fork River Commissioner and the Utah Division of Water Rights.
- HAL prepared a water right model that the City uses to forecast the best use of the water right portfolio based on projected use, forecast, climate conditions, ground water levels, river flow forecast, source cost, storage levels. It is also used to audit the river commissioner's and other entity's water use reports. Since using the forecast model, the City has been able to carry over a full Strawberry Water bank and maximized other water rights by using them at optimized times of the year. HAL helped the City identify and perfect millions of dollars' worth of river water rights the City didn't know they had.



CITY OF SARATOGA SPRINGS | Reference: Mark Christensen, PE | 801.766.9793 | City Manager

HAL has been working with the City since 2013 when we updated the City's drinking and irrigation master plans. Our opportunity to assist Saratoga Springs includes engineering design, construction services, master planning, development review and review of design by others.

For Saratoga Springs, we provide the following types of services:

- Drinking Water and Pressurized Irrigation System Master Plan. These master plans included evaluation of water use data, estimation of peak water system demands for existing and future conditions, evaluation of water source and storage needs, hydraulic computer modeling, identification of existing deficiencies and future infrastructure needs.
- Development reviews for residential, commercial and industrial developments. HAL provides review assistance for proposed land development.
- Water rights studies. HAL provides on-going water rights consultation.
- Pump station design, including transient analysis and surge tank design. HAL has designed pump stations and pipelines for the City. This includes land surveying, property boundary identification, pump and well head design, HVAC and electrical design, structural design, bidding document preparation and services during construction.
- Drinking Water Storage Tank and Irrigation Pond Design. HAL has designed drinking water storage tanks and irrigation ponds. This includes surveying, planning, modeling, design, bidding document and drawing preparation, specification preparation, geotechnical investigations, bidding assistance, construction services, and coordination with City personnel, vendors, contractors and agencies.
- GIS System Coordination and Data Contributions. HAL provides GIS mapping and data services.
- Drinking Water, Pressurized Irrigation, and Sewer Collection Pipeline Design. HAL has designed water, sewer and irrigation pipelines. This includes surveying, planning, modeling, design, bidding document and drawing preparation, specification preparation, geotechnical investigations, bidding assistance, construction services, and coordination with City personnel, vendors, contractors and agencies.



CITY OF MOAB | Reference: Mr. Mark Jolissaint, P.E. | 435-259-4941 | Staff Engineer

HAL has worked with the City of Moab since 2014. We have provided planning and design services to the City for drinking water, storm water, flood plain, funding and permitting related services. A typical list of our work is described as follows:

- Water Distribution and Storage Master Plan, Impact Fee Facility Plan and Impact Fee Analysis. This water system master plan and IFFP/IFA included evaluation of water use data, estimation of peak water system demands for existing and future conditions, evaluation of water source and storage needs, hydraulic computer modeling, identification of existing deficiencies and future infrastructure needs. HAL also prepare the analysis and report for the IFFP and supported Zion Public Finance in creating the IFA.
- Water Development Review and Water Model Maintenance. HAL maintains the City of Moab Drinking Water model and responds to staff requests about water system pressures and conveyance capacity. HAL uses the hydraulic model to study and determine the effects that proposed development will have on the City water system. Results are communicated with staff and elected officials.



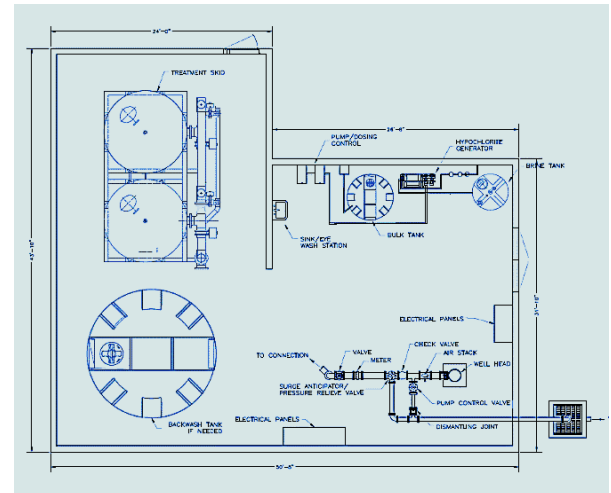
- Storm Water Master Plan. HAL assisted the City of Moab with planning of storm drainage system improvements by preparing a storm water master plan. This plan provided hydrologic and hydraulic analyses, prediction of 10 year and 100 year storm flow rates, identification of existing deficiencies in storm drain piping and detention basins, preparation of a capital facilities plan, preparation of estimated project costs.
- Mill Creek Stabilization Study and Design. Mill Creek is a beautiful and vibrant stream that flows through the City of Moab, Utah. In addition to providing critical drainage and flood conveyance capacity, the stream is part of the Mill Creek Parkway, a scenic pedestrian corridor that provides access to trails and businesses throughout Moab.
- Over the past decades, the community has constructed walkways, trails, and pedestrian bridges along Mill Creek to facilitate access to community venues. Mill Creek has experienced significant flooding and flood damage which has threatened nearby structures, including Woody's Tavern. The tavern is protected from flooding by a sub-standard retaining wall. Hansen, Allen & Luce is working with the City to obtain permitting and provide engineering design services to replace the existing retaining wall, protect nearby structures, and stabilize the stream. The project includes stakeholder involvement, land surveying, geotechnical evaluation, stream hydraulic modeling, FEMA regulation compliance, stream alteration permitting, retaining wall design, and document preparation.
- Water and Wastewater Design Criteria Manuals. HAL assisted the City of Moab by preparing design criteria manuals. These manuals establish the City design standards for development engineers to use when designing City water and wastewater improvements.
- Roadway Projects. HAL prepared bidding documents and specifications for a City street surface improvement project which include applying a chip seal treatment to several streets. HAL also prepared the design of the 100 South Reconstruction Project which included storm drain piping, inlet boxes, changing the road crown to handle more drainage, designing curb and gutter and sidewalk, signage, LID components, and striping.

SUMMIT COUNTY SERVICE AREA NO. 3 | Reference: Mr. Chris Bullock | 435-731-0107 | System Operator

HAL provides planning and design services to the Service Area for drinking water, funding and permitting related services. A typical list of our work is described as follows:

Water System Master Plan. This water system master plan included evaluation of water use data, estimation of peak water system demands for existing and future conditions, evaluation of water source and storage needs, hydraulic computer modeling, identification of existing deficiencies and future infrastructure needs. The planning process included meeting with the Board of Trustees, staff and the public.

- Water Development Review and Water Model Maintenance. HAL maintains the Service Area's drinking water model and responds to staff requests about water system pressures and conveyance capacity. HAL uses the hydraulic model to study and determine the effects that proposed development will have on the water system. Results are communicated with staff and elected officials.
- Arsenic Tracking and Compliance. One of the water system wells has arsenic levels above the primary drinking water standards. Initially, the regulators designated the well as unusable because of the high arsenic content. HAL worked with the water system and regulators to assess the well's conditions and to develop a monitoring and operations plan so that the well can be used on a limited basis.
- Conceptual Arsenic Removal Treatment Design. HAL has been working with the Service Area to develop a long term plan to use its high arsenic well. While the well can currently be used on a limited basis, the Service Area desires to expand its use. HAL assisted with the evaluation and selection of an arsenic removal technology and selection of a vendor. HAL also provided conceptual level design to assist with cost estimation and to determine building and site layouts at the feasibility level.
- Water Meter Replacement Project. Many of the water meters in the Service Area had stopped working because of age. Other water meters needed to be relocated from private residences and private property to the public right of way. HAL provided bidding and construction documents and drawings for the project. HAL provided support during construction, including coordination with the Service Area staff, the contractor and suppliers.



- Water Tank Evaluation and Bypass Plan. The Service Area owns an aging steel water tank. HAL has helped to evaluate the tank condition, identify replacement alternatives and prepare a plan to keep the water system online while the planned future replacement tank will be connected to the system.

PAYSON CITY | Reference: Travis Jockumsen, PE | 801.465.5235 | City Engineer

HAL provides ongoing assistance to Payson City to assist with the design, operation, and construction of their drinking water, pressurized irrigation, sanitary sewer, and storm water systems.

- Drinking Water and Secondary Water Master Plans. Beginning in 2018, HAL worked as part of a team to complete updates to the City's Strategic, General, and Utility Master Plans. HAL completed a major update to the City's Drinking Water and Secondary Water Master Plans, including Capital Improvements Plans, Impact Fee Facility Plans, and Impact Fee Analyses for both systems. HAL also performed a physical assessment of the Drinking Water and Pressure Irrigation systems infrastructure and proposed recommendations for improvement.

Key issues included understanding the City's water distribution system, which includes separate pressure and services zones; using complex analyses to develop demand projections, including the long-term effects of drought and conservation; developing innovative approaches to pipe network modeling and updating the City's GIS-based water system mapping.

HAL regularly collaborates with City staff to understand the City's goals and meet their ongoing needs including updating and calibrating the City's water system model and preparing water supply and demand criteria and projections.



SALEM CITY | Reference: Bruce Ward, PE | 801.423.2770 | City Engineer (now with Central Utah Water Conservancy District)

HAL provides ongoing planning and development review assistance to Salem City.

- Drinking Water and Secondary Water Master Plan. HAL's relationship with Salem City began when Salem City retained HAL to assist them with the development of a comprehensive drinking water and pressurized irrigation system master plan. In the face of heavy development pressure, the City recognized the need for a master plan to guide them through growth and development over a 40-year planning period, while ensuring an efficient and sustainable drinking water and pressurized irrigation system.

The master plan scope included comprehensive demographic and land use analysis and projections; and evaluation of past water use data using GIS mapping, billing, and production data. HAL provided an evaluation and made recommendation for level of service and system capacity requirements. HAL also developed calibrated drinking water and secondary water hydraulic models and provided an evaluation of existing and future conditions and deficiencies.

The project included an implementation/capital improvements schedule, cost estimates, economic and rate analysis and recommendations, and an Impact Fee Facilities Plan and Analysis with recommendations for appropriate impact fees. HAL has provided the City with review services for approximately 45 subdivision plans or proposed development concepts.



METHOD PROPOSED TO ACCOMPLISH THE WORK

As discussed in the beginning, the HAL team provides the full range of services required to address the City's complete list of needs for upcoming projects. Our project experience presented in this Statement of Qualifications demonstrates this experience. Provided below is a general outline of HAL's approach that we will use on projects for the City.

GENERAL OUTLINE OF APPROACH TO ACCOMPLISH SUCCESS

Summarized below is a general outline of our approach to accomplish the successful completion of projects in this contract.

1. Kick-off Meeting

- a. Listen & Learn:
 - i. Existing Challenges
 - ii. Project Objectives
 - iii. Key Issues
 - iv. Who is Involved?

2. Develop a Work Plan

- a. Focus on project objectives and timing

3. Design Workshops

- a. Use design workshops to develop pros and cons for alternative approaches

4. Regular Design Meetings

- a. Regularly scheduled design meetings
- b. Gain feedback and insights from City staff and elected officials

5. Assess Public Involvement

- a. Each project will be unique
- b. Determine what the issues will be
 - i. Dust, noise, traffic impact, Etc.

6. Identify Permitting Challenges

- a. Conditional Use Permit?
- b. Plan Approval or Construction Permit?
- c. Construction Permits?

7. Preliminary Design

- a. Obtain City feedback at 10% design stage

8. Final Design

- a. Address project objectives and City concerns
- b. Review 30%, 60%, and 90% design stages with City staff

9. Coordinate with Government Agencies

- a. Funding
- b. Permitting
- c. Construction coordination

10. Bid and Construct

- a. Watch the significant details
 - i. Corrosion protection
 - ii. Tight electrical fittings

11. Commission the Project

Quality Control Practices

Through the years HAL has developed a series of Policies and Procedures that help us attempt to achieve excellence in everything we do. The following elements are included in our Quality Assurance/Quality Control (QA/QC) Plan:

- Hiring individuals with superior education and experience
- Continuing education for all staff
- Project Management Guidelines
- Written Communication Standards
- Standard Engineering Computation Procedures
- Standard Design Drawing Details
- Standard Construction Legal Documents (developed by the American Consulting Engineers Council in conjunction with the Engineers Joint Documents Committee)
- Standard Construction Technical Specifications (developed by the Construction Specifications Institute)
- Standard Review Procedures for all engineering projects

Quality Control Organization

Project quality is an extremely important aspect for all projects completed by HAL. Quality Assurance / Quality Control (QA/QC) for projects within this contract will be completed in accordance with the detailed requirements identified in HAL's "Project Management and Quality Assurance/Quality Control Guidance Document."

Project quality is controlled via two types of project reviews, 1) the QC reviews performed by the project manager and/or project engineer, and 2) the independent QA reviews, performed by the Corporate QA Manager or a qualified senior level engineer assigned by the QA Manager.



"One of the outstanding qualities of the firm is their ability to converse with the client. Such a positive ability to communicate has afforded us a more efficient and thorough recognition of the elements of our projects."
John Newman, General Manager, South Valley Water Reclamation Facility

PERFORMING THE WORK

PROFESSIONAL STAFF

Our most valuable resource is our professional staff. Most of our engineers have a graduate degree in one of the areas of civil engineering related to water resources. A staff of experienced technical and administrative personnel supports HAL engineers. Qualifications and experience of HAL employees are summarized in the table on page 6.

GENERAL PROJECT ASSIGNMENTS

All services for a specific client are typically managed by a Principal-in-Charge who is responsible to ensure that all contractual obligations are met, that the full resources of HAL are made available to the client, and that the client is totally satisfied with our services. A Project Manager and/or Project Engineer are assigned to individual projects, with responsibility to communicate regularly with the client, to manage the project budget and schedule, to help select project criteria, to direct the daily activities of the project team and to ensure that all client, HAL, and industry standards are met. Staff is assigned to projects based on the technical requirements of specific projects, the availability of individuals during the project schedule, and the acceptability of the proposed project team to the client.

WORKLOAD

Our overall firm workload results in an employee utilization rate (percent of chargeable time compared to total time) for our total number of employees (including administrative support personnel) of around 70%. This information is reviewed on a weekly basis to help ensure an efficient and effective use of staff. Our backlog of work to be completed is typically about three to six months, which is normal for a medium-sized consulting engineering firm. Our workload varies with the combined needs of our individual clients. We know very well that our many years of success have been a result of meeting the needs of our clients on time and within budget. As a result, we make only achievable commitments to our clients.

SUBCONSULTANTS

HAL has well-established working relationships with a number of specialty subconsultants, which allows us to provide complete professional services in structural, electrical, mechanical, and geotechnical engineering, architecture, landscape architecture, financial analysis, environmental analysis, public involvement and other related disciplines, in addition to our core services in civil, environmental and water resources engineering. We have worked with these firms for many years and share common values with respect to meeting our clients' needs. Subconsultants are selected for specific projects based on individual project requirements and upon the acceptability of the subconsultant to the client.



"HAL's personnel are hard-working, friendly people who cater to their clients' desires and needs in a timely manner."
Bradley D. Stapley, P.E., Public Works Director, Springville City, Utah.

COST CONTROL MEASURES AND QUALITY ASSURANCE

QUALITY

HAL routinely receives compliments regarding the level of detail provided in our designs. The quotation below is an excerpt from a letter received from Absolute Constructors regarding the level of detail provided by HAL in our engineering design drawings and specifications. This letter is an indicator that our clients have come to understand; quality engineering designs result in construction cost savings.



QUALITY RESULTS IN COST SAVINGS

We have found the project planning and design by Hansen, Allen & Luce to be superior to that of other engineering firms. The fact that their plans and specifications are well thought out and detailed allow us as a contractor to assure that our estimate is complete and precise going into a competitive bid. We have found that we can afford to reduce our contingency on their projects because very little, if anything is left out of their project design. Their approach to design allows for fewer change orders during the project and a more harmonious flow of the job from project award to project close out.

Brent McNicol, President Absolute Constructors, Inc.

COST CONTROL AND FISCAL RESPONSIBILITY

Recognizing that our clients have established budgets for engineering services, HAL strives to charge reasonable engineering fees by tailoring the scope of our services to meet client needs, by carefully monitoring project costs, by keeping our staff productive, and by minimizing overhead expenses.

PROJECT ACCOUNTING & BILLING PROCEDURES

HAL uses Deltek accounting software to track project costs and to prepare client invoices. All employees are required to enter their time daily. Project Managers can generate project budget reports on demand. Our accounting month runs from the 1st to the end of the month. Our invoices include a statement letter which discusses the engineering efforts completed during the invoice period that our clients can compare to the contracted scope of work, project budget and project schedule.



REFERENCES

We invite you to contact our reference list below. We have enjoyed long and successful relationships with these municipalities and districts and have performed very similar work for them in the recent past.

Each of these clients have come to trust HAL with their municipal civil, water, and wastewater designs and construction services. We pride ourselves on helping our clients construct and operate sustainable and efficient utility systems.

Rob Hunter City Engineer Mapleton City 125 W. Community Center Way Mapleton, UT 84664 801.489.6253 rhunter@mapleton.org	Chris Thompson Public Works Director Spanish Fork City 2160 North 175 E. Spanish Fork, UT 84660 801.804.4543 cthompson@spanishfork.org	Mark Jolissaint City Engineer City of Moab 217 East Center Street Moab, UT 84532 435.259.4941 mjolissaint@moabcity.org
Mark Christensen City Manager Saratoga Springs 1307 N Commerce Drive Suite 200 Saratoga Springs, UT 84045 801.766.9793 markc@saratogaspringscity.com	Bruce Ward City Manager Salem City 30 West 100 South Salem, UT 84653 801.423.2770 brucew@salemcity.org	Norm Beagley Assistant City Manager and Engineer Santaquin City 1215 N Center St. Santaquin, Utah 84655 801.754.1973 nbeagley@santaquin.org

Professional Experience

Summary

Mr. Jones has more than 25 years of experience in the planning and design of gravity and pressurized drinking and secondary water systems, storm drain, and wastewater systems. He has extensive experience in Utah water rights and is well respected by the Utah Division of Water Rights for resolving issues with win-win solutions. He also regularly advises the Utah Division of Drinking Water and Utah Division of Water Resources on design standards, water use data, and other regulatory matters.

He is a recognized expert in extended-period hydraulic modeling and water system optimization. He has helped many water systems identify inefficiencies and develop sustainable solutions that provide substantial savings. He is often asked to give presentations and training on hydraulic modeling. He has taught a graduate course in hydraulic modeling and the design of water distribution systems at the University of Utah.

Mr. Jones is a member of the American Water Works Association and currently serves on the Intermountain Section's Annual Conference Program Committee. He received B.S. and M.S. degrees in Civil Engineering from Brigham Young University. For over 21 years, he has played the cello in the Orchestra at Temple Square. He is a recipient of the HAL Service with Integrity Award and the HAL Technical Excellence Award.

Experience

1999–Present: CEO, Principal, Project Manager – Hansen, Allen & Luce, Inc.

Mr. Jones' responsibilities include engineering and management functions including estimating and oversight of project budgets, execution and oversight of engineering activities, client relations and marketing assignments. The following projects are representative of Mr. Jones's experience:

Design Projects

- Salt Lake City – New Water Reclamation Facility (sustainability team)
- Salt Lake City – Waterline Upgrades
- Murray City – 24-inch West Trunk Sewer Replacement
- Price City – Water Transmission Line Replacement
- Tooele City – Interceptor Sewer
- Spanish Fork City – 24-inch Crab Creek Transmission Line
- Mantua City – Alternative Sewer System
- Blanding City – Waterline and sewer replacements, 10-mile raw water mountain pipeline

Master Plans & Studies

- Salt Lake City – Groundwater Development Master Plan
- Salt Lake City – City Creek WTP Study
- Salt Lake City – Wire-to-Water Energy Efficiency Study
- Salt Lake City – Water Use Data Recommendations
- Association of South Valley Communities – Water Reuse Master Plan
- Blanding City – Storm Drainage Master Plan, Drinking Water Master Plan, and Sewer Master Plan
- City of Saratoga Springs – Drinking Water and Secondary Water Master Plans
- City of Saratoga Springs – Water Rights Analysis
- City of South Salt Lake – Storm Drainage Master Plan, Drinking Water Master Plan
- City of Orem – Storm Drain Master Plan and Sewer Master Plan
- Draper City – Storm Drainage Master Plans and Drinking Water Master Plan
- Granger Hunter Improvement District – Drinking Water Master Plans and Sewer Master Plans, System Optimization Study
- Highland City – Wastewater Collection System Master Plan
- Layton City – Drinking Water Master Plan



Education

Master of Science
Civil and Environmental Engineering
Brigham Young University

Bachelor of Science
Civil and Environmental Engineering
Brigham Young University

Registrations

Professional Engineer – Utah, Idaho,
Arizona, Washington and Oregon

Affiliations

American Society of Civil Engineers

American Water Works Association -
Intermountain Annual Conference
Committee

Utah Rural Water Association

Cellist in the Orchestra at Temple Square

Awards

BYU Leadership Scholarship
Utah Governor's Energy Innovator of the
Year 2015

Master Plans & Studies (cont.)

- Logan City – Sewer Master Plan and Drinking Water Master Plan
- Murray City – Sewer Master Plan and Storm Drainage Master Plan
- Park City – Drinking Water Master Plan
- Riverton City – Storm Drainage Master Plan
- Salt Lake County – East Side Canal Study
- South Jordan – Water Master Plan, Water Rights Study and 40 year Plan
- Spanish Fork City – Drinking Water Master Plan, PI System Master Plan, Water Rights Study
- Springville City – Water Master Plan, Water System Optimization Study
- Tooele City – Water Master Plan, Sanitary Sewer Master Plan and Storm Drainage Master Plan
- West Jordan – Secondary Water Master Plan and Drinking Water Master Plan

System Optimization and Hydraulic Modeling

- | | |
|--|---|
| <ul style="list-style-type: none"> • American Fork City • Blanding City • Boulder, CO • City of Bellevue, WA • City of Cedar Hills • City of Corvallis, OR • City of Eugene, OR • City of North Salt Lake • City of Grantsville • City of Phoenix • Centerville City • Central Utah Water Conservancy District • City of Saratoga Springs • City of Washington Terrace • Draper City • Fruit Heights City • Granger Hunter Improvement District • Jordan Valley Water Conservancy District • Kearns Improvement District • Logan City • Magna Water Company • Mountain Regional Water Special Service District | <ul style="list-style-type: none"> • Midvale City • Moab City • North Logan City • Park City • Payson City • Provo City • Riverton City • Riverdale City • Salem City • Salt Lake City • Sandy City • South Jordan City • South Weber City • Spanish Fork City • Springville City • Summit County Service Area #3 • Suez Idaho, Boise, ID • Twin Falls, ID • West Jordan City • West Point City • Western Municipal, Riverside, CA • Woods Cross City |
|--|---|

2015 to 2018:. Associate Instructor– University of Utah – Department of Civil & Environmental Engineering

Taught Water Distribution System Design (CVEEN 6440), a graduate course in hydraulic modeling and the design of water distribution systems.

1997 to 1999:. Engineering Intern – City of Orem – Public Works Department

Worked on storm water master plan. Engineering surveying and mapping using conventional methods, GPS and GIS. Proposed and implemented a Sidewalk Risk Management and Maintenance Program using GIS which saves the City more than \$20,000 a year.

Selected Publications

- Jones, Steven C., and Robert B. Sowby. 2014. "Master Planning Your Water System: Five Benefits and a Case Study." *Water Environment & Technology* 26 (5): 30–32.
- Jones, Steven C., and Robert B. Sowby. 2014. "Quantifying Energy Use in the U.S. Public Water Industry—A Summary." *EWRI Currents* 16 (4): 6–9.
- Jones, Steven C., and Robert B. Sowby. 2014. "Water System Optimization: Aligning Energy Efficiency, System Performance, and Water Quality." *Journal – American Water Works Association* 106 (6): 66–71.
- Jones, Steven C., Paul W. Lindhardt, and Robert B. Sowby. 2015 (accepted). "Logan, Utah: A Case Study in Water and Energy Efficiency." *Journal – American Water Works Association*.

Professional Experience

Summary

Gordon has more than 30 years of wide-ranging experience in the management and design of municipal projects. Gordon has served on the staffs of five different municipalities as City Engineer (CE), and Staff Engineer (SE). He has been a Project Engineer for UDOT. He has served as a consulting Project Manager (PM) and Project Engineer (PE) for various municipalities, special service districts, and counties.

Gordon received a B.S. in Civil Engineering and a Master of Engineering Management from Brigham Young University. His managerial graduate studies included operations management, project management, transportation administration, managerial finance, business policy, managerial accounting, written/oral communication, organizational behavior, and marketing management.

Experience

Mr. Miner has more than 30 years of experience in both engineering and management function, on a variety of engineering projects. The following are lists of representative work.

Municipal Services

- (PM) City of Aurora - Formulation of city-wide policies for land development.
- (CE) Pleasant Grove City - Formulation of city-wide engineering-related policies and standards. Conducted design review of commercial and residential land development.
- (SE) Riverton City - Formulation of city-wide engineering-related policies and standards. Design review of commercial and residential land development.
- (CE) City of Saratoga Springs - Provide effective direction, control, and management over key engineering functions including: infrastructure and utilities engineering, transportation engineering, and development review.
- (CE) Springville City - Formulation of city-wide engineering-related policies and standards. Planning, organization, staffing, development and control of public works department programs. Leadership and policy direction to assigned division superintendents. Design review of commercial and residential land development.
- (PM) Wasatch County - Formulation of county-wide engineering standards. Design review of commercial and residential land development.

Water/Wastewater/Storm Drainage

- (PM) American Fork City - Design of detention and flow diversion on a 90 cfs stream.
- (PM) American Fork Irrigation Company - Inspection and evaluation of the as-constructed design of a Parshall flume.
- (PE) Association of South Valley Communities - Preliminary Analysis of Water Reuse for 8 cities in Salt Lake County - Evaluation of water reuse potential, transmission requirements, and cost.
- (PE) Bear River Water Conservancy District - Culinary water system Vulnerability Assessment.
- (PE) Beaver Dam Water Company - Culinary water Preliminary Engineering Report.
- (PM) Colleen Christensen - Proof of Beneficial Use application to the Division of Water Rights.
- (PM) Ephraim City - Wastewater reuse Preliminary Engineering Report for a funding application to the U.S. Bureau of Reclamation.
- (PE) Gibson Farms - Proof of Beneficial Use Application to the Utah Division of Water Rights.
- (PE) Grantsville City - Culinary Water Master Plan (update), using WaterNetworks.
- (PE) Highland City - Design of a secondary water system consisting of about 35 miles of pipelines ranging from 6 inches in diameter to 36 inches in diameter.
- (PE) Magna Water Company - Culinary water system Vulnerability Assessment.
- (PM) Ludlow Engineering - Meadows at Bald Mt. Plat B - FEMA Letter of Map Revision (LOMR).
- (PM) Mendon City - Culinary water system Master/Capital Facilities Plan.



Education

Master of Engineering Management
Brigham Young University

Bachelor of Science
Civil Engineering
Brigham Young University

Registrations

Professional Engineer – Utah

Affiliations

Member American Public Works Association
(APWA)

Utah Land Use Task Force (previous)

Water/Wastewater/Storm Drainage (continued)

- (PM) Mendon City - Drinking water system Impact Fee Analysis.
- (PE) Midvale City - Culinary water system Vulnerability Assessment.
- (PE) Pacificorp - Critical review of Probable Hydrologic Consequences Report on Electric Lake.
- (PE) Park City - Culinary water system Vulnerability Assessment.
- (PM) Riverton City - Design of 400-cfs creek channel improvements, including a double-trapezoidal design, several drop structures, chute, box culvert under a canal, and energy dissipation, using HEC RAS.
- (PM) Riverton City - Design and const. management of 2,500 feet of 42-inch storm drain.
- (SE) Riverton City - Secondary water system (city wide) computer model, using EPANet.
- (SE) Riverton City - Design of 4150 West Storm Drainage Pump Station.
- (SE) Riverton City - Design of Taylor Acres storm drainage system retrofit.
- (SE) Riverton City - Design of Rose Creek Park inlet/outlet works retrofit.
- (SE) Riverton City - Design of 12600 South PRV Station.
- (SE) Riverton City - Storm drain system (city wide) computer model, using Autodesk SSA
- (PM) RLP Enterprises - Storm drainage master plan and detention pond sizing for a 52-acre residential subdivision, using EPA's SWMM 5.0 computer model.
- (PE) Sandy City - Hydraulic analysis, site grading/drainage, and design of 1,000 feet of 12-inch diameter transmission pipeline for a 2.2 MGD deep-well pumping station.
- (PE) Sandy City - Hydraulic analysis, site grading/drainage, design of 1,500 feet of 18-inch flush-to-waste pipeline, and design of 100 feet of 16- and 10-inch diameter transmission pipelines for a 2.9 MGD deep-well pumping station.
- (PE) Sandy City - Hydraulic analysis, site grading/drainage, and design of 540 feet of 24-inch diameter flush-to-waste pipeline for a 5.8 MGD deep-well pumping station.
- (PM) Skyline Mountain Special Service District - Well Siting Study.
- (PM) Skyline Mountain Special Service District - Culinary water system Preliminary Engineering Report and Rate Study.
- (PE) South Jordan City - Culinary water system Vulnerability Assessment.
- (PM) South Jordan City - Renovation of infrastructure of a 58-lot Subdivision consisting of storm drainage culinary water, secondary water, streets, and the addition of two 6' x 15' box culverts in Midas Creek.
- (PE) South Utah Valley Municipal Water Association - Water Inventory and Needs Assessment.
- (PM) Sundance Ski Resort - Design and construction management of two 5,000-gallon commercial wastewater pre-treatment units.
- (PM) Sundance Ski Resort - System review and approval of the design of about 13,000 feet of 6-inch and 8-inch diameter steel pipe. Check for proper piping design to accommodate the required flows at pressures ranging from 200 psi to 700 psi.
- (PE) Utah Industrial Depot - Storm Drainage Master Plan

Transportation

- (PE) Brian Head Town - Design of Brian Head Boulevard consisting of about 1/3 miles of steep grade with several vertical curves, superelevation, and a snowmobile underpass.
- (PE) Brian Head Town - Design of Mall Entry Road consisting of widening of SR-143 and a roundabout.
- (PE) Business Depot Ogden (BDO) Reuse Project - Design of a section of Depot Drive and a new SR-39 access.
- (PE) Business Depot Ogden (BDO) Reuse Project - Re-design of West 2nd Street to improve grade and width.
- (CE) Pleasant Grove City - Conceptual design of the corrective realignment of 200 South and US-89.
- (CE) Pleasant Grove City - Re-design of the intersection of Center St. and 600 W. to correct vertical alignment.
- (SE) Riverton City - Design of street and irrigation improvements on 11800 S. from Redwood Rd. to 2700 W.
- (SE) Riverton City - Design of Water Park Road from Sanborn Drive to 13680 S. • (SE) Riverton City - Design of realignment of Bobcat Drive.
- (SE) Riverton City - Design of continuation of 4150 West.
- (PM) Taylorsville City - Street Improvements for Taylorsville City consisting of about 2,500 feet of storm drainage piping, irrigation piping, curbing, and sidewalk.
- (PE) Utah Department of Transportation - Design of about 12 miles of freeway on I-15.

Land Development

- (PM) Gateway Retail Center - Grading/Drainage/Utility Plan
- (Owner) Gordon Miner - Annexation, rezoning, subdivision approval, design, and construction management of a 12-lot residential subdivision
- (PM) Nucor Building Systems - Grading/drainage/utility plan and sizing of three detention ponds for a 50-acre commercial site
- (PE) Old Dominion Freight Lines - Grading and Drainage Plan
- (PM) Price City Redevelopment Agency - Civil engineering design of 35-acre Price Business Industrial Park with a flood-through channel
- (PE) Swift Transportation - Grading and Drainage Plan
- (SE) Riverton City - Design of the City Civic Center parking lot, with storm drainage detention and UDOT access permitting
- (SE) Riverton City - Design of the Riverton City Public Works Facility grading and drainage, and site utilities.

Land Development (continued)

- (PM) Timpanogos Academy - Grading and Drainage Plan with two storm drainage detention ponds
- (PM) Utah Valley University, Computer Sciences and Engineering Building - Grading/Drainage/Utility Plan
- (PE) Valley Center Towers - Grading and Drainage Plan
- (PM) 35th South Auto Sales - Grading and Drainage Plan with storm drainage detention
- (Owner) Gordon Miner – General contractor for the construction of my primary residence

Environmental

- Committee Member (former), APWA Utah Chapter Storm Water Committee
- (PE) Draper City - UPDES Phase II Storm Water Discharge Permits
- (PE) Envirocare of Utah - Hydrogeologic site characterization
- (PE) E-Systems - Hydrogeologic site characterization
- (PM) Frito-Lay, Inc. - Storm Water Pollution Prevention Plan for industrial activities
- (PE) Lynn Wilson Foods - Hydrogeologic site characterization
- (PE) Midvale City - UPDES Phase II Storm Water Discharge Permits
- (PE) Mountain Air Gas - Hydrogeologic site characterization
- (PM) Nucor Building Systems - Construction Storm Water Pollution Prevention Plan for a 35-acre commercial site

Presentations

- Presentation about avoiding estoppel claims by properly communicating engineering “approvals”, Utah City Engineers Association Conference, St. George Utah
- Co-Presenter with Spanish Fork City on Low-Impact Design (LID) Strategies, American Public Works Association Fall Conference, Salt Lake City, Utah
- Presentation on History and Proper Application of the “FAA Method” for Detention Pond Sizing, American Public Works Association Fall Conference, Salt Lake City, Utah
- Presentation on Investigation and Characterization of Hazardous Waste Sites, ASCE BYU Student Chapter Seminar, Provo, Utah - The presentation addressed the process and techniques of investigating and characterizing hazardous waste sites that are regulated by the federal CERCLA regulations.
- Numerous Presentations for Marketing Purposes, Hansen, Allen & Luce, Inc.
- Presentation on Establishing a Special Improvement District, Pleasant Grove City, Pleasant Grove, Utah – The presentation was given in a Pleasant Grove City Council Meeting as the City was considering establishing a street improvements SID.
- Presentation on Phase II Storm Water Regulations, Utah League of Cities and Towns “Road School”, St. George, Utah - Joint presenter with Harry Campbell, Storm Water Coordinator, Utah Division of Water Quality. The presentation addressed the “Six Minimum Control Measures” as contained in the federal regulations.
- Presentation on Storm Water Pollution-Prevention Best Management Practices, Utah Division of Water Quality Special Seminar, Utah Valley State College, Orem, Utah.

Professional Experience

Summary

Ben has more than 24 years of experience serving the water resource needs of municipal, industrial, and agricultural clients. He specializes in drinking water systems, including 1) water well evaluation, design, construction and rehabilitation, 2) pump station and pipeline design and construction, 3) transient analysis of pipelines 4) cost estimating 5) project management, 6) funding assistance, 7) stakeholder involvement and 8) regulatory coordination and permitting. Ben has extensive experience in water system master planning, hydraulic modeling, impact fee facility planning and analysis and coordination with financial planners, local governments, and regulatory agency officials. Ben received a B.S. in Civil Engineering from Utah State University and a Master of Public Administration from the University of Utah.

Experience

1997 – Present: Principal, Project Manager – Hansen, Allen & Luce

Mr. Miner has more than 23 years of experience in both engineering and management function, on a variety of engineering projects.

Groundwater, Wells and Pump Stations

- Beaver and Shingle Creek Irrigation - Well Rehabilitation and Pump Station Design
- CUWCD – Testing, Rehabilitation and New Pumping Equipment for 5 Wells
- Circle 4/Smithfield – Pinnacle P1 Well Design, Construction, and Pumping Equipment
- Circle 4/Smithfield – Skyline South No. 5 Design and Construction
- Circle 4/Smithfield – Skyline South No. 5 Pump Station
- Confidential Client – Girl's Camp Booster Station, Pipelines and Three Water Storage Tanks
- Confidential Client (Power) – Well Head Biofouling Acid Injection Design
- Confidential Client (Power) – Current Creek Wells, Pump Station and Pipeline Design and Construction
- IRL – Air Quality Control Well and Pumping Equipment
- City of Mendon – Booster Station and Cobblestone Well System Upgrades
- Tooele City – Consultation and Design Assistance for Kennecott B, Rodeo, Berra and Park Wells.
- Tooele City – Groundwater Evaluation
- Tooele City – Wells and Aquifer Review
- Saratoga Springs – Well No. 4 Repairs and Performance Evaluation
- Summit County Service Area No. 3 – District Well Maintenance Evaluation
- Summit County Service Area No. 3 – Greenfield and District Wells Quarterly Arsenic Evaluation

Water System Planning, Modeling and Design

- Bear River WCD - Collinston Project Demand Study, Modeling, and Design
- Bear River WCD - Collinston Project Demand Study, Modeling, and Design
- City of Moab – Water Distribution and Storage Master Plan, Impact Fee Facility Plan and Impact Fee Analysis
- Confidential Client – Girl's Camp Water Modeling, Booster Station and Water Tank Design and Construction
- CUWCD - Water Rights 40-Yr Plan
- Draper City – Freeway Pump Station – Transient Analysis
- Highland City - Pressurized Irrigation Master Plan
- Summit County Service Area No. 3 – Development Review Water Modeling
- Summit County Service Area No. 3 – Water Master Plan
- Summit County Service Area No. 3 – Fire Flow Projects and PRV Design
- Tooele City – Water Master Plan
- Tooele City – Development Reviews and Water Modeling
- Tooele City – Anderson Well Transient Analysis
- Granger Hunter Improvement District - Well No. 14 Surge Analysis
- Granger Hunter Improvement District - Well No. 16 Surge Analysis



Education

Master of Public Administration
University of Utah

Bachelor of Science
Civil Engineering
Utah State University

Registrations

Professional Engineer – Utah

Professional Engineer (Civil) - Nevada

Affiliations

American Society of Civil Engineers

American Public Works Association

Utah Floodplain and Stormwater
Management Association

Awards

Technical Excellence Award
Hansen Allen & Luce, Inc.

Vaughn E. Hansen Service with Integrity
Award
Hansen Allen and Luce, Inc.

Wastewater

- Mount Olympus – Wastewater Collection System Master Plan
- Tooele County - Septic Tank Density Study
- Tooele County – Wastewater Regionalization Plan for Northern Tooele Valley
- Springville City – Wastewater Collection System Master Plan
- South Valley Sewer District – Capital Facilities Plan and Impact Fee Analysis
- South Valley Sewer District – 104th & Bangerter Sewer Relocation
- South Valley Sewer District - Jordan River Interceptor Analysis
- City of Moab - Wastewater Collection System Design Criteria Manual
- Murray City - Wastewater Collection System Master Plan
- Tooele City – Investigative Study on the Sanitary Sewer Flooding
- Tooele City - Master Plan of Potential Annexation Area

Development Review

- City of Moab - Development Review
- Summit County Service Area No. 3 - Development Review
- Tooele City - Development Review
- Springville City – Develop Review (wastewater)

Water Supply

- Tooele City – Groundwater Study for the Tooele Valley
- Tooele City – Wells and Aquifer Evaluation Study
- Tooele City – Water System Master Plan
- City of Moab – Water Distribution and Storage Master Plan
- Bear River WCD - Collinston Project Demand Study, Modeling, and Design
- CUWCD - Water Rights 40-Yr Plan
- CUWCD - Nephi Irrigation Wells Evaluation and Pump Upgrades
- Granger Hunter Improvement District - Well No. 14 Surge Analysis
- Granger Hunter Improvement District - Well No. 16 Surge Analysis
- Highland City - Pressurized Irrigation Master Plan

Storm Drainage

- City of Moab – Mill Creek Parkway Stream Stability Evaluation
- City of Rock Springs - Bitter Creek Hydraulic Design and CLOMR
- Salt Lake County - Neffs Canyon Master Plan
- Tooele City - 600 North Storm Drain
- Tooele City - Master Plan of Potential Annexation Area
- Tooele City - Storm Drain Master Plan
- Various FEMA Flood Plain Mapping Projects

STANDARD FEE SCHEDULE 2024

PERSONNEL CHARGES

Client agrees to reimburse Hansen, Allen & Luce, Inc. (HAL), for personnel hourly rates related to the completion of the project, in accordance with the following:

Managing Professional III	\$228
Managing Professional II	\$220
Managing Professional I	\$208
Senior Professional III	\$197
Senior Professional II	\$188
Senior Professional I	\$174
Professional III.....	\$163
Professional II.....	\$147
Professional I.....	\$138
Professional Intern.....	\$127
Environmental Scientist I	\$119
Environmental Scientist II	\$133
Engineering Student Intern	\$76
Water Resource Specialist I	\$140
Water Resource Specialist II	\$161
Professional Geologist.....	\$161
Senior Designer.....	\$140
Designer	\$127
Senior Field Technician	\$132
Field Technician	\$100
CAD Operator.....	\$111
Public Relations Specialist.....	\$158
Administrative Assistant	\$76
Professional Land Surveyor.....	\$156
1 Man GPS Surveying Services.....	\$175
Drone Pilot	\$210
Expert Legal Services.....	\$345

DIRECT CHARGES

Client also agrees to reimburse HAL for all other costs related to the completion of the project. Charges shall include, but not be limited to, the following:

Communication, Computer, Reproduction	\$7 per labor hour
Out-of-town per diem allowance (lodging not included)	\$66 per day
Vehicle	\$0.70 per mile
Outside consulting and services	Cost plus 10%
Other direct expenses incurred during the project	Cost plus 10%
Trimble GPS Unit	\$150 per day
Data Logger/Transducer.....	\$150 per week
Credit Card Payment Fee	3.5% of Payment Amount

INTEREST CHARGE AFTER 30 DAYS FROM INVOICE DATE..... 1.5% per month

Note: Annual adjustments to personnel and expense charges will occur in January of each year.

File Attachments for Item:

9. Consideration and possible approval of a statement by the Town Council regarding density under the Hideout Master Development Agreement



Philip Rubin – Mayor
Jan McCosh - Town Administrator
Alicia Fairbourne – Recorder

Council Members

Chris Baier
Jonathan Gunn
Carol Haselton
Bob Nadelberg
Ralph Severini

Mustang Development, LLC
2720 Homestead Road, Suite 200
Park City, Utah 84098
c/o Scott DuBois, Registered Agent
SDuBois@parsonsbehle.com

June 13, 2024

Re: The Town's Formal Ratification of Polly McLean's August 4, 2021, Letter and Disavowal of the analysis in Thomas Eddington's staff reports regarding Shoreline Phase III

Dear Mustang Development, LLC:

As you know, on August 4, 2021, the Town Attorney, Polly McLean, sent Mustang Development, LLC a letter regarding "Mustang Development MDA issues." A copy of that letter is attached. Through that letter, Ms. McLean stated the Town's position with respect to an analysis included in the April 12 and April 24, 2021 staff reports regarding the application for plat approval for Shoreline Phase III. Specifically, she indicated that the Town had not, and did not, adopt that analysis.

Although Ms. McLean, as Town Attorney, had authority to speak on behalf of the Town with respect to this matter, which was under active litigation at the time, the Town Council has now formally ratified Ms. McLean's letter. It is doing so during the open and public Council meeting held on June 13, 2024. As Ms. McLean previously stated,

The Town did not formally adopt Mr. Eddington's analysis as its own; it did not have any occasion to, as resolution of the application did not require a determination of the issues his analysis addressed. Having reviewed the issue in more detail, the Town appreciates the work that went into Mr. Eddington's analysis but does not adopt that analysis. The Town has lived by the MDA and will continue to do so.

Hideout recognizes that the MDA authorizes a maximum equivalent residential unit figure of 1,975 for the development. Mustang has the right to utilize that density. It may do so on the Property defined in 1.2.36 without having annexed the Outside Property, as defined in 1.2.27, provided that when the ERUs "based on" or "attributable" to the Outside Property acreage are being used on the Property, the corresponding deed restrictions are placed on the Outside Property to ensure that the density is accounted for. In addition, as specifically provided in 3.2, in the event that the Outside Property is developed without having been annexed into the Town, "any such units shall be deducted

from the [1,975].” Any analysis to the contrary does not reflect the Town’s interpretation of the MDA or its intended application of the MDA moving forward.

The above has represented and continues to represent the position of the Town.

To be clear, the Town has *not* adopted and does *not* adopt Mr. Eddington’s analysis that (1) the total density under the MDA is 1,959 ERUs, (2) that “amenities – retail, dining and entertainment – must be constructed prior the construction of additional residential units,” and (3) that homes constructed over 5,000 square feet are allocated at least 1.5 units of density. As discussed in Ms. McLean’s letter, the Town recognizes that the density available under the MDA is 1,975 for the development.

In addition to this matter having been discussed at the open and public Council meeting and a draft of this letter appearing in the packet for that meeting, a copy of this signed letter will be posted on the Town’s website so that it is publicly available. Please feel free to provide a copy to anyone who you believe may be affected or interested.

Hideout looks forward to having a cooperative working relationship with Mustang under the terms of the MDA.

Sincerely,

TOWN OF HIDEOUT

Mayor Phil Rubin

Polly McLean, Town Attorney
pmclean@hideoututah.gov



10860 No. Hideout Trail
Hideout, UT 84036
www.hideoututah.gov

August 4, 2021

Scott DuBois

Sent via email: SDuBois@joneswaldo.com

Re: Mustang Development MDA issues

Dear Scott,

This letter is to respond to your letter dated April 20, 2021. As you know, Hideout Town's Planner provided an evaluation of the MDA in advance of the Planning Commission's recent evaluation of the pending Shoreline Phase III Plat application. The analysis ended up not being necessary to the decision on that application. The Town did not formally adopt Mr. Eddington's analysis as its own; it did not have any occasion to, as resolution of the application did not require a determination of the issues his analysis addressed. Having reviewed the issue in more detail, the Town appreciates the work that went into Mr. Eddington's analysis but does not adopt that analysis. The Town has lived by the MDA and will continue to do so.

Hideout recognizes that the MDA authorizes a maximum equivalent residential unit figure of 1,975 for the development. Mustang has the right to utilize that density. It may do so on the Property as defined in 1.2.36 without having annexed the Outside Property, as defined in 1.2.27, provided that when the ERUs "based on" or "attributable" to the Outside Property acreage are being used on the Property, corresponding deed restrictions are placed on the Outside Property to ensure that the density is

accounted for. In addition, as specifically provided in 3.2, in the event that the Outside Property is

developed without having been annexed into the Town, “any such units shall be deducted from the [1,975].” Any analysis to the contrary does not reflect the Town’s interpretation of the MDA or its intended application of the MDA moving forward.

Hideout looks forward to what we hope will be a productive and cooperative working relationship with Mustang moving forward.

Sincerely,

A handwritten signature in dark ink, appearing to read "Polly S. McLean". The signature is fluid and cursive, with the first name "Polly" being more prominent than the last name "McLean".

Polly Samuels McLean

Cc: Gary Crane, Mediator