

NOTICE OF A JOINT VINEYARD CITY COUNCIL AND PLANNING COMMISSION MEETING February 23, 2022, at 6:00 PM

PUBLIC NOTICE is hereby given that the Vineyard City Council and Planning Commission will hold a joint meeting on Wednesday, February 23, 2022, at 6:00 p.m., or as soon thereafter as possible, following the Redevelopment Agency Board meeting, at City Hall, 125 South Main Street, Vineyard, Utah. This meeting can also be viewed on our <u>live stream page</u>.

AGENDA

Presiding Mayor Julie Fullmer

1. CALL TO ORDER/INVOCATION/INSPIRATIONAL THOUGHT/PLEDGE OF ALLEGIANCE – to be announced.

2. WORK SESSION

2.1 WALKARA WAY

Community Development Director Morgan Brim will lead a discussion about the Walkara Way project. There will be no action taken at this time. (*This discussion is being postponed to a future meeting.*)

REGULAR SESSION

3. PUBLIC COMMENTS

(15 minutes)

"Public Comments" is defined as time set aside for citizens to express their views <u>for items</u> <u>not on the agenda</u>. Each speaker is limited to three minutes. Because of the need for proper public notice, immediate action **cannot** be taken in the Council Meeting. If action is necessary, the item will be listed on a future agenda, however, the Council may elect to discuss the item if it is an immediate matter of concern.

Public comments can be submitted ahead of time to pams@vineyardutah.org.

4. MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

5. STAFF, COMMISSION, AND COMMITTEE REPORTS

(3 minutes each)

5.1 City Manager Ezra Nair

5.2 Planning Commission Chair Jeff Knighton

6. CONSENT ITEMS

6.1 Approval of the February 9, 2022, City Council Minutes

7. APPOINTMENTS

No names were submitted.

8. PRESENTATIONS/RECOGNITIONS/AWARDS

8.1 PRESENTATION – Vineyard Waterfront Master Plan

Community Development Director Morgan Brim and Susan Petheram with FFKR will present a draft of the Vineyard Waterfront Master Plan.

9. BUSINESS ITEMS

9.1 DISCUSSION AND ACTION – TRCC Grant Waterfront Catalyst Project

Community Development Director Morgan Brim and Susan Petheram with FFKR will present a request for approval of a Waterfront Catalyst Project. The mayor and City Council will take appropriate action.

9.2 DISCUSSION AND ACTION - Land Donation Sunset Beach Park (Resolution 2022-06)

(5 minutes)

City Engineer Naseem Ghandour will present a Warranty Deed for the dedication of the property currently known as Sunset Beach Park. The mayor and City Council will act to adopt (or deny) this request by resolution.

9.3 DISCUSSION AND ACTION – Open Space Land Dedication in The Springs

Subdivision (Resolution 2022-07)

(5 minutes)

City Planner Briam Amaya Perez will present a land dedication of open space in the Springs subdivision to the Waters Edge Homeowners Association. The mayor and City Council will act to adopt (or deny) this request by resolution.

10. TRAINING

10.1 Open and Public Meetings Act and Roberts Rules of Order Training

City Attorney Jayme Blakesley will present annual training on Open and Public Meeting procedures and requirements. This training is provided annually pursuant to Section 52-4-104 of the Utah State Code. This will also include Roberts Rules of Order training. The City Council as well as members of the Planning and Bicycle, Heritage Commissions have been invited to attend this training.

11. CLOSED SESSION

The Mayor and City Council pursuant to Utah Code 52-4-205 may vote to go into a closed session for the purpose of (these are just a few of the items listed, see Utah Code 52-4-205 for the entire list):

- (a) discussion of the character, professional competence, or physical or mental health of an individual
- (b) strategy sessions to discuss collective bargaining
- (c) strategy sessions to discuss pending or reasonably imminent litigation

- (d) strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares
- (e) strategy sessions to discuss the sale of real property, including any form of a water right or water shares
- (f) discussion regarding deployment of security personnel, devices, or systems;
- (g) the purpose of considering information that is designated as a trade secret, as defined in Section <u>13-24-2</u>, if the public body's consideration of the information is necessary in order to properly conduct a procurement under <u>Title 63G</u>, <u>Chapter 6a</u>, <u>Utah</u> <u>Procurement Code</u>;

12. ADJOURNMENT

The next regularly scheduled meeting will be held on Wednesday, March 9, 2022.

This meeting may be held in a way that will allow a councilmember to participate electronically.

The Public is invited to participate in all City Council meetings. In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the City Recorder at least 24 hours prior to the meeting by calling (801) 226-1929.

I the undersigned duly appointed Recorder for Vineyard, hereby certify that the foregoing notice and agenda was emailed to the Salt Lake Tribune, posted at the Vineyard City Offices, the Vineyard website, the Utah Public Notice website, and delivered electronically to city staff and to each member of the Governing Body.

AGENDA NOTICING COMPLETED ON: February 22, 2022

CERTIFIED (NOTICED) BY: /s/ Pamela Spencer

PAMELA SPENCER, CITY RECORDER



MINUTES OF A VINEYARD CITY COUNCIL MEETING

City Council Chambers 125 South Main Street, Vineyard, Utah February 9, 2022, at 5:00 PM

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Present Absent

Mayor Julie Fullmer 12

Councilmember Tyce Flake 13

Councilmember Amber Rasmussen 14

Councilmember Mardi Sifuentes 15

Councilmember Cristy Welsh (entered at 5:12 PM)

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Staff Present: City Manager Ezra Nair, Building Official George Reid, Public Works Director Chris Wilson, Finance Director David Mortensen, City Engineer Naseem Ghandour, Community Development Director Morgan Brim, City Planner Briam Amaya Perez, Planning Technician Cache Hancey, Water Manager Sullivan Love, Development Services Technician Anna Nelson, Planning Commission Chair Jeff Knighton, Planning Commission Vice-chair Bryce Brady,

22 Planning Commissioners Tim Blackburn, Christopher Bramwell, and Marcus Jessop 23

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Others speaking: Jon Benson, President and Chief Operating Officer of Lake Restoration 25 Solutions; Residents Keith Holdaway, Sherrie Kaye Miller, and Daivd Lauret; Orem residents 26 Chad Chorniak and John Whitaker

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1. CALL TO ORDER/INVOCATION/INSPIRATIONAL THOUGHT/PLEDGE OF ALLEGIANCE

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Mayor Fullmer opened the meeting at 5:06 PM. Councilmember Rasmussen gave an inspirational thought and led the Pledge of Allegiance.

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2. WORK SESSION

2.1 WALKARA WAY

Community Development Director Morgan Brim will lead a discussion about the Walkara Way project. There will be no action taken at this time.

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Mayor Fullmer explained that this discussion was being postponed to the next meeting.

2.2 Utah Lake Restoration

Utah Lake Restoration Group will lead a discussion about lake solutions. There will be no action taken at this time.

Mayor Fullmer turned the time over to Jon Benson, President and Chief Operating Officer of Lake Restoration Solutions.

Mr. Benson explained that they had hired Geosyntec Consultants and other members of the team who were working on the lake restoration project. He gave a brief history of Utah Lake and explained why dredging and island creation would be beneficial. He reviewed their lake restoration plan. He mentioned that there were five (5) phases and three (3) different land types. He showed renderings of wildlife islands, recreation islands, community islands, and what it would look like from the shore. They felt that this project was significant for Vineyard and said that they wanted to start near Vineyard and save the shoreline. He reviewed the permitting process. He briefly showed two of their projects that they had already completed.

Mayor Fullmer asked about the Dubai Island project that failed. Mr. Benson replied that the islands were built to create a big glamorous city and there was not a demand for second housing, so the project failed. The lake restoration project would be built to solve restoration, environmental, housing needs.

Mayor Fullmer asked about their goals and obligations for the lakeshore. Mr. Benson replied that they did not want to see wetlands developed. He said that they had no interest in purchasing or developing wetlands. He added that they were supporters of the Walkara Way Project.

Mayor Fullmer asked about problems with dredging the lakebed and evaporation. Mr. Benson explained why some of other dredging projects had gone wrong. He added that evaporation came from the Pacific Ocean.

Mayor Fullmer asked for a full timeline for the project. Mr. Benson reviewed the timeline that would be in place if they received all approvals. There was a discussion about the process.

Councilmember Flake asked about the roads coming from the islands into the Vineyard area. Mr. Benson replied that the placement of the roads was not something they were allowed to determine. He said that there would be a combination of bridges, elevated roadways, and causeways.

Mayor Fullmer asked if a harbor would create dead zones. Mr. Benson replied that their modeling did not suggest that it would be a dead zone.

There was a discussion about acreage and the size of the islands.

Mayor Fullmer stated that the city would like to have a say on zoning, build-out, and traffic patterns. Mr. Benson replied that they would be happy to collaborate with the city. A discussion ensued.

Councilmember Sifuentes asked what Vineyard's shoreline would look like. Mr. Benson replied that the lake perimeter should remain unchanged and be more stable.

Councilmember Welsh asked how close to Vineyard would the dredging start. Mr. Benson replied that he did not know yet and wanted feedback from the city.

Councilmember Flake mentioned that the city was being accused of working with Lake Restoration Solutions, which they were not. He felt that the more they knew, the better they would feel. If they chose Vineyard's end of the lake to start the project, they would need to know everything they did so that it did not affect the city negatively. He felt that communication needed to start now. Mr. Benson agreed.

Councilmember Welsh felt it had been difficult for people to see the design that borders the city. She said that the city was already tapping into the lake as an asset. She emphasized that the city council cared about every square foot of the city. She felt offended to have this come in without seeing it first. Residents had expressed concerns about a state road potentially running through the city.

Mayor Fullmer said that there were several projects going in that had nothing to do with each other, but they were being connected in the public mind. She reviewed the projects.

Councilmember Welsh stated that, for the record, she was not against Utah Lake Authority bill (HB 232) that was currently in the legislature. There was a discussion about where the roads could be placed and the design of their project.

Councilmember Welsh asked about the renderings that were showing a downtown-like structure on the islands. Mr. Bensen replied that this was not their rendering, nor their vision. He reviewed the types of spaces that would be on the islands.

Councilmember Sifuentes asked Mr. Benson what he wanted the council to understand were misconceptions in the news. Mr. Benson replied that there had been a lot of emotional dialogue about people's concerns. He said that one question was "what would happen if the taxpayers were left with the bill?" He explained that there was a \$10 million loan guarantee that had been appropriated by the state and the rest would be privately backed. Another question was "what if they only did one phase and then it didn't work?" He explained that each island would be self-contained. He added that there would be surety bonds for each phase.

Councilmember Rasmussen stated that she was not sure why they were debating this now. She said that she had seen other projects being successful and had hope that the future was bright for the lake. She said that if they wanted to convince her, they needed to show her the evidence. She asked about the sustainability aspect. Mr. Benson felt the Councilmember Rasmussen's comments were reasonable. He said that the communities would be highly sustainable.

Mayor Fullmer asked when the town halls and public relations would begin. Mr. Benson said that they were hoping to start the process around April. Mayor Fullmer stated that the city would continue to post the public comment process for the residents.

- Mayor Fullmer called for questions from the public in attendance.
- Councilmember Welsh asked about housing types and how dense the housing would be. Mr. Benson replied that it would be mix of housing and explained the different housing types.
 - Mayor Fullmer thanked Mr. Benson for his presentation.
 - Resident Keith Holdaway, living on Holdaway Road, asked what the expected build out population for Vineyard was. Mr. Brim replied that they were anticipating build-out to be around 35,000 to 45,000 residents. Mr. Holdaway asked how many acres of land would be developed on

the lake. Mr. Benson replied that it would be around 2,800 acres for the entire project. There was a discussion about the density on the project.

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Orem resident Chad Chorniak asked if the claims they were making about the condition of the lake were correct. Mr. Benson replied that he believed the scientific data. Mr. Chorniak read from the history section of the Lake Restoration Solutions' website, where it stated that the lake did not have usable sites. Mr. Chorniak felt that there were five (5) sites on the lake that were usable. Mr. Benson replied that they would correct the website.

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Orem resident John Whitaker stated that there were 670,000 people living in Utah county with a 2.5 percent population increase. He expressed concerns with getting people on and off of the islands and asked what they were going to do about transportation. Mr. Benson restated that the estimated 500,000 residents on the lake was not their desired number and that traffic engineers were looking at it.

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Resident Sherrie Kaye Miller, living on Holdaway Road, asked how much federal money would be spent might dictate what affordable housing meant. Mr. Benson replied that to him, affordability meant more product types that would be affordable, which would include apartments. Mayor Fullmer stated that they did not know what affordable housing would look like.

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Mayor Fullmer suggested that if there were additional questions or comments, they should reach out the Lake Restoration Solutions group or go to the comments link on the Army Corps of Engineers website.

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2.3 SUMMER CELEBRATION

Development Services Technician Anna Nelson will lead a discussion about the Summer Celebration.

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Mayor Fullmer turned the time over to Development Services Technician Anna Nelson.

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Ms. Nelson explained that she was the event coordinator for the city. She said that she wanted to create a standard for the city and come up with branding for the annual summer event. Mayor Fullmer felt that they should come up with a timeline to come up with names. The council wanted staff to bring ideas and then bring them to the council for a vote. There was a discussion about how to brand the event.

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Ms. Nelson stated that staff wanted to continue with a carnival but were not able to this year. She explained that the carnival companies were booked our for three (3) to five (5) years in advance for the weekend that Vineyard traditionally held its event, and said that if council wanted the carnival, they would have to change the date of the event. She explained how she chose the activities for the event. She said that they only had a budget of \$20,000 but hoped to get vendors to help offset the costs.

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Ms. Nelson reviewed the first two (2) options.

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Councilmember Sifuentes expressed concern with people having to stand in lines for the activities. Ms. Nelson replied that would be one of the benefits of having it be a two-day event. They could spread the activities out. The heritage events would be free, and the second day would have a cost to help minimize the lines. Councilmember Welsh felt that the two days might spread out the lines. There was a discussion about what to have on what day. Heritage

.98	Commission Chair Tim Blackburn stated that the Heritage Commission did not have a preference on the days.
200 201 202 203 204 205	Councilmember Sifuentes asked about having a foam machine that could keep kids entertained at a high capacity. Ms. Nelson expressed concern with the foam damaging the grass. There was a discussion about the activities and getting sponsors to offset the costs. Chief Sanderson stated that the Orem Fire Department would be happy to participate and use foam that was safe for the grass. There was a discussion about the foam.
206 207 208	Ms. Nelson reviewed option 3. There was a discussion about the third option.
208 209 210	There was a discussion about the event and the budget.
211 212 213 214	Councilmember Rasmussen suggested that they have interactive activities during the day for the children and a concert at night for the adults. Mayor Fullmer suggested they do the two days with the interactive activities and try to acquire sponsors.
215 216 217	Ms. Nelson asked for approval for placement of the fireworks in the park. The council agreed on the location.
218 219 220	REGULAR SESSION
221 222 223	3. PUBLIC COMMENTS
224 225 226	Mayor Fullmer called for public comments. Hearing none, she closed the public comments session.
227 228 229 230 231	4. MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS There were no council comments.
232 233 234	5. STAFF, COMMISSION, AND COMMITTEE REPORTS5.1 Interim City Manager George Reid reported that Topgolf had their building permit.
235 236 237 238 239 240	5.2 Planning Commission Chair Jeff Knighton reported that, for the record, the Planning Commission had not had engagement with the Lake Restoration Group, and they were looking forward to it. He said that the commission had looked at the Utah Lake Authority bill (HB 232) and how it would impact the city. Mayor Fullmer mentioned that she was a liaison for the bill. She asked if there was anything that needed to be added. Chair Knighton felt that the current version was a good bill.

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5.3 Orem Fire Chief Marc Sanderson gave his quarterly report.

6. CONSENT ITEMS 245 **6.1** Approval of the January 26, 2022, City Council Meeting Minutes 246 247 Mayor Fullmer called for a motion. 248 249 Motion: COUNCILMEMBER WELSH MOVED TO APPROVE THE CONSENT 250 ITEMS AS PRESENTED. COUNCILMEMBER FLAKE SECONDED THE MOTION. 251 252 MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY. 253 254 255 7. APPOINTMENTS 256 **7.1** No items were submitted. 257 258 259 8. PRESENTATIONS/RECOGNITIONS/AWARDS 260 **8.1** No items were submitted. 261 262 263 9. BUSINESS ITEMS 264 9.1 DISCUSSION AND ACTION -Interim City Manager Position (Resolution 265 2022-02) 266 As the mayor and City Council have appointed a new city manager, they now desire to 267 rescind the powers and duties of the Interim City Manager. The mayor and City Council 268 will act to adopt (or deny) this request by resolution. 269 270 271 Mayor Fullmer called for a motion. 272 Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE RESOLUTION 2022-02 273 AS PRESENTED. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR 274 FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH 275 VOTED AYE. THE MOTION CARRIED UNANIMOUSLY. 276 277 9.2 SWEARING-IN - New City Manager 278 City Recorder Pamela Spencer will swear in Ezra Nair as the newly appointed City 279 Manager. Mr. Nair's appointment took place during a City Council meeting on January 280 26, 2022. 281 City Recorder Pamela Spencer swore in Ezra Nair as the City Manager. 282 283 9.3 PUBLIC HEARING – Fiscal Year 2021-2022 Adjustment (Resolution 2022-03) 284 Finance Director David Mortensen will present recommended adjustments to the Fiscal 285 Year 2021-2022 Budget. The mayor and City Council will act to adopt (or deny) this 286 request by resolution. 287 288 Mayor Fullmer called for a motion to open the public hearing. 289 290 Motion: COUNCILMEMBER FLAKE MOVED TO OPEN THE PUBLIC HEARING AT 291

7:21 PM. COUNCILMEMBER WELSH SECONDED THE MOTION. MAYOR FULLMER,

COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED AYE.

THE MOTION CARRIED UNANIMOUSLY.

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295 Finance Director David Mortensen gave a background on the budget. He then reviewed the 296 recommended changes to the budget. 297 298 Mayor Fullmer asked if they were accounting for the departmental changes. Mr. Mortenson 299 replied that they were going to address staffing in the next fiscal year budget. Mr. Reid explained 300 that staff had been working on getting a kiosk in the front lobby area to help with customer 301 302 service. 303 Mr. Mortensen continued his overview. 304 305 Mayor Fullmer called for questions from the council. She explained that they would be 306 discussing their priorities during the council retreat. She then called for public comment. 307 308 Resident David Lauret, living in on Holdaway Road, commented on items in House Bill 309 232, Utah Lake Authority. He felt that it would be good to explain on social media why the bill 310 was good for the city. There was a discussion about the bill. 311 312 Mayor Fullmer called for a motion to close the public hearing. 313 314 Motion: COUNCILMEMBER WELSH MOVED TO CLOSE THE PUBLIC HEARING 315 AT 7:38 PM. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR 316 317 FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY. 318 319 Mayor Fullmer called for a motion. 320 321 Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE THE VINEYARD CITY 322 FISCAL YEAR 2021 – 2022 BUDGET AMENDMENT #1, RESOLUTION 2022-03, AS 323 PRESENTED. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. ROLL CALL 324 WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, 325 SIFUENTES, AND WELSH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY. 326 327 9.4 DISCUSSION AND ACTION – Personnel Policies and Procedure Manual 328 329 **(Resolution 2022-04)** Albert Foster will present recommended changes to the Personnel Policies and Procedure 330 Manual. The mayor and City Council will act to adopt (or deny) this request by 331 resolution. 332 333 Albert Foster with Facil HR explained that staff had made significant changes to the 334

Albert Foster with Facil HR explained that staff had made significant changes to the personnel manual a few years ago and that it needed to be updated periodically. He reviewed the changes. There was a discussion about how the vacation rollover would work.

Mayor Fullmer called for a motion.

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340	Motion: COUNCILMEMBER SIFUENTES MOVED TO APPROVE THE UPDATED
341	POLICY MANUAL WITH THE NEW LANGUAGE AND CHANGES, RESOLUTION 2022-
342	04, AS PRESENTED. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL
343	CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE,
344	RASMUSSEN, SIFUENTES, AND WELSH VOTED AYE. THE MOTION CARRIED
345	UNANIMOUSLY.
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347	9.5 DISCUSSION AND ACTION – Voter Participation Area Amendment
348	(Resolution 2022-05)
349	City Recorder Pamela Spencer will explain the amendment to the Voter Participation
350	Areas. The mayor and City Council will act to adopt (or deny) this request by resolution.
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352	Ms. Spencer explained the reason for amending the Voter Participation Areas.
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354	Mayor Fullmer called for questions. Hearing none, she called for a motion.
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356	Motion: COUNCILMEMBER WELSH MOVED TO APPROVE THE AMENDED
357	VOTER PARTICIPATION AREAS BY RESOLUTION 2022-05, AS PRESENTED.
358	COUNCILMEMBER SIFUENTES SECONDED THE MOTION. ROLL CALL WENT AS
359	FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN,
360	SIFUENTES, AND WELSH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.
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363	10. CLOSED SESSION
364	No closed session was held.
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367	11. ADJOURNMENT
368	Mayor Fullmer called for a motion to adjourn the meeting.
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370	Motion: COUNCILMEMBER FLAKE MOVED TO ADJOURN THE MEETING AT 7:47
371	PM. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. MAYOR FULLMER,
372	COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED AYE.
373	THE MOTION CARRIED UNANIMOUSLY.
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375	AND HUTTER A PRINCIPLE DAY CUTTY COLUNION.
376	MINUTES APPROVED BY CITY COUNCIL ON:
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VINEYARD CITY COUNCIL STAFF REPORT

Meeting Date: 02-23-2022

Agenda Item: 9.2 Land Donation Sunset Beach Park

Department: Engineering Development

Presenter: Naseem Ghandour, P.E. (City Engineer)

Background/Discussion:

City staff wishes to accept the improved property of approximately 2.84 acres, shown in the attached boundary survey, adjacent to the 400 North and 300 West from Vineyard Flagship 241 LLC. This improved property, known as Sunset Beach Park, has been built to serve as a city park to provide recreational services to Vineyard City's residents. A notice of acceptance was provided to the City on July 22 of 2020, this acceptance of this improved property is contingent on approval by City Council. The improved property contains a public parking lot, playground equipment, paved trail, and stormwater outfall. Vineyard Flagship 241 LLC is requesting to provide this subject improved property to the City at no cost to the City.

Fiscal Impact:

No Cost to City

Recommendation:

Staff Recommends Approval.

Sample Motion:

Motion to approve the acceptance of donation of improved property described in Exhibit "A" from Vineyard Flagship 241 LLC., Resolution 2022-06.

Attachments:

Resolution 2022-06 Aerial of Subject Property Warranty Deed Notice of City Acceptance

RESOLUTION 2022-06

A RESOLUTION OF VINEYARD CITY, UTAH ACCEPTING A SECTION OF IMPROVED PROPERTY FROM FLAGSHIP HOMES 241, LLC

WHEREAS, Flagship Homes 241, LLC, a Utah limited liability company, ("Flagship") owns approximately 2.84 acres of improved property adjacent to approximately 400 North and 300 West (the "Property"), as shown on Exhibit A, attached hereto, and incorporated herein by reference; and

WHEREAS, Flagship desires to donate the Property to the City at no cost to the City; and

WHEREAS, the improved property, known as Sunset Beach Park, has been built to serve as a city park to provide recreational services to Vineyard City's residents; and

WHEREAS, the acceptance of the Property would allow the City to provide use of the public parking lot, playground equipment, paved trail, and stormwater outfall; and

WHEREAS, the City Council has determined that the proposed donation of the Property will promote the public interest and welfare and desires to accept the donation;

NOW, THEREFORE, be it resolved by the City Council of Vineyard, in the State of Utah, as follows:

- **Section 1.** Approval. The City Council of Vineyard City hereby approves the donation of the Property, as shown on Exhibit A, attached hereto, and incorporated herein by reference.
- **Section 2.** <u>Authorization</u>. The City Council hereby approves that certain Special Warranty Deed and Certification of Acceptance of Real Property Conveyance by Municipality, attached hereto as Exhibit B, and incorporated herein by reference. The Mayor of the City is authorized to execute the agreement for and in behalf of the City.
- **Section 3.** Severability Clause. If any section, part, or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance; and all sections, parts, and provisions of this Ordinance shall be severable.
- **Section 4.** Effective Date. This Resolution shall be in full force and effect from February 23, 2022, and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE VINEYARD CITY COUNCIL ON THIS 23rd DAY OF February 2022.

Presiding Officer	Attest
Julie Fullmer, Mayor, Vineyard	Pamela Spencer, City Recorder



Exhibit A

Aerial of Subject Property



Subject Property denoted by Yellow Shading.

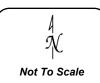




Exhibit B

MAIL TAX NOTICES TO GRANTEE(S) AT: 125 S. Main St. Vineyard, UT 84059

Tax Parcel No(s).: **18-019-0024**Property Address(es) (if any): **385 N. 300 W., VINEYARD, UT 84059**

WARRANTY DEED

Vineyard Flagship 241 LLC, a Utah limited liability company, Grantor,

in exchange for good and valuable consideration, hereby conveys and warrants to

Vineyard City, Grantee

the following described real property located in **UTAH** County, Utah, together with all the appurtenances, rights, and privileges belonging thereto, to wit:

COM S 349.55 FT & W 1848.32 FT FR NW COR. SEC. 17, T6S, R2E, SLB&M.; W 589.19 FT; N 8 DEG 34' 34" W 200.69 FT; N 9 DEG 59' 45" W 37.14 FT; S 89 DEG 59' 38" E 234.77 FT; ALONG A CURVE TO L (CHORD BEARS: S 77 DEG 0' 42" E 186.56 FT, RADIUS = 465.8 FT); S 88 DEG 35' 3" E 61.52 FT; S 88 DEG 25' 44" E 99.06 FT; S 1 DEG 34' 16" W 6.72 FT; ALONG A CURVE TO R (CHORD BEARS: S 44 DEG 30' 13" E 23.84 FT, RADIUS = 17 FT); S 0 DEG 0' 30" W 5.8 FT; ALONG A CURVE TO L (CHORD BEARS: S 10 DEG 15' 0" E 141.76 FT, RADIUS = 398 FT); ALONG A CURVE TO R (CHORD BEARS: S 18 DEG 45' 18" E 20.93 FT, RADIUS = 342 FT) TO BEG. AREA 2.842 AC.

Subject to easements, restrictions and rights of way appearing of record and enforceable in law and subject to general property taxes for the current year and thereafter.

Vineyard City, the Grantee named herein, has indicated its acceptance of the subject land parcel 18-019-0024, also known as Sunset Beach Park, in that certain Notice of Acceptance recorded on July 28, 2020, as Entry No. 108665:2020.

[Remainder of page intentionally left blank. Signatures appear on the following page.]

Tax Parcel No(s).: **18-019-0024**Property Address(es) (if any): **385 N. 300 W., VINEYARD, UT 84059**

-Signature Page to Warranty Deed-

The undersigned person who signs this deed hereby represents and certifies that the conveyance of the Property hereby has been duly approved by Grantor and that he/she has executed and delivered this deed in his/her authorized capacity on behalf of Grantor.

Witness the hand of Grantor this	day of MAY, 2021.
	Vineyard Flagship 241 LLC
	By: Nathan T. Hutchinson Its: Manager
STATE OF UTAH)
COUNTY OF) ss.)
stated that he/she is the Manage within instrument, proved on the lis/are subscribed to this instrum	personally appeared before me Nathan T. Hutchinson , wher of Vineyard Flagship 241 LLC , the named Grantor of the pasis of satisfactory evidence to be the person whose name (nent, and duly acknowledged that he/she/they executed the capacity on behalf of said company, intending to be legalicial seal.
	NOTARY PUBLIC





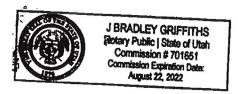
ENT 108665:2020 PG 1 of 3 JEFFERY SMITH UTAH COUNTY RECORDER 2020 Jul 28 1:14 PM FEE 0.00 BY MA RECORDED FOR VINEYARD CITY

VINEYARD CITY NOTICE OF ACCEPTANCE

The undersigned owner Vineyard Flagship 241, LLC (herein referred to as "Grantor") of parcel 18-019-0024 as described in Exhibit "A" attached hereto, requested approval from Vineyard City (herein referred to as "Grantee") of a Warranty Deed of referenced parcel. The City hereby grants approval and acceptance of the deeded property.

Dated this 22 day of Jul	2 Company
	Property Owner (Grantor), Exhibit A
STATE OF UTAH	}
	}SS.
COUNTY OF UTAH	}
On this 22 day of July, 2020, persona	lly appeared before me, PETER EVANS, who stated that

On this 22 day of July, 2020, personally appeared before me, PETER EVANS, who stated that he/she is the MANAGER of VINEYARD FLAGSHIP, 241, LLC, the named Grantor of the within instrument, proved on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to this instrument, and duly acknowledged that he/she/they executed this instrument in his/her authorized capacity on behalf of said company, intending to be legally bound. Witness my hand and official seal.



NOTARY PUBLIC

Dated this 23 day of 1	124	, 20 <u></u> 2 0	
		Property Owner (Grantee), Exhib	 bit <i>}</i>
No. 1			
STATE OF UTAH	} }SS.	MARIAH HILL NOTARY PUBLIC - STATE OF UTAH COMMISSION# 695477	
COUNTY OF UTAH	}	COMM. EXP. 06-13-2021	
that he/she is the MANAGER (instrument, proved on the basis subscribed to this instrument, a	OF VINEYARD of satisfactory of duly acknow	red before me, JACOB MCHARGUE, who stand CITY, the named Grantee of the within evidence to be the person whose name(s) is/anyledged that he/she/they executed this instrumed company, intending to be legally bound. With the standard company, intending to be legally bound.	re ent

EXHIBIT "A"

COMMENCING SOUTH 349.55 FEET AND WEST 1848.32 FEET FROM THE NORTHWEST CORNER OF SECTION 17, TOWNSHIP 6 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN; THENCE WEST 589.19 FEET; THENCE NORTH 8"34"34" WEST 200.69 FEET; THENCE NORTH 9059"45" WEST 37.14 FEET; THENCE SOUTH 89"59"38" EAST 234,77 FEET; THENCE ALONG A CURVE TO THE LEFT (CHORD BEARS SOUTH 77"00"42" EAST 186.56 FEET, RADIUS = 465,8 FEET); THENCE SOUTH 88035"03" EAST 61.52 FEET; THENCE SOUTH 88025"44" EAST 99,06 FEET; THENCE SOUTH 0t"34"16"WEST 6.72 FEET; THENCE ALONG A CURVE TO THE RIGHT (CHORD BEARS SOUTH 44"30"13" EAST 23.84 FEET, RADIUS = L7 FEET); THENCE SOUTH 00"00"30" WEST 5.8 FEET; THENCE ALONG A CURVE TO THE LEFT (CHORD BEARS SOUTH L0"15"00" EAST L4L.76 FEET, RADIUS = 398 FEET); THENCE ALONG A CURVE TO THE RIGHT (CHORD BEARS SOUTH 18"45"t8" EAST 20.93 FEET, RADIUS = 342 FEET) TO THE POINT OF BEGINNING.

18-019-0024



VINEYARD CITY COUNCIL STAFF REPORT

Meeting Date: 02-23-2022

Agenda Item: 9.3 Open Space Land Dedication in The Springs Subdivision to The Springs HOA

Department: Engineering Development

Presenter: Naseem Ghandour, P.E. (City Engineer)

Background/Discussion:

City staff wishes to replat the common space area of The Springs Subdivision, an improved property of approximately 1.16 acres minus the trail easement section running from north to south, shown in the attached boundary survey, south of West Vineyard Loop Road and west of The Springs Subdivision, to The Springs Homeowner Association (HOA). This replat would allow the HOA to provide maintenance responsibilities of the common space area, while allowing the City to maintain the public trail surface and the stormwater infrastructure of the regional detention pond through maintenance easements (See Exhibits). The replat also corrects conflicting dedications of the same parcels during the various phases of development, which were recorded with Utah County. This action would allow this common space ownership and maintenance to confirm to the City Subdivision Code.

Fiscal Impact:

No Cost to City

Recommendation:

Staff Recommends Approval.

Sample Motion:

Motion to approve the replat of The Springs Trails Plat "A" common space property, minus the Trail Easement and Stormwater Maintenance Easement, described in the exhibits to The Springs Subdivision Homeowner, Association, Resolution 2022-07.

Attachments:

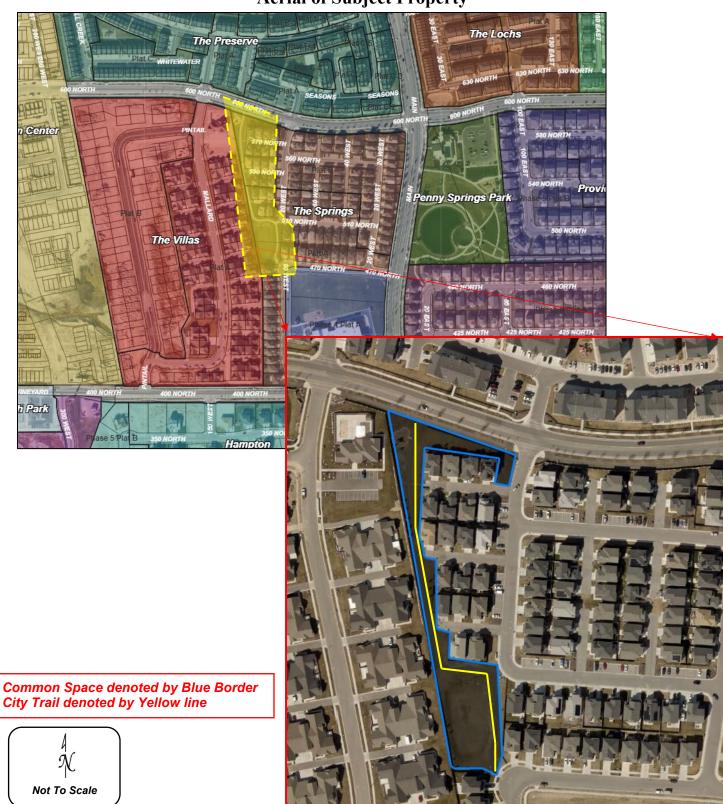
Resolution 2022-07

Revised Plat Document of the Springs Subdivision Common Space Aerial of Subject Property



VINEYARD CITY COUNCIL STAFF REPORT

Aerial of Subject Property



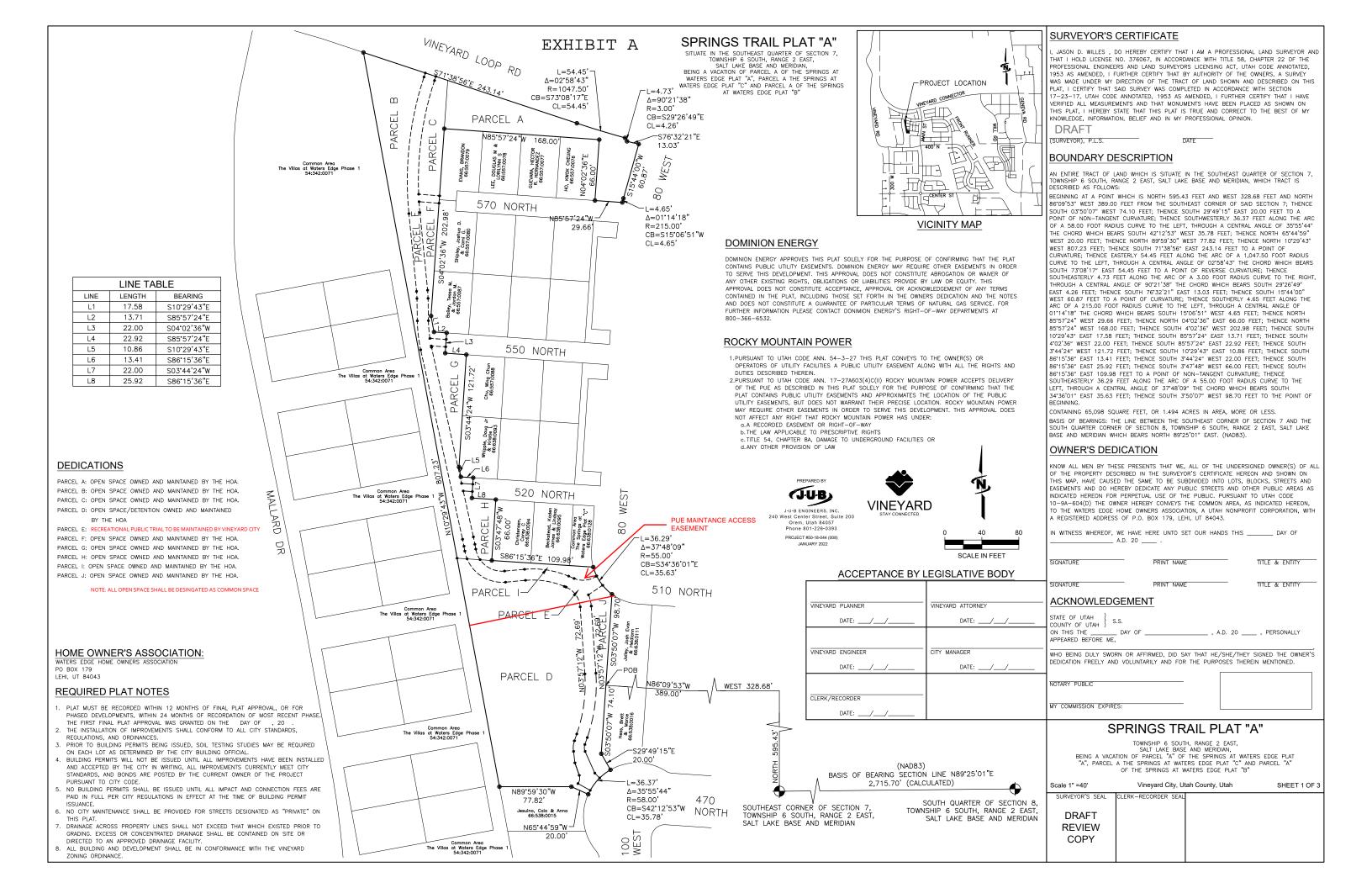
RESOLUTION 2022-07

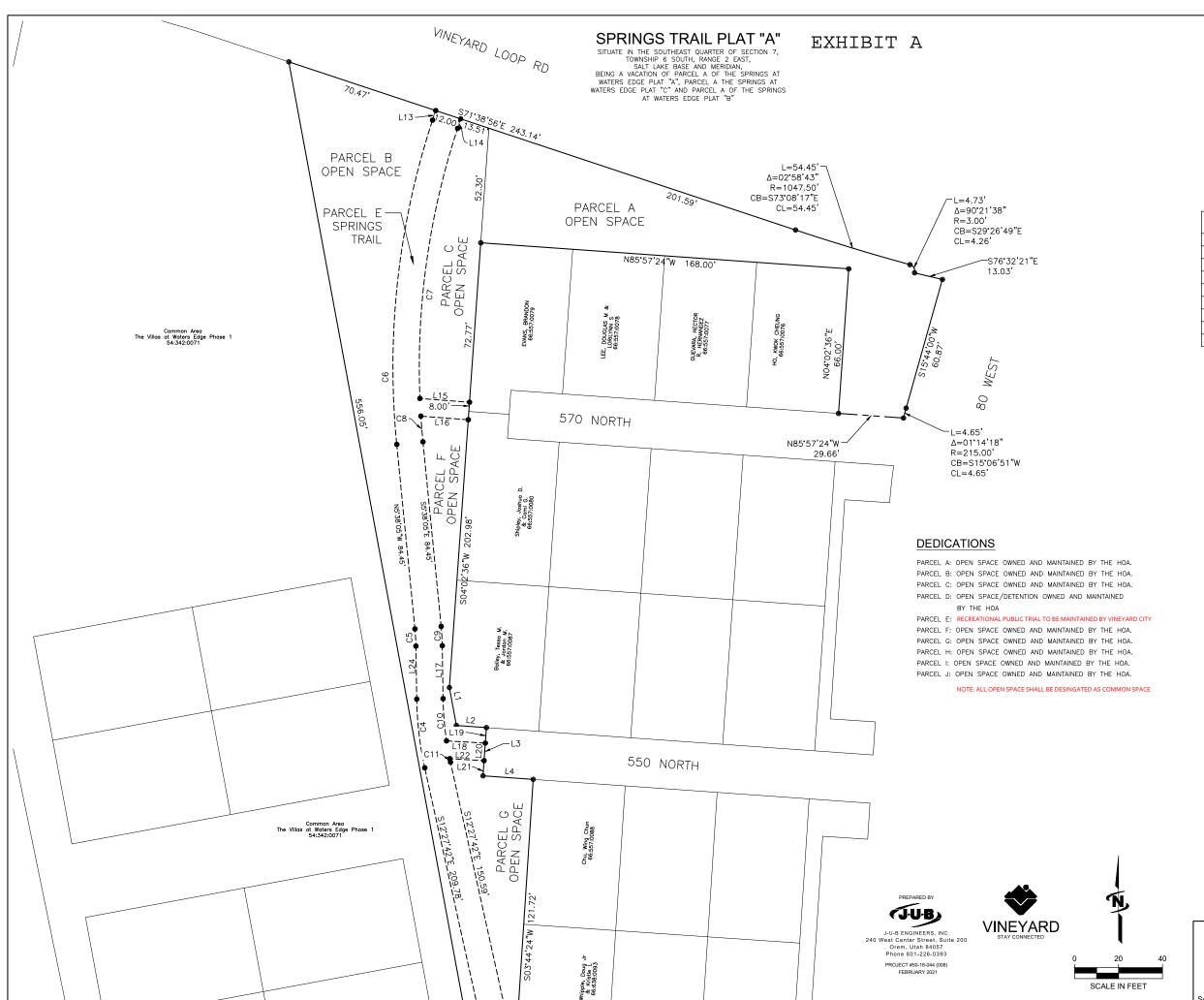
A RESOLUTION OF VINEYARD CITY, UTAH REPLATING THE SPRINGS TRAIL PLAT "A"

- WHEREAS, Vineyard City, Utah, ("Vineyard") owns approximately 1.16 acres of improved property minus the trail easement section running from north to south, shown in the attached boundary survey, south of West Vineyard Loop Road and west of The Springs Subdivision (the "Property"), as shown on Exhibit A, attached hereto, and incorporated herein by reference; and
- WHEREAS, Vineyard City desires to replat The Springs Subdivision to dedicate the common space property, minus the Trail Easement, described in Exhibit "A" to The Springs Subdivision Homeowner Association at no cost to the City; and
- **WHEREAS**, the dedication of the Property would allow the HOA to provide maintenance responsibilities of the common space area, while allowing the City to maintain the public trail surface; and
- **WHEREAS,** the replating of The Springs Trail Plat "A" common space property, minus the Trail Easement, described in Exhibit "A" to The Springs Subdivision Homeowner Association.
- WHEREAS, the replating will allow this common space ownership and maintenance to confirm to the City Subdivision Code which dictates that Common Space over 1-acre in size shall be dedicated to HOA during the preliminary plat and final plat; and
- WHEREAS, the City Council has determined that the proposed replating will promote the public interest and welfare and desires to approve the replating;
- **NOW, THEREFORE**, be it resolved by the City Council of Vineyard, in the State of Utah, as follows:
- **Section 1.** <u>Approval</u>. The City Council of Vineyard City hereby approves the replating of The Spring Trail Plat "A", as shown on Exhibit A, attached hereto, and incorporated herein by reference.
- **Section 2.** <u>Authorization</u>. City staff is authorized to execute the plat for and in behalf of the City.
- **Section 3.** Severability Clause. If any section, part, or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance; and all sections, parts, and provisions of this Ordinance shall be severable.
- **Section 4.** Effective Date. This Resolution shall be in full force and effect from February 23, 2022, and after the required approval and publication according to law.

OF February 2022.	
Presiding Officer	Attest
Julie Fullmer, Mayor, Vineyard	Pamela Spencer, City Recorder

PASSED AND ADOPTED BY THE VINEYARD CITY COUNCIL ON THIS 23rd DAY





CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD
C4	156.00'	31.56'	11*35'24"	N6*40'01"W	31.50'
C5	94.00'	7.81'	4*45'46"	N3*15'12"W	7.81'
C6	359.00'	149.62'	23*52'42"	N6°18'16"E	148.53
C7	347.00'	124.80'	20*36'27"	S7*56'24"W	124.13
C8	347.00'	11.74'	1*56'20"	S4*39'55"E	11.74'
С9	106.00'	8.81'	4*45'46"	S3*15'12"E	8.81'
C10	144.00'	19.28'	7*40'10"	S4*42'23"E	19.26'
C11	144.00'	1.62'	0°38'46"	S12°08'19"E	1.62'

LINE TABLE				
LINE	LENGTH	BEARING		
L1	17.58'	S10°29'43"E		
L2	13.71'	S85°57'25"E		
L3	22.00'	S4*02'36"W		
L4	22.92'	S85*57'24"E		
L13	4.59'	N18*14'37"E		
L14	4.57'	S18°14'37"W		
L15	22.65	S85*36'28"E		
L16	21.66'	S85*36'28"E		
L17	24.12'	S0°52'19"E		
L18	17.69'	S86°39'01E		
L19	7.09'	S4*02'36"W		
L20	8.00'	S4*02'36"W		
L21	6.91'	S4*02'36"W		
L22	15.67'	N86°39'01"W		
L24	24.12'	N0°52'19"W		

PARCEL AREA TABLE				
PARCEL NAME	ACRES	SQ. FT.		
PARCEL A	0.179	7,778		
PARCEL B	0.202	8,778		
PARCEL C	0.064	2,787		
PARCEL E	0.261	11,353		
PARCEL F	0.037	1,625		
PARCEL G	0.057	2,503		

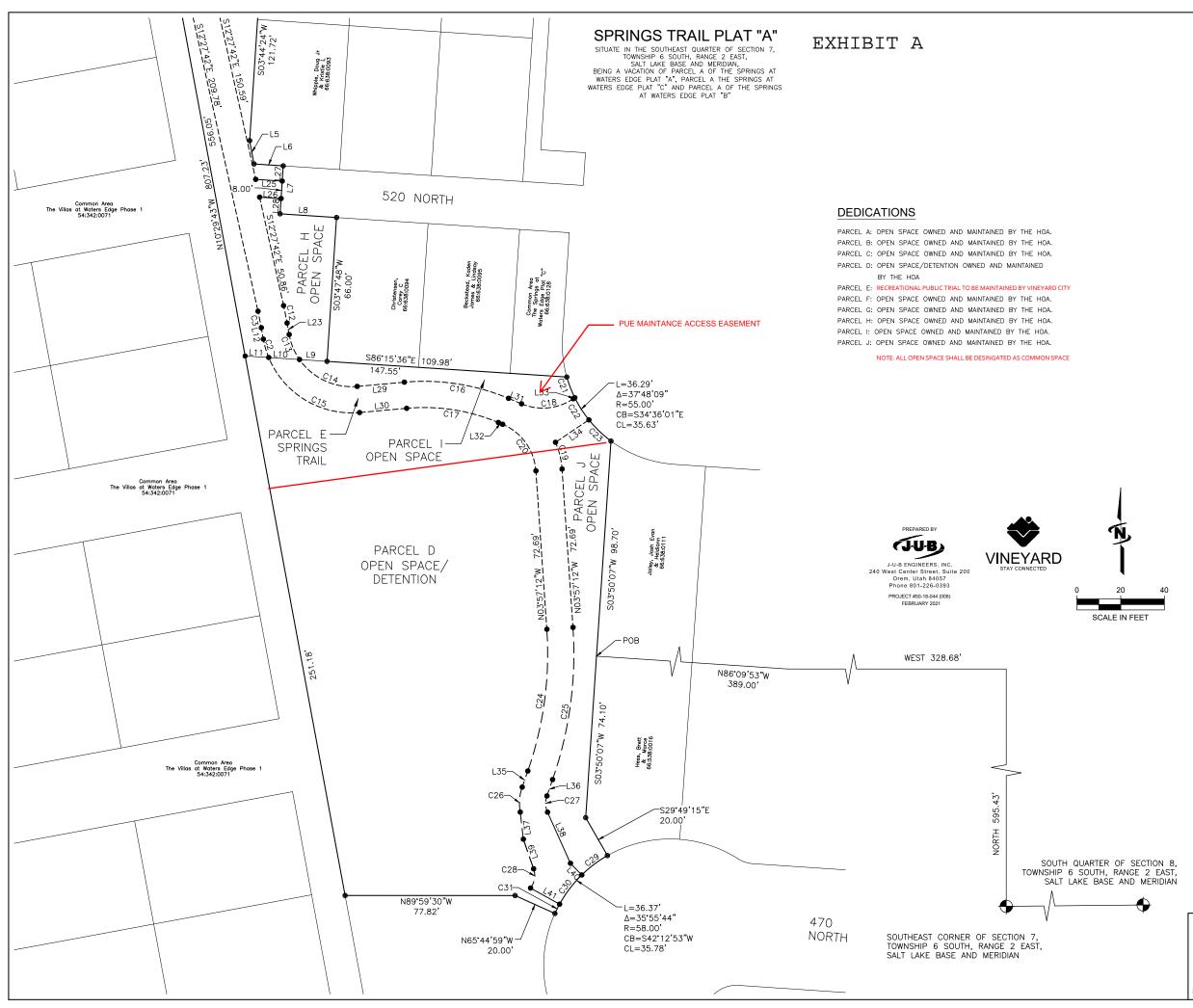
DRAFT

SPRINGS TRAIL PLAT "A"

SITUATE IN THE SOUTHEAST QUARTER OF SECTION 7,
TOWNSHIP 6 SOUTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN,
BEING A VACATION OF PARCEL A OF THE SPRINGS AT
WATERS EDGE PLAT "A", PARCEL A THE SPRINGS AT
WATERS EDGE PLAT "C" AND PARCEL A OF THE SPRINGS
AT WATERS EDGE PLAT "B"

Vineyard City, Utah County, Utah

SHEET 2 OF 3



	CURVE TABLE				
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD
C2	41.00'	8.77'	12*15'36"	N16*19'27"W	8.76'
C3	194.00'	7.68'	2*16'04"	N11*19'41"W	7.68'
C12	206.00'	8.15	2*16'04"	S11*19'41"E	8.15'
C13	29.00'	12.49'	24*40'47"	S22*32'02"E	12.40'
C14	29.00'	30.51	60*16'42"	S65°00'47"E	29.12'
C15	41.00'	52.02'	72*41'53"	S58*48'11"E	48.60'
C16	100.00'	48.79'	27*57'12"	N81°10'32"W	48.31
C17	88.00'	42.93'	27*57'12"	N81°10'32"W	42.51
C18	25.00'	24.77'	56°46'31"	N84°24'49"E	23.77
C19	37.00'	12.65	19°34'57"	N13°44'40"W	12.58'
C20	25.00'	27.60'	63*14'44"	N35°34'34"W	26.22
C21	55.00'	10.19'	10°37'12"	S21°00'39"E	10.18'
C22	55.00'	12.03'	12°31'46"	S32*35'08"E	12.00'
C23	55.00'	14.06'	14°38'58"	S46°10'30"E	14.02'
C24	163.00'	65.92	23°10'13"	N07°37'55"E	65.47
C25	175.00'	70.77	23°10'13"	N07°37'55"E	70.29
C26	22.00'	11.60'	30°12'49"	S04°28'00"W	11.47'
C27	10.00'	7.62'	43°40'11"	S02*15'41"E	7.44'
C28	9.39'	9.30'	56°44'13"	N09*11'07"E	8.93'
C29	58.00'	14.75	14°34'06"	S53°01'34"W	14.71
C30	58.00'	16.86	16°39'19"	S37°16'49"W	16.80'
C31	58.00'	4.76'	04°42'13"	S26°36'03"W	4.76'

LINE TABLE			
LINE	LENGTH	BEARING	
L5	10.86'	S10*29'43"E	
L6	13.41'	S86*15'36"E	
L7	22.00'	S3*44'24"W	
L8	25.92'	S86*15'36"E	
L9	12.62'	S86*15'36"E	
L10	14.13'	S86*15'36"E	
L11	10.82'	S86*15'36"E	
L12	5.33'	N10*11'39"W	
L23	5.33'	S10*11'39"E	
L25	12.17'	S86*15'36"E	
L26	9.85'	N86*15'36"W	
L27	7.00'	N03*44'24"E	
L28	7.00'	S03*44'24"W	
L29	21.65'	S84*50'52"W	
L30	21.65'	N84*50'52"E	
L31	6.46'	S67*11'56"E	
L32	2.07'	S67*11'56"E	
L33	0.82'	S56*01'33"W	
L34	18.41'	S56*01'33"W	
L35	7.84'	S19*12'55"W	
L36	7.92'	S19*13'01"W	
L37	12.48'	S06*27'46"E	
L38	25.65'	S24*05'46"E	
L39	14.35'	S19*10'59"E	
L40	7.45'	N44°23'32"W	
L41	15.20'	N61°02'50"W	

PARCEL AREA TABLE		
PARCEL NAME	ACRES	SQ. FT.
PARCEL D	0.559	24,357
PARCEL E	0.261	11,353
PARCEL H	0.038	1,652
PARCEL I	0.026	1,148
PARCEL J	0.072	3,118

DRAFT

SPRINGS TRAIL PLAT "A"

SITUATE IN THE SOUTHEAST QUARTER OF SECTION 7,
TOWNSHIP 6 SOUTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN,
BEING A VACATION OF PARCEL A OF THE SPRINGS AT
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AT WATERS EDGE PLAT "B"
Vineyard City, Utah County, Utah

1" =20'

SHEET 3 OF 3