



COTTONWOOD HEIGHTS CITY COUNCIL AGENDA

Notice is hereby given that the Cottonwood Heights City Council will hold a Business Meeting beginning at **7:00 p.m. on Tuesday, April 14, 2015**, at Cottonwood Heights City Council Chamber located at 1265 East Fort Union Blvd., Suite 300, Cottonwood Heights, Utah.

- 7:00 p.m.**
- 1.0 **WELCOME/PLEDGE/ACKNOWLEDGEMENTS**
 - 2.0 **PRESENTATION: Salt Lake City's Department of Public Utilities – Allen Orr, Public Utilities Advisory Committee Member**
(Allen Orr, Public Utilities Advisory Committee Member will present the proposed budget for Salt Lake City's Department of Public Utilities.)
 - 3.0 **CITIZEN COMMENTS**
(Please note: In order to be considerate of everyone attending the meeting public comments will typically be limited to three minutes per person per item. A spokesperson who has been asked by a group to summarize their concerns will be allowed five minutes to speak. Comments which cannot be made within these limits should be submitted in writing to the City Recorder prior to noon the day of the meeting.)
 - 4.0 **PUBLIC COMMENT**
 - 4.1 **Public Comment** to receive input on a proposed General Plan and Zoning Map Amendment on Properties Located at 8595-8959 South Wasatch Boulevard to change the General Plan designation from Low Density Residential to Residential Office and the zoning classification from R-1-8 Residential Single Family to R-O Residential Office
 - 5.0 **REPORTS**
 - 5.1 **Standing Monthly Reports**
 - a. March Police Report – Police Support Supervisor Sheila Jennings
(Review of the Police Department statistics for the month of March.)
 - b. Public Works Report – Public Works Director Mike Allen
(Presentation of the monthly public works report detailing the status of various public works and capital projects throughout the City.)
 - 6.0 **ACTION ITEMS**
 - 6.1 Consideration of **Resolution No. 2015-17** Approving an Interlocal Agreement with Salt Lake County for Aerial Photography
(This resolution will approve an agreement with Salt Lake County for Aerial Photography.)
 - 6.2 Consideration of **Resolution No. 2015-18** Consenting to an Appointment to the Arts Council
(Jon Watkins will be appointed to the Cottonwood Heights Arts Council.)
 - 7.0 **CONSENT CALENDAR**
 - 7.1 Approval of Minutes for March 24, 2015

8.0 **ADJOURN BUSINESS MEETING AND RECONVENE
WORK SESSION IN ROOM 250**

PUBLIC COMMENT PROCEDURE

At each City Council Business Meeting any person wishing to comment on any item not otherwise on the agenda for public comment may address the City Council during the Public Comment period. Any person wishing to comment during the citizen comment period shall request recognition by the Mayor and upon recognition, approach the microphone and state their name and address the body. Any person wishing to comment shall limit their comments to no more than three (3) minutes, unless additional time is authorized by the Mayor. Citizen groups will be asked to appoint a spokesperson, who shall limit their comments to no more than five (5) minutes. All comments shall be directed to the Mayor and City Council. No person addressing the City Council during the comment period shall be allowed to comment more than once during that comment period. Speakers should not expect any debate or dialogue with the Mayor, City Council or City Staff during the meeting.

The Council may choose to limit the amount of time allotted to public comment on a specific issue. In such cases, special procedures for determining who will be allowed to speak and the order of such speakers will be determined by the Council.

On Monday, April 13, 2015, at 4:00 p.m. a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Cottonwood Heights City Offices, Cottonwood Heights, Utah. A copy of this notice was faxed to the Salt Lake Tribune and Deseret News, newspapers of general circulation in the City by the Office of the City Recorder. The Agenda was also posted on the City's website at www.ch.utah.gov and the State Public Meeting Notice website at <http://pmn.utah.gov>

DATED THIS 13th DAY OF APRIL 2015

Kory Solorio, City Recorder

Council Members may participate in the meeting via telephonic communication. If a Council Member does participate via telephonic communication, the Councilmember will be on speakerphone. The speakerphone will be amplified so that the other Council Members and all other persons present in the Council Chambers will be able to hear all discussions.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting shall notify Kory Solorio, City Recorder, at (801) 944-7020 at least 24 hours prior to the meeting. TDD number is (801)270-2425 or call Relay Utah at #711. If you would like to submit written comments on any agenda item they should be received by the City Recorder no later than Tuesday at noon. Comments can be emailed to ksolorio@ch.utah.gov



NOTICE OF COTTONWOOD HEIGHTS CITY COUNCIL WORK SESSION AGENDA

Notice is hereby given that the Cottonwood Heights City Council will hold a Work Session at **6:00 p.m. on Tuesday, April 14, 2015**, in the Cottonwood Heights City Council Conference Room located at 1265 East Fort Union Blvd., Suite 250, Cottonwood Heights, Utah

- 6:00 p.m.**
1. **Business Open House (30:00)**
(City Council will attend an open house for the new Café Rio Restaurant in Cottonwood Heights)
- 6:30 p.m.**
2. **Big Cottonwood Canyon Marathon (20:00)**
(Sgt. Scott Peck will review route strategies including road closure and opening times for the marathon and half marathon race down Big Cottonwood Canyon and Fort Union Blvd. on September 12, 2015.)
 3. **Review Business Meeting Agenda (5:00)**
 4. **Public Relations Report (15:00)**
 - a. Media Coverage
(Public Relations Specialist, Dan Metcalf, will provide a report on media coverage of city events.)
 - b. City Newsletter
(A review of the upcoming articles for future editions.)
 5. **Public Works Report (20:00)**
 - a. Public Works Activity Report
(Public Works Director, Mike Allen, will report on current public works activities including the bidding process for improvements to Bengal Blvd.)
 6. **Community and Economic Development Report (40:00)**
 - a. Board of Adjustment Meeting Held April 9, 2015
(Staff will report on this land use board meeting that considered several items including multiple appeals of the Planning Commission decisions related to the Giverny subdivision.)
 - b. Chamber of Commerce
(Staff will discuss possible Chamber of Commerce options.)
 7. **Public Safety Reports (20:00)**
 - a. Unified Fire Authority
(Report from Assistant Chief Mike Watson on events of the week.)
 - b. Police Department
(Report from Chief Robby Russo on noteworthy events of the week.)
 8. **City Manager/Deputy City Manager Report (30:00)**
 - a. Proposed New City Hall
(City Manager, John Park, will provide the Council with a report on progress toward finalizing architectural plans for the new City Hall).
 - b. Golden Hills Park Improvements
(City Manager, John Park, will discuss partnering with UDOT to upgrade the fence at Golden Hills Park.)

c. Utah City Managers Association Conference
(City Manager, John Park, and Deputy City Manager, Linda Dunlavy, will report on the Utah City Managers Association Conference they attended last week.)

9. **Mayor/City Council Reports (30:00)**

a. Utah League Of Cities and Towns Meeting

(Several Council members attended the Spring Conference of the Utah League of Cities and Towns in St. George last week and will review important topics discussed there and their applicability to Cottonwood Heights.)

b. South Salt Lake Valley Mosquito Abatement Meeting – Councilman Tyler

(Councilman Tyler will report on the recent South Salt Lake Valley Mosquito Abatement meeting.)

c. Historic Committee Meeting – Councilman Peterson

(Councilman Peterson will report on the recent Historic Committee meeting.)

10. **Calendar of Events (5:00)**

a. Councilmember Schedules for the next week/2015 Calendar

b. Café Rio Grand Opening – April 15 – 10:30 a.m.

c. Butler Elementary School – April 22, 2015

1. Ground Breaking Reception at 5:00; Ground breaking at 5:30 p.m.

2. Public Open House 6-8 p.m.

d. 2015 Shakeout – April 18

e. City Offices Closed for Memorial Day – May 25, 2015

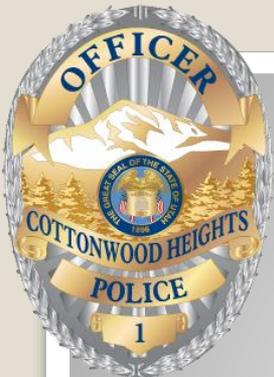
11. **Closed Meeting to Discuss Litigation, Property Acquisition and the Character and Professional Competence or Physical or Mental Health of an Individual**

12. **ADJOURN**

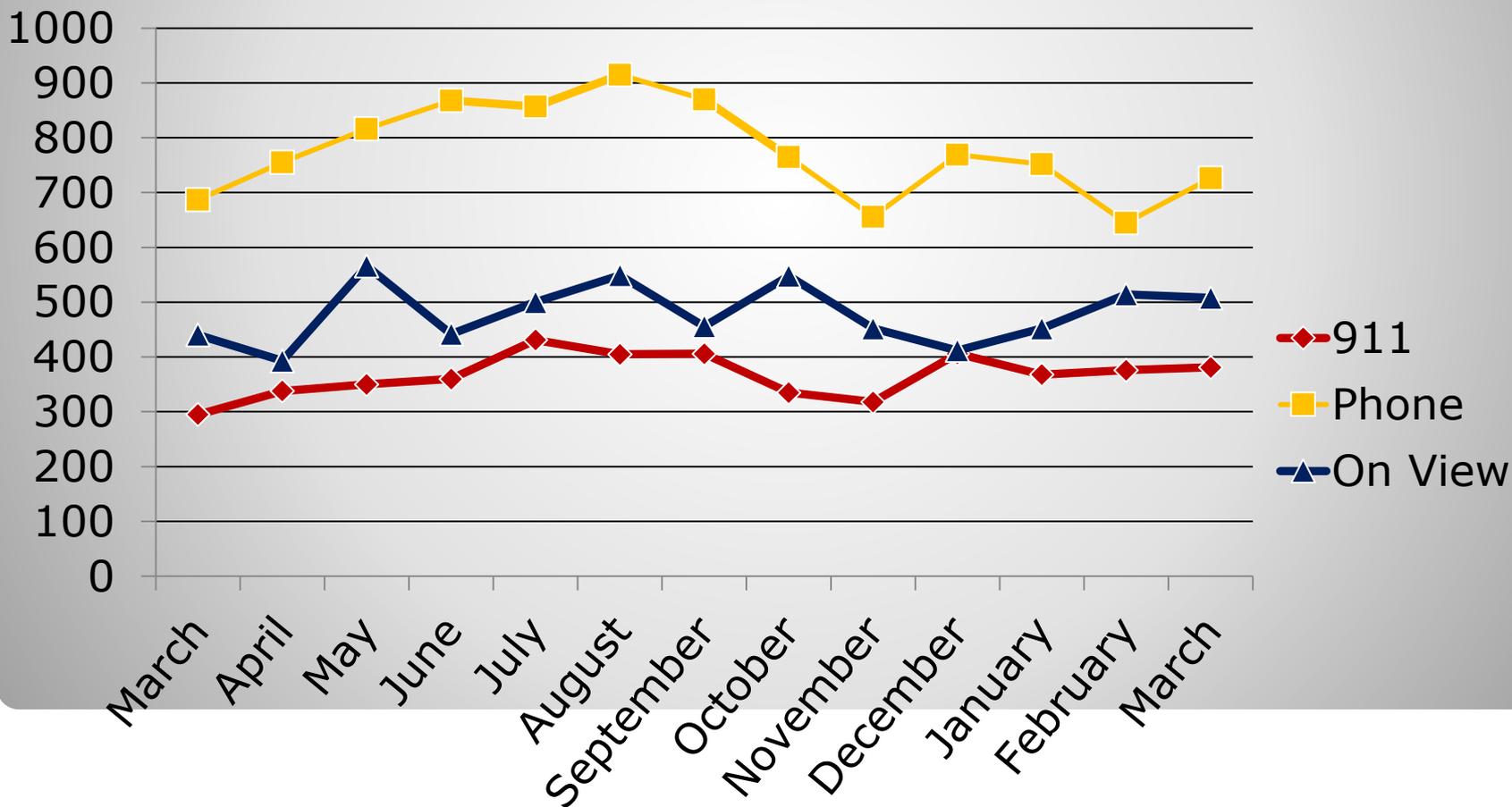
Cottonwood Heights Police Department

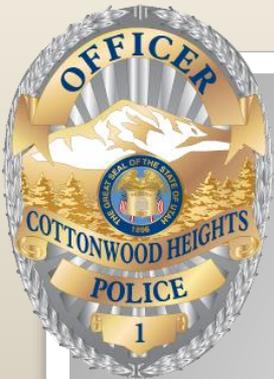


March 2015

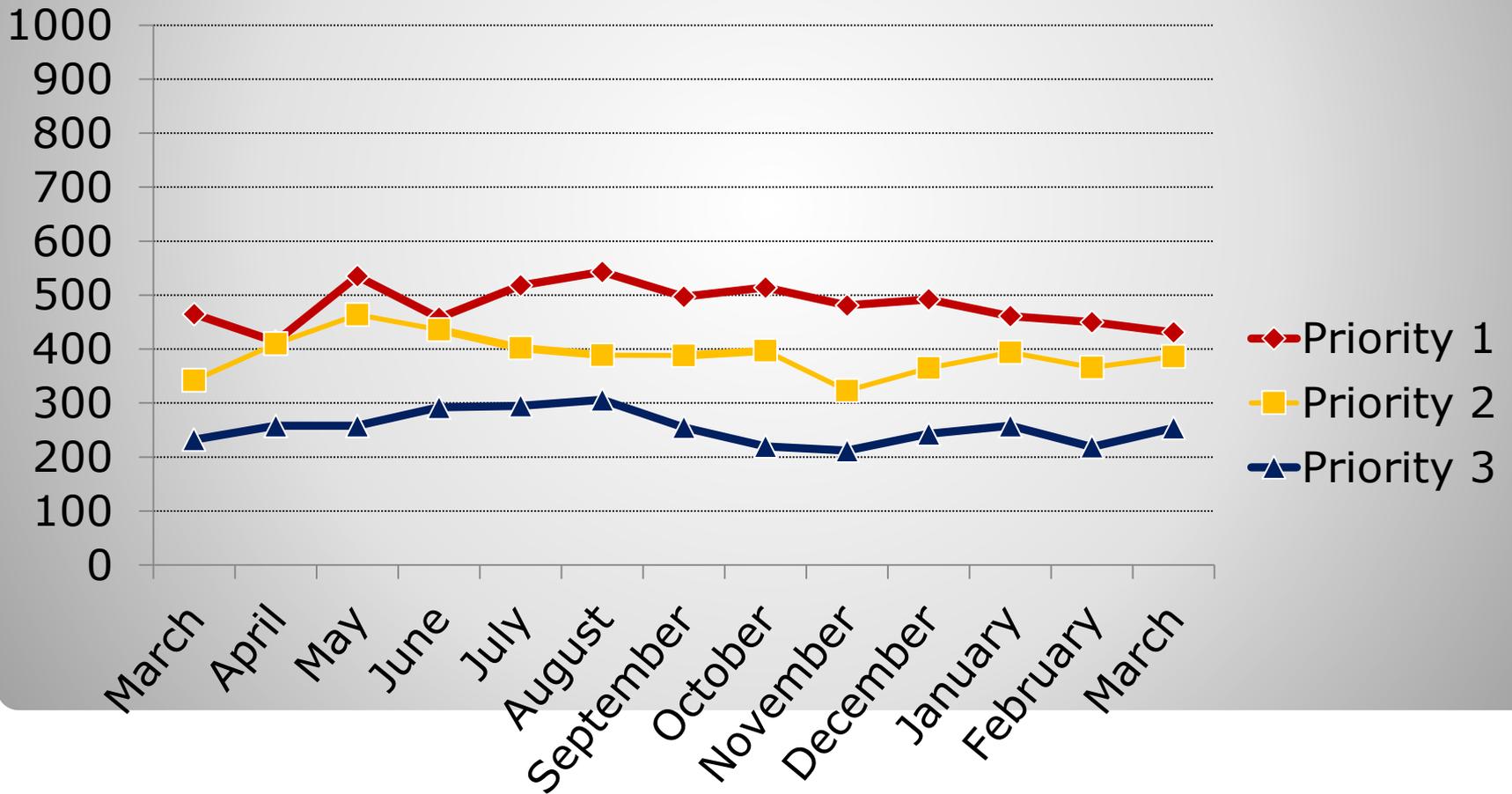


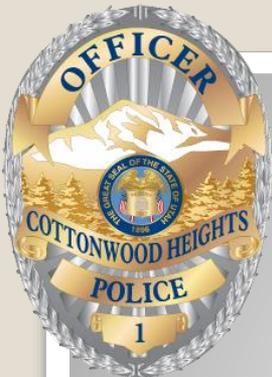
Calls For Service By Source



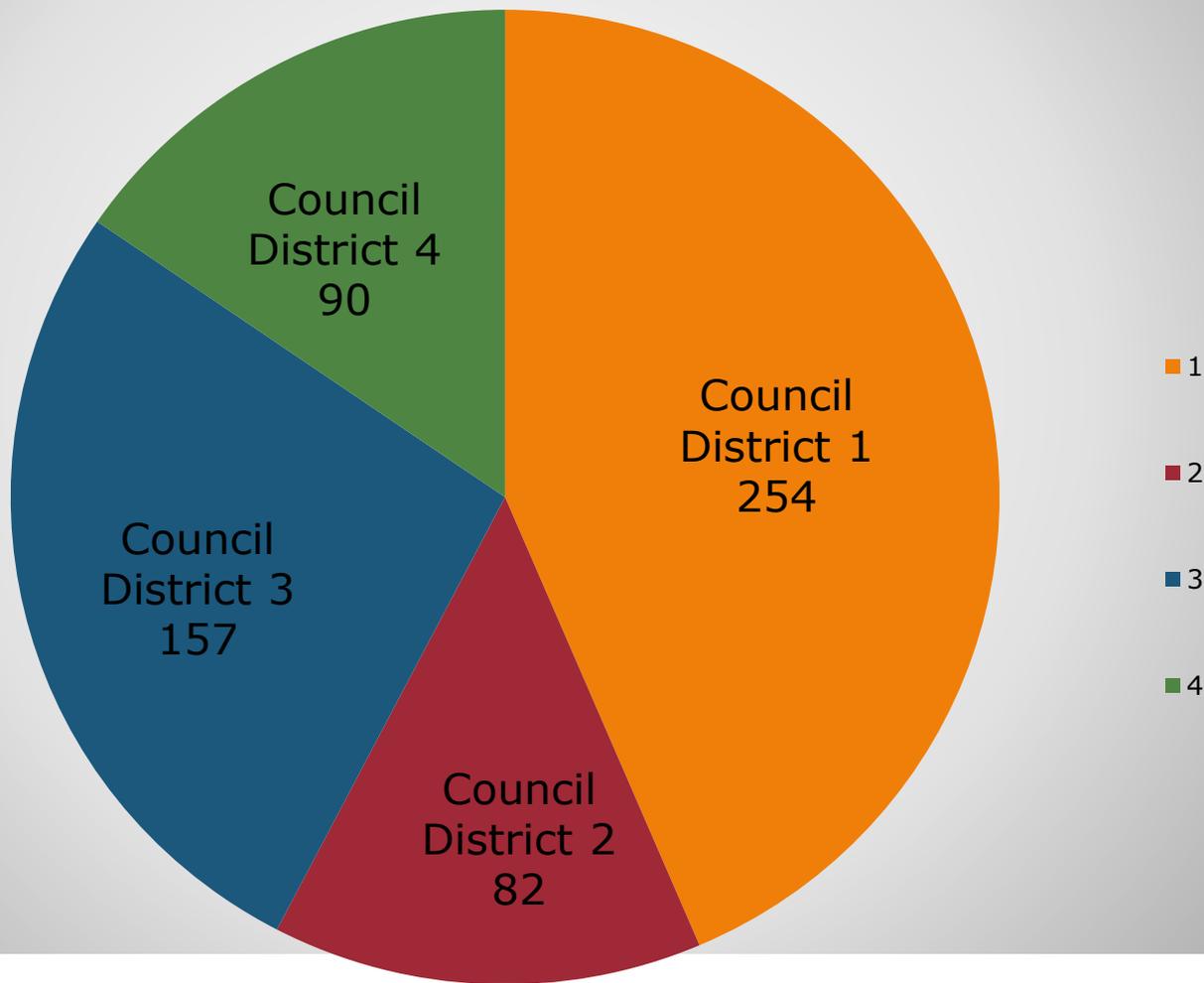


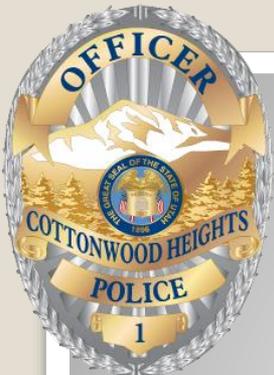
Calls for Service by Priority



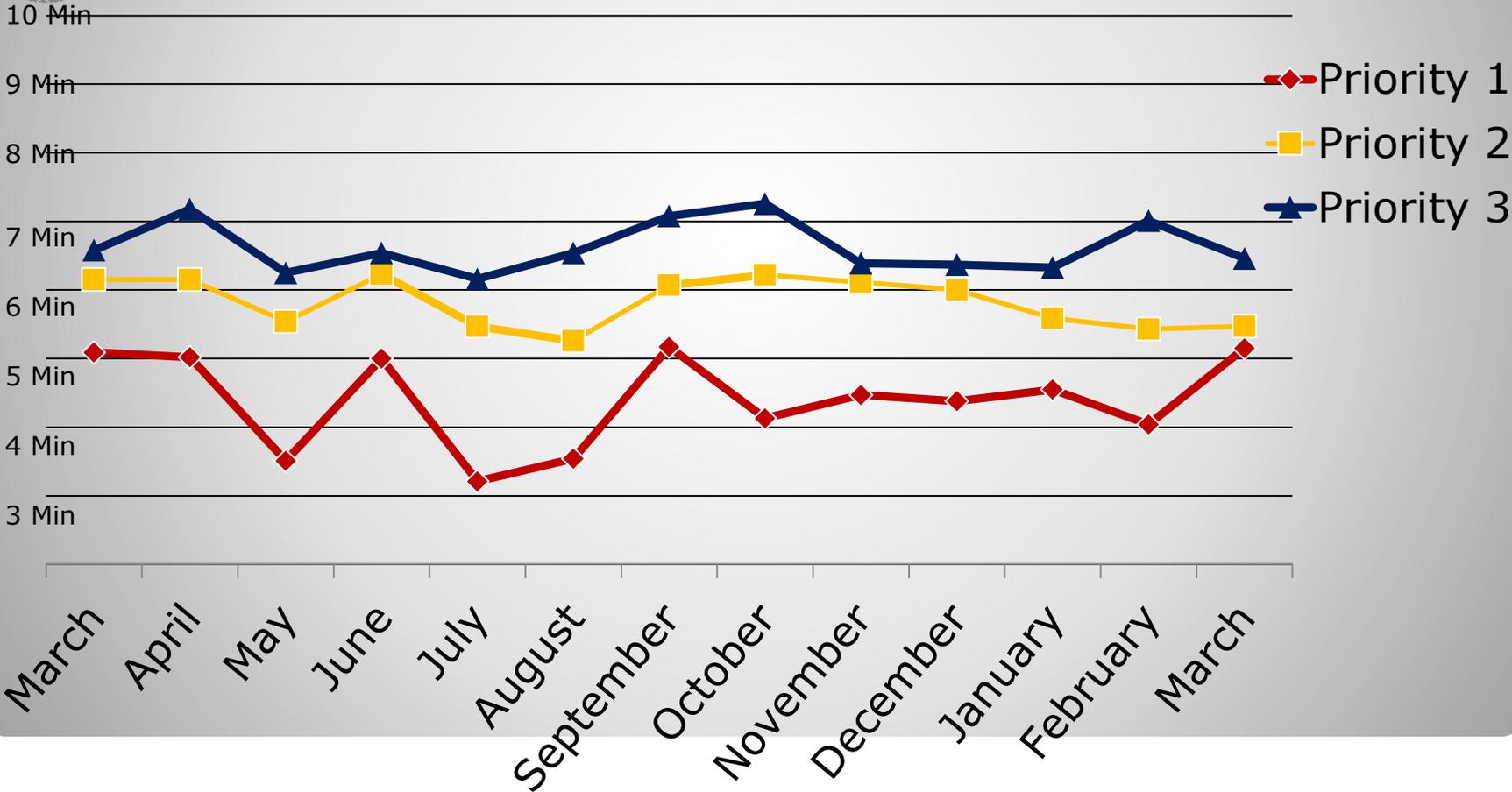


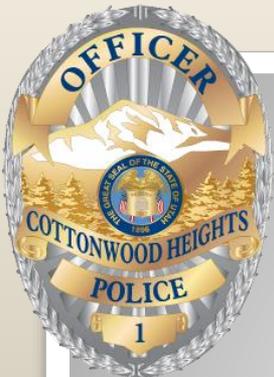
Reports by Council District





Response Times



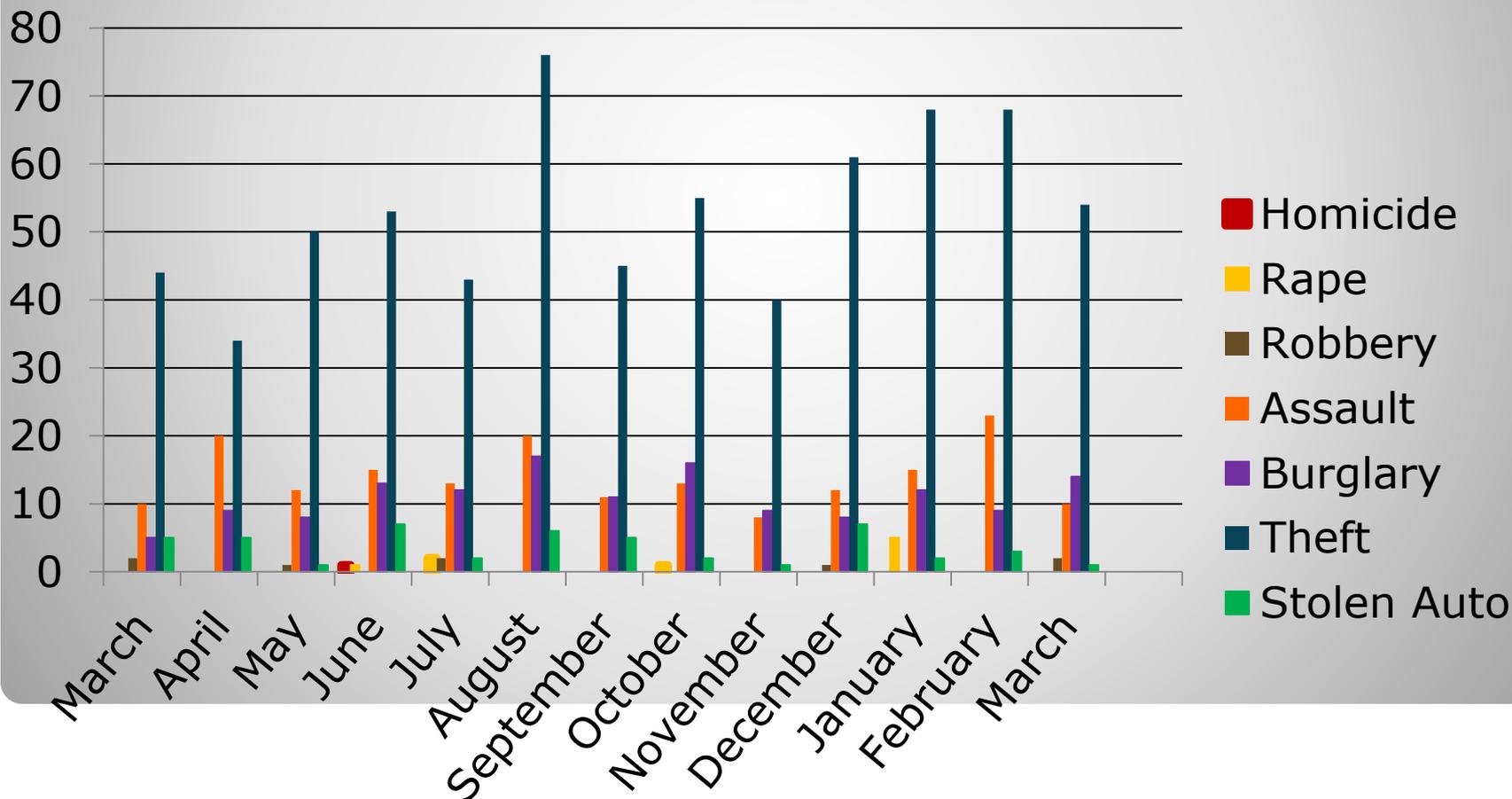


Overall UCR Crime View

	March 14	March 15
Homicide	0	0
Rape	0	0
Robbery	2	2
Assault	10	10
Burglary	5	14
Theft	45	54
Stolen Auto	4	1
Total	77	81



UCR Crime View



A close-up photograph of vibrant green cannabis leaves, showing the serrated edges and intricate vein patterns. The leaves are layered, with some in sharp focus and others blurred in the background, creating a sense of depth. The overall color palette is various shades of green, from bright lime to deep forest green.

The Impact of the Legalization of Marijuana in Colorado.

A report from
Rocky Mountain
High Intensity Drug Trafficking Area
www.rmhidta.org



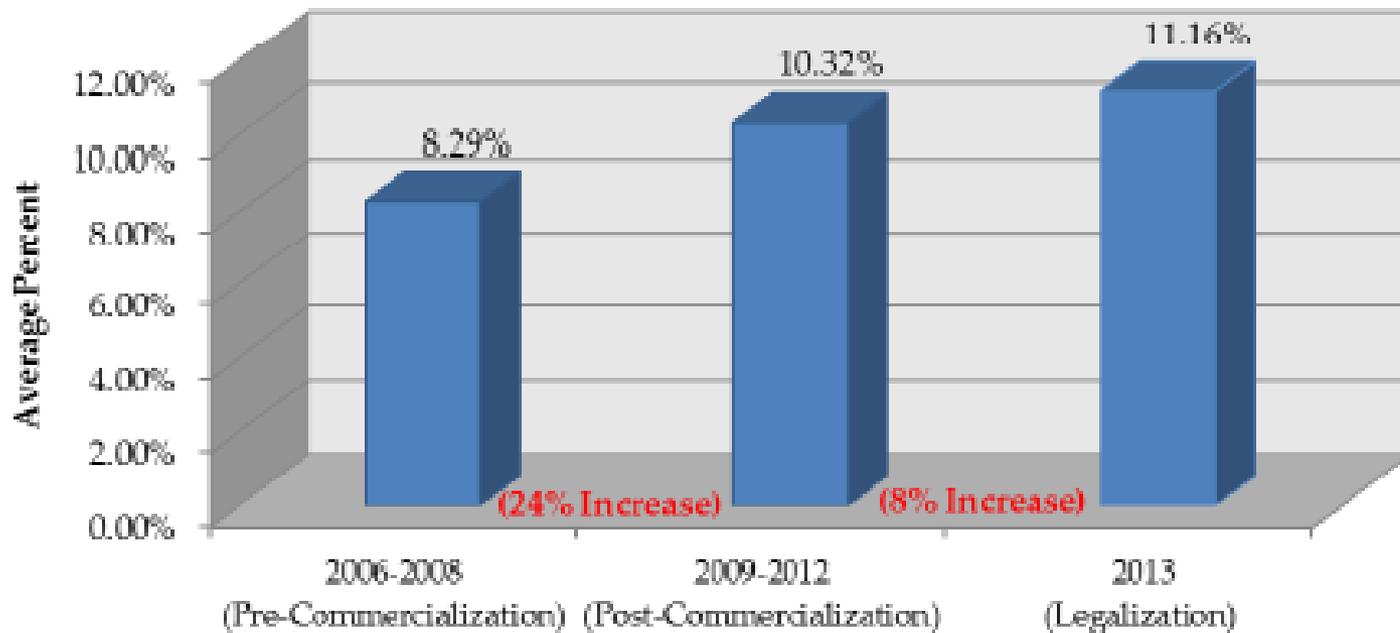
Youth Marijuana Use

Findings

- Youth (ages 12 to 17 years) Past Month Marijuana Use, 2013
 - National average for youth was 7.15 percent
 - Colorado average for youth was 11.16 percent
 - Colorado was ranked 3rd in the nation for current marijuana use among youth (56.08 percent higher than the national average)
 - In 2006, Colorado ranked 14th in the nation for current marijuana use among youth
- In just one year when Colorado legalized marijuana (2013), past month marijuana use among those ages 12 to 17 years increased 6.6 percent



Average Past Month Use of Marijuana Ages 12 to 17 Years



SOURCE: SAMHSA.gov, National Survey on Drug Use and Health 2012 and 2013

Licensed Marijuana Businesses as of January 2015

Medical Marijuana:¹

- 505 medical marijuana centers (“dispensaries”)
- 748 marijuana cultivation facilities
- 163 infused products (edibles) businesses

Recreational Marijuana:¹

- 322 marijuana retail stores
- 397 marijuana cultivation facilities
- 98 infused product (edibles) businesses

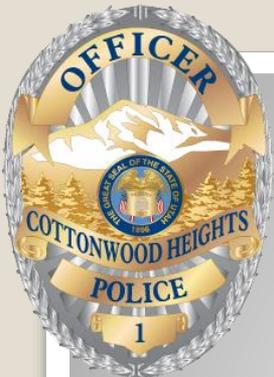
Business Comparisons as of January 2015

Colorado:

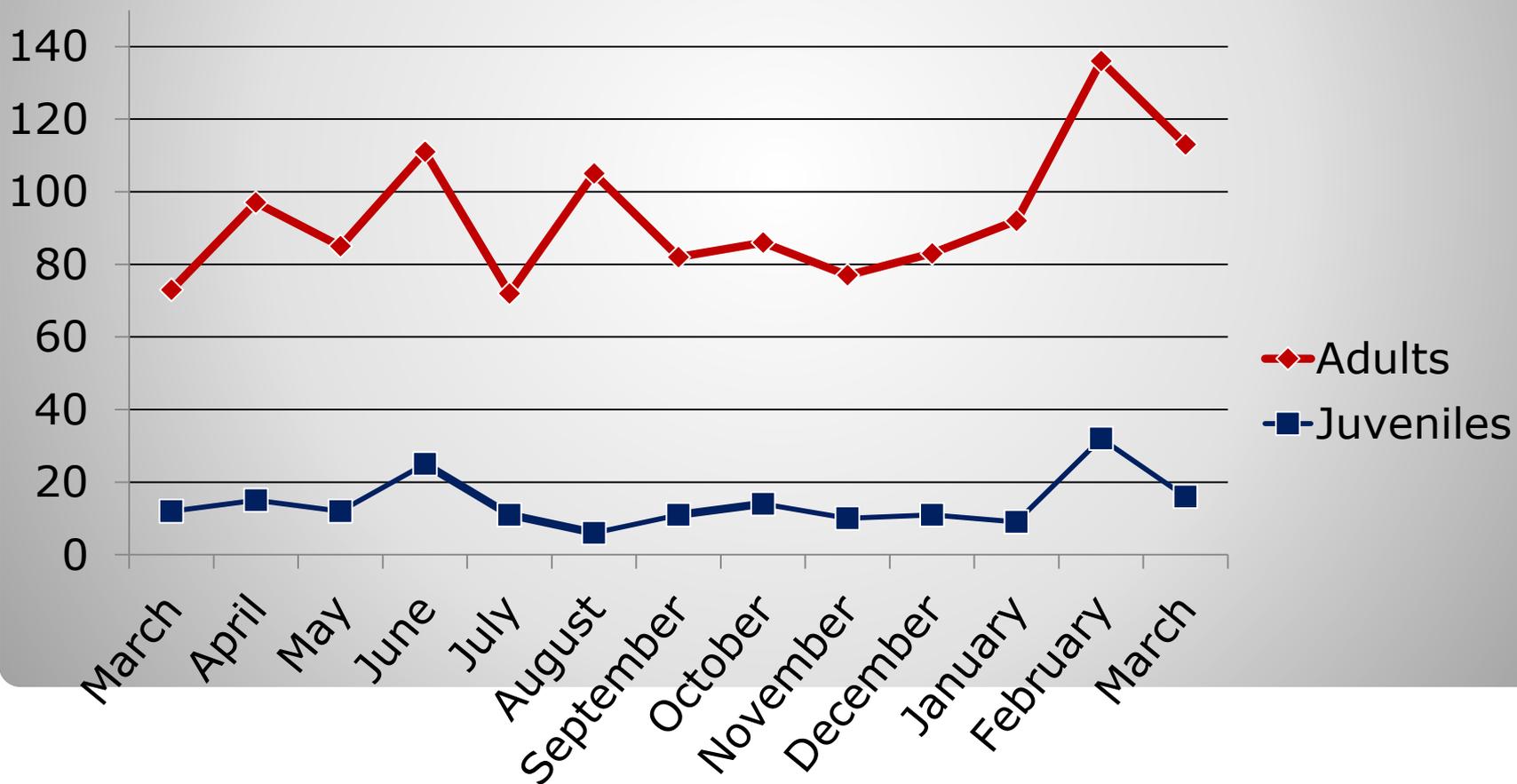
- 505 medical marijuana centers (“dispensaries”)¹
- 322 recreational marijuana stores¹
- 405 Starbucks coffee shops²
- 227 McDonalds restaurants³

Denver:

- 198 licensed medical marijuana centers (“dispensaries”)¹
- 117 pharmacies (as of February 12, 2015)⁴



Arrests

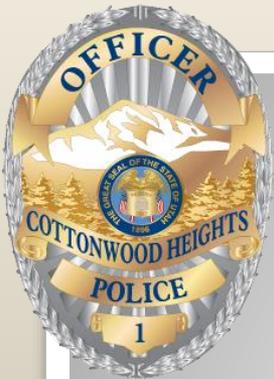




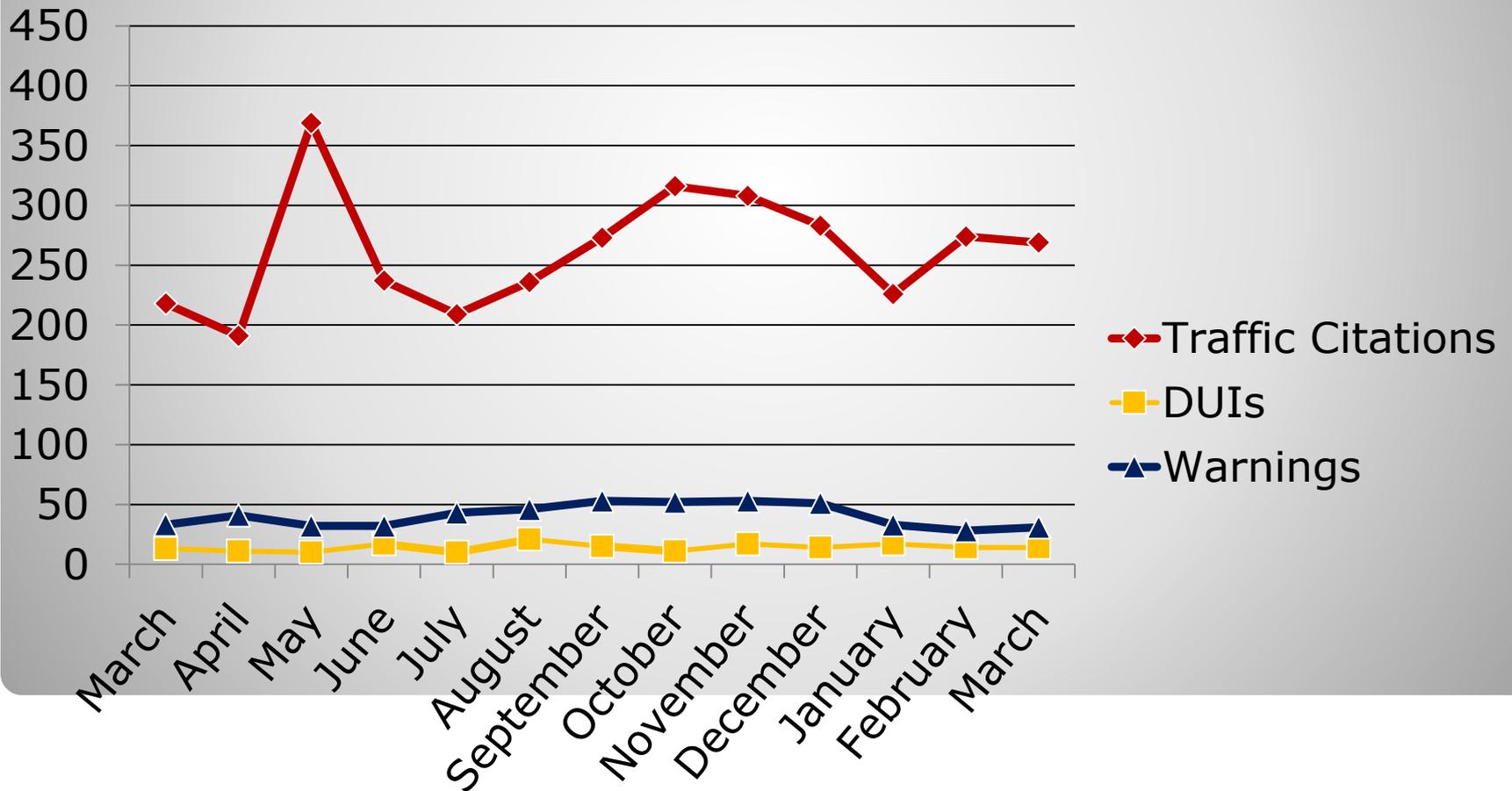
Arrests by Offense

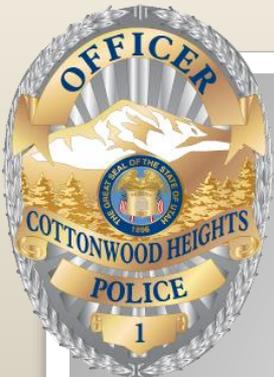
Offense	Adult	Juvenile
Robbery	2	
Aggravated Assault	3	
Burglary		1
Theft	27	
Other Assault	6	
Forgery	3	
Possession of Stolen Property	1	
Vandalism	3	
Sex Offense	2	1
Sale / Manufacturing of Other	5	
Possession of Marijuana	4	7
Possession of Other Drugs	17	
Family Offense	5	
DUI	12	
Liquor Laws	2	1
Drunkenness	5	
Disorderly Conduct		1
All Other	16	5
Total	113	16



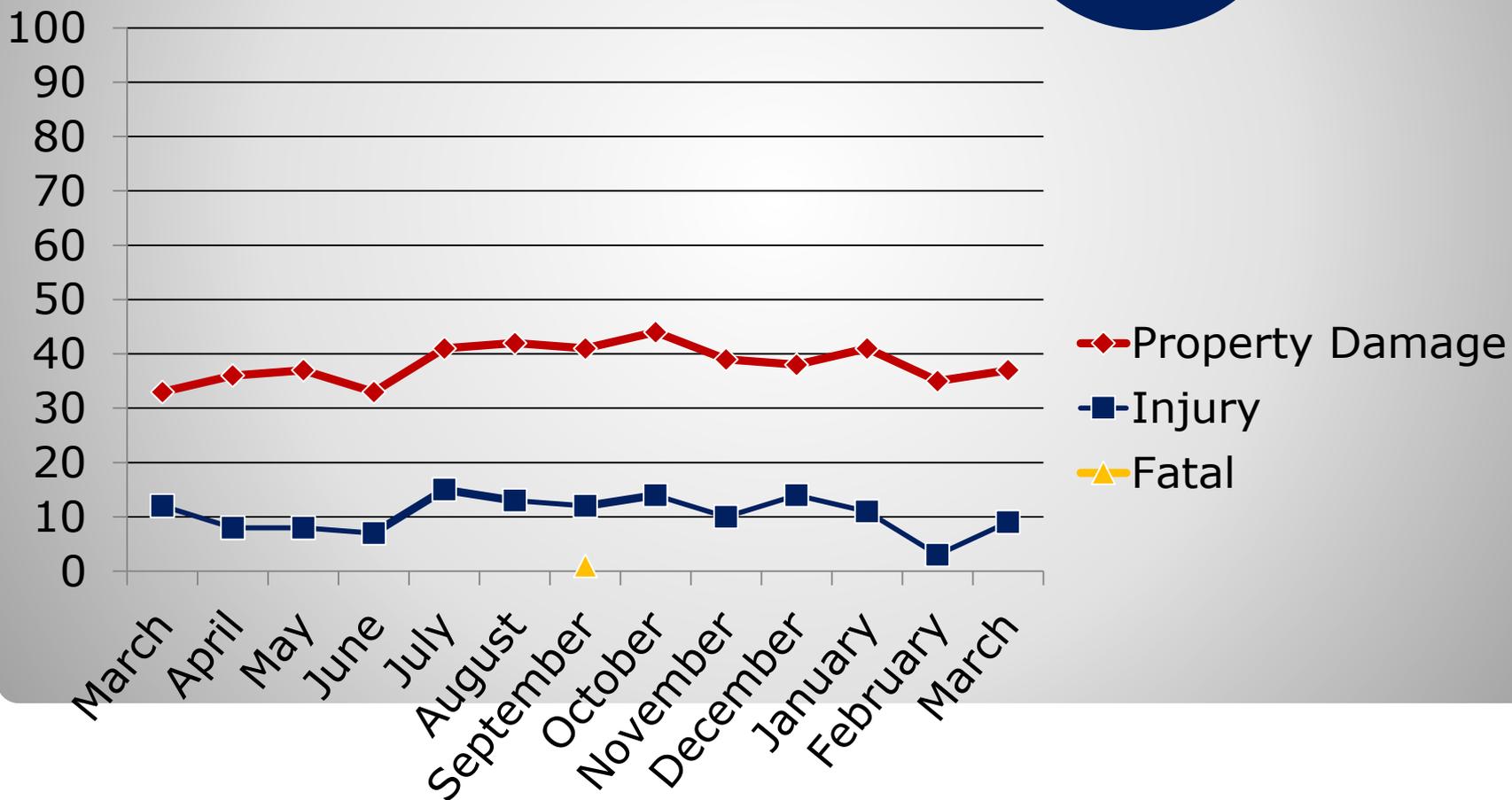
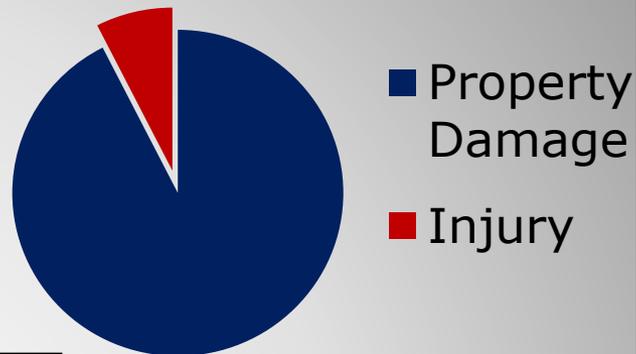


Traffic Citations & DUIs





Crashes





2015 Multi Agency Directed Enforcement Operation Statistics Summary

- Total Stats Reported Stat: 123
- Felony Warrant Arrests: 40
- Misdemeanor Warrant Arrests: 22
- Narcotic Arrests: 51
 - Heroin: 1.96 Ounces
 - Meth: 2.43 Ounces
 - Cocaine: 10.7 Grams
 - Marijuana: 4.6
 - Additional Paraphernalia Arrests: 6
- Citations Issued: 36
- Stolen Vehicles Recovered: 15
- Impounded Vehicles: 38
- Guns Recovered: 9

CHPD

UPD

WVPD

Multi Agency Operation



PUBLIC WORKS Status Report 4/14/2015

STREET AND SIDEWALK MAINTENANCE

M 10-01 Asphalt Maintenance (Terracare)

Budget: 946,000

YTD Expenditures: \$569,833.00

Object Code: 11-4415-360

Projected Completion Date: Ongoing

Update Summaries:

3/10 – Patching potholes and making repairs as needed. Scheduling the remaining asphalt maintenance work

4/14 – A schedule is being done now for the remaining asphalt work

Capital Improvement Projects

CIP 10-01 ADA Ramp Project

Budget: 130,000

YTD Expenditures:

Object Code: 45-7002-731 Projected Completion Date: Ongoing

Update Summaries:

3/10 – This project bids this week

4/14 – The pre-const. meeting was held today, work will start April 27th

CIP 10-03 Signal Upgrades

Budget: 0

YTD Expenditures: 0

Object Code: 45-7019-730 Projected Completion Date: Ongoing

Update Summaries:

3/10 – Radar updates are upcoming pending budget approval for The Union Park Ave. 1300 east corridor

4/14 – Midvale is working on funding to do their side of Union Park Ave. now

CIP 10-04 Cross Gutter Replacement Program

Budget: 42,000

YTD Expenditures:

Object Code: 45-7012-731

Projected Completion Date: Ongoing

Update Summaries:

3/10 – This work will start this month

4/14 – Work has been completed on three replacements in the Poverty Flats area

CIP Union Park Median Landscape Project

Budget: 1,200,000.00

YTD Expenditures: 1,005,790,000

Object Code: 45 7053 731

Projected Completion Date: 2013

Update Summaries:

3/10 – Work will start on installing the access management curbing when night time temperatures allow

4/14 – We will start this as soon as the contractor is available

CHC.275-279

Ft. Union Park and Ride

Budget: \$925,000

YTD Expenditures: 229,635

Object Code: 45-7057-731

Project Completion Date: 2015

Update Summaries:

3/10 – Work will resume this month on this project. We met with RMP today to locate a power source for the street lights

4/14 – Work has resumed, they are working on the retaining wall at the ramp now

CHC. 250-11 Ft. Union/Highland Dr. Intersection

Budget: \$324,825 (6.77% match) YTD Expenditures 15,294

Object Code: 45-7004-791

Project Completion: 2015

Update Summaries:

3/10 – RMP is in the design phase for needed relocation of power poles, estimates are anticipated in April. Those costs will determine if additional funds will be needed to complete the project as designed or if changes are needed to fit inside the budgeted amount.

4/14 – RMP will have the estimate to move the power poles by the end of April, once we have that we can make design changes to accommodate any shortfalls

STORM DRAIN MAINTENANCE (SD)

SD 10-01 Storm Water Capital Facilities Plan Update

Budget: 0 YTD Expenditures: 0

Object Code: 45-7024-330 Projected Completion Date: March 2011

Update Summaries:

4/14 – Nothing new to report

SD 10-02 Storm Drain Mapping and Condition

Budget: 0 YTD Expenditures: 0

Object Code: 45-7009-733 Projected Completion Date: Ongoing

Update Summaries:

4/14 – Mapping continues as new lines and manholes are found and raised to grade.

CONTRACT SERVICES (CS)

CS10-01 Terracare Contract

Budget: 1,400,000 YTD Expenditures: 1,073,940

Object Code: 11-4415-360 Projected Completion Date: Ongoing

Update Summaries:

3/10 – Pothole repair is ongoing, the remaining asphalt maintenance work is being schedule now

4/14 – Prep work including patching for the micro surface treatments is being done now along with pothole repairs

CS10-02 Trip Hazard Mitigation Contract

Budget: 75,000 YTD Expenditures: 74,999

Object Code: 45 799 7099 000 Projected Completion Date: 2012

Update Summaries:

4/14 – Work for this budget year has been completed with over 1,600 hazards being cut this year

CS10-03 Cottonwood Heights Recreation Center Contract
Budget: 145,327 YTD Expenditures: 113,039
Object Code: 45-7027-717 Projected Completion Date: Ongoing
Update Summaries:
4/14 – Spring cleanup work and routine park maintenance is underway

CS10-04 Street Sweeping Contract
Budget: 60,000 YTD Expenditures: 14,630
Object Code: 11-4415-427-415 Projected Completion Date: Ongoing
Update Summaries:
3/10 – Waiting for our turn with the sweeper
4/14 – The sweeper is working in the city now

RESEARCH AND STUDIES (RS)

No new studies are being done at this time

BEAUTIFICATION PROJECTS (RB)

RB10-01 Big Cottonwood Canyon Trail Project
Budget: 196,000 YTD Expenditures: 240,355
Object Code: 45 7015 735 Projected Completion Date: 2013
Update Summaries:
4/14 – Final paperwork has been submitted for review by UDOT

PROGRAM IMPLEMENTATION (PI)

PI 10-01 Street Lighting Program

Budget: 0 YTD Expenditures: 0

Object Code: 45-7020-734 Projected Completion Date: June 2011

Update Summaries:

4/14 – Two new light fixtures on 6670 south will be installed by the county as soon as their schedule allows

PI 10-02 50/50 Sidewalk Replacement Program

Budget: 50,000 YTD Expenditures: 29,715

Object Code: 45-7028-717-415 Projected Completion Date: June 2011

Update Summaries:

3/10 – Work is being schedule with our contractor now and should get started later this month

4/14 – Quicksilver Concrete is working on the remaining requests for this budget year now

PI 09-03 Traffic Calming Program

Budget: 0 YTD Expenditures:

Object Code: 45-7007-730 Projected Completion Date: June 2011

Update Summaries:

3/10 A meeting with residents of the Greenfield area will be scheduled to take comments regarding "Traffic Calming" options for Greenfield Way

4/14 – The meeting was attended by 80+ residents of the Greenfield area. Comment cards were given out and collected. We are taking some additional traffic counts north of Lacresta after several comments during the meeting regarding a speeding issue in that area as well

COTTONWOOD HEIGHTS

RESOLUTION No. 2015-17

A RESOLUTION APPROVING ENTRY INTO AN INTERLOCAL AGREEMENT WITH SALT LAKE COUNTY FOR AERIAL PHOTOGRAPHY

WHEREAS, the Interlocal Cooperation Act, UTAH CODE ANN. §11-13-101 *et. seq.* (the “*Interlocal Cooperation Act*”), provides that any two or more public agencies may enter into agreements with one another for joint or cooperative action following the adoption of an appropriate resolution by the governing body of each participating public agency; and

WHEREAS, Salt Lake County (the “*County*”) and the city of Cottonwood Heights (the “*City*”) are public agencies for purposes of the Interlocal Cooperation Act; and

WHEREAS, the County has entered into an agreement with the Utah Department of Technology Services, Automated Geographic Reference Center, for use of a commercial license with Google for high resolution orthophotography (aerial photography), with options to purchase updated aerial photography content, for the entire area of the County, and has offered to make such imagery data available to the City (the “*Services*”); and

WHEREAS, the City desires the Services; and

WHEREAS, the County has presented to the City, for its review and approval, an interlocal cooperation agreement between the County and the City (the “*Agreement*”) whereunder the County would provide the Services to the City on the terms and conditions specified in the Agreement; and

WHEREAS, the City’s municipal council (the “*Council*”) met in regular session on 14 April 2015 to consider, among other things, approving the City’s entry into the Agreement; and

WHEREAS, the Council has reviewed the form of the Agreement, a photocopy of which is annexed hereto; and

WHEREAS, the city attorney of the City has approved the form of the Agreement as required by *Utah Code Ann.* §11-13-202.5(3); and

WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of the City to approve the City’s entry into the Agreement as proposed;

NOW, THEREFORE, BE IT RESOLVED by the city council of the city of Cottonwood Heights that the attached Agreement be, and hereby is, approved, and that the City’s mayor and recorder are authorized and directed to execute and deliver the Agreement on behalf of the City.

This Resolution, assigned no. 2015-17, shall take effect immediately upon passage.

PASSED AND APPROVED this 14th day of April 2015.

COTTONWOOD HEIGHTS CITY COUNCIL

By _____
Kelvyn H. Cullimore, Jr., Mayor

ATTEST:

Kory Solorio, Recorder

VOTING:

Kelvyn H. Cullimore, Jr.	Yea	___	Nay	___
Michael L. Shelton	Yea	___	Nay	___
J. Scott Bracken	Yea	___	Nay	___
Michael J. Peterson	Yea	___	Nay	___
Tee W. Tyler	Yea	___	Nay	___

DEPOSITED in the office of the City Recorder this 14th day of April 2015.

RECORDED this ___ day of April 2015.

County Contract No. _____
District Attorney No. 15-02705
City Contract No. _____

INTERLOCAL COOPERATION AGREEMENT
Between
SALT LAKE COUNTY
And
COTTONWOOD HEIGHTS CITY

THIS INTERLOCAL COOPERATION AGREEMENT (“Agreement”) is made and entered into this 31 day of March, 2015, by the between SALT LAKE COUNTY, a body corporate and politic of the State of Utah (“County”) for its County Surveyor’s Office, and the COTTONWOOD HEIGHTS CITY, a municipal corporation of the State of Utah (“City”). County and City are sometimes referred to as the “Parties”.

RECITALS

WHEREAS, County and City are governmental entities and authorized pursuant to the Utah Interlocal Cooperation Act, Utah Code Ann. §11-13-101, et seq. to enter into agreements for the joint cooperation of the Parties;

WHEREAS, County has entered into an agreement with the Utah Department of Technology Services, Automated Geographic Reference Center for use of a commercial license with Google for use of high-resolution digital orthophotography (aerial photography) with options to purchase updated aerial photography content; and

WHEREAS, the County desires to make available and the City desires to acquire Google imagery data;

NOW, THEREFORE, the County and City enter into the following agreement:

1. PROJECT

- a. The City agrees to participate in the purchase of a commercial aerial photography license of high-resolution Google Imagery data which will include at a minimum the entire area of the County of Salt Lake. The data will be acquired each year beginning in 2015 and ending December 31, 2017 unless renewed. City agrees that delays in acquiring the Google Imagery data that are through no fault of the County will not be a basis for termination of this Agreement or damages.
- b. As part of purchase agreement, the City agrees to fill out the electronic Organizational Usage Agreement located on the AGRC Aerial Photography page at <http://gis.utah.gov/data/aerial-photography>, a sample of which is attached hereto and incorporated herein as Exhibit A.

2. COMPENSATION Total project cost includes the initial Google Imagery data purchase and two years maintenance costs. Pricing per city will be based on a sixteenth of the total project cost which is not to exceed \$5000.00. The City agrees to pay its portion of the first year's purchase cost in the amount of \$3750.00 to the County. Payment will be made upon completion and delivery of the work described in paragraph 1 above. City agrees to tender payment in full no later than 30 days after delivery. The City's portion of the maintenance cost will be billed annually in subsequent years.

3. DURATION AND TERMINATION

- a. This Agreement shall take effect upon the execution of this Agreement by a duly authorized official of each Party and recordation with their respective keeper of records pursuant to the Interlocal Agreement Act and shall terminate on December 31, 2017 unless renewed. This Agreement may be renewed for 2 additional three-year periods.
- b. This Agreement may be voluntarily terminated in whole or in part by either Party on not less than thirty (30) days notice in advance of the contemplated termination given in writing.

4. DELIVERABLES

- a. The Google Imagery data will be available as a GIS WMA service and as a downloadable product. The County will coordinate all deliverables and QA/QC with the Utah Automated Geographic Reference Center (AGRC). The anticipated initial delivery is March 2015. Provides purchase options, in subsequent years, for the State, if current on the annual maintenance costs, to acquire future aerial photography updates, as flown by the product provider, at the initial per unit acquisition cost, for a period of 3 years from purchase, with: a minimum purchase limit not exceeding 5,000 km, and an expected update of the settled area of the Wasatch Front annually.
- b. Provides a content use license that may restrict or prohibit bulk redistribution of the raw aerial photography data outside the allowable user/usage specifications, but, otherwise includes staff and web application uses for conducting the official business of Utah's state government, regional and local political subdivisions, public safety communication centers, K-12 and higher education entities. The entities above, as provided by private sector or non-profit parties using map technology to deliver services to these organizations as specifically directed per statutory requirement, per contract, or per other formalized, time-limited agreement. AGRC will obtain a statewide download of the imagery, per the on-premise rights associated with the commercial aerial photography service and will make the downloaded files available to partnering agencies and other qualifying organizations.

5. SEPARATE LEGAL ENTITY This Agreement does not create a separate legal entity.
6. LIABILITY AND INDEMNIFICATION Both parties are governmental entities under the Utah Governmental Immunity Act, Title 63, Chapter 30, Utah Code Ann., 1953, as amended. Consistent with the terms of this Act, it is mutually agreed that each party is responsible and liable for its own wrongful or negligent acts which it commits or which are committed by its agents, officials, or employees. Neither party waives any defenses otherwise available under the Governmental Immunity Act.
7. NOTICE Any notice required or permitted to be given hereunder shall be deemed sufficient if given by a communication in writing and shall be deemed to have been received (a) upon personal delivery or actual receipt thereof, or (b) within two days after such notice is deposited in the United States Mail, postage prepaid, and certified and addressed to the Parties as set forth below:

County: Salt Lake County Mayor
 2001 South State Street, N2100
 PO Box 144575
 Salt Lake City, Utah 84114-4575

Salt Lake County Surveyor
 2001 State Street, N1500
 PO Box 144575
 Salt Lake City, Utah 84114-4575

City: _____

8. INTERLOCAL COOPERATION ACT REQUIREMENTS In satisfaction of the requirements of the Interlocal Cooperation Act, and in connection with this Agreement, the Parties agree as follows:
 - a. This Agreement shall be approved by each Party pursuant to Section 11-13-202.5 of the Interlocal Act;
 - b. This Agreement shall be reviewed as to proper form and compliance with applicable law by a duly authorized attorney on behalf of each Party, pursuant to Section 11-13-202.5 of the Interlocal Act;
 - c. A duly executed original counterpart of this Agreement shall be filed with keeper of records of each Party, pursuant to Section 11-13-209 of the Interlocal Act;
 - d. Except as otherwise specifically provided herein, each Party shall be responsible for its own costs of any action taken pursuant to this Agreement, and for any financing of such costs;

- e. No real or personal property will be acquired, held, or disposed of in this cooperative undertaking. To the extent that a Party acquires, holds, or disposes of any real or personal property for use in the joint or cooperative undertaking contemplated by this Agreement, such Party shall do so in the same manner that it deals with other property of such Party.

9. MISCELLANEOUS PROVISIONS It is mutually agreed and understood by and between said Parties that:

- a. Agents, employees, or representatives of each party shall not be deemed to be the agents, employees or representatives of the other;
- b. This Agreement contains the entire agreement between the parties, with respect to the subject matter hereof, and no statements, promises, or inducements made by either party or agents for either party that are not contained in this written Agreement shall be binding or valid; and this Agreement may not be enlarged, modified, or altered except in writing, and signed by the parties.
- c. The County designates Mark Miller as representative to assist in the management of this Agreement. The City designates _____ as representative to assist in the management of this Agreement. The representatives shall have no control over the means, methods, techniques or procedures employed in the services of this Agreement.
- d. This Agreement may be executed in counterparts by the City and the County.
- e. Amendments may be proposed at any time during the period of performance by either Party and shall become effective upon signing by both Parties. No change to this Agreement shall be binding unless and until reduced to writing and signed by duly authorized officials of both Parties.
- f. If any provision hereof shall be held or deemed to be or shall, in fact, be inoperative or unenforceable as applied in any particular case in any jurisdiction or in all jurisdictions, or in all cases because it conflicts with any other provision or provisions hereof or any constitution or statute or rule or public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstance, or of rendering any other provision or provisions hereof invalid, inoperative, or unenforceable to any extent whatever. The invalidity of any one or more phrases, sentences, clauses, or paragraphs herein contained shall not affect the remaining portions hereof, or any part thereof.
- g. Nothing in this agreement creates any enforceable rights in third parties.
- h. Each Party agrees to follow the records retention schedule required by law.

IN WITNESS WHEREOF, the parties have subscribed their names and seals the day and year first above written.

SALT LAKE COUNTY

By _____
Mayor Ben McAdams or Designee

APPROVED AND AGREED TO:
SALT LAKE COUNTY SURVEYOR

By _____
Reid J. Demman PLS, County Surveyor

Approved as to Form and Legality:

By 
Melanie F. Mitchell, Unit Chief

Date 

COTTONWOOD HEIGHTS CITY

By _____

Title _____

ATTEST:

Recorder

Approved as to Form and Legality:

Attorney for _____

Date _____

EXHIBIT A

EXHIBIT A

* Required



Organizational Usage Agreement, Google Imagery License

For the State of Utah's Google High Resolution Aerial Photography License (DTS#0152):

The following agreement is required for all qualifying organizations to use the Utah license to Google's high resolution imagery.

Organizations (state departments or divisions, counties, cities, contractors, etc) need only complete the agreement once, and it is suggested this be done by a designated primary contact (GIS manager, CAD lead, mapping apps project manager, etc).

Contractors and partners need only fill out this agreement if access to the service is desired outside of an immediate licensee's physical facilities or network.

Email contact information collected will only be used to provide updates regarding the imagery terms of service, changes to imagery content, or notices regarding the imagery web services.

PART 1: Organization and Primary Contact (Required)

Organization: *

Primary Contact First and Last Name: *

Primary Contact Email *

Primary Contact Phone: *

PART 1b: Additional Information for Contractors and Partner Organizations (Required if Applicable)

If not state, regional, local or tribal government, public safety communications center, K-12, or higher ed, then please provide:

Name of project or relevant partnership for which imagery will be used:

Working on behalf of, or partnering with:

Provide the state, regional, local or tribal government, public safety, K-12, or higher ed entity for which you are performing work under the project or formal partnership

Contact email at qualifying organization with which you are formally partnering or performing contracted work:

Anticipated project end date:

Is the anticipated end date likely to be extended?

- No
 Possible
 Probable

PART 2: Informational Items and Terms of Service (Required)

Check each box to indicate acknowledgement and agreement to the informational items and terms of service

*

- Imagery web services are provided as a 'best effort' level service; there is no implied or explicit high availability service-level agreement for the imagery web services.

*

- The organization-specific web service URL or other credentials for accessing the imagery as a service may not to be distributed outside of your organization. Usage statistics will be kept to inform the acquisition of future aerial photography updates and to support sustained funding for the license.

*

- The Google imagery is a proprietary product licensed to Utah's state, local & tribal government. The license requires attribution on any published hard copy or digital maps, including web maps. Attribution should at a minimum read "Google" and must be legible to the average viewer. Attribution graphic files will be available at: gis.utah.gov/data/googleimagery.

*

Inclusion of the imagery in any non-commercial printed document (5000 document copies or less) is permitted for public sector organizations without prior approval. Approval from Google must be obtained through AGRC for non-commercial documents printed in larger quantities or for any printed or digital materials provided to end users for a fee that exceeds the total cost of production.

*

Stated horizontal positional accuracy of the imagery is expected to achieve or exceed one meter (CE90) in most areas without significant vertical relief. Higher precision is expected in urban areas, where existing supplemental ground control was more abundant.

*

License information, known issues, frequently asked questions, and other resources related to the Google imagery license are available at gis.utah.gov/data/googleimagery.

*

A datum transformation may be required to achieve the highest level of positional accuracy, especially when reprojecting imagery between NAD27, NAD83, and WGS84-based datums. More information is available on this topic at: gis.utah.gov/data/googleimagery.

*

Contractors or formal partners performing work on behalf of a licensee must apply separately for access to the imagery service if it is to be used outside the immediate licensee's physical facilities or network.

*

Imagery files may not be resold, leased, rented or redistributed outside of your immediate organization or used for projects not identified to and approved by AGRC. Providing mass downloads of any imagery files or derivative works containing the imagery is not permitted.

PART 3: On Premise Imagery Files Request (Optional)

Image files may be requested through AGRC for those organizations with legitimate use requirements that cannot be met using the aerial photography via web services.

*** Important Note: The imagery .jpg files are not yet ready, but you can still place your request in the queue for future attention.

The streaming aerial photography web service is not anticipated to meet my organization's needs, My organization is requesting access to the imagery files for the following project and reason:

Project or Application Description (if applicable):

Why web service access doesn't fulfill requirements (if applicable):

Description of Geographic Area Required:

PART 4. Acknowledgement (Required)

On behalf of my organization, I have checked the appropriate boxes to indicate acknowledgement and agreement to the informational items and terms of service, as listed above, pertaining to usage of the State of Utah's license to the Google High Resolution Aerial Photography products and services. Furthermore, by signing this document, my organization commits to communicating the content of this agreement to all of its end users of the aerial photography and related services.

Signature of Primary Contact *

Adding your name below will constitute an electronic signature.

An email will be sent out to the primary contact indicated, confirming submission of this license agreement. Please notify us if you fail to receive a confirmation email.

Submit

Never submit passwords through Google Forms.

COTTONWOOD HEIGHTS

RESOLUTION No. 2015-18

A RESOLUTION CONSENTING TO APPOINTMENT TO THE COTTONWOOD HEIGHTS ARTS COUNCIL

WHEREAS, section 2.140.401 of the COTTONWOOD HEIGHTS CODE (the “Code”) establishes the “Cottonwood Heights Arts Council” (the “Arts Council”) for the city of Cottonwood Heights (the “City”); and

WHEREAS, Code §2.140.403(B) provides that the Arts Council shall consist of up to 13 members who are City residents, who may be from geographically diverse parts of the City, and who may be selected to assure adequate representation of each of the various artistic disciplines; and

WHEREAS, Code §2.140.104 provides that members of the Arts Council shall be appointed and removed by the city manager (the “Manager”) with advice and consent of the city council (the “Council”) to staggered three-year terms, so that the terms of office of approximately one-third of the members expire each year; and

WHEREAS, the Manager has appointed **Jon Watkins** to fill the vacancy on the Council arising from the expiration on 1 February 2015 of the term of office of Lindy Davis, who has moved from the City; and

WHEREAS, the Manager has requested that the Council give its advice and consent to such appointment; and

WHEREAS, the Council met on 14 April 2015 to, among other things, (a) consider the appointment of **Jon Watkins** to the Arts Council as specified above; and (b) ratify and consent to the current composition of membership of the Arts Council; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of the City to consent to the foregoing appointment to the Arts Council as proposed by the Manager;

NOW THEREFORE, BE IT RESOLVED by the Cottonwood Heights city council that the Council hereby (a) consents to the appointment of **Jon Watkins** to the Arts Council as specified above; and (b) ratifies and gives advice and consent to the status of the following individuals as all of the current members of the Arts Council as of the date of this resolution for the terms of office set forth opposite each name:

<u>Name</u>	<u>Term Expires</u>
Rebecca Kitchen	1 February 2016
John Russell	1 February 2016
Sarah Ricketts	1 February 2016
Chante’ T. McCoy	1 February 2016
Shaun Davis	1 February 2017
Elise Hogan	1 February 2017
Richard Randolph	1 February 2017
Becky Henriksen	1 February 2018
Bill Armstrong	1 February 2018
Shelia Armstrong	1 February 2018
Jon Watkins	1 February 2018

This Resolution, assigned no. 2015-18, shall take effect immediately upon passage.

PASSED AND APPROVED effective 14 April 2015.

COTTONWOOD HEIGHTS CITY COUNCIL

By _____
Kelvyn H. Cullimore, Jr., Mayor

ATTEST:

Kory Solorio, Recorder

VOTING:

Kelvyn H. Cullimore, Jr	Yea	___	Nay	___
Michael L. Shelton	Yea	___	Nay	___
J. Scott Bracken	Yea	___	Nay	___
Michael J. Peterson	Yea	___	Nay	___
Tee W. Tyler	Yea	___	Nay	___

DEPOSITED in the office of the City Recorder this 14th day of April 2015.

RECORDED this ___ day of April 2015.