

**PUBLIC NOTICE**

Notice is Hereby Given that the Tooele City Council will meet in a Business Meeting on Wednesday, May 4, 2022, at the approximate hour of 7:10 p.m. The meeting will be held at the Tooele City Hall Council Chambers, located at 90 North Main Street, Tooele, Utah.

*We encourage you to join the City Council meeting electronically by logging on to the Tooele City Facebook page at <https://www.facebook.com/tooelecity>. If you are attending electronically and would like to submit a comment for the public comment period or for a public hearing item, please email [cmpubliccomment@tooelecity.org](mailto:cmpubliccomment@tooelecity.org) anytime up until the start of the meeting. Emails will be read at the designated points in the meeting.*

**1. Pledge of Allegiance**

**2. Roll Call**

**3. Mayor's Youth Recognition Awards**

*Presented by Debbie Winn, Mayor & Stacy Smart, Communities That Care Supervisor*

**4. Public Comment Period**

**5. Public Hearing & Motion on Ordinance 2022-17** An Ordinance of Tooele City Amending Section 7-11a-18 of the Tooele City Code Regarding Multi-Family Residential Design Standards

*Presented by Jim Bolser, Community Development Director*

**6. Public Hearing & Motion on Ordinance 2022-18** An Ordinance of the Tooele City Council Creating a Planned Unit Development Zoning Overlay on 33.82 Acres of Property Located at Approximately 1200 North Franks Drive

*Presented by Jim Bolser, Community Development Director*

**7. Preliminary Plan Request** for the Bryant Subdivision by Clint Bryant to Create a New 1.00 Acre Platted Lot at Approximately 426 North Coleman Street in the RR-1 Residential Zoning District

*Presented by Jim Bolser, Community Development Director*

**8. Ordinance 2022-10** An Ordinance of Tooele City Reconsidering Amending Tooele City Code 7-24 Regarding Annexation

*Presented by Roger Baker, City Attorney*

**9. Resolution 2022-30** A Resolution of the Tooele City Council Approving an Interlocal Agreement Between Tooele City and Tooele County for Solid Waste Disposal

*Presented by Roger Baker, City Attorney*

**10. Resolution 2022-31** A Resolution of the Tooele City Council Approving an Agreement with Tooele County for Dispatch Services for Fiscal Year 2022-2023

*Presented by Adrian Day, Police Chief*

**11. Resolution 2022-32** A Resolution of the Tooele City Council Tentatively Adopting the Budget Officer's Tentative Budget for Tooele City Fiscal Year 2022-2023, and Establishing the Time and Place of a Public Hearing to Consider its Adoption

*Presented by Debbie Winn, Mayor*

12. **Resolution 2022-35** A Resolution of the Tooele City Council Ratifying a Contract with VanCon Inc. For Construction of the 2022 Red Del Papa Park Well House and Waterline, Bid Schedule "A"-Well House  
*Presented by Paul Hansen, City Engineer*
13. **Resolution 2022-36** A Resolution of the Tooele City Council Ratifying a Contract with Broken Arrow Inc. for Construction of the 2022 Red Del Papa Park Well House and Waterline, Bid Schedule "B"-Waterline  
*Presented by Paul Hansen, City Engineer*
14. **Resolution 2022-37** A Resolution of the Tooele City Council Ratifying a Contract with VanCon Inc. for Construction of the Berra Well 1 Million Gallon Reservoir  
*Presented by Paul Hansen, City Engineer*
15. **Resolution 2022-38** A Resolution of the Tooele City Council Ratifying a Contract with Broken Arrow Inc. for the 2022 Roadway Improvement Project  
*Presented by Paul Hansen, City Engineer*
16. **Resolution 2022-39** A Resolution of the Tooele City Council Adopting the Fire Department Analysis Report Prepared by The Center for Public Safety Management LLC  
*Presented by Debbie Winn, Mayor*
17. **Minutes**  
*~Wednesday, April 6, 2022 City Council Work Meeting*  
*~Wednesday, April 6, 2022 City Council Business Meeting*
18. **Invoices**
19. **Adjourn**

---

Michelle Y. Pitt, Tooele City Recorder

Pursuant to the Americans with Disabilities Act, Individuals Needing Special Accommodations Should Notify Michelle Y. Pitt, Tooele City Recorder, at 435-843-2111 or [michellep@tooelecity.org](mailto:michellep@tooelecity.org), Prior to the Meeting.

## TOOELE CITY CORPORATION

### ORDINANCE 2022-17

#### AN ORDINANCE OF TOOELE CITY AMENDING SECTION 7-11a-18 OF THE TOOELE CITY CODE REGARDING MULTI-FAMILY RESIDENTIAL DESIGN STANDARDS.

**WHEREAS**, Utah Code §10-8-84 and §10-9a-102 authorize cities to enact ordinances, resolution, and rules and to enter other forms of land use controls they consider necessary or appropriate for the use and development of land within the municipality to provide for the health, safety, welfare, prosperity, peace, and good order, comfort, convenience, and aesthetics of the municipality; and,

**WHEREAS**, the various zoning districts of Tooele City are established within Chapter 7-13 of the Tooele City Code; and,

**WHEREAS**, residential land uses in Tooele City, particularly the uses allowed in the various residential zones, allowable densities, and property standards are regulated by Tooele City Code Chapter 7-14; and,

**WHEREAS**, the practice of zoning is a widely accepted and defensible tool for establishing standards for development of differing land uses and areas; and,

**WHEREAS**, the establishment of zoning within the City Code provides for an even and fair framework for all applications for development and ensures the fundamental fairness in the utilization and enforcement of its provisions; and,

**WHEREAS**, residential land uses in Tooele City, particularly the uses allowed in the various multi-family residential zones, have associated design standards regulated by Tooele City Code Chapter 7-11a; and,

**WHEREAS**, one such design standard requirement addresses the exterior building material requirements for multi-family residential developments; and,

**WHEREAS**, the terms of municipal codes are intended to contain a certain amount of fluidity whereby those terms can be amended to address new and changing conditions that present themselves and are deemed appropriate; and,

**WHEREAS**, in 2021, Zenith Tooele, LLC, filed an application to amend the City Code's design standards for multi-family housing, in particular the exterior façade materials, and thereafter amended its proposed amendments several times; and,

**WHEREAS**, the nature of this amendment to the Tooele City Code is intended to address the established requirements for exterior building materials for multi-family residential developments; and,

**WHEREAS**, the purpose of the proposed amendments is to revise the terms of Section 7-11a-18 of the Tooele City Code regarding the requirements for exterior building materials associated with multi-family residential developments; and,

**WHEREAS**, this amendment reduces the requirements for certain exterior building materials for

multi-family residential developments; and,

**WHEREAS**, this amendment serves to address the rising costs of housing and construction in the State of Utah; and,

**WHEREAS**, this amendment serves to reduce the construction costs that contribute to the cost of housing and affordability within the community; and,

**WHEREAS**, the process for amending provisions within a municipal code is necessarily somewhat cumbersome and lengthy in order to maintain the transparency in process and fairness to all; and,

**WHEREAS**, the lengthy and cumbersome process for amending terms of a municipal code makes efforts difficult to effectively adapt and accommodate trends and changing market conditions that can happen more rapidly; and,

**WHEREAS**, it is proper and appropriate to routinely review the ordinances and provisions of the Tooele City Code for clarity, predictability, relevance, applicability, and appropriateness; and,

**WHEREAS**, it is proper and appropriate to revise provisions of the City Code found to be antiquated, to have diminished in applicability and appropriateness, to be unclear or to have diminished relevance, to lead to difficulties in the predictability of the land use application approval process, or to modernize provisions to adapt to changing conditions and federal and state laws; and,

**WHEREAS**, on December 8, 2021, the Planning Commission convened a duly noticed public hearing, accepted written and verbal comment; and,

**WHEREAS**, on April 13 and 27, 2022, the Planning Commission discussed the proposed amendments, and alternatives, and voted on April 27 to forward its recommendation to the City Council (see the various Planning Commission minutes attached as Exhibit C); and,

**WHEREAS**, on May 4, 2022, the City Council convened a duly-advertised public hearing:

**NOW, THEREFORE, BE IT ORDAINED BY TOOELE CITY** that Section 7-11a-18 of the Tooele City Code is hereby amended as shown in **Exhibit B**;

This Ordinance is necessary for the immediate preservation of the peace, health, safety, and welfare of Tooele City and its residents and businesses and shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

**IN WITNESS WHEREOF**, this Ordinance is passed by the Tooele City Council this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.



TOOELE CITY COUNCIL

(For)

(Against)

\_\_\_\_\_  
Justin Brady

\_\_\_\_\_  
Justin Brady

\_\_\_\_\_  
Melodi Gochis

\_\_\_\_\_  
Melodi Gochis

\_\_\_\_\_  
Tony Graf

\_\_\_\_\_  
Tony Graf

\_\_\_\_\_  
Ed Hansen

\_\_\_\_\_  
Ed Hansen

\_\_\_\_\_  
Maresa Manzione

\_\_\_\_\_  
Maresa Manzione

ABSTAINING: \_\_\_\_\_

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

\_\_\_\_\_  
Debra E. Winn

\_\_\_\_\_  
Debra E. Winn

(If the mayor approves this ordinance, the City Council passes this ordinance with the Mayor's approval. If the Mayor disapproves this ordinance, the City Council passes the ordinance over the Mayor's disapproval by a super-majority vote (at least 4). If the Mayor neither approves nor disapproves of this ordinance by signature, this ordinance becomes effective without the Mayor's approval or disapproval. City Charter Section 2-05. UCA 10-3-704(11).)

ATTEST:

\_\_\_\_\_  
Michelle Pitt, City Recorder

SEAL

Approved as to Form: \_\_\_\_\_  
Roger Evans Baker, Tooele City Attorney

**EXHIBIT A**

**CURRENT TOOELE CITY CODE SECTION 7-11a-18**

**7-11a-18. Design Standards: Building Materials.**

1. Exterior Finishes. Exterior building materials shall be natural or cultured brick or stone over at least 50% percent of the entire building facade (not including windows and doors), the remaining 50% being brick, stone, stucco, clapboard, wood, block/masonry, and/or vinyl. At least 75% of the 50% shall be on the front building facade. All building facades that face a public right-of-way or exterior street shall utilize at least 40% of these allowable materials.
2. Roof. Roof materials shall be architectural asphalt or composition shingles (at least 30-year), ceramic or clay tiles, or other long-lived weather-resistant materials.

**EXHIBIT B**

**PROPOSED TEXT AMENDMENT TO TOOELE CITY CODE SECTION 7-11a-18**

**7-11a-18. Design Standards: Building Materials.**

1. Exterior Finishes. Exterior building materials shall be natural or cultured brick or stone over at least 50% percent of the entire building façade (not including windows and doors), the remaining 50% being brick, stone, stucco, clapboard, wood, block/masonry, and/or vinyl. At least ~~75% of the 50% shall be on~~ 60% of the front building façade shall be natural or cultured brick or stone. All building façades that face a public right-of-way or exterior street shall utilize at least 40% natural or cultured brick or stone ~~of these allowable materials~~.
2. Roof. Roof materials shall be architectural asphalt or composition shingles (at least 30-year), ceramic or clay tiles, or other long-lived weather-resistant materials.

**EXHIBIT C**

**PLANNING COMMISSION MINUTES FOR DECEMBER 8, 2021  
AND APRIL 13 AND 27, 2022**

**Tooele City Planning Commission  
Business Meeting Minutes**

**Date:** Wednesday, December 8, 2021

**Time:** 7:00 p.m.

**Place:** Tooele City Hall Council Chambers  
90 North Main Street, Tooele Utah

**Commission Members Present:**

Tyson Hamilton  
Dave McCall  
Matt Robinson  
Paul Smith  
Chris Sloan  
Melanie Hammer

**Commission Members Excused:**

Nathan Thomas  
Weston Jensen  
Shauna Bevan

**City Council Members Present:**

Ed Hansen  
Maresa Manzione

**City Employees Present:**

Andrew Aagard, City Planner  
Jim Bolser, Community Development Director  
Paul Hansen, Tooele Engineer  
Roger Baker, Tooele City Attorney

Minutes prepared by Katherin Yei

Chairman Hamilton called the meeting to order at 7:00 p.m.

**1. Pledge of Allegiance**

The Pledge of Allegiance was led by Commissioner Smith.

**2. Roll Call**

Tyson Hamilton, Present  
Dave McCall, Present  
Shauna Bevan, Present  
Matt Robinson, Present  
Paul Smith, Present

Chris Sloan, Present  
Nathan Thomas, Excused  
Weston Jensen, Excused  
Melanie Hammer, Excused

**3. Public Hearing and Decision on a Conditional Use Permit Request by the Tooele County School District to Authorize the “Vehicle Storage Yard” Use for Approximately 20 Acres Located at 99 Industrial Loop Road in the (I) Industrial Zoning District.**

*Presented by Andrew Aagard, City Planner*

Mr. Aagard stated the vehicle storage yard will not occupy the entire parcel but approximately 20-acre plat. He stated the surrounding uses include Detroit Diesel, School District offices, and Carvana. The Zoning is I, Industrial as well as the surrounding properties. He stated the site plan is being reviewed and will include a transportation facility for vehicle storage, office spaces, and vehicles. He stated only the vehicle storage yard is being considered. The staff is recommending approval with the items listed in the staff report.

Chairman Hamilton opened the public hearing. No one came forward, the public hearing was closed.

**Commissioner Robinson moved to approve Conditional Use Permit Request by the Tooele County School District to Authorize the “Vehicle Storage Yard”.** Commissioner McCall seconded the motion. The vote was as follows: Commissioner McCall, “Aye”, Commissioner Robinson, “Aye”, Commissioner Bevan, “Aye”, Commissioner Smith, “Aye”, Commissioner Sloan, “Aye”, and Chairman Hamilton, “Aye”. The motion passed.

**4. Public Hearing and Recommendation on a City Code Text Amendment Request by Zenith Tooele, LLC to Revise the Terms of Section 7-11a-18 of the Tooele City Code Regarding Exterior Building Material Requirements for Multi-Family Residential Development.**

*Presented by Jim Bolser, Community Development Director*

Mr. Bolser stated this application is from an applicant outside the City with the application’s supporting information included in the packet. He stated the request is to revise Section 7-11a-18, subsection 1, for the exterior building material requirements for multi-family residential developments. He stated subsection 1 states there needs to be a minimum of 50% to be a specific set of materials. The application language would change subsection 1 from the minimum of 50% to a maximum of 25%. He stated the application gave materials for justification with their reasoning being mostly for the cost of construction compared to affordable income housing. He stated Tooele City is fully compliant with all state requirements for low and moderate income housing. Modern income housing is defined through formulas adopted by the state, with three levels identified as AMI based off of the county median household income. He stated through the



three steps it equates to maximum housing cost. It is not uncommon for a lower threshold for housing to be subsidized or rent controlled to meet those requirements. He stated the annual updated report recently given to the state shows Tooele meets or exceeds all requirements and complies with all state rules. When dealing with low and moderate income housing, the City only has to meet a minimum threshold. He stated establishing code of this sort would be applicable to every project, not just moderate-income housing.

Chairman Hamilton invited the applicant up to address the Commission.

Mr. Charles Akerlow, the applicant, asked for clarification of the wording in the code, asking if 50% and the 75% could include any materials.

Mr. Bolser stated the provision says the 50% is a minimum and at least 75% of that 50% shall be on the front building façade.

Mr. Akerlow stated they may not need to pursue this application any further because there are plenty of the materials included. He stated his appreciation for the staff and Mr. Bolser. He stated he understood it as the requirement was just brick or stone. He stated they have had difficulties in making the building have 50% brick due to the cost.

Mr. Bolser stated he is correcting himself, the ordinance requires that exterior building materials shall be natural or cultured stone or brick for that minimum 50%.

Mr. Akerlow stated he has been developing Lexington Greens. He stated the project has a wide range of homes and apartments allowing a renter to start in an apartment and move into a home. He stated the Ordinance requires them to have 50% façade of brick or stone requiring them to make a significant purchase of those supplies. He stated it is a big cost difference and would require them to raise the rents or cut back on amenities. He stated he wants to preserve the City's preference for brick work but still make the things affordable. He stated they can see from the renderings, the use of 25% materials allows them to give them the look and keep amenities. He stated Mr. Baker had asked how they provide a better quality of life for the community. Brick and stone held the building up. He stated the problem with the language of the ordinance is that there is no measurable yard stick that can measure aesthetics or quality of life. He asked if they are living in homes and apartments for the aesthetic or the amenities. He is just trying to make it fair across the board for single-family homes and multi-family homes.

Commissioner Robinson stated as he understands the application is asking for a minimum and hearing the applicant speak, he is asking for it to not be too restrictive. He asked for clarification. Mr. Akerlow stated it was too restrictive.

Commissioner Robinson asked if 0-25% was too restrictive. He stated it was a minimum and now the applicant is stating it is too restrictive. The applicant stated it lessens the minimum.

Mr. Akerlow stated it lessens the minimum.

Chairman Hamilton stated the applicant is asking for "no more than" instead of a minimum.

Commissioner Smith asked if they are building and then selling.

Mr. Akerlow stated they will own now and eventually sell.

Commissioner Smith asked if they are leased or rented by the month.

Mr. Akerlow stated to pay cost the rent has to be higher.

Commissioner Smith asked if they rent will be less than the market rate.

Mr. Akerlow stated three bed apartments are about \$1500.

Commissioner Smith stated he wants to save money, but doesn't understand where the saving will be passed down to the people.

Mr. Akerlow stated the amenities will be changed for the residents.

Commissioner Smith stated he doesn't understand if he is going to rent for market value where the cost will pass down to the renters or the communities.

Mr. Akerlow stated it won't raise the rent. He stated he believes affordable project in affordable area. The builders save money by not adhering to code and the City doesn't seem to be concerned that everyone is not in conformity.

Commissioner Robinson stated the applicant mentioned hardy board asked if it is the same as the board in code.

Mr. Akerlow stated it is a cement fiberboard and shows it is allowed in code.

Chairman Hamilton opened the public hearing. No one came forward, the public hearing was closed.

Mr. Baker stated he is concerned that the applicant had alleged that the single-family guidelines were enforced unfairly between developers by the City. He stated it is a serious allegation and requires a response. He stated there is a misunderstanding by the applicant on single-family design standards. Code Chapter 11b provides a certain percentage must be masonry material, defined as brick, stone, or stucco under the City code. In the next section, the developer/builder can get additional points for adding stone or brick, contributing towards the total number for elective architecture. He stated if there are exceptions they will look at them, but every house shown in packet as an example of noncompliance in fact complies with City code

Mr. Aagard stated hardie board does count as masonry under the City Code. Single family residential and multi-family residential design standards are different and in different chapters of the City Code and are enforced.

Commissioner Sloan asked why they are not consistent between the two.

Mr. Bolser stated multi-family residential is inherently connected and single-family is detached. He stated that the Building Code and City Code treat the construction and requirements for each differently and they are inherently different despite both being a residential use. The City Code is the policy of the City Council.

Mr. Baker stated the policy discussions for the two standards were done at different times and were different policy discussions. They were unrelated. He stated that the multi-family design standards were enacted in 2005, and that later the City Council thought all dwellings ought to be addressed for design, and enacted the single-family design standards after another policy discussion.

Chairman Hamilton stated looking at pictures, the break in concrete will help in different homes.

Commissioner Sloan stated the applicant has stated a few things and wonder what exactly it is the applicant wants.

Mr. Akerlow stated he needs to have a conversation with the City Attorney and staff to see if their plan meets the City requirements as is.

Commissioner Robinsons stated with the difference in the proposal and what the applicant is asking to be considered tonight, he would like to table this application.

Commissioner Sloan stated they might not need to change anything. The applicant might satisfy under the code already.

Commissioner Smith stated the use on the building is different in building apartments then residential homes. He stated the outside of apartments get more damage than single-family homes because people move in and out. He stated if they don't have something strong on base of the building, it can affect the quality of building. He stated buildings of this size can be traded and become a commodity. He stated he would like to keep something of better quality for longer period of time.

Commissioner Robinson stated he recommends pulling the last sentence of the proposed wording because pulling on modern income affordable plan is subjective.

Mr. Bolser stated the desire to make changes to the wording include striking the last sentence because of the subjective standard it creates and striking the word encourage for a definitive statement because it is not a hard and fast rule that can be enforced.

**Commissioner Thomas moved to table the City Code Text Amendment Request until next meeting allowing the applicant can fix some of the details.** Commissioner McCall seconded the motion. The vote was as follows: Commissioner McCall, "Aye", Commissioner Robinson, "Aye", Commissioner Bevan, "Aye", Commissioner Smith, "Aye", Commissioner Sloan, "Aye", and Chairman Hamilton, "Aye". The motion passed.

**5. Public Hearing and Recommendation on a City Code Text Amendment Request by John Potter Representing Nova Source to Revise the Terms of Table 2 of Chapter 7-16 of the Tooele City Code Regarding Maximum Building Heights Allowed in the GC General Commercial Zoning District.**

*Presented by Jim Bolser, Community Development Director*

Mr. Bolser stated this item is applicant driven instead of City driven. He stated the application does have a concept plan included. The lot in question is an empty field on the corner of 1000 North and 200 West. He stated the property owner has several applications for the site with the

potential of hosting a hotel and having restaurants. He stated dealing with the matrix and the availability of hotel rooms, they have found it most desirable to have a scale of 4 stories. He stated the Planning Commission is aware that in Table 2 of Chapter 7-16 are development standards specified for the GC zone and all other non-residential zoning districts. It has a maximum building height and a maximum of 4 stories allowed in the GC zone with a minimum of 1 story. The applicant has submitted the application to change the building height criteria from 50 to 65 feet, bringing the criteria in line to better match and allow it to be built to 4 stories.

Commissioner Smith asked why they don't find a piece of property in RC Zone.

Mr. Bolser stated hotel uses typically need to be on a major thorough fair which are generally zoned GC General Commercial.

Commissioner Smith asked why they don't rezone the lot.

Mr. Bolser stated there may be uses in that zone the City doesn't want there. He stated the application brings criteria into line.

Commissioner Smith stated 65 feet is tall. The temple is 75 feet tall.

Mr. Bolser stated the Temple falls under another category and has other considerations that come into play with a religious structure. The added steeple ornamentation makes it taller.

Commissioner Hammer asked if they anticipate the Regional Commercial to change as well.

Mr. Bolser stated several may need to be adjusted. He stated another zone has the same criteria that may not be appropriate and some review may need to be done.

Commissioner Sloan asked if they can require a racecar if the lobby of the hotel.

Mr. Bolser stated there is not a requirement in the City Code.

Chairman Hamilton opened the public hearing. No one came forward, he closed the public hearing.

Commissioner Sloan stated he would like to see the start of an application to examine the standards in each of these zones allowing it to be easier for some applicants.

**Commissioner Thomas moved to forward a positive recommendation a City Code Text Amendment Request by John Potter based on the findings listed in the staff report.**

Commissioner McCall seconded the motion. The vote was as follows: Commissioner McCall, "Aye", Commissioner Robinson, "Aye", Commissioner Bevan, "Aye", Commissioner Smith, "Naye", Commissioner Sloan, "Aye", and Chairman Hamilton, "Aye". The motion passed.

**6. Setting Dates, Time, and Place for Regular Planning Commission Meetings for the 2022 Calendar Year**

*Presented by Jim Bolser, Community Development Director*

Mr. Bolser stated the regular Planning Commission meetings proposed in the packet are two times per month on the second and fourth Wednesday of each month at 7:00 pm, following the

same pattern as this year, including not holding the second meeting of the month in November and December as they fall closely to holidays.

**Commissioner Robinson moved to approve Setting Dates, Time, and Place for Regular Planning Commission Meetings for the 2022 Calendar Year.** Commissioner Hammer seconded the motion. The vote was as follows: Commissioner McCall, “Aye”, Commissioner Robinson, “Aye”, Commissioner Bevan, “Aye”, Commissioner Smith, “Aye”, Commissioner Sloan, “Aye”, and Chairman Hamilton, “Aye”. The motion passed.

### **7. Nomination and Election of Planning Commission Chair and Vice-Chair for the 2022 Calendar Year**

Mr. Bolser stated there are a few things to consider in the nomination and election process. There are three ineligible Commissioners for the Chairman position in 2022. Chairman Hamilton is not available to serve as Chair for 2022 since he is completing two consecutive terms, Commissioner McCall has been voted onto the City Council and will not be on the Commission in January, and Commissioner Bevan is not seeking reappointment to another term for Planning Commission. He stated Commissioner Jensen and Commissioner Smith, who are currently alternates, will likely be appointed to full members of the Commission with these two leaving the Commission in January. He asked for nominations.

Commissioner Hammer nominated Commissioner Sloan as Chairman.

Commissioner Sloan nominated Commissioner Robinson as Chairman.

Mr. Bolser asked Commissioner Sloan if he wanted to accept the nomination. Commissioner Sloan declined the nomination.

Mr. Bolser asked Commissioner Robinson if he accepted the nomination. Commissioner Robinson accepted the nomination.

Mr. Bolser stated with only one Commissioner being nominated and accepting nomination for Chairman there is no need to vote and Commissioner Robinson will be the Chairman for 2022.

Mr. Bolser stated there is no limitations of the amount of years serving as Vice-Chair and the remaining seven can be nominated.

Commissioner Robinson nominated Commissioner Sloan.

Mr. Bolser asked if Commissioner Sloan would accept. Commissioner Sloan accepted.

Mr. Bolser stated the Planning Commission Chairperson for 2022 is Commissioner Robinson and the Vice-Chair is Commissioner Sloan.

### **8. Discussion Regarding Planning Commissioner Assignments to Pre-Development Meetings for the 2022 Calendar Year.**

Mr. Bolser stated they would like to have a representative of the Commission at the Pre-Development meetings. He stated they would like to get assignments out for the first half of the year to Planning Commission. He stated they will receive a packet a week in advance for the meeting every Wednesday at 3:30pm. He asked the Planning Commission to email him with the months that they may be able to attend.

Commissioner Robinson, Commissioner Sloan, and Chairman Hamilton volunteered for January, February, and March.

### **9. City Council Reports**

Council Member Manzione stated there was a discussion about the text amendments on the multi-family exterior, amending parking lots, and the potential code amendment for non-conforming structures. She stated they talked about the draft water conservation plan.

Commissioner Sloan asked if they selected a Chairperson and asked if Council Member Manzione and Council Member Hansen would lobby to stay with the Planning Commission. Council Member Manzione stated they will decide the Chairperson in January. Commissioner Sloan stated it is helpful having all the information that is given.

Chairman Hamilton stated his appreciation for the City Council.

### **10. Review and Approval of Planning Commission Minutes for Meetings held on November 10, 2021.**

No changes to the minutes.

**Commissioner Hammer moved to approve the November 10 minutes.** Commissioner Smith seconded the motion. The vote was as follows: Commissioner McCall, “Aye”, Commissioner Robinson, “Aye”, Commissioner Bevan, “Aye”, Commissioner Smith, “Aye”, Commissioner Sloan, “Aye”, and Chairman Hamilton, “Aye”. The motion passed.

### **11. Planning Commission Training on the Tooele City Charter.**

Mr. Baker reviewed what the Tooele City Charter is and the guidelines and rules the City must follow.

Mr. Bolser stated his appreciation for Mr. Baker’s training. He stated there are 22 meetings on the calendar in 2021 and if you attend 12 or more meetings Commissioners can earn credits under the new state legislation for Planning Commission training. He stated that none of the

Commissioners have attended less than 17 meetings and they have all exceed the requirements for trainings this year.

## **12. Adjourn**

**Chairman Hamilton adjourned the meeting at 8:41 p.m.**

*The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.*


Approved this 12<sup>th</sup> day of January, 2021

---

Matt Robinson, Tooele City Planning Commission Chair



## MEMORANDUM

**To:** Tooele City Planning Commission  
**From:** Jim Bolser, AICP, Director   
**Date:** April 22, 2022  
**Re:** Staff Review of Applicant-Submitted Text Amendment – Multi-Family Design Standards

---

**Subject:**

During the April 13, 2022 Planning Commission meeting, the Commission reviewed and heard testimony on a revised City Code text amendment application by Zenith Tooele, LLC, application number P21-1235 regarding proposed amendments to Section 7-11a-18 of the City Code dealing with exterior building material standards for multi-family developments. Following review, the Commission voted to continue the review of the application and requested staff provide input regarding the application. This memo intended as response to that request.

There is one item of note that should be stated prior to getting into the specifics of the application. During the discussion on this request there was a question raised by the applicant about the manner in which the front of a building is determined for apartment style buildings within a single complex. Clarification on this question becomes an important foundation to the analysis of the remainder of the topic as to knowing how these provisions will be applied to development applications whether in their existing form or as proposed to be amended. There are various considerations to determining the front of a building with multiple orientations such as apartments, i.e. street facing façades and internal parking area and amenities façades. Such considerations include: 1) addressing of buildings are done off of streets rather than access points to the buildings; 2) the term frontage is defined by the adjacent right-of-way which is used to determine front setbacks in many development types; 3) access points for pedestrians and residents of the dwelling units; and 4) relation to the community, surround development, and the general public, i.e. as a loose comparison single-family dwellings are only relative to the public on the street side, not the rear yards. There are viable discussion points to determine which façade of a multi-family building such as an apartment truly is the front of the building. Clarity is brought to this question in Section 7-11a-6 of the City Code. Specifically, Subsection (1) states “[a]s a general rule, buildings shall be oriented to the public rights-of-way and to internal circulation systems, in that order of priority.” In addition, this Chapter of the City Code goes on to make a number of references based on frontage, which is defined by the location of the adjoining street. In consideration of all of these points and the terms of the City Code, staff’s position on this question is that the front façade for an apartment building would be that façade that faces the adjacent street for buildings located towards the perimeter of a project site. For buildings towards the interior of a project site or not adjacent to a street, the determination of the front façade of the building would be that facing the internal circulation of the project.

### The Nature of the Request

In review of the existing City Code language and the applicant’s proposed revisions to that language, it appears there are two fundamental questions at issue with this request: 1) the percentage or proportion of building façade area that is required to be of a set of specific building materials; and 2) what that set of building materials includes. Before getting into those two questions, the applicant proposes to set up a minimum criteria for application of the proposed language. That criteria includes four factors: 1) a multi-family dwelling project consists of two or more buildings; 2) those buildings each contain 12 units or more; 3) those buildings each have at least two entrances providing access to the same number of units in the building in the same manner on opposite sides of the building; and 4) one side of the building providing access to the units is the front façade. To the first criterion, the number of buildings within a multi-family project is largely determined



by the project itself based on property size and type of development proposed but by and large the number of multi-family projects we have seen in our community that consisted of a single building only is in the clean minority making this criteria largely applicable to all multi-family applications. The same can be said about the second criterion as to number of multi-family project applications containing less than 12 units in the buildings unless they are of a different style, i.e. townhomes rather than apartments or condominiums, making this criteria also largely applicable to all multi-family applications for an apartment or condominium project. To the third criterion, the International Building Code will, almost universally, require multi-family residential buildings of 12 units or more in an apartment or condominium configuration to have two paths of egress for all units rendering this criterion largely applicable to all multi-family applications for an apartment or condominium project as well. There could be an argument made that through some creative design that produces an appropriate egress path on one side that doesn't mimic that of the opposite side of the building now avoids the requirement of this criterion because the egress is not in the same manner. Success in that argument would exempt such an application from the provisions in question altogether since all four criterion would have to hold true for the remaining provisions to become application by the use of "and" in the list of those criteria. The final criterion being that one of the façades providing access is the front façade which can be characterized in the same manner and be subject to similar argument as the third criterion. In examination of these criteria it appears that there is reason to believe that the provisions they attempt to qualify would actually become generally applicable to most if not all multi-family residential applications that are submitted to the City in an apartment or condominium type configuration rather than some subset, thereby rendering the remaining existing language largely inapplicable to these types of applications. As such there likely isn't need for a set of criteria beyond perhaps the first proposed criterion to accomplish the goals of applicability and maintain separation from other multi-family residential configurations such as townhomes.

#### Facade Coverage

To the first question of the percentage or proportion of building façade area that is required to be of a set of specific building materials, the current City Code requirements specify that 50% of the all building facades combined, excluding doors and windows, must be of a certain set of material types. Of that combined sum, 75% of that must be on the front façade. For the purpose of illustration, if a fictitious building had a combined façade area of 1,000 square feet for the entire building, this provision would require 500 square feet (1,000 x 50%) of specific materials types. Of that 500 square feet, 375 square feet (500 x 75%) would have to be on the front façade and the remaining 125 square feet could be located elsewhere on the building. The current City Code goes on to say that the combined area of all street facing façades must be at least 40% of that set of building materials. Building on this example where the building is not square, making it longer than it is deep, to make up that 1,000 square feet assuming only the front façade faces a street and the front and rear façades are 400 square feet each, that leaves the sides to be 100 square feet each (400 + 400 + 100 + 100). In that proportional scenario where the area of the front façade is emphasized, the 40% requirement would only require 160 square feet (400 x 40%) of that set of building materials, which is less than what is already required. In a scenario where that same building is located as a corner building at the intersection of two streets then the front and one side façade would be calculated to determine a requirement of 200 square feet ((400+100) x 40%) of that set of materials; the same 160 square feet on the front façade and another 40 square feet on the street facing side façade. This still falls below the base requirement for the front façade but does play a role in the aesthetic of the one street facing façade. The remaining façade area of the building is then required to be of a second set of building material types.

Under the applicant's proposed language, 50% of the entire building's exterior façade excluding doors and windows must be of a set of building material types. Using the same fictitious building example this would increase the required usage of building materials from that set of materials to 500 square feet (1,000 x 50%). If distributed evenly amongst the four façades of a building that would result in 125 square feet (500 ÷ 4) on each façade of the building, thereby resulting in a 66.67% reduction in the amount of building materials from that set compared to existing City Code language requirements. The proposed language goes on to create an additional calculation that says that 50% of that calculation must be a more narrowed subset of materials

producing a minimum of 250 square feet (500 × 50%) from that narrowed set. These calculated quantities would also be applicable to the building as a whole rather than any specified façade as with the current City Code language. If distributed evenly amongst the four façades of a building that would result in 62.5 square feet (250 ÷ 4) on each façade of the building, thereby resulting in an 83.33% reduction in the amount of building materials from that subset compared to existing City Code language requirements. The remaining façade area of the building is then required to be of a second set of building material types.

#### Building Materials Required

The current City Code language for the set of required building materials on multi-family residential buildings specify that the set required in the minimum proportions analyzed above shall be “natural or cultured brick or stone”. The remaining façade area is required to be “brick, stone, stucco, clapboard, wood, block/masonry, and/or vinyl”.

The applicants proposed language mimics the same material types identified in the current City Code language except that it proposes to add stucco to the set of required building materials required in the minimum proportions analyzed above. The effect of adding any one of the remaining area materials to the set of minimum area materials could potentially be a building that has all four façades that are 100% made up of only the set of remaining area materials. If that specifically material type is one that is seen as a primary or desired material type or one to be emphasized in the façade design, such a revision may be appropriate. If that one material type is one to be considered more of an accent or supporting material type, then such a change may not be in the best interest of the community.

#### Recommendation

The nature of the subject application as a text amendment to the City Code is defined to be a legislative item meaning that the Planning Commission, and subsequently the City Council reviewing the recommendation of the Commission, has a certain amount of discretion in issuing a decision that is in the best interest of the community. This is an authority entrusted to the Council, and through them to the Commission, by the voting citizens of the community. For this reason, it can be awkward for City staff make a formal recommendation as to what action should be taken in the best interest of the community being such a small subset of that electorate when dealing with such applications. In this case, comparison between the existing City Code language and the applicant’s proposed language provide a stark contrast in decreasing the base requirement for minimum building materials when applying the proposed language versus the current language. When considering the emphasized front façade in the current City Code language, the difference is even more greater. When considering the proposed amendment to the set of minimum required building materials, the minimum requirement could potentially be wiped away altogether if that added material type in the proposed language is considered to be more of a supporting or accent material type. In considering the design of the existing City Code provisions for all residential types, the suggesting would be that the existing set of minimum required building material types is that set that is desired as primary and the remainder being supporting or accent in nature. All considered, the proposed text amendment appears to present a potentially significant change in direction from the current City Code language. Where aspects of aesthetic are very subjective they should be considered with the highest regard towards atmosphere and benefit to the community as they would be applied throughout the community rather than just in one area or on one project. Staff recommends that consideration be paid towards this consideration with a critical eye towards the intended goals and values of the community and balance those with the impact they may have with the housing within our community. Based on the considerations and tones upon which the City Code has been prepared under the guidance of the Planning Commission and City Council along with the applicable goals and objectives of the General Plan, it would appear to suggest that reducing the set of minimum required building materials serves a contrary purpose.

As always, should you have any questions or concerns please feel free to contact me at any time.

**REVISED STAFF REPORT**

April 4, 2022

**To:** Tooele City Planning Commission  
Business Date: April 13, 2022

**From:** Planning Division  
Community Development Department

**Prepared By:** Jim Bolser, Director

**Re: Multi-Family Residential Design Standards – City Code Text Amendment Request**

Application No.: P21-1235  
Applicant: Charles Akerlow, representing Zenith Tooele, LLC  
Request: Request for approval of a City Code Text Amendment regarding a change in the requirements for exterior building materials within multi-family residential developments.

**BACKGROUND**

This application is a request for approval of a City Code Text Amendment for purpose of revising the terms of Section 7-11a-18 of the Tooele City Code regarding the requirements for exterior building materials with multi-family residential development projects. Should this application ultimately prove successful, it would change the generally applicable requirements for all multi-family developments and construction within all multi-family residential zoning districts.

**ANALYSIS**

*City Code.* Chapter 7-11a of the Tooele City Code establishes a number of development and design standards and allowances generally applicable to new developments within the various multi-family residential zoning districts of the city. Among those are the design standards for the exterior materials for buildings built within those developments. Section 7-11a-18, more specifically subsection (1), identifies the minimum requirement for certain material types; brick, stone, stucco, clapboard, wood, block or masonry, and/or vinyl. The complete existing City Code Section 7-11a-18 language can be found in Exhibit “A” to this staff report. The applicant has submitted a request to revise subsection (1) to change the existing minimum requirement for materials to a maximum allowance of those types of building materials. The applicant’s proposal and supporting information can be found in Exhibit “B” to this staff report.

*Analysis.* The applicant’s submitted information, particularly the supporting information, focuses largely on affordable housing and the potential impact the currently adopted design standard could have. There are two aspects of affordable housing in the State of Utah that should be reviewed as background context to this request; what affordable housing is and the state’s requirements regarding affordable housing. To the former, the term “affordable housing” has become a generalized catch-all term to address what the state refers to as low- and moderate-income housing along with the generally understood cost of living and affordability in the housing market. One effect of that generalization is that it has also become quite misunderstood. Tooele City has held numerous public meetings in which comment has been provided by the general public and applicants the make it apparent that just about any project that includes an element of multi-family residential development is considered affordable housing. That is in fact incorrect on multiple accounts. First, multi-

family housing, regardless of type, does not necessarily equate to affordable housing just as single-family housing does not necessarily equate to non-affordable housing under the state model. Their opposites can quite certainly hold true. In fairness the likelihood of multi-family housing falling under the affordability thresholds is higher than with single-family housing but it's not a certainty. The idea of affordability as a general statement is relative to the subject and individual(s) at hand. What's affordable to one individual or individuals is not to another. Where affordability is more specifically outlined is in the state's model for low- and moderate-income housing. These are a set of three specific calculation thresholds of housing costs based on the median household income for the county in which the housing is or is to be located. Calculation of those thresholds from the latest available census data in comparison to the rent figures provided in the applicant's submitted information shows that at least a portion of the applicant's intended project would be counted as meeting low- and moderate-income housing thresholds in Tooele County both with the proposed City Code text amendment and without the proposed City Code text amendment.

To the latter, the only requirements for the provision of low- and moderate-income housing for a municipality are to provide a calculated proportion based on that municipality's population and to adopt strategies that could encourage the possibility of housing units that would fall under the low- and moderate-income housing thresholds. There is not a requirement for every residential development project to meet those terms or requirements whereby the adoption of the proposed City Code text amendment based on a justification of providing affordable housing, or any other justification, would in fact apply to every residential development application. Nevertheless, Tooele City is fully compliant and exceeds our requirements for the provision of low- and moderate-income housing units and the establishment of strategies to encourage the possibility of additional such housing units. Information on each of these points is outlined in the Affordable Housing Plan Element of the Tooele City General Plan.

There is one additional consideration applicable to the subject request. Although any change to increase or decrease material types with new construction has a corresponding impact on the costs of that construction, there is another intrinsic impact that should be considered. That impact is aesthetics and the impact that changes to those aesthetics has not only on the residents of the development but also the residents in the area of the development and the community in whole. The existing Tooele City Code provision in question provides an allowance for a variety of material types that could be considered for compliance with this requirement. Although the different types of materials allowed naturally provides the opportunity for variety and variation in themselves that can contribute to the aesthetic and quality of life and the development, reduction or removal of those material types correspondingly reduces or removes those aesthetic benefits as well. Simply put, a fundamental aspect to the design standards adopted for any type of development in any community is the desire of that community to determine what they want their community to look like and feel like to residents of and visitors to the community. This aspect played a central role in the original adoption of the multi-family residential design standards in 2005 as well as the revisions to those standards, the most recent of which was in 2019.

***Following the Planning Commission's initial review of the subject request on December 8, 2021, the applicant requested the opportunity to further consider and revise the language proposed for this amendment. In the time since, the applicant has submitted a few revisions for review by staff. Where the nature of the amendment proposed is legislative in nature and a private applicant proposal, the staff did not perform an analysis on the appropriateness of the amendment proposal but provided comment to the applicant only on the enforceability and legality elements of the revised language submittals. The applicant has settled on revised proposal language which can be found in Exhibit "D" to this report.***

Criteria For Approval. The criteria for review and potential approval of a City Code Text Amendment request is found in Section 7-1A-7 of the Tooele City Code. This section depicts the standard of review for such requests



as:

- (1) No amendment to the Zoning Ordinance or Zoning Districts Map may be recommended by the Planning Commission or approved by the City Council unless such amendment or conditions thereto are consistent with the General Plan. In considering a Zoning Ordinance or Zoning Districts Map amendment, the applicant shall identify, and the City Staff, Planning Commission, and City Council may consider, the following factors, among others:
  - (a) The effect of the proposed amendment on the character of the surrounding area.
  - (b) Consistency with the goals and policies of the General Plan and the General Plan Land Use Map.
  - (c) Consistency and compatibility with the General Plan Land Use Map for adjoining and nearby properties.
  - (d) The suitability of the properties for the uses proposed viz. a. viz. the suitability of the properties for the uses identified by the General Plan.
  - (e) Whether a change in the uses allowed for the affected properties will unduly affect the uses or proposed uses for adjoining and nearby properties.
  - (f) The overall community benefit of the proposed amendment.

## **REVIEWS**

Planning Division Review. The Tooele City Planning Division has completed their review of the City Code Text Amendment request and has issued the following comments:

1. The proposed text amendment would have a direct affect and impact on the aesthetic of multi-family residential developments around the community.
2. The proposed text amendment would naturally have an impact on construction costs but those costs do not necessarily translate to compliance or non-compliance with requirements regarding low- and moderate-income housing.
3. Tooele City meets and exceeds all requirement for the provision of and planning for ow- and moderate-income housing.

Engineering Review. The Tooele City Engineering Division has completed their review of the City Code Text Amendment request without further comment.

Building Division Review. The Tooele City Building Division has completed their review of the City Code Text Amendment request and has issued the following comment:

1. The proposed text amendment would not affect the Building Division's ability to review, approve, and inspect multi-family residential structures.

Tooele City Fire Department Review. The Tooele City Fire Department has completed their review of the City Code Text Amendment request and has issued the following comment:

1. The proposed text amendment would not affect the fire department's ability to respond to an emergency or fight a fire.

Noticing. The applicant has expressed their desire to revise the terms of the City Code and do so in a manner which is compliant with the City Code. As such, notice has been properly issued in the manner outlined in the City and State Codes.

## **STAFF RECOMMENDATION**

Staff recommends the Planning Commission carefully weigh this request for a City Code Text Amendment according to the appropriate tenets of the Utah State Code and the Tooele City Code, particularly Section 7-1A-7(1) and render a decision in the best interest of the community with any conditions deemed appropriate and based on specific findings to address the necessary criteria for making such decisions.

Potential topics for findings that the Commission should consider in rendering a decision:

1. The effect the text amendment may have on potential applications regarding the character of the surrounding areas.
2. The degree to which the proposed text amendment may effect a potential application's consistency with the intent, goals, and objectives of any applicable master plan.
3. The degree to which the proposed text amendment may effect a potential application's consistency with the intent, goals, and objectives of the Tooele City General Plan.
4. The degree to which the proposed text amendment is consistent with the requirements and provisions of the Tooele City Code.
5. The suitability of the proposed text amendment on properties which may utilize its provisions for potential development applications.
6. The degree to which the proposed text amendment may effect an application's impact on the health, safety, and general welfare of the general public or the residents of adjacent properties.
7. The degree to which the proposed text amendment may effect an application's impact on the general aesthetic and physical development of the area.
8. The degree to which the proposed text amendment may effect the uses or potential uses for adjoining and nearby properties.
9. The overall community benefit of the proposed amendment.
10. Other findings the Commission deems appropriate to base their decision upon for the proposed application.

## **MODEL MOTIONS**

Sample Motion for a Positive Recommendation – "I move we forward a positive recommendation to the City Council for the Multi-Family Residential Design Standards City Code Text Amendment Request by Charles Akerlow, representing Zenith Tooele, LLC, application number P21-1235, based on the following findings:"

1. List findings ...

Sample Motion for a Negative Recommendation – "I move we forward a negative recommendation to the City Council for the Multi-Family Residential Design Standards City Code Text Amendment Request by Charles Akerlow, representing Zenith Tooele, LLC, application number P21-1235, based on the following findings:"

1. List findings ...

**EXHIBIT A**

**EXISTING TOOELE CITY CODE SECTION 7-11a-18**

**7-11a-18. Design Standards: Building Materials.**

1. Exterior Finishes. Exterior building materials shall be natural or cultured brick or stone over at least 50% percent of the entire building facade (not including windows and doors), the remaining 50% being brick, stone, stucco, clapboard, wood, block/masonry, and/or vinyl. At least 75% of the 50% shall be on the front building facade. All building facades that face a public right-of-way or exterior street shall utilize at least 40% of these allowable materials.
2. Roof. Roof materials shall be architectural asphalt or composition shingles (at least 30-year), ceramic or clay tiles, or other long-lived weather-resistant materials.



**EXHIBIT B**

**PROPOSED LANGUAGE ASSOCIATED WITH THE  
MULTI-FAMILY RESIDENTIAL DESIGN STANDARDS  
CITY CODE TEXT AMENDMENT**

**7-11a-18. Design Standards: Building Materials.**

1. Exterior Finishes. Exterior building materials shall be natural or cultured stone, stucco, fiberboard, cement fiberboard, natural wood, wood fiberboard, clapboard, block-masonry and/or vinyl. The use of brick or stone is encouraged up to no more than 25% of the surface of the apartment building and where its use does not defeat the objectives of Tooele City's Moderate Income Affordable Housing Plan. ~~Exterior building materials shall be natural or cultured brick or stone over at least 50% percent of the entire building facade (not including windows and doors), the remaining 50% being brick, stone, stucco, clapboard, wood, block/masonry, and/or vinyl. At least 75% of the 50% shall be on the front building facade. All building facades that face a public right of way or exterior street shall utilize at least 40% of these allowable materials.~~
2. Roof. Roof materials shall be architectural asphalt or composition shingles (at least 30-year), ceramic or clay tiles, or other long-lived weather-resistant materials.

**EXHIBIT C**

**APPLICANT SUBMITTED INFORMATION**

Ordinance, General Plan, & Master Plan  
Text Amendment Application

Community Development Department  
90 North Main Street, Tooele, UT 84074  
(435) 843-2132 Fax (435) 843-2139  
[www.tooelecity.org](http://www.tooelecity.org)



*Notice:* The applicant must submit copies of the text amendment proposal to be reviewed by the City in accordance with the terms of the Tooele City Code. Once a text amendment proposal are submitted, the proposal is subject to compliance reviews by the various city departments and may be returned to the applicant for revision if the proposal is found to be inconsistent with the requirements of the City Code and all other applicable City ordinances. All submitted text amendment proposals shall be reviewed in accordance with the Tooele City Code. Submission of a text amendment proposal in no way guarantees placement of the application on any particular agenda of any City reviewing body. It is **strongly** advised that all applications be submitted well in advance of any anticipated deadlines.

Project Information		
Date of Submission: 11-16-21	Applicant Name: Zenith Tooele LLC	
Address: 8371 So. State St., Suite 202, Sandy, Utah 84070		
Phone: 801-913-5959	Alternate Phone:	Email:
Proposed for Amendment: <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> General Plan <input type="checkbox"/> Master Plan: _____		
Brief Summary of Proposal: Change Language Section 7-11a-18 Tooele City Code. Please see attached.		

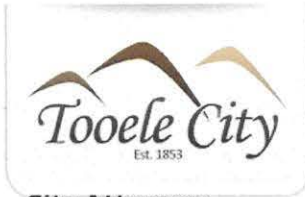
\*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This information will be used only so far as necessary for completing the transaction. If you decide not to supply the requested information, you should be aware that your application may take a longer time or may be impossible to complete. If you are an "at-risk government employee" as defined in *Utah Code Ann.* § 63-2-302.5, please inform the city employee accepting this information. Tooele City does not currently share your private, controlled or protected information with any other person or government entity.

**Note to Applicant:**

Ordinances, the General Plan, and other master plans are made by ordinance. Any change to the text of the ordinance or plan is an amendment the ordinance establishing that document for which the procedures are established by city and state law. Since the procedures must be followed precisely, the time for amending the text may vary from as little as 2½ months to 6 months or more depending on the size and complexity of the application and the timing.

2211211

For Office Use Only			
Received By: JESSI	Date Received: 11/18/2021	Fees: 2000.00	App #: Rec# 440573



### City Attorney

[Roger Baker](#)  
 Tooele City Attorney  
 90 North Main Street  
 Tooele, UT 84074  
 Phone: 435.843.2120  
 Fax: 435.843.2129

### Quick Links Menu

- [City Charter](#)
- [City Code](#)
- [Forms](#)
- [Prosecution Policies](#)
- [Related Agencies](#)
- [Related Websites](#)
- [Frequently Asked Questions \(Attorney's Office\)](#)

Home > City Departments > Attorney's Office > City Code > Title 7. Uniform Zoning of Tooele City >  
[Title 7. Chapter 11a. Design Standards: Multi-Family Residential](#)

## Title 7. Chapter 11a. Design Standards: Multi-Family Residential

[7-11a-1. Defined Terms](#)

[7-11a-2. Purpose and Scope](#)

7-11a-5. Context and Setting

7-11a-6. Design Standards: Building Orientation

7-11a-7. Design Standards: Vertical Alignment

7-11a-8. Design Standards: Horizontal Alignment, Facades

7-11a-9. Design Standards: Windows

7-11a-10. Design Standards: Building and Dwelling Unit Entries

7-11a-11. Design Standards: Project Entrances

7-11a-12. Design Standards: Landscaping

7-11a-13. Design Standards: Parking and Internal Circulation

7-11a-14. Design Standards: Signage

7-11a-15. Design Standards: Lighting

7-11a-16. Design Standards: Utilities

7-11a-17. Design Standards: Walls and Fences

7-11a-18. Design Standards: Building Materials



(1) Exterior Finishes. Exterior building materials shall be natural or cultured brick or stone over at least 50% percent of the entire building facade (not including windows and doors), the remaining 50% being brick, stone, stucco, clapboard, wood, block/masonry, and/or vinyl. At least 75% of the 50% shall be on the front building facade. All building facades that face a public right-of-way or exterior street shall utilize at least 40% of these allowable materials.

(2) Roof. Roof materials shall be architectural asphalt or composition shingles (at least 30-year), ceramic or clay tiles, or other long-lived weather-resistant materials.

(Ord. 2019-08, 03-20-2019) (Ord. 2012-10, 04-18-2012) (Ord. 2005-05, 03-02-2005)

7-11a-19. Design Standards: Color

7-11a-20. Design Standards: Vents

7-11a-21. Design Standards: Dumpster Enclosures

**7-11a-24. Design Standards: Zoning**

**7-11a-25. Deviation From Design Standards**

**7-11a-26. Figures**

**7-11a-27. Photo Groups**

Click Here for a .pdf copy of **Title7 Chapter11a**

Please Note: Every attempt has been made to keep this online Tooele City Code up-to-date; however, there may be discrepancies between this online code and that which is actually adopted. If you have questions about the Tooele City Code or for the most recent update, please call (435) 843-2120 or email [attorney@tooelecity.org](mailto:attorney@tooelecity.org).



PROPOSED TEXT AMENDMENT TO  
Section 7-11a-18, Tooele City Code

It is proposed that the text of Section 7-11a-18 of the Tooele City Code, be changed to read as follows:

*“Exterior building materials shall be natural or cultured stone, stucco, fiberboard, cement fiberboard, natural wood, wood fiberboard, clapboard, block-masonry and/or vinyl. The use of brick or stone is encouraged up to no more than 25% of the surface of the apartment building and where its use does not defeat the objectives of Tooele City’s Moderate Income Affordable Housing Plan.”*

We recommend and formally request that Tooele City make a change to the city’s codes and/or policy to address the rising costs of providing Affordable Housing and to honor the goals and objectives of the Tooele City Moderate Income Housing Plan adopted in 2018.

As the Housing Plan points out, HB295, passed by the Utah Legislature encourages a community to provide a “reasonable opportunity for a variety of affordable housing for moderate income households.” Because of the high cost of materials and the interruptions in the supply chain resulting from Covid-19, moderate income housing costs have increased at Lexington Greens over 26.3% in one year! Homes that were at \$325,000 a year ago are now \$475,000 for the same sized home, which squeezes out of the market a large group of ‘entry-level & move-up’ homebuyers. If they have a \$30,000 down payment, which is small and rare, the monthly mortgage payment would be \$2,110.24 plus taxes and insurance which could add another \$400 per month. At that point people look to rental. As originally designed, the Lex Apartment units rent for between \$950 for one-bedroom and up to \$1,600 for a three-bedroom unit. They also were designed with exteriors of between 25% and 30% of the surface less windows. This becomes an affordable option for the moderate-income person,



while at the same time, providing ample square footage for their needs – which include multiple indoor & outdoor amenities, while staying within the 30% guideline of the amount spent each month on housing costs.

The Housing Plan points out on page 21 the following:

The only City ordinance that would be a barrier to affordable housing or Fair Housing, is the single family, multi-family residential standards (Title 7, Chapters 11a and 11b). These ordinances establish minimum standards for enclosed garages, square footage, minimum masonry percentage and minimum architectural features such as front porches, decorative windows, articulated roof lines, articulated building elevations and others which can increase the cost of a housing unit.

The problem is that the City staff has “upped the ante” and diverted away from the idea of “minimum materials” to the idea of “maximum materials”. On The Lex Apartments the City is now requiring 50% of the skin of the building be masonry (Brick) with 75% of that number being required on the front façade of each building. Those percentages, as mentioned, are higher than Salt Lake City or Sandy. We have attached the rendering which we presented to the City which does not meet these requirements and yet which, by any measure, is a handsome looking building and a very attractive addition to the City.

The added costs for the requirements in Chapter 7-11a-18, just for the outside of the building, adds more than \$600,000 to the costs according to our contractor. It is not a rental feature to the moderate-income renters. This demographic group, which is the bulk of those in the moderate-income level, will simply not pay higher rents for a rental unit that has more brick on the outside. Those rents are likely to be \$1,100 for one bedroom and \$1,840 for 2 bedrooms.

We respectfully request a change in the text of the Code or a provision providing for an exception to this section when necessary.









**EXHIBIT D**

**PROPOSED REVISED LANGUAGE ASSOCIATED WITH THE  
MULTI-FAMILY RESIDENTIAL DESIGN STANDARDS  
CITY CODE TEXT AMENDMENT**

## 7-11a-18. Design Standards: Building Materials.

1. Exterior Finishes.
  - a. Exterior building materials shall be natural or cultured brick or stone over at least 50% percent of the entire building facade (not including windows and doors), the remaining 50% being brick, stone, stucco, clapboard, wood, block/masonry, and/or vinyl. At least 75% of the 50% shall be on the front building facade. All building facades that face a public right-of-way or exterior street shall utilize at least 40% of these allowable materials.
  - b. *In the event that a Multiple Family Project Plan, as defined in this Chapter 7-11a:*
    - i.* *consists of two-or-more multifamily buildings of at least 12 units per building in a Project; and*
    - ii.* *the buildings each have two building entries which each provide access to the same number of units in the building in the same manner on opposite sides of the building, one of which is the frontage façade; and*
    - iii.* *the building façade opposite the frontage façade contains the same number, size, area coverage, and style of all building Design Elements, including windows, balconies, and vertical Elements, as defined in this Chapter 7-11a, contained on the frontage façade; then at least 50% of the entire building exterior excluding windows and doors must be of masonry material, of which at least 50% must be brick or stone. The remaining 50% of the exterior, excluding windows and doors, must consist of brick, stone, stucco, clapboard, wood, block/masonry, and/or vinyl.*
  - c. *Masonry material is defined as brick, stucco and/or stone.*
2. Roof. Roof materials shall be architectural asphalt or composition shingles (at least 30-year), ceramic or clay tiles, or other long-lived weather-resistant materials.

**TOOELE CITY CORPORATION**

**ORDINANCE 2022-18**

**AN ORDINANCE OF THE TOOELE CITY COUNCIL CREATING A PLANNED UNIT DEVELOPMENT ZONING OVERLAY ON 33.82 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 1200 NORTH FRANKS DRIVE**

**WHEREAS**, Utah Code §10-9a-401, *et seq.*, requires and provides for the adoption of a “comprehensive, long-range plan” (hereinafter the “General Plan”) by each Utah city and town, which General Plan contemplates and provides direction for (a) “present and future needs of the community” and (b) “growth and development of all or any part of the land within the municipality”; and,

**WHEREAS**, the Tooele City General Plan includes various elements, including water, sewer, transportation, and land use. The Tooele City Council adopted the Land Use Element of the Tooele City General Plan, after duly-noticed public hearings, by Ordinance 2020-47, on December 16, 2020, by a vote of 4-0; and,

**WHEREAS**, the Land Use Element (hereinafter the “Land Use Plan”) of the General Plan establishes Tooele City’s general land use policies, which have been adopted by Ordinance 2020-47 as a Tooele City ordinance, and which set forth appropriate Use Designations for land in Tooele City (e.g., residential, commercial, industrial); and,

**WHEREAS**, the Land Use Plan reflects the findings of Tooele City’s elected officials regarding the appropriate range, placement, and configuration of land uses within the City, which findings are based in part upon the recommendations of land use and planning professionals, Planning Commission recommendations, public comment, and other relevant considerations; and,

**WHEREAS**, Utah Code §10-9a-501, *et seq.*, provides for the enactment of a “land use [i.e., zoning] ordinances and a zoning map” that constitute a portion of the City’s regulations (hereinafter “Zoning”) for land use and development, establishing order and standards under which land may be developed in Tooele City; and,

**WHEREAS**, a fundamental purpose of the Land Use Plan is to guide and inform the recommendations of the Planning Commission and the decisions of the City Council about the Zoning designations assigned to land within the City (e.g., R1-10 Residential, (NC) Neighborhood Commercial, (LI) Light Industrial); and,

**WHEREAS**, Tooele City Code Chapter 7-6 constitutes Tooele City’s Planned Unit Development (PUD) overlay zoning district, the purposes of which are stated in Section 7-6-1, incorporated herein by this reference, and which include, among others, to create opportunities for flexible site planning, to encourage the preservation of open space areas and critical natural areas, and to encourage the provision of special development amenities by the developer; and,

**WHEREAS**, the MR-16 Multi-Family Residential zoning district is currently assigned to approximately 33.82 acres of land located along both sides of Franks Drive at approximately 1200 North (see map attached as **Exhibit A**); and,

**WHEREAS**, the 33.82 acres are currently owned by a Combination of Zenith Tooele, LLC, Franks Apartments 1, LLC, and Lexington Town Homes, LLC; and,

**WHEREAS**, the 33.82 acres have been planned and laid out for the multi-family residential development portions of the overall Lexington Greens development project; and,

**WHEREAS**, the 33.82 acres were originally platted into eight master lots without development entitlements by Zenith Tooele, LLC as the Lexington at Overlake Subdivision which was approved by the City Council on September 2, 2020 and recorded with the Tooele County Recorder’s Office on September 9, 2020 (see recorded plat attached as **Exhibit B**); and,

**WHEREAS**, the 33.82 acres have been assigned to the MR-16 Multi-Family Residential zoning district by Ordinance 2019-18 on August 7, 2019 by a vote of 5-0; and,

**WHEREAS**, by Rezone Petition received February 2, 2022, Zenith Tooele, LLC requested that multi-family residential portion of the Lexington Greens development be reassigned to the same MR-16 Multi-Family Residential zoning district and receive a Planned Unit Development (“PUD”) overlay zone designation for the purpose of assigning dwelling unit counts to the established eight master lots (see petition and supporting materials attached as **Exhibit C**); and,

**WHEREAS**, the multi-family residential portion of the Lexington Greens development has been planned and anticipated to contain 449 multi-family residential units (see **Exhibit D**); and,

**WHEREAS**, the surrounding properties to the north, west, and east are zoned R1-7 Residential; and,

**WHEREAS**, the surrounding properties to the south are zoned NC Neighborhood Commercial and the same MR-16 Multi-Family Residential; and,

**WHEREAS**, the eight master lots in the multi-family residential portion of the Lexington Greens development will contain a combination of apartments and townhomes, but will comply with the applicable Tooele City design standards (*reference Tooele City Code Chapter 7-11a*); and,

**WHEREAS**, the 449 dwelling units on the 33.82 acres of the multi-family residential portion of the Lexington Greens development complies with the density limitations and requirements of the MR-16 Multi-Family Residential zoning district; and,

**WHEREAS**, the intent of the petition for the creation and application a PUD for the multi-family residential portion of the Lexington Greens development is to assign specific dwelling unit counts to the eight master lots which would allow higher density calculations on certain master lots but maintain the overall density as required within the MR-16 Multi-Family Residential zoning district; and,

**WHEREAS**, the dwelling unit counts for the specific eight master lots of the multi-family residential portion of the Lexington Greens development as requested by Zenith Tooele, LLC for the PUD, are as follows:

Lot	Dwelling Units
101	72
102	204
103	25

104	56
105	13
106	8
107	18
108	53

**WHEREAS**, Utah Code §10-9a-501 and §10-9a-503 provide for the municipal legislature to consider Planning Commission recommendations for amendments to the land use ordinances and zoning map, and to approve, revise, or reject the recommended amendments; and,

**WHEREAS**, the City Council finds that, subject to the reasonable and appropriate conditions outlined below, the proposed PUD overlay is consistent with the General Plan and is not adverse to the best interest of the City; and,

**WHEREAS**, because the City is under no obligation to approve a PUD, it is appropriate for the City to require Zenith Tooele, LLC, Franks Apartments 1, LLC, Lexington Town Homes, LLC, and developers within the multi-family residential portion of the Lexington Green development to comply with the conditions listed below:

**NOW, THEREFORE, BE IT ORDAINED BY THE TOOEE CITY COUNCIL** that:

**Section 1. Amendment.** The Tooele City Zoning Map is hereby amended to indicate that the multi-family residential portion of the Lexington Greens development is a Planned Unit Development, the underlying zone of which shall maintain the existing MR-16 Multi-Family Residential zoning district; and,

**Section 2. Conditions.** As express conditions to the City’s approval of this Ordinance 2022-18 and the Zoning Map Amendment approved thereby, Zenith Tooele, LLC, Franks Apartments 1, LLC, Lexington Town Homes, LLC, and developers within the multi-family residential portion of the Lexington Green development are hereby required to do all of the following at no cost to Tooele City:

1. Dwelling Unit Counts: the dwelling unit counts maximums for the eight master lots of the multi-family residential portion of the Lexington Greens development shall be as follows:

Lot	Dwelling Units
101	72
102	204
103	25
104	56
105	13
106	8
107	18
108	53



2. Development and Design Standards: all applications, plans and development of the eight master lots of the multi-family residential portion of the Lexington Greens development shall fully comply with all applicable ordinances of the Tooele City Code.

**Section 3. Rational Basis.** The City Council hereby finds that the above-described expressed conditions to the approval of this Ordinance 2018-14 are reasonable and necessary to serve, protect, and preserve the health, safety, and welfare of Tooele City and its residents, including future residents of the subject property.

**Section 4. No Vesting.** Approval of this Ordinance 2022-18, together with its exhibits, shall not be construed to imply or constitute any vesting or entitlement as to intensity of use (i.e., density) or configuration (i.e., lots, units, roads).

**Section 5. Severability.** 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 6. Effective Date.** This Ordinance is necessary for the immediate preservation of the peace, health, safety, or welfare of Tooele City and shall become effective immediately upon passage, without further publication, by authority of the Tooele City Charter.

**IN WITNESS WHEREOF**, this Ordinance is passed by the Tooele City Council this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

TOOELE CITY COUNCIL

(For)

(Against)

\_\_\_\_\_  
Justin Brady

\_\_\_\_\_  
Justin Brady

\_\_\_\_\_  
Dave McCall

\_\_\_\_\_  
Dave McCall

\_\_\_\_\_  
Tony Graf

\_\_\_\_\_  
Tony Graf

\_\_\_\_\_  
Ed Hansen

\_\_\_\_\_  
Ed Hansen

\_\_\_\_\_  
Maresa Manzione

\_\_\_\_\_  
Maresa Manzione

ABSTAINING: \_\_\_\_\_

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

\_\_\_\_\_  
Debra E. Winn

\_\_\_\_\_  
Debra E. Winn

(If the mayor approves this ordinance, the City Council passes this ordinance with the Mayor's approval. If the Mayor disapproves this ordinance, the City Council passes the ordinance over the Mayor's disapproval by a super-majority vote (at least 4). If the Mayor neither approves nor disapproves of this ordinance by signature, this ordinance becomes effective without the Mayor's approval or disapproval. City Charter Section 2-05. UCA 10-3-704(11).)

ATTEST:

\_\_\_\_\_  
Michelle Pitt, City Recorder

SEAL

Approved as to Form: \_\_\_\_\_  
Roger Evans Baker, Tooele City Attorney

**EXHIBIT A**

**MAPPING FOR THE LEXINGTON GREENS MULTI-FAMILY RESIDENTIAL PUD**

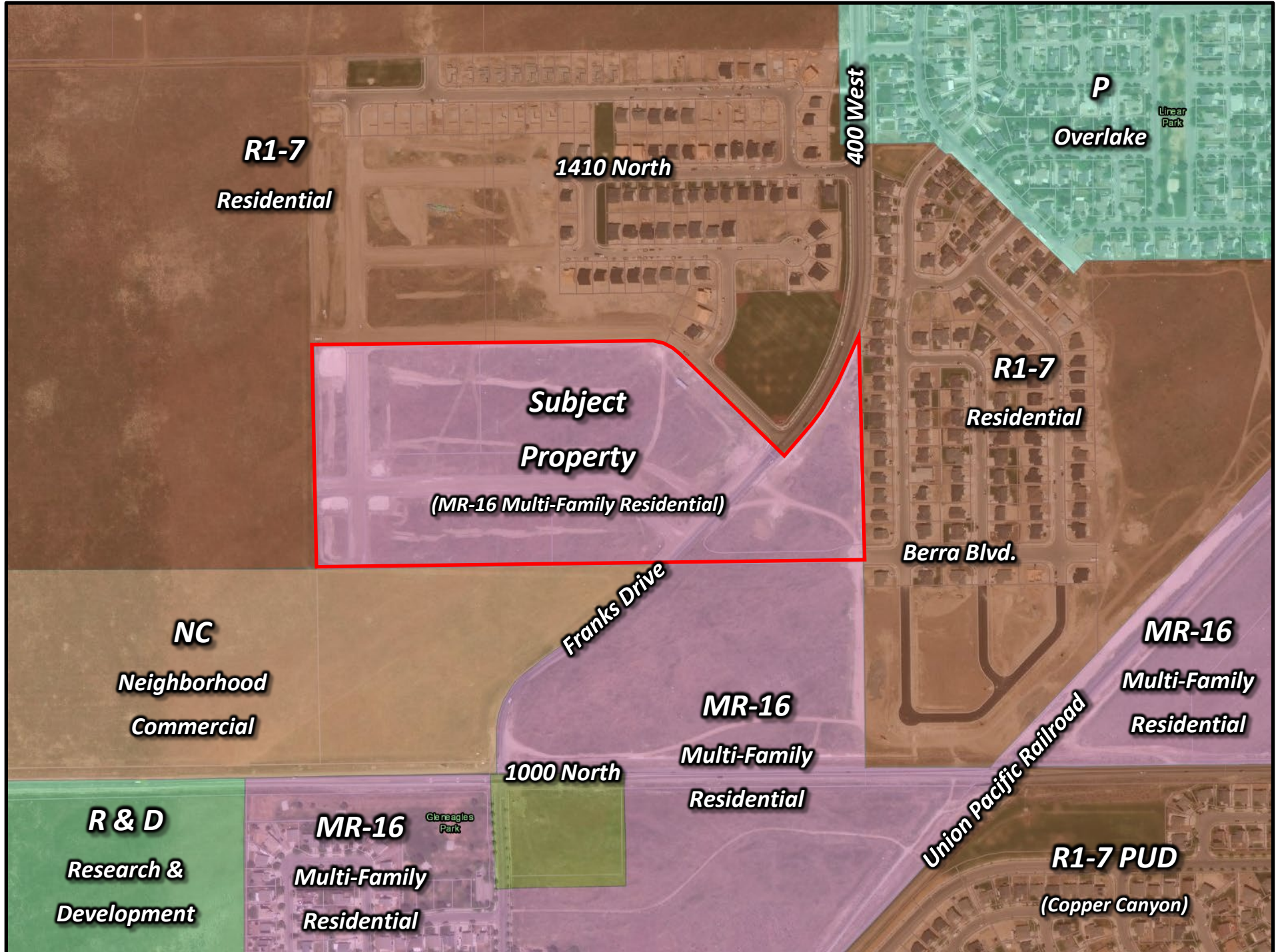
**Lexington Greens PUD Zoning Map Amendment**



**Aerial Map**



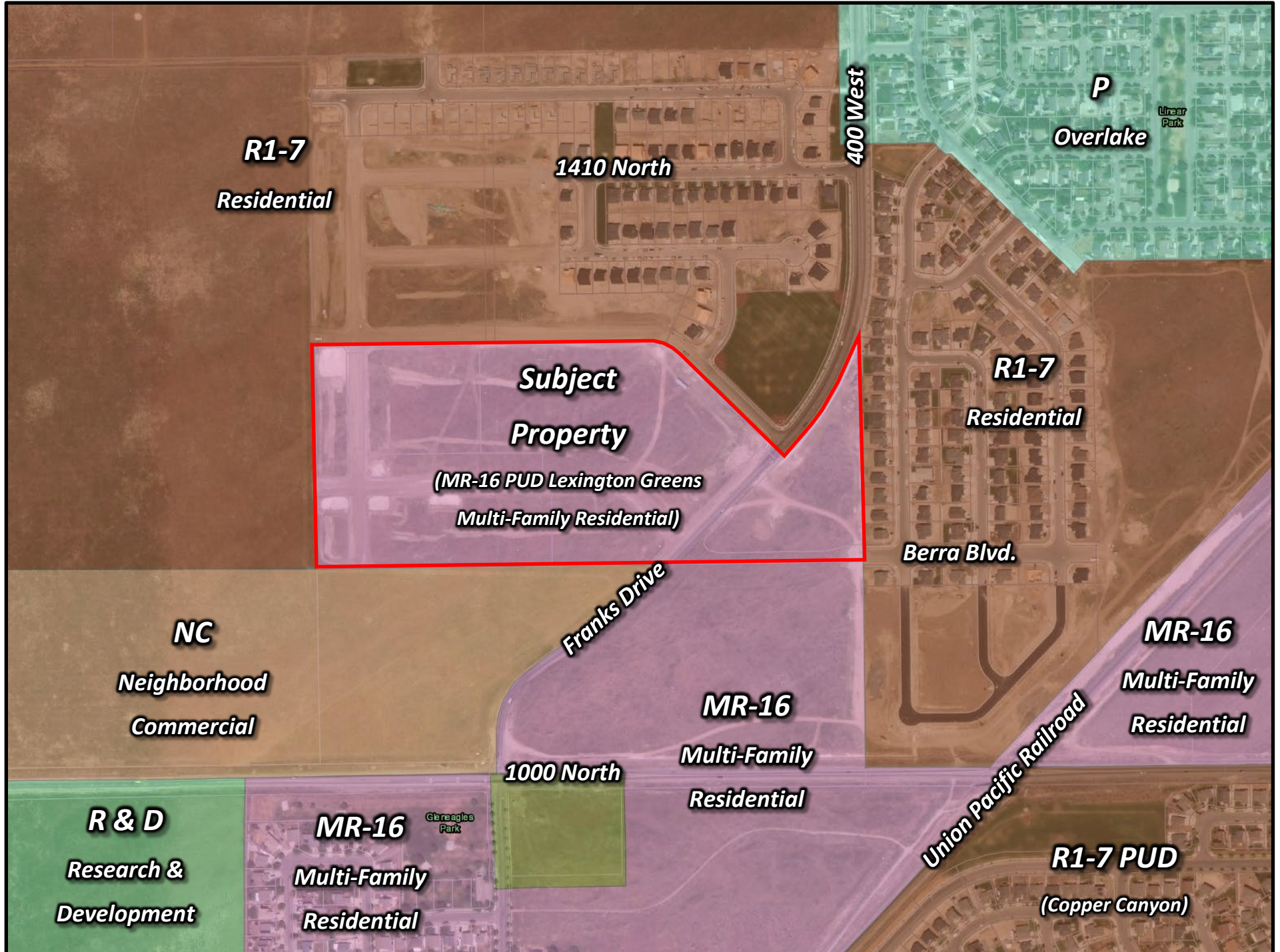
**Lexington Greens PUD Zoning Map Amendment**



**Current Zoning Map**



**Lexington Greens PUD Zoning Map Amendment**



**Proposed Zoning Map**

**EXHIBIT B**

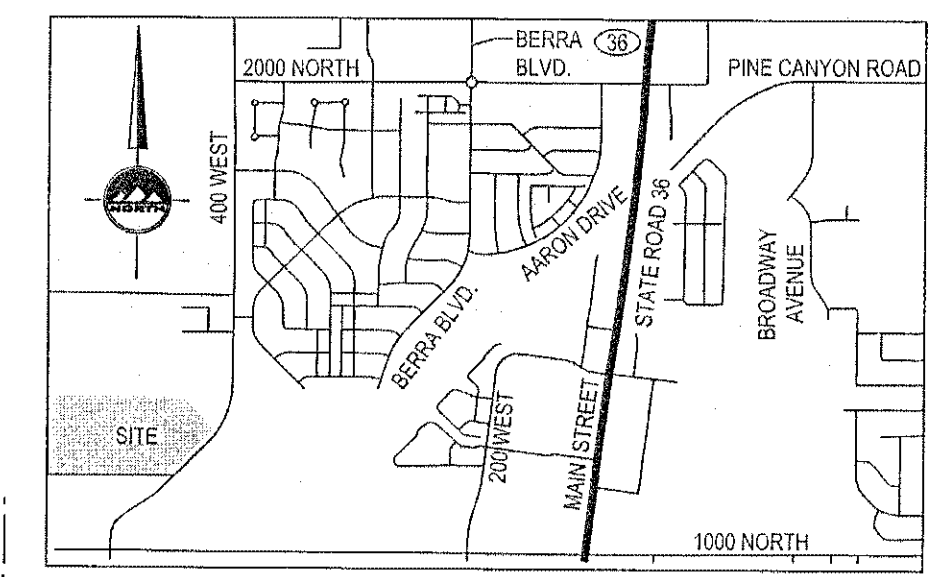
**RECORDED LEXINGTON AT OVERLAKE SUBDIVISION PLAT**



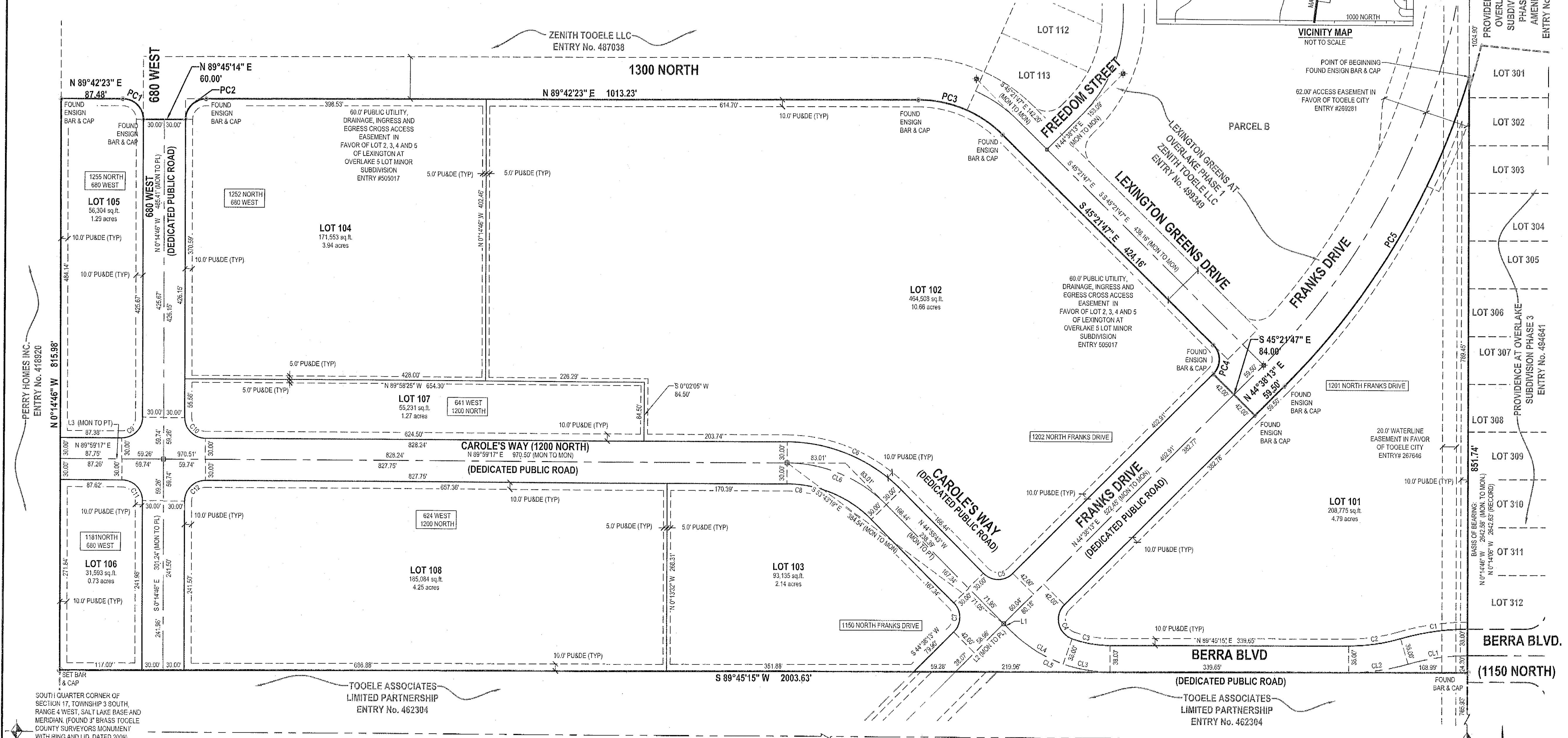
# LEXINGTON AT OVERLAKE SUBDIVISION

## FINAL PLAT

(AMENDING AND EXTENDING LOTS 1-5 OF THE LEXINGTON AT OVERLAKE 5 LOT MINOR SUBDIVISION) LOCATED IN THE SOUTHEAST CORNER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, TOOELE CITY, TOOELE COUNTY, UTAH



LINE TABLE			CENTER LINE CURVE TABLE					
LINE	BEARING	LENGTH	CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
L1	N44°39'13"E	13.20'	CL1	300.00'	85.64'	16°21'24"	S81°34'18"W	85.33'
L2	N44°39'13"E	97.03'	CL2	300.00'	85.67'	16°21'39"	N81°34'25"E	85.37'
L3	S89°59'17"W	147.00'	CL3	200.00'	68.10'	19°30'32"	S90°29'29"E	67.77'
			CL4	200.00'	90.09'	25°48'30"	S67°49'58"E	89.33'
			CL5	200.00'	158.19'	45°19'02"	S67°35'14"E	154.10'
			CL6	200.00'	157.37'	45°04'59"	N67°28'13"W	153.34'



### BOUNDARY DESCRIPTION

A parcel of land, situate in the Southeast Quarter of Section 17, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and in Tooele County, Utah, more particularly described as follows:

Beginning at a point on the West line of "Providence at Overlake Subdivision Phase 2 Amended" recorded in the Tooele County Recorder's Office as entry number 492225, book 20, page 56, also located on the Section line, which is located South 0°14'46" East 1024.00 feet along the Section line from the East Quarter Corner of Section 17, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and running:

thence South 0°14'46" East 851.74 feet along the Westerly boundary of said Providence at Overlake Subdivision Phase 2 Amended, to and along "Providence at Overlake Subdivision Phase 3" recorded in the Tooele County Recorder's Office as entry number 494641, book 20, page 90, also along the Section line;

thence South 89°45'15" West 2003.63 feet;

thence North 0°14'46" West 815.98 feet;

thence North 89°42'23" East 87.87 feet;

thence Southwesterly 46.28 feet along the arc of a 29.50-foot radius tangent curve to the right (center bears South 0°17'37" West, and the long chord bears South 45°21'58" East 41.67 feet, through a central angle of 89°51'08");

thence North 89°49'14" East 80.00 feet;

thence Northwesterly 46.31 feet along the arc of a 29.50-foot radius non-tangent curve to the right (center bears North 89°45'14" East, and the long chord bears South 0°21'47" East 11.72 feet, through a central angle of 90°00'00") to the Northwesterly line of Franks Drive;

thence South 45°21'47" East 84.00 feet to the Southwesterly line of Franks Drive;

thence North 44°43'48" East 41.70 feet, through a central angle of 89°51'08");

thence North 89°42'23" East 1013.23 feet;

thence Southwesterly 133.21 feet along the arc of a 170.00-foot radius tangent curve to the right (center bears South 0°17'37" East, and the long chord bears South 67°09'42" East 120.32 feet, through a central angle of 44°55'51");

thence South 45°21'47" East 424.16 feet;

thence Southeastwly 46.34 feet along the arc of a 29.50-foot radius tangent curve to the right (center bears South 44°38'13" West, and the long chord bears South 0°21'47" East 11.72 feet, through a central angle of 90°00'00") to the Northwesterly line of Franks Drive;

thence South 45°21'47" East 84.00 feet to the Southwesterly line of Franks Drive;

thence North 44°43'48" East 59.50 feet along said Southwesterly line;

thence Northwesterly 519.40 feet along the arc of a 1042.00-foot radius tangent curve to the left (center bears North 45°21'47" West, and the long chord bears North 30°21'25" East 514.04 feet, through a central angle of 28°33'36"); and the Easterly line of Franks Drive, to the Point of Beginning.

Parcel contains: 1,469.817 square feet, or 33.74 acres, 8 lots.

**August 6, 2020**  
Date  
Douglas J. Kinsman  
License no. 334575

### OWNER'S DEDICATION AND CONSENT TO RECORD

Known all men by these presents that the undersigned are the owner(s) of the herein described tract of land and hereby cause the same to be divided into lots and streets, together with easements as set forth hereinafter to be known as:

### LEXINGTON AT OVERLAKE SUBDIVISION

(AMENDING AND EXTENDING LOTS 1-5 OF THE LEXINGTON AT OVERLAKE 5 LOT MINOR SUBDIVISION)

The undersigned owner(s) hereby dedicate to perpetual use for the public all roads and other areas shown on this plat as intended for public use. The undersigned owner(s) also hereby convey to Tooele City and to any and all public utility companies a perpetual, nonexclusive easement over the public utility and drainage easements shown on this plat, the same to be used for drainage and for the installation, maintenance and operation of utility lines and facilities.

In witness whereof I have hereunto set my hand this 6th day of August, A.D. 2020

By: *Charles W. Akerlow*  
Charles W. Akerlow (Managing Director)

By: *Charles W. Akerlow*  
Charles W. Akerlow (Managing Director)

### LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF UTAH  
County of Tooele

On the 6th day of August, A.D. 2020, *Charles W. Akerlow* personally appeared before me, the undersigned Notary Public, in and for said County of Tooele, in the State of Utah, who after being duly sworn, acknowledged to me that He/She is the **Managing Director** of **Zenith Tooele LLC**, a Limited Liability Company and that He/She signed the Owner's Dedication freely and voluntarily for and in behalf of said Limited Liability Company for the purposes therein mentioned and acknowledged to me that said Corporation executed the same.

Notary's Full Name & Commission Number: **690050** *Rebecca C. Davis*  
My Commission Expires: **1-25-2024**  
*Rebecca C. Davis*  
A Notary Public Commissioned in Utah

**TOOELE COUNTY SURVEY DEPARTMENT APPROVAL**  
APPROVED THIS 7 DAY OF August, 2020  
BY THE TOOELE COUNTY SURVEY DEPARTMENT.  
RECORD OF SURVEY FILE #2019-0074, 2020-0068-01  
*Malcolm*  
TOOELE COUNTY SURVEY DIRECTOR

**COMMUNITY DEVELOPMENT APPROVAL**  
APPROVED THIS 9th DAY OF September, 2020  
BY THE COMMUNITY DEVELOPMENT  
*[Signature]*  
TOOELE CITY COMMUNITY DEVELOPMENT

**ROCKY MOUNTAIN POWER COMPANY**

1. PURSUANT TO UTAH CODE ANN. § 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.

2. PURSUANT TO UTAH CODE ANN. § 17-27A-603(4)(C)(II) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:

(1) A RECORDED EASEMENT OR RIGHT OF WAY  
(2) THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS  
(3) TITLE 54, CHAPTER 3A, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR  
(4) ANY OTHER PROVISION OF LAW.

APPROVED THIS 6 DAY OF August, 2020  
ROCKY MOUNTAIN POWER  
*[Signature]*  
ESTIMATOR

**DOMINION ENERGY**

DOMINION ENERGY APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE THE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY'S RIGHT-OF-WAY DEPARTMENT AT 1-800-366-8532.

APPROVED THIS 6th DAY OF August, 2020  
DOMINION ENERGY  
*[Signature]*  
Pres. Construction Rep

**NOTE**

1/2" x 24" REBAR WITH YELLOW PLASTIC CAP STAMPED "ENSGN ENG. & LAND SURV." TO BE PLACED AT ALL LOT AND BOUNDARY CORNERS

THIS PLAT IS SOLELY FOR THE PURPOSE OF ESTABLISHING PROPERTY LINES FOR OWNERSHIP. THIS PLAT DOES NOT ENTITLE ANY DEVELOPMENT OR CONSTRUCTION. ALL ENTITLEMENTS AND DEVELOPABILITY, INCLUDING INFRASTRUCTURE, EASEMENTS, AND PROPERTY DEDICATIONS AS NEEDED, MUST BE ESTABLISHED THROUGH FURTHER LAND USE APPLICATIONS AND APPROVALS ACCORDING TO THE TOOELE CITY CODE.

**LEGEND**

	EXISTING STREET MONUMENT		ADJACENT PROPERTY LINE
	PROPOSED STREET MONUMENT TO BE SET		SECTION LINE
	SECTION CORNER		CENTER LINE
	1/2" x 24" REBAR W/ YELLOW PLASTIC CAP "ENSGN ENG. & LAND SURV." TO BE PLACED AT ALL LOT & BOUNDARY CORNERS		EASEMENT LINE
	PUBLIC UTILITY & DRAINAGE EASEMENT		RIGHT OF WAY LINE
	BOUNDARY LINE		ADJACENT RIGHT OF WAY LINE
			TANGENT LINE

**CITY COUNCIL APPROVAL**  
APPROVED THIS 9th DAY OF August, 2020  
BY THE TOOELE CITY COUNCIL  
*[Signature]*  
CHAIRMAN TOOELE CITY COUNCIL

**DEVELOPER**  
ZENITH DEVELOPMENT LLC  
2040 MURRAY HOLLADAY ROAD, SUITE 204 SLC, UTAH 84117 801-428-3755

**SHEET 1 OF 1**  
PROJECT NUMBER: 82608  
MANAGER: D. KINSMAN  
DRAWN BY: C. CHILD  
CHECKED BY: D. KINSMAN  
DATE: 8/9/2020

**TOOELE**  
169 North Main Street Unit 1 Tooele, Utah 84074 Phone: 435.843.3590 Fax: 435.278.0108 WWW.ENSGNENG.COM

**SALT LAKE CITY**  
LAYTON Phone: 801.527.1190  
CEDAR CITY Phone: 801.525.1453  
RICHFIELD Phone: 801.525.2963

**COUNTY TREASURER APPROVAL**  
APPROVED AS TO FORM THIS 5th DAY OF August, 2020  
BY THE TOOELE COUNTY TREASURER  
*[Signature]*  
TOOELE COUNTY TREASURER

**CITY ATTORNEY'S APPROVAL**  
APPROVED AS TO FORM THIS 20th DAY OF September, 2020  
BY THE CITY ATTORNEY  
*[Signature]*  
TOOELE CITY ATTORNEY

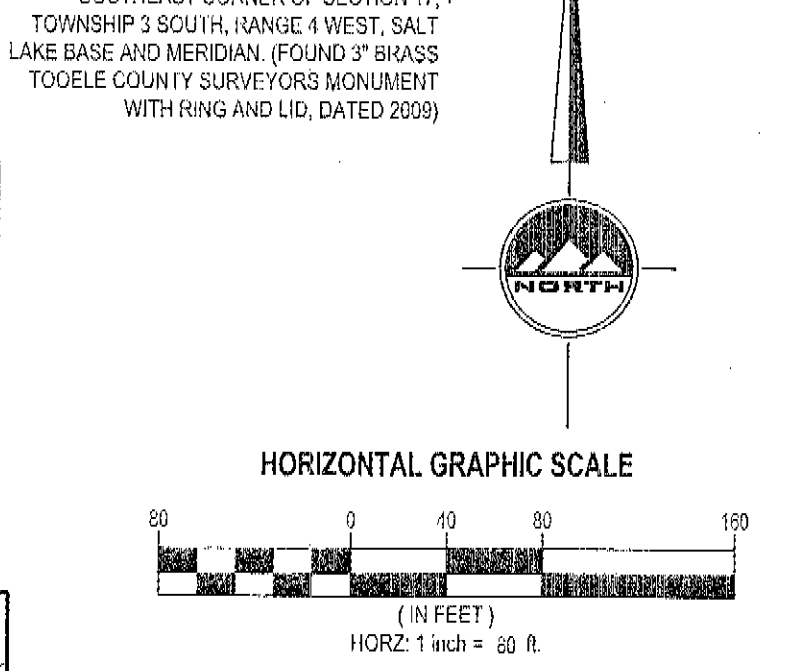
**CITY ENGINEER'S APPROVAL**  
APPROVED AS TO FORM THIS 2 DAY OF September, 2020  
BY THE CITY ENGINEER  
*[Signature]*  
TOOELE CITY ENGINEER

**PLAT BOUNDARY CURVE TABLE**

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
PC1	29.50'	46.28'	89°51'08"	S45°21'58"E	41.67'
PC2	29.50'	46.31'	89°57'08"	N44°43'48"E	41.70'
PC3	170.00'	133.31'	44°55'51"	S67°49'42"E	129.92'
PC4	29.50'	46.34'	90°00'00"	S0°21'47"E	41.72'
PC5	1042.00'	519.40'	28°33'36"	N30°21'25"E	516.04'

**CURVE TABLE**

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	338.00'	96.50'	16°21'27"	S81°34'19"W	96.17'
C2	262.00'	74.81'	16°21'39"	N81°34'25"E	74.56'
C3	162.00'	55.10'	19°30'32"	S90°29'29"E	54.89'
C4	29.50'	59.40'	115°22'27"	S13°03'00"E	49.89'
C5	29.50'	46.50'	90°28'04"	N89°51'15"E	41.88'
C6	230.00'	180.96'	45°01'59"	N67°28'13"W	176.34'
C7	29.50'	46.11'	88°33'59"	N0°08'46"W	41.59'
C8	170.00'	133.70'	45°04'59"	N67°28'13"W	130.34'
C9	29.50'	46.46'	90°14'03"	N44°52'10"E	41.80'
C10	29.50'	46.22'	89°45'57"	S45°07'44"E	41.63'
C11	29.50'	46.22'	89°45'57"	N45°07'44"E	41.63'
C12	29.50'	46.46'	90°14'03"	S44°52'18"W	41.87'



**COUNTY HEALTH DEPARTMENT APPROVAL**  
APPROVED THIS 6 DAY OF August, 2020  
BY THE TOOELE COUNTY HEALTH DEPARTMENT  
*[Signature]*  
TOOELE COUNTY HEALTH DEPT.

**PLANNING COMMISSION APPROVAL**  
APPROVED THIS 12th DAY OF August, 2020  
BY THE TOOELE CITY PLANNING COMMISSION  
*[Signature]*  
CHAIRMAN TOOELE CITY PLANNING COMMISSION

### LEXINGTON AT OVERLAKE SUBDIVISION

#### FINAL PLAT

(AMENDING AND EXTENDING LOTS 1-5 OF THE LEXINGTON AT OVERLAKE 5 LOT MINOR SUBDIVISION)

LOCATED IN THE SOUTHEAST CORNER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, TOOELE CITY, TOOELE COUNTY, UTAH

**TOOELE COUNTY RECORDER**  
RECORDED # **520120**  
STATE OF UTAH, COUNTY OF TOOELE, RECORDED AND FILED AT THE REQUEST OF **Zenith Tooele LLC**  
DATE: **9/9/20** TIME: **2:49 p.m.**  
FEES: **\$74.00**  
*[Signature]*  
TOOELE COUNTY RECORDER



**EXHIBIT C**

**ZONING MAP AMENDMENT PETITION AND INFORMATION**

# Zoning, General Plan, & Master Plan Map Amendment Application

Community Development Department  
90 North Main Street, Tooele, UT 84074  
(435) 843-2132 Fax (435) 843-2139  
[www.tooelecity.org](http://www.tooelecity.org)



*Notice:* The applicant must submit copies of the map amendment proposal to be reviewed by the City in accordance with the terms of the Tooele City Code. Once plans for a map amendment proposal are submitted, the plans are subject to compliance reviews by the various city departments and may be returned to the applicant for revision if the plans are found to be inconsistent with the requirements of the City Code and all other applicable City ordinances. All submitted map amendment proposals shall be reviewed in accordance with the Tooele City Code. Submission of a map amendment proposal in no way guarantees placement of the application on any particular agenda of any City reviewing body. It is **strongly** advised that all applications be submitted well in advance of any anticipated deadlines.

Project Information			
Date of Submission: <b>2-2-22</b>	Current Map Designation: <b>MR-16</b>	Proposed Map Designation: <b>MR16 PUD</b>	Parcel #(s): <b>22-122</b> <b>Lot 2</b>
Project Name: <b>Lexington Greens 8-lot</b>		minor subdivision	Acres: <b>33.82</b>
Project Address: <b>Frank's Drive</b>			
Proposed for Amendment: <input type="checkbox"/> Ordinance <input type="checkbox"/> General Plan <input checked="" type="checkbox"/> Master Plan: _____			
Brief Project Summary: <b>See attached</b>			
Property Owner(s): <b>Lex Apartments LLC</b>		Applicant(s): <b>Charles Akerlow</b>	
Address: <b>8371 S. State St #202</b>		Address: <b>8371 S. State St #202</b>	
City: <b>Sandy</b>	State: <b>UT</b>	City: <b>Sandy</b>	State: <b>UT</b>
Zip: <b>84070</b>		Zip: <b>84070</b>	
Phone:		Phone: <b>801-913-5959</b>	
Contact Person: <b>Charles Akerlow</b>		Address:	
Phone:		City:	State: Zip:
Cellular: <b>801 913 5959</b>	Fax:	Email: <b>Charles@zenithpartners.org</b>	

\*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This information will be used only so far as necessary for completing the transaction. If you decide not to supply the requested information, you should be aware that your application may take a longer time or may be impossible to complete. If you are an "at-risk government employee" as defined in *Utah Code Ann.* § 63-2-302.5, please inform the city employee accepting this information. Tooele City does not currently share your private, controlled or protected information with any other person or government entity.

### Note to Applicant:

Zoning and map designations are made by ordinance. Any change of zoning or map designation is an amendment the ordinance establishing that map for which the procedures are established by city and state law. Since the procedures must be followed precisely, the time for amending the map may vary from as little as 2½ months to 6 months or more depending on the size and complexity of the application and the timing.

For Office Use Only			
Received By: <b>Jessi</b>	Date Received: <b>2/2/2022</b>	Fees: <b>\$3,900.00</b>	App. #: <b>2220120</b>

**455782**

2/1/2022

## Lexington Greens 8-lot Minor Subdivision - PUD Application

### Zoning Map

- 1) The present zoning of the property is MR-16.
- 2) The proposed zoning is a definition of the density within each lot of the 8-lot minor subdivision.
- 3) The proposed zoning is compatible to the current zoning.
- 4) The proposed zoning is suitable because it does not change the existing uses of the subject properties.
- 5) The proposed zoning is consistent with the city's desire to have a mix of housing designs, sizes, and product types which can be purchased or rented by people from various income classes.

### General Plan Map

- 1) The present land use designation is MR-16
- 2) This designation is very similar to the Overlake Master Planned Community, the projects directly to the south, and the overall Tooele general plan.
- 3) We anticipate the land being used for rental apartments, for-sale townhomes, open space, and other general amenities.
- 4) The current land is vacant, so this proposed land use will raise the value of neighboring properties and tax revenue increases to Tooele City. This also provides much needed workforce housing for Tooele City.
- 5) The proposed zoning broadens the base of housing options available in the City by providing both rental and for-sale products that can help supply the workforce.

### Master Plan Map

- 1) The plan we are hoping to amend is the 8-lot minor subdivision within Lexington Greens.
- 2) The present map designation is MR-16
- 3) Not Applicable
- 4) We anticipate the land being used for rental apartments, for-sale townhomes, open space, and other general amenities.
- 5) The proposed map designation will solidify the number of units in each lot thus providing a master plan for all the lots which can include open space, walking trails, and other amenities.
- 6) The proposed zoning broadens the base of housing options available in the City by providing both rental and for-sale products that can help supply the workforce.

**EXHIBIT D**

**LEXINGTON GREENS MULTI-FAMILY RESIDENTIAL PUD  
PROPOSED LAYOUT AND DWELLING UNIT ASSIGNMENT**

N 89° 43' 00" E 2003.63'

# R1-7

## 52.48 acres

# MR-16 PUD

33.83 acres

29.07 acres (net)

449 Units = 15.45/ac (net)  
13.27/ac (gross)

Not a part

2589.48'

N 00° 14' 08" W

Lot 105  
1.29 ac.  
13 Units  
10.08 du/ac.

Lot 104  
3.94 ac.  
56 Units  
14.21 du/ac.

Lot 102b  
3.22 ac.  
60 Units  
18.63 du/ac.

Lot 102a  
7.44 ac.  
144 Units  
19.35 du/ac.

Lot 107 - 1.27 ac.  
18 Units - 14.17 du/ac.

Lot 106  
0.73 ac.  
8 Units  
10.96 du/ac.

Lot 108  
4.25 ac.  
53 Units  
12.71 du/ac.

Lot 103  
2.14 ac.  
25 Units  
11.68 du/ac.

Lot 101  
4.79 ac.  
72 Units  
15.03 du/ac.

2642.66' (meas.)

S 00° 14' 08" E

S 89° 43' 20" W

1401.80'

Delta = 00°38'41"  
R = 39423.08  
L = 443.68'

N 89° 37' 59" W  
158.17'

Existing Zoning

# Lexington Greens at Overlake

Tooele, Utah



PUD Ex. 1



March 22, 2022 ©



**Tully Design LLC**  
Landscape Architecture  
Community Design  
Land Planning  
Salt Lake City, Utah  
(801) 550-8991



**STAFF REPORT**

April 7, 2022

**To:** Tooele City Planning Commission  
Business Date: April 13, 2022

**From:** Planning Division  
Community Development Department

**Prepared By:** Jim Bolser, Director

**Re: Lexington Greens PUD – Zoning Map Amendment Request**

Application No.: P22-122  
Applicant: Charles Akerlow, representing Zenith Tooele, LLC  
Project Location: Approximately 1200 North Franks Drive  
Zoning: MR-16 Multi-Family Residential Zone  
Acreage: Approximately 33.82 Acres (Approximately 1,473,200 ft<sup>2</sup>)  
Request: Request for approval of a Zoning Map Amendment in the MR-16 Multi-Family Residential zone regarding the application of a Planned Unit Development (PUD) overlay to the project area.

**BACKGROUND**

This application is a request for approval of a Zoning Map Amendment for approximately 33.82 acres located on both sides of Franks Drive, at approximately 1200 North. The properties are currently zoned MR-16 Multi-Family Residential. The applicant is requesting that a Zoning Map Amendment be approved to allow for the application of a Planned Unit Development (PUD) overlay to the project area. The underlying zoning assignment of the project area will remain under the MR-16 Multi-Family Residential zoning district. The application of a PUD overlay under the terms of the Tooele City Code does not change the density allowance, change any allowed usage of property, nor grant any additional dwelling units not allowed by the underlying zoning district, rather a PUD overlay allows for an alteration in the configuration of allowed dwelling units. As a typical example of a PUD, commonly referred to as clustering, dwelling units are more compactly located in one area of a development in exchange for units being less compactly located in another area in a manner that produces an overall cohesive development. The provisions pertinent to the establishment and application of a PUD are found in Tooele City Code Chapter 7-6 and have been included as Exhibit “B” to this report.

**ANALYSIS**

*General Plan and Zoning.* The Land Use Map of the General Plan calls for the High Density Residential land use designation for the subject properties. The properties have been assigned the MR-16 Multi-Family Residential zoning classification, supporting up to 16 dwelling units per acre. The purpose of the MR-16 zoning district is to “provide an environment and opportunities for high density residential uses, including primarily attached residential units, apartments, condominiums and townhouses.” Properties assigned the R1-7 Residential zoning classification abut the subject property on the north, west, and east with properties assigned a combination of the same MR-16 zoning classification and NC Neighborhood Commercial abut the subject property on the south. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

*Project History.* The Lexington Green development is a multi-phased project containing residential uses in a variety of configurations and types. The first two phases of the project were planned and approved to contain exclusively single-family detached dwellings under the standard tenets of the R1-7 Residential zoning district. The first phase was initially applied for in August 2018, has completed the development stage, and currently has homes under construction or completed on the vast majority of its 113 lots. The second phase is currently in the infrastructure development stage and is yet to have a permit issued for home construction on its 79 lots. The remaining 33.82 acres of the overall project area was reassigned to the MR-16 Multi-Family Residential zoning district in August 2019. There have been multiple concept plans for this portion of the project although none of which have been formally reviewed or approved by the City. In September 2020, an amended subdivision plat was approved by the City Council that divided the multi-family residential portion of the project into eight master lots for further future development application and entitlement. A copy of the recorded plat can be found in Exhibit “D” to this report. That plat also laid out the primary public roads through this portion of the overall project. The infrastructure work for these rights-of-way is currently ongoing. One of those master lots, identified as Lot 102, was identified for apartment style development on a lot of approximately 10.66 acres. An application for 144 apartment dwelling units, known as The Lex Apartments, was approved in June 2021 and is currently under construction which covers approximately two-thirds of that lot, although that application called out the entirety of the lot acreage. In November 2021, a second application was submitted to the City for a second phase of The Lex Apartments for 60 additional apartment dwelling units to cover the remaining one-third of the same Lot 102, referred to as Lot 102B, and again calling out the same full lot acreage on the application. Through the review of this second application it became clear that both applications were calling out the same full lot acreage resulting in each application meeting the density allowances of the zoning district on their own but when added together as they serve to cover the entirety of the lot together, exceed the density allowance for the zoning district. Through subsequent discussions between the staff, City Administration, and the applicant there were identified three potential avenues to pursue that, if approved, could allow application review and development approvals to continue. After consideration, the applicant chose to pursue a PUD designation over the entire multi-family portion of the project to allow some configuration changes to the project. This application serves as that request.

*Planned Unit Development.* The subject PUD request is somewhat unique in that the project construction is already underway and serves a slightly different purpose. A typical PUD request comes during the planning stages for a development such that the project is reviewed and approved according to the tenets of that PUD. Also, typically a PUD incorporates some type of return from the adjustments to configuration of the project such as some amount of open space, amenities, preservation, or features. With the subject request, the project is already under development and construction and seeks only to establish an allowable number of dwelling units for each of the eight master lots. Mapping for how this assignment of dwelling units would lay out can be found in Exhibit “E” to this report. As of the time of this report, the City has active applications on all but two of the eight master lots with Lots 105 and 106 still to come. Four of the eight master lots have been sold by the applicant to other parties for development. Lots 103 and 108 were combined through a plat amendment into a single lot by one of those buyers and has a portion of that resulting lot under development and construction and the remainder under active application review. Lots 101 and 104 were also purchased by another party and are both under active application with the City. The applicant has indicated the existence of private agreements with those buyers which identify the number of units which they would be allowed to develop on those respective lots. The applicant for this request has provided signed affidavits from those buyers acknowledging this application and their property’s part in the application. Staff has reviewed the proposed dwelling unit assignments with this PUD application and found that those assignments match the proposed number of dwelling units for the various applications and approvals for all of the six master lots for which an development application has been submitted and, when considered as a collective calculation of all dwelling units together, the total number of dwelling units under the PUD would comply with the allowed density of the MR-16 zoning district over the scope of the entire multi-family portion of the Lexington Greens

project. The dwelling unit assignments proposed in the subject PUD would concentrate a higher density of the dwelling units onto Lot 102 for The Lex Apartments project, both phases together, and would serve to slightly thin out some of the development on other lots to create the overall balance contemplated for a PUD application. The applicant has also submitted a plat amendment application that is currently under review that would serve to realign the property lines of Lot 102 to divide it into a ninth master lot to match the phasing of The Lex Apartment project. The proposed dwelling unit assignment map in Exhibit “E” shows how the dwelling units would be assigned with a master lot configuration separating Lot 102 and what’s being referred to as Lot 102b which match the two phases of The Lex Apartments project. It also does not reflect the combination of Lots 103 and 108 that was completed by the buyer of those properties after their acquisition. The applicant has submitted a plat amendment to officially split these two lots as shown but that application has not yet begun the formal review process.

Criteria For Approval. The criteria for review and potential approval of a Zoning Map Amendment request is found in Section 7-1A-7 of the Tooele City Code. This section depicts the standard of review for such requests as:

- (1) No amendment to the Zoning Ordinance or Zoning Districts Map may be recommended by the Planning Commission or approved by the City Council unless such amendment or conditions thereto are consistent with the General Plan. In considering a Zoning Ordinance or Zoning Districts Map amendment, the applicant shall identify, and the City Staff, Planning Commission, and City Council may consider, the following factors, among others:
  - (a) The effect of the proposed amendment on the character of the surrounding area.
  - (b) Consistency with the goals and policies of the General Plan and the General Plan Land Use Map.
  - (c) Consistency and compatibility with the General Plan Land Use Map for adjoining and nearby properties.
  - (d) The suitability of the properties for the uses proposed viz. a. viz. the suitability of the properties for the uses identified by the General Plan.
  - (e) Whether a change in the uses allowed for the affected properties will unduly affect the uses or proposed uses for adjoining and nearby properties.
  - (f) The overall community benefit of the proposed amendment.

## **REVIEWS**

Planning Division Review. The Tooele City Planning Division has completed their review of the Zoning Map Amendment request and has issued the following comments:

1. The proposed PUD designation would not change the overall number of dwelling units that can be constructed under the density limitation of the MR-16 zoning district over the scope of the multi-family residential portion of the Lexington Greens project.
2. The proposed PUD designation would allow all active applications to continue under review as currently proposed.
3. The proposed PUD designation does not propose to change the number of dwelling units allowed nor allow any use not otherwise allowed in the MR-16 zoning district.
4. The proposed PUD designation make no proposal for alteration to the development tenets, requirements, and standard applicable to the subject multi-family residential development project other than the configuration of the overall number of allowed dwelling units.

Engineering Review. The Tooele City Engineering Division has completed their review of the Zoning Map



Amendment request and has issued the following comment:

1. The proposed PUD designation would not change the developability of the lots within the development nor increase the burden on infrastructure or municipal services anticipated for the overall multi-family residential project.

Noticing. The applicant has expressed their desire to rezone the subject property and do so in a manner which is compliant with the City Code. As such, notice has been properly issued in the manner outlined in the City and State Codes.

### **STAFF RECOMMENDATION**

Staff recommends the Planning Commission carefully weigh this request for a Zoning Map Amendment according to the appropriate tenets of the Utah State Code and the Tooele City Code, particularly Section 7-1A-7(1) and render a decision in the best interest of the community with any conditions deemed appropriate and based on specific findings to address the necessary criteria for making such decisions.

Potential topics for findings that the Commission should consider in rendering a decision:

1. The effect the Zoning Map Amendment may have on potential applications regarding the character of the surrounding areas.
2. The degree to which the proposed Zoning Map Amendment may effect a potential application's consistency with the intent, goals, and objectives of any applicable master plan.
3. The degree to which the proposed Zoning Map Amendment may effect a potential application's consistency with the intent, goals, and objectives of the Tooele City General Plan.
4. The degree to which the proposed Zoning Map Amendment is consistent with the requirements and provisions of the Tooele City Code.
5. The suitability of the proposed Zoning Map Amendment on properties which may utilize its provisions for potential development applications.
6. The degree to which the proposed Zoning Map Amendment may effect an application's impact on the health, safety, and general welfare of the general public or the residents of adjacent properties.
7. The degree to which the proposed Zoning Map Amendment may effect an application's impact on the general aesthetic and physical development of the area.
8. The degree to which the proposed Zoning Map Amendment may effect the uses or potential uses for adjoining and nearby properties.
9. The overall community benefit of the proposed amendment.
10. Other findings the Commission deems appropriate to base their decision upon for the proposed application.

### **MODEL MOTIONS**

Sample Motion for a Positive Recommendation – "I move we forward a positive recommendation to the City Council for the Lexington Greens PUD Zoning Map Amendment Request by Charles Akerlow, representing the Zenith Tooele, LLC for the purpose of creating and assigning a Planned Unit Development (PUD) designation to the subject properties, application number P22-122, based on the following findings:"

1. List findings ...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Lexington Greens PUD Zoning Map Amendment Request by Charles Akerlow, representing the Zenith Tooele, LLC for the purpose of creating and assigning a Planned Unit Development (PUD) designation to the subject properties, application number P22-122, based on the following findings:”

1. List findings ...

**EXHIBIT A**

**MAPPING PERTINENT TO THE  
LEXINGTON GREENS PUD ZONING MAP AMENDMENT**



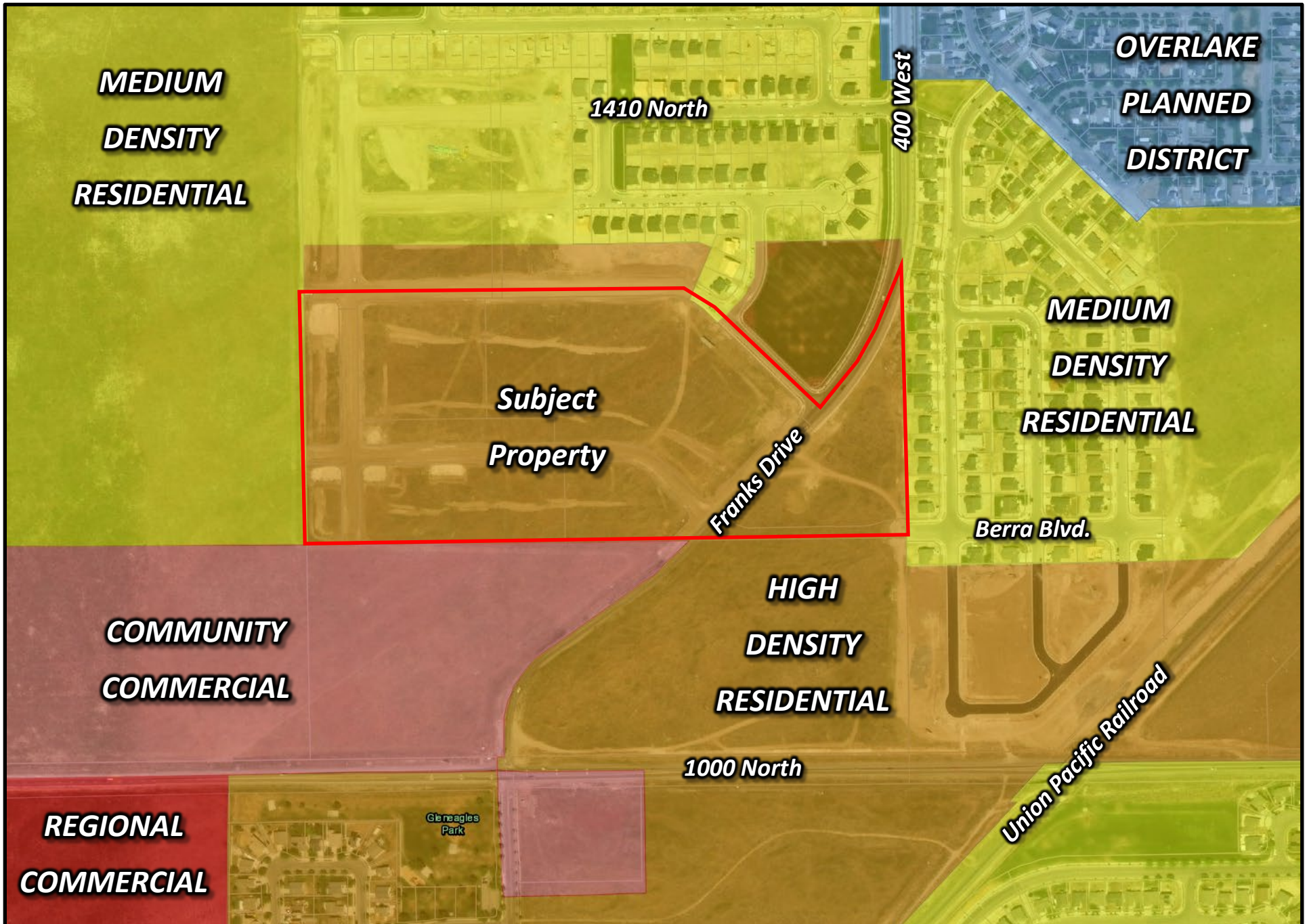
**Lexington Greens PUD Zoning Map Amendment**



**Aerial Map**



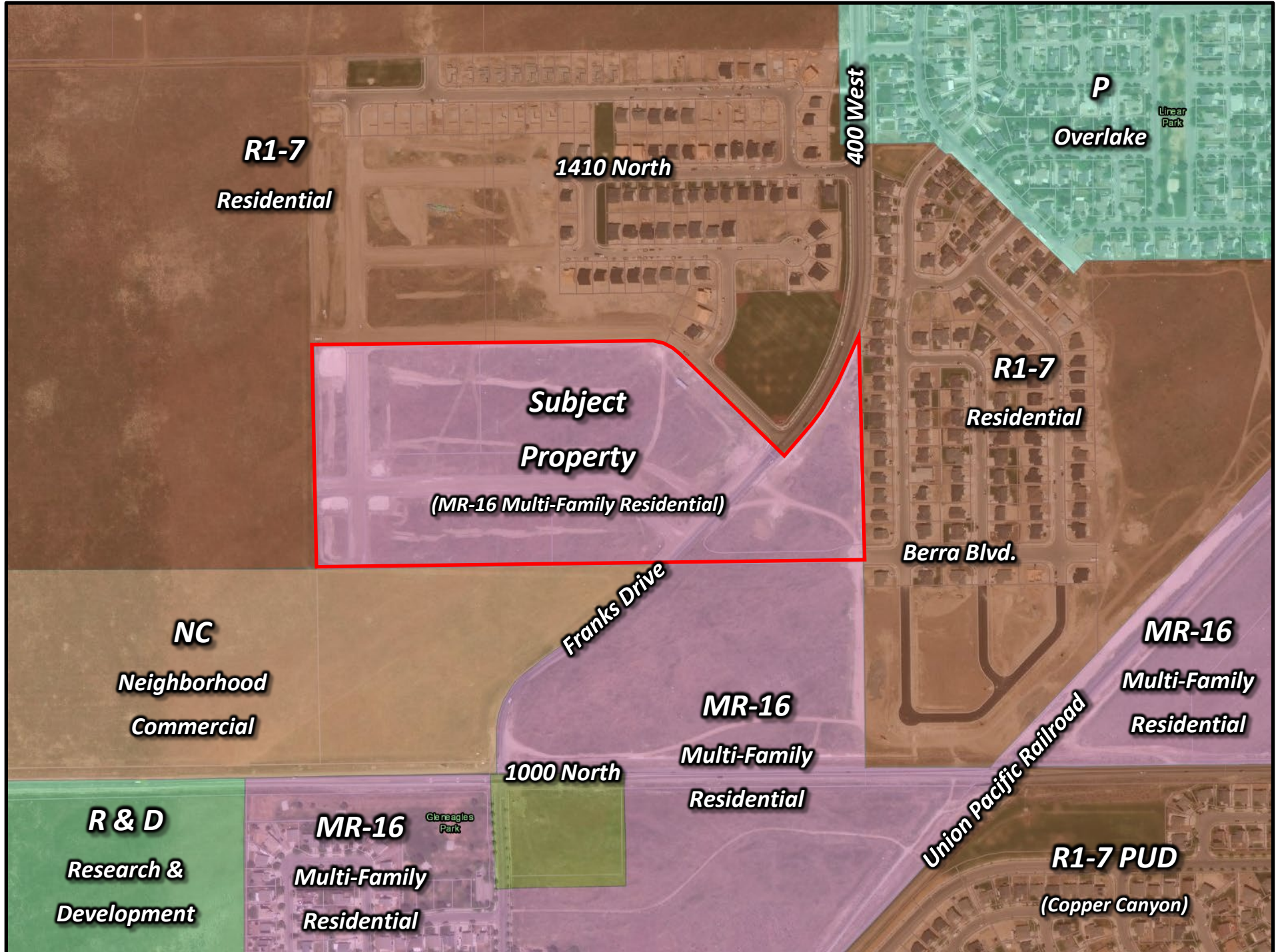
**Lexington Greens PUD Zoning Map Amendment**



**Land Use Map**



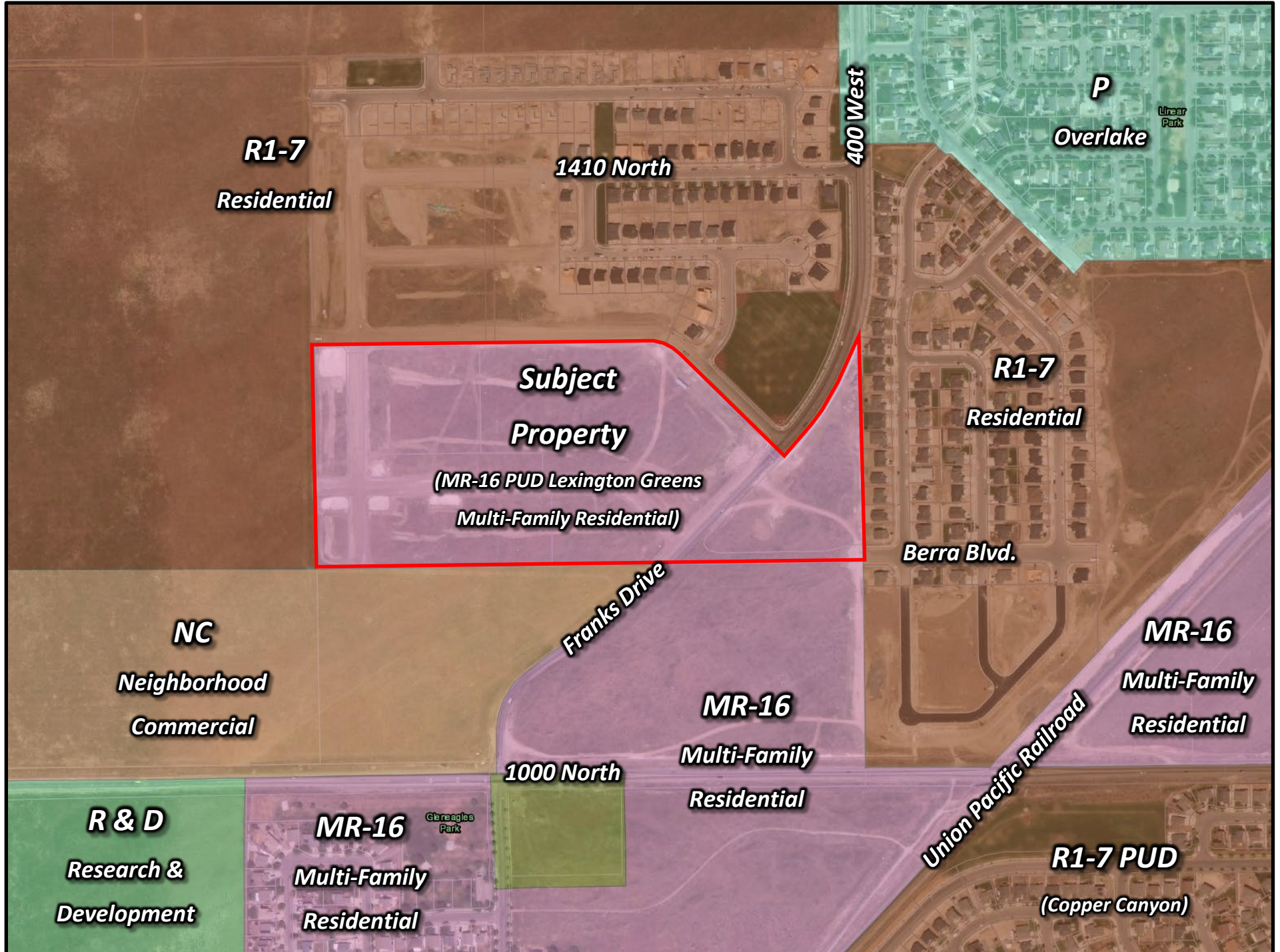
**Lexington Greens PUD Zoning Map Amendment**



**Current Zoning Map**



**Lexington Greens PUD Zoning Map Amendment**



**Proposed Zoning Map**

**EXHIBIT B**

**CHAPTER 7-6 TOOELE CITY CODE**



## **CHAPTER 6. PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT (PUD)**

### **7-6-1. Purpose.**

### **7-6-2. Definition.**

### **7-6-3. Allowed Uses.**

### **7-6-4. Authorization of a Planned Unit Development Overlay District.**

### **7-6-5. Application Requirements.**

### **7-6-6. Planned Unit Development Designation.**

### **7-6-7. Authorization and Approval Procedures for Subdivisions and Site Plans within a Planned Unit Development District.**

### **7-6-1. Purpose.**

The purpose of the Planned Unit Development Overlay District, when used in conjunction with the requirements of the base, or underlying zoning district, is to permit flexibility in subdivision and site planning, to promote the efficient utilization of resources, and to preserve and protect valuable site features and to add desired amenities for the neighborhood or area. The application of the Planned Unit Development Overlay District is intended to promote the achievement of quality neighborhood and site design while complying with the policies of the Tooele City General Plan and the requirements of the Zoning Ordinance. The intent of the Planned Unit Development Overlay District is to:

- (1) Create opportunities for flexible site planning and development options where the standard lot configuration is not practical or desirable;
- (2) Provide flexibility in site and building design, placement of buildings, use of open space, provision of circulation facilities and parking, and other design considerations;
- (3) Encourage the preservation and enhancement of desirable site characteristics, including open space areas, vegetation and critical natural areas;
- (4) Allow design, landscape or architectural treatments to create an attractive and pleasing environment;
- (5) Support reductions in development costs and the costs of providing ongoing maintenance; and
- (6) To allow and encourage the provision of special development amenities.

(Ord. 97-21, 06-04-97)

### **7-6-2. Definition.**

Planned Unit Development (PUD) is a site plan or subdivision layout technique allowing buildings and structures with some or all of the lots reduced below the minimum lot sizes and/or differing setback standards than required by the base zoning district, but where the overall project or site area meets the density standard of the zoning district. While the underlying zoning district establishes the allowed use and densities, the Planned Unit Development overlay district allows flexibility in

the general configuration of the subdivision or site plan area. Development areas being proposed as a Planned Unit Development require that the planning for lots and the locations of buildings and structures be achieved in a coordinated, functional and unified manner. (Ord. 97-21, 06-04-97)

### **7-6-3. Allowed Uses.**

The Planned Unit Development Overlay District does not establish or identify any of the uses allowed within an area or proposed development site. Rather, it is the underlying zoning district which identifies and establishes the uses which are allowed, either as a permitted, or as a conditional use. (Ord. 97-21, 06-04-97)

### **7-6-4. Authorization of a Planned Unit Development Overlay District.**

(1) Qualifying Districts. A Planned Unit Development Overlay District may be allowed by the City Council as an overlay zoning district in the Residential Zoning Districts of the City with a minimum area of five (5) acres.

(2) Procedure for Approval. A Planned Unit Development Overlay District may only be authorized by the City Council, as an amendment to the Tooele city Zoning District Map, after receipt of a recommendation from the Planning Commission, and after complying with all the requirements of §10-9-403, Utah Code Annotated (U.C.A.). In evaluating the appropriateness of approving a Planned Unit Development Overlay District the City Council and Planning Commission may consider the following factors, among others:

(a) The suitability of the properties for a Planned Unit Development Overlay District designation;

(b) That adequate public services and facilities exist or can be provided to serve the proposed Planned Unit Development area;

(c) A Planned Unit Development area will encourage greater efficiency in the delivery of City-provided services ;

(d) The Planned Unit Development has the potential of providing additional amenities for the residents of the area, or the residents of the City, than would be achieved by a conventional development pattern;

(e) Whether the establishment of a Planned Unit Development District will have a negative affect on the rights, enjoyment and uses on nearby and adjoining properties; and

(f) The gain to the public health, safety and welfare and the overall community benefit to authorizing a Planned Unit Development designation. (Ord. 97-21, 06-04-97)

### **7-6-5. Application Requirements.**

Applications for a Planned Unit Development Overlay district shall provide the following information in addition to the information generally required by the City for a Zoning District Map amendment (rezoning) application:

(1) Representative architectural drawings and elevations of proposed dwellings, structures and other buildings;

(2) Concept subdivision layout or site plan design, as the case may be, showing the general locations of all buildings, structures, parking areas, open space areas, streets and roads and other private and public improvements;

(3) Tables showing the total number of acres in the proposed development identifying the percentages of the total area devoted to each proposed use including residential structures, residential lots, parking areas, streets and roads, parks, open space areas, and any other uses, and a tabulation of the overall density for the development site;

(4) Any other information, reasonable related to the application that the Planning Commission and City Council may require to determine the appropriateness of authorizing a Planned Unit Development Overlay District designation. (Ord. 97-21, 06-04-97)

#### **7-6-6. Planned Unit Development Designation.**

Following the receipt of a Planning Commission recommendation and following the requirements of §10-9-403 U.C.A. the City Council may authorize that the Tooele City Zoning District Map be amended to allow a Planned Unit Development Overlay District. If this occurs the underlying district designation shall be followed by the "PUD" identifier, i.e. if a single family R1-12 district is the underlying district the revised or amended district classification would be R1-12(PUD), indicating the R1-12 district as the underlying zoning district and the Planned Unit Development District as the overlay zoning district. (Ord. 97-21, 06-04-97)

#### **7-6-7. Authorization and Approval Procedures for Subdivisions and Site Plans within a Planned Unit Development District.**

All subdivision and site plan layouts and designs proposed within a Planned Unit Development Overlay District shall be reviewed and considered pursuant to the procedures as established in Chapter 19 of this Ordinance for subdivision applications of Chapter 11 of this Ordinance for site plan applications.

(1) Application Requirements. Applications for preliminary and final subdivision plat and preliminary and final site plan review and approval must contain all information required by the City for subdivision approval as identified in Chapter 19, or for site plan approval as identified in Chapter 11 as well as the following:

(a) A statement of how the purpose and intent

of this Chapter will be achieved by the proposed Planned Unit Development (PUD) project. The statement should include sketches or illustrations of the proposed character of the development, including architecture of buildings and a description of how the development will relate to surrounding land uses.

(b) A summary report identifying: the different land uses, including the amount of land for housing, open areas, streets, and parking; the number and type of housing units; and a statement of how necessary services will be provided and whether the services will be publicly or privately owned and operated.

(c) Preliminary architectural drawings and elevations of proposed dwellings, structures and other buildings.

(2) Allowed Density. The density allowed by a Planned Unit Development designation shall not exceed the density allowed by the underlying zoning district.

(3) Calculation of Density. The density allowed in a Planned Unit Development area is to be calculated in the following manner:

(a) Land set aside or dedicated for schools, religious institutions, and public or quasi-public activities (excluding park and open space areas) is to be subtracted from the gross site area to determine net usable site area.

(b) Net usable site area is multiplied by the density allowed by the underlying zoning district, as established in the Table of Allowed Residential Density (Table 2, Table of Allowed Residential Density; Residential Zoning Districts) to identify the maximum number of residential units allowed.

(c) If the Planned Unit Development project is to be located in more than one residential zoning district, the total number of residential units allowed is calculated by adding the number of units allowed by each zoning district. Dwelling units may be placed without regard to district boundaries, provided the total number of units do not exceed that allowed by the underlying zoning districts.

(d) Lot Sizes. In a Planned Unit Development area there is no minimum lot size requirement (area, width, or depth). However, lot sizes must be adequate to promote compatibility with adjoining activities on and off the development site as determined by the Planning Commission and City Council.

(e) Housing Types Allowed. Dwelling units allowed are to be consistent with the types of housing units allowed by the underlying zoning district.

(f) Building Locations and Setbacks. The proposed building areas, and proposed setback lines for all buildings and structures must be shown on the preliminary and final plat or site plan. Along the perimeter of the development site / project area, all development must meet the building setback standards of the underlying zoning district. Within the site,

building setbacks and building separation is to be established as part of the preliminary subdivision plat or preliminary site plan review and approval process sufficient to promote a functional, attractive and compatible development.

(g) Height. The height limit of the underlying zoning district applies.

(h) Open Space and Park Areas. Park and open space areas provided within a Planned Unit Development may be proposed for dedication to the City. Open space and park areas proposed for dedication to the City may be received by the City, at the discretion of the City Council, following the receipt of a Planning Commission recommendation. All open space areas and park areas provided as part of a Planned Unit Development must be in common ownership, city ownership, or held in a form acceptable to the City to guarantee access and continued preservation and maintenance.

(i) Maintenance of Open Space Areas. Unless dedicated and accepted by the City, an enforceable maintenance agreement for any commonly owned areas must be created and recorded with the Tooele County Recorder, and a copy of the recorded agreement provided to the City. The final plat or site plan shall also carry a note identifying the existence of the recorded maintenance agreement. Prior to recordation the agreement must be approved by the City Attorney to assure that the City's interests are maintained and protected.

(j) Provision of Services and Improvements Standards. It is the responsibility of the applicant to provide all service facilities necessary for the functioning of the Planned Unit Development project consistent with the requirements generally imposed on subdivision or site plan approvals, including compliance with the City's public improvement, design and construction standards.

(k) Phased Development Procedures. An applicant may submit a preliminary subdivision plat or preliminary site plan for the entire Planned Unit Development area with proposed phased final subdivision plats and / or phased final site plans.

(l) Amendments to the Planned Unit Development Subdivision Plats and Site Plans. Applicants may be granted revisions to approved preliminary or final Planned Unit Development subdivision plats or site plans by following the amendment procedures for subdivision plats and site plans as identified in this Ordinance and as required by applicable State law requirements. Requests for revisions must be submitted in writing to the City. Changes and amendments to approved preliminary and final Planned Unit Development plans are processed following the same procedures as the original review and approval.

(m) Certificates of Occupancy. Certificates of occupancy will not be issued unless all improvements

and conditions of approval have been fulfilled to the satisfaction of the City Engineer and Building Official. (Ord. 97-21, 06-04-97)

**EXHIBIT C**

**APPLICANT SUBMITTED INFORMATION**

# Zoning, General Plan, & Master Plan Map Amendment Application

Community Development Department  
90 North Main Street, Tooele, UT 84074  
(435) 843-2132 Fax (435) 843-2139  
[www.tooelecity.org](http://www.tooelecity.org)



*Notice:* The applicant must submit copies of the map amendment proposal to be reviewed by the City in accordance with the terms of the Tooele City Code. Once plans for a map amendment proposal are submitted, the plans are subject to compliance reviews by the various city departments and may be returned to the applicant for revision if the plans are found to be inconsistent with the requirements of the City Code and all other applicable City ordinances. All submitted map amendment proposals shall be reviewed in accordance with the Tooele City Code. Submission of a map amendment proposal in no way guarantees placement of the application on any particular agenda of any City reviewing body. It is **strongly** advised that all applications be submitted well in advance of any anticipated deadlines.

Project Information			
Date of Submission: <b>2-2-22</b>	Current Map Designation: <b>MR-16</b>	Proposed Map Designation: <b>MR16 PUD</b>	Parcel #(s): <b>22-122</b> <b>Lot 2</b>
Project Name: <b>Lexington Greens 8-lot</b>		minor subdivision	Acres: <b>33.82</b>
Project Address: <b>Frank's Drive</b>			
Proposed for Amendment: <input type="checkbox"/> Ordinance <input type="checkbox"/> General Plan <input checked="" type="checkbox"/> Master Plan: _____			
Brief Project Summary: <b>See attached</b>			
Property Owner(s): <b>Lex Apartments LLC</b>		Applicant(s): <b>Charles Akerlow</b>	
Address: <b>8371 S. State St #202</b>		Address: <b>8371 S. State St #202</b>	
City: <b>Sandy</b>	State: <b>UT</b>	City: <b>Sandy</b>	State: <b>UT</b>
Zip: <b>84070</b>		Zip: <b>84070</b>	
Phone: _____		Phone: <b>801-913-5959</b>	
Contact Person: <b>Charles Akerlow</b>		Address: _____	
Phone: _____		City: _____	State: _____
Zip: _____		Zip: _____	
Cellular: <b>801 913 5959</b>	Fax: _____	Email: <b>Charles@zenithpartners.org</b>	

\*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This information will be used only so far as necessary for completing the transaction. If you decide not to supply the requested information, you should be aware that your application may take a longer time or may be impossible to complete. If you are an "at-risk government employee" as defined in *Utah Code Ann.* § 63-2-302.5, please inform the city employee accepting this information. Tooele City does not currently share your private, controlled or protected information with any other person or government entity.

### Note to Applicant:

Zoning and map designations are made by ordinance. Any change of zoning or map designation is an amendment the ordinance establishing that map for which the procedures are established by city and state law. Since the procedures must be followed precisely, the time for amending the map may vary from as little as 2½ months to 6 months or more depending on the size and complexity of the application and the timing.

For Office Use Only			
Received By: <b>Jessi</b>	Date Received: <b>2/2/22</b>	Fees: <b>\$3,900.00</b>	App. #: <b>2220128</b>

**455782**

2/1/2022

## Lexington Greens 8-lot Minor Subdivision - PUD Application

### Zoning Map

- 1) The present zoning of the property is MR-16.
- 2) The proposed zoning is a definition of the density within each lot of the 8-lot minor subdivision.
- 3) The proposed zoning is compatible to the current zoning.
- 4) The proposed zoning is suitable because it does not change the existing uses of the subject properties.
- 5) The proposed zoning is consistent with the city's desire to have a mix of housing designs, sizes, and product types which can be purchased or rented by people from various income classes.

### General Plan Map

- 1) The present land use designation is MR-16
- 2) This designation is very similar to the Overlake Master Planned Community, the projects directly to the south, and the overall Tooele general plan.
- 3) We anticipate the land being used for rental apartments, for-sale townhomes, open space, and other general amenities.
- 4) The current land is vacant, so this proposed land use will raise the value of neighboring properties and tax revenue increases to Tooele City. This also provides much needed workforce housing for Tooele City.
- 5) The proposed zoning broadens the base of housing options available in the City by providing both rental and for-sale products that can help supply the workforce.

### Master Plan Map

- 1) The plan we are hoping to amend is the 8-lot minor subdivision within Lexington Greens.
- 2) The present map designation is MR-16
- 3) Not Applicable
- 4) We anticipate the land being used for rental apartments, for-sale townhomes, open space, and other general amenities.
- 5) The proposed map designation will solidify the number of units in each lot thus providing a master plan for all the lots which can include open space, walking trails, and other amenities.
- 6) The proposed zoning broadens the base of housing options available in the City by providing both rental and for-sale products that can help supply the workforce.

**EXHIBIT D**

**RECORDED LEXINGTON AT OVERLAKE SUBDIVISION**

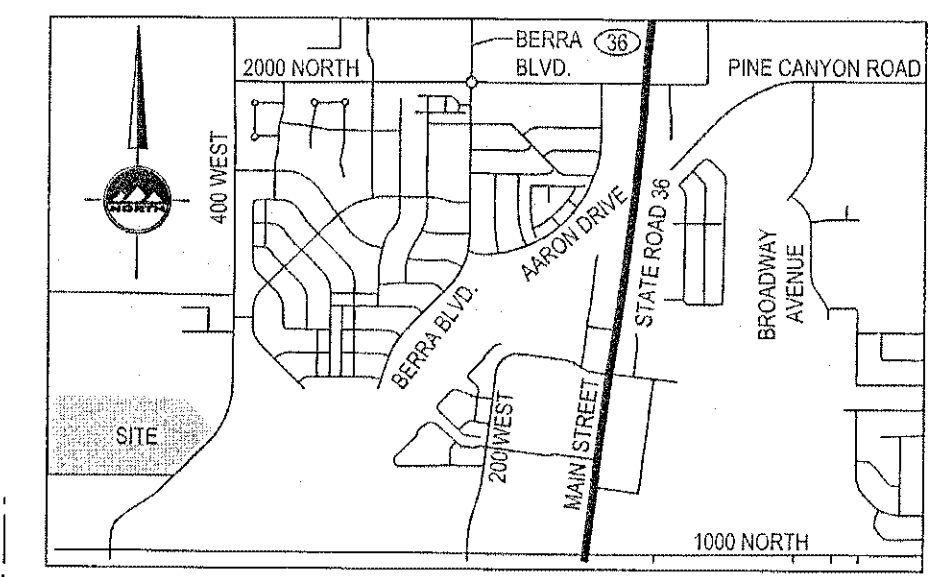


# LEXINGTON AT OVERLAKE SUBDIVISION

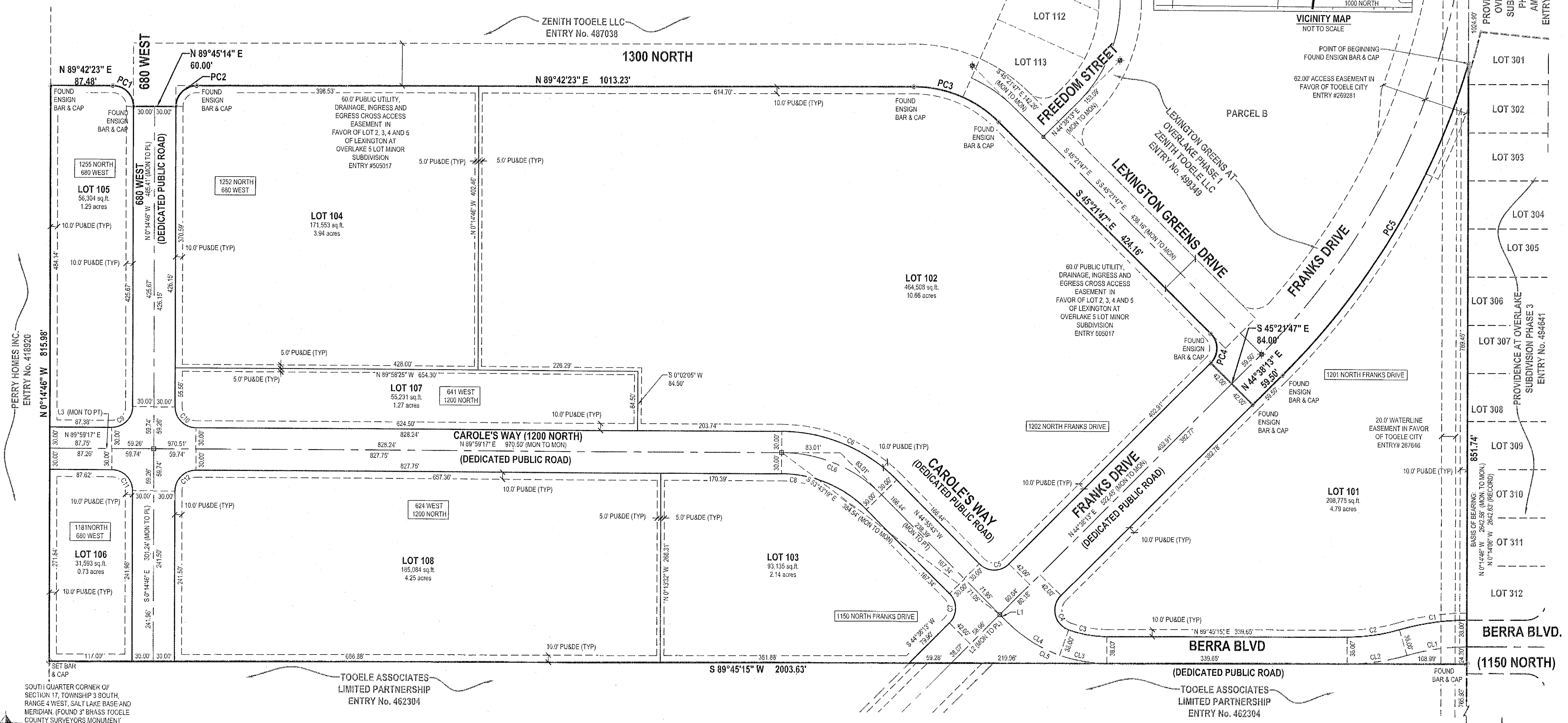
## FINAL PLAT

(AMENDING AND EXTENDING LOTS 1-5 OF THE LEXINGTON AT OVERLAKE 5 LOT MINOR SUBDIVISION) LOCATED IN THE SOUTHEAST CORNER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, TOOELE CITY, TOOELE COUNTY, UTAH

LINE TABLE			CENTER LINE CURVE TABLE					
LINE	BEARING	LENGTH	CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
L1	N44°54'33"W	13.20'	CL1	300.00'	85.64'	16°21'24"	S81°34'18"W	85.33'
L2	N44°39'13"E	97.03'	CL2	300.00'	85.67'	16°21'39"	N81°34'25"E	85.37'
L3	S89°59'17"W	147.00'	CL3	200.00'	68.10'	19°30'32"	S90°29'29"E	67.77'
			CL4	200.00'	90.09'	25°48'30"	S67°49'58"E	89.33'
			CL5	200.00'	158.19'	45°19'02"	S67°35'14"E	154.10'
			CL6	200.00'	157.37'	45°04'59"	N67°28'13"W	153.34'



NORTHEAST CORNER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN. (FOUND 3" BRASS TOOELE COUNTY SURVEYORS MONUMENT WITH RING AND LID, DATED 2000)



### BOUNDARY DESCRIPTION

A parcel of land, situate in the Southeast Quarter of Section 17, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and in Tooele County, Utah, more particularly described as follows:

Beginning at a point on the West line of "Providence at Overlake Subdivision Phase 2 Amended" recorded in the Tooele County Recorder's Office as entry number 492225, book 20, page 56, also located on the Section line, which is located South 0°14'46" East 1024.00 feet along the Section line from the East Quarter Corner of Section 17, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and running:

thence South 0°14'46" East 851.74 feet along the Westerly boundary of said Providence at Overlake Subdivision Phase 2 Amended, to and along "Providence at Overlake Subdivision Phase 3" recorded in the Tooele County Recorder's Office as entry number 494641, book 20, page 90, also along the Section line;

thence South 89°45'15" West 2003.63 feet;

thence North 0°14'46" West 815.98 feet;

thence North 89°42'23" East 87.87 feet;

thence Southwesterly 46.28 feet along the arc of a 29.50-foot radius tangent curve to the right (center bears South 0°17'37" West, and the long chord bears South 45°21'58" East 41.67 feet, through a central angle of 89°51'08");

thence North 89°49'14" East 80.00 feet;

thence Northwesterly 46.31 feet along the arc of a 29.50-foot radius non-tangent curve to the right (center bears North 89°45'14" East, and the long chord bears South 0°21'47" East 11.72 feet, through a central angle of 90°00'00") to the Northwesterly line of Franks Drive;

thence South 45°21'47" East 84.00 feet to the Southwesterly line of Franks Drive;

thence North 44°43'48" East 41.70 feet, through a central angle of 89°51'08");

thence North 89°42'23" East 1013.23 feet;

thence Southwesterly 133.21 feet along the arc of a 170.00-foot radius tangent curve to the right (center bears South 0°17'37" East, and the long chord bears South 67°09'42" East 120.32 feet, through a central angle of 44°55'51");

thence South 45°21'47" East 424.16 feet;

thence Southeasterly 46.31 feet along the arc of a 29.50-foot radius tangent curve to the right (center bears South 44°38'13" West, and the long chord bears South 0°21'47" East 11.72 feet, through a central angle of 90°00'00") to the Northwesterly line of Franks Drive;

thence South 45°21'47" East 84.00 feet to the Southwesterly line of Franks Drive;

thence North 44°43'48" East 59.50 feet along said Southwesterly line;

thence Northwesterly 519.40 feet along the arc of a 1042.00-foot radius tangent curve to the left (center bears North 45°21'47" West, and the long chord bears North 30°21'25" East 514.04 feet, through a central angle of 28°33'36"), to the Point of Beginning.

Parcel contains: 1,469.817 square feet, or 33.74 acres, 8 lots.

**AUGUST 6, 2020**

Date  
Douglas J. Kinman  
License no. 334575

### OWNER'S DEDICATION AND CONSENT TO RECORD

Known all men by these presents that the undersigned are the owner(s) of the herein described tract of land and hereby cause the same to be divided into lots and streets, together with easements as set forth hereinafter to be known as:

### LEXINGTON AT OVERLAKE SUBDIVISION

(AMENDING AND EXTENDING LOTS 1-5 OF THE LEXINGTON AT OVERLAKE 5 LOT MINOR SUBDIVISION)

The undersigned owner(s) hereby dedicate to perpetual use of the public all roads and other areas shown on this plat as intended for public use. The undersigned owner(s) also hereby convey to Tooele City and to any and all public utility companies a perpetual, nonexclusive easement over the public utility and drainage easements shown on this plat, the same to be used for drainage and for the installation, maintenance and operation of utility lines and facilities.

In witness whereof I have hereunto set my hand this 6th day of August, A.D. 2020

By: *Charles W. Akerlow*  
Charles W. Akerlow (Managing Director)

By: *Charles W. Akerlow*  
Charles W. Akerlow (Managing Director)

### LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF UTAH  
County of Tooele

On the 6th day of August, A.D. 2020, *Charles W. Akerlow*, personally appeared before me, the undersigned Notary Public, in and for said County of Tooele, in the State of Utah, who after being duly sworn, acknowledged to me that he/she is the **Managing Director** of **Zenith Tooele LLC**, a Limited Liability Company and that he/she signed the Owner's Dedication freely and voluntarily for and in behalf of said Limited Liability Company for the purposes therein mentioned and acknowledged to me that said Corporation executed the same.

Notary's Full Name & Commission Number: **690050 Rosanna C. Davis**

My Commission Expires: **1-25-2024**  
*Rosanna C. Davis*  
A Notary Public Commissioned in Utah

**TOOELE COUNTY SURVEY DEPARTMENT APPROVAL**

APPROVED THIS 7 DAY OF August, 2020  
BY THE TOOELE COUNTY SURVEY DEPARTMENT.  
RECORD OF SURVEY FILE #2019-0074, 2020-0069-01  
*Mal S. Johnson* Chief Deputy  
TOOELE COUNTY SURVEY DIRECTOR

**COMMUNITY DEVELOPMENT APPROVAL**

APPROVED THIS 9th DAY OF September, 2020  
BY THE COMMUNITY DEVELOPMENT  
*[Signature]*  
TOOELE CITY COMMUNITY DEVELOPMENT

**NOTE**

1/2" x 2 1/2" REBAR WITH YELLOW PLASTIC CAP STAMPED "ENSGN ENG. & LAND SURV." TO BE PLACED AT ALL LOT AND BOUNDARY CORNERS.

THIS PLAT IS SOLELY FOR THE PURPOSE OF ESTABLISHING PROPERTY LINES FOR OWNERSHIP. THIS PLAT DOES NOT ENTITLE ANY DEVELOPMENT OR CONSTRUCTION. ALL ENTITLEMENTS AND DEVELOPABILITY, INCLUDING INFRASTRUCTURE, EASEMENTS, AND PROPERTY DEDICATIONS AS NEEDED, MUST BE ESTABLISHED THROUGH FURTHER LAND USE APPLICATIONS AND APPROVALS ACCORDING TO THE TOOELE CITY CODE.

**LEGEND**

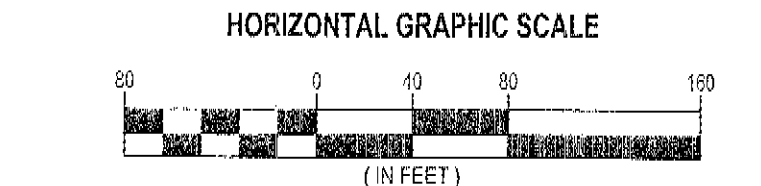
- EXISTING STREET MONUMENT
- PROPOSED STREET MONUMENT TO BE SET
- SECTION CORNER
- 1/2" x 2 1/2" REBAR W/ YELLOW PLASTIC CAP "ENSGN ENG. & LAND SURV." TO BE PLACED AT ALL LOT & BOUNDARY CORNERS
- P.U.E. PUBLIC UTILITY & DRAINAGE EASEMENT
- BOUNDARY LINE
- EXISTING STREET MONUMENT
- SECTION LINE
- CENTER LINE
- EASEMENT LINE
- RIGHT OF WAY LINE
- ADJACENT PROPERTY LINE
- ADJACENT RIGHT OF WAY LINE
- TANGENT LINE

**PLAT BOUNDARY CURVE TABLE**

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
PC1	29.50'	46.28'	89°51'08"	S45°21'58"E	41.67'
PC2	29.50'	46.31'	89°57'08"	N44°43'48"E	41.70'
PC3	170.00'	133.21'	44°55'11"	S67°49'42"E	129.92'
PC4	29.50'	46.34'	90°00'00"	S0°21'47"E	41.72'
PC5	1042.00'	519.40'	28°33'36"	N30°21'25"E	514.04'

**CURVE TABLE**

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	338.00'	96.50'	16°21'27"	S81°34'19"W	96.17'
C2	262.00'	74.81'	16°21'39"	N81°34'25"E	74.56'
C3	162.00'	55.10'	19°30'32"	S90°29'29"E	54.89'
C4	29.50'	59.40'	115°22'27"	S13°03'00"E	49.89'
C5	29.50'	46.50'	90°28'04"	N89°51'15"E	41.88'
C6	230.00'	180.96'	45°01'59"	N67°28'13"W	176.34'
C7	29.50'	46.11'	89°33'59"	N0°08'46"W	41.59'
C8	170.00'	133.70'	45°04'59"	N67°28'13"W	130.34'
C9	29.50'	46.46'	90°14'03"	N44°52'10"E	41.80'
C10	29.50'	46.22'	89°45'57"	S45°07'44"E	41.63'
C11	29.50'	46.22'	89°45'57"	N45°07'44"E	41.63'
C12	29.50'	46.46'	90°14'03"	S44°52'18"W	41.87'



**ROCKY MOUNTAIN POWER COMPANY**

1. PURSUANT TO UTAH CODE ANN. § 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.

2. PURSUANT TO UTAH CODE ANN. § 17-27A-603(4)(C)(II) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:

(1) A RECORDED EASEMENT OR RIGHT OF WAY

(2) THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS

(3) TITLE 54, CHAPTER 3A, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR

(4) ANY OTHER PROVISION OF LAW.

APPROVED THIS 6 DAY OF August, 2020

ROCKY MOUNTAIN POWER  
*[Signature]* ESTIMATOR

**DOMINION ENERGY**

DOMINION ENERGY APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE THE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY'S RIGHT-OF-WAY DEPARTMENT AT 1-800-366-8532.

APPROVED THIS 6th DAY OF August, 2020

DOMINION ENERGY  
*[Signature]* Pres. Construction Rep

**CITY COUNCIL APPROVAL**

APPROVED THIS 9th DAY OF August, 2020  
BY THE TOOELE CITY COUNCIL  
*[Signature]* CHAIRMAN TOOELE CITY COUNCIL

**CITY ATTORNEY'S APPROVAL**

APPROVED AS TO FORM THIS 20 DAY OF September, 2020  
BY THE CITY ATTORNEY  
*[Signature]* TOOELE CITY ATTORNEY

**CITY ENGINEER'S APPROVAL**

APPROVED AS TO FORM THIS 2 DAY OF September, 2020  
BY THE CITY ENGINEER  
*[Signature]* TOOELE CITY ENGINEER

**COUNTY HEALTH DEPARTMENT APPROVAL**

APPROVED THIS 6 DAY OF August, 2020  
BY THE TOOELE COUNTY HEALTH DEPARTMENT  
*[Signature]* TOOELE COUNTY HEALTH DEPT.

**PLANNING COMMISSION APPROVAL**

APPROVED THIS 12th DAY OF August, 2020  
BY THE TOOELE CITY PLANNING COMMISSION  
*[Signature]* CHAIRMAN TOOELE CITY PLANNING COMMISSION

**DEVELOPER**  
ZENITH DEVELOPMENT LLC  
2040 MURRAY HOLLADAY ROAD, SUITE 204 SLC, UTAH 84117  
801-428-3755

**SHEET 1 OF 1**

PROJECT NUMBER: 82608  
MANAGER: D. KINSMAN  
DRAWN BY: C. CHILD  
CHECKED BY: D. KINSMAN  
DATE: 8/9/2020

**TOOELE**  
169 North Main Street Unit 1  
Tooele, Utah 84074  
Phone: 435.843.3590  
Fax: 435.278.0108

**SALT LAKE CITY**  
LAYTON  
PHOENIX  
CEDAR CITY  
RICHFIELD

**ENSGN**  
WWW.ENSGNENG.COM

**COUNTY TREASURER APPROVAL**

APPROVED AS TO FORM THIS 5th DAY OF August, 2020  
BY THE TOOELE COUNTY TREASURER  
*[Signature]* TOOELE COUNTY TREASURER

**CITY ATTORNEY'S APPROVAL**

APPROVED AS TO FORM THIS 20 DAY OF September, 2020  
BY THE CITY ATTORNEY  
*[Signature]* TOOELE CITY ATTORNEY

**CITY ENGINEER'S APPROVAL**

APPROVED AS TO FORM THIS 2 DAY OF September, 2020  
BY THE CITY ENGINEER  
*[Signature]* TOOELE CITY ENGINEER

**TOOELE COUNTY RECORDER**

RECORDED # 520120  
STATE OF UTAH, COUNTY OF TOOELE, RECORDED AND FILED AT THE REQUEST OF Zenith Tooele LLC  
DATE: 9/9/20 TIME: 2:49 p.m.  
FEE: \$74.00  
*[Signature]* TOOELE COUNTY RECORDER

### LEXINGTON AT OVERLAKE SUBDIVISION FINAL PLAT

(AMENDING AND EXTENDING LOTS 1-5 OF THE LEXINGTON AT OVERLAKE 5 LOT MINOR SUBDIVISION)

LOCATED IN THE SOUTHEAST CORNER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, TOOELE CITY, TOOELE COUNTY, UTAH



**EXHIBIT E**

**PROPOSED PUD MAPPING**

N 89° 43' 00" E 2003.63'

# R1-7

## 52.48 acres

# MR-16 PUD

## 33.83 acres

## 29.07 acres (net)

449 Units = 15.45/ac (net)  
13.27/ac (gross)

Not a part

2589.48'

N 00° 14' 08" W

N 00° 14' 08" W

S 89° 43' 20" W

S 89° 43' 20" W

1401.80'

Delta = 00°38'41"  
R = 39423.08  
L = 443.68'

N 89° 37' 59" W  
158.17'

2642.66' (meas.)

S 00° 14' 08" E

Existing Zoning

# Lexington Greens at Overlake

Tooele, Utah



PUD Ex. 1



March 22, 2022 ©



**Tully Design LLC**  
Landscape Architecture  
Community Design  
Land Planning  
Salt Lake City, Utah  
(801) 550-8991

**STAFF REPORT**

March 31, 2022

**To:** Tooele City Planning Commission  
Business Date: April 13, 2022

**From:** Planning Division  
Community Development Department

**Prepared By:** Andrew Aagard, City Planner / Zoning Administrator

**Re: Bryant Minor Subdivision – Preliminary Subdivision Plan Request**

Application No.: P22-147  
Applicant: Clint Bryant  
Project Location: Approximately 426 North Coleman Street  
Zoning: RR-1 Residential Zone  
Acreage: 1.06 Acres (Approximately 46,133 ft<sup>2</sup>)  
Request: Request for approval of a Preliminary Subdivision Plan in the RR-1 Residential zone regarding the creation of one single-family residential lot.

**BACKGROUND**

This application is a request for approval of a Preliminary Subdivision Plan for approximately 1.06 acres located at approximately 426 North Coleman Street. The property is currently zoned RR-1 Residential. The applicant is requesting that a Preliminary Subdivision Plan be approved to facilitate the creation of a 1 acre single-family residential lot, being subdivided from a larger existing parcel of record.

**ANALYSIS**

*General Plan and Zoning.* The Land Use Map of the General Plan calls for the Rural Residential land use designation for the subject property. The property has been assigned the RR-1 Residential zoning classification, supporting one dwelling unit per acre. The RR-1 Residential zoning designation is identified by the General Plan as a preferred zoning classification for the Rural Residential land use designation. Properties to the north and south of the subject property are zoned RR-1 Residential as is the property to the west. Properties to the east are zoned MR-8 Multi-Family Residential and is utilized as an existing mobile home park. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

*Subdivision Layout.* The applicant is proposing to carve off a 1 acre parcel from a larger 31.7 acre parcel or record. The subdivision plat creates the new lot in what is, essentially, a single-lot subdivision. A Preliminary Plan is required because the subdivision plat will also dedicate 2,573 square feet of public right-of-way along Coleman Street.

The subdivision itself is very straightforward. The new lot is slightly larger than 1 acre and nearly 205 feet in width thus meeting or exceeding minimum lot size and lot width minimum requirements as required in the RR-1 zoning district.

The preliminary plan shows four existing sheds or accessory structures throughout the site. The buildings, given their current locations, cannot remain if a new home is constructed on the property as the buildings are close enough to Coleman Street that any location where a new home might be placed would

result in the accessory buildings being located in the front yard, contrary to City codes, thus making them non-conforming. Tooele City cannot approve a subdivision that results in or creates new non-conforming situations with existing buildings or property lines. Therefore the existing buildings must be removed and the preliminary plans demonstrate this.

The subdivision will also require the installation of frontage improvements in addition to the dedication of the necessary right-of-way along Coleman Street. The improvements will include a five foot sidewalk, five foot park strip and curb and gutter, according to Tooele City's development standards.

*Criteria For Approval.* The procedure for approval or denial of a Subdivision Preliminary Plat request, as well as the information required to be submitted for review as a complete application is found in Sections 7-19-8 and 9 of the Tooele City Code.

## **REVIEWS**

*Planning Division Review.* The Tooele City Planning Division has completed their review of the Minor Subdivision submission and has issued a recommendation for approval for the request.

*Engineering and Public Works Division Review.* The Tooele City Engineering and Public Works Divisions have completed their reviews of the Minor Subdivision submission and have issued a recommendation for approval for the request.

*Noticing.* Preliminary Subdivision Plans do not require a public hearing and therefore do not require noticing. The item is on the agenda as a “recommendation” only.

## **STAFF RECOMMENDATION**

Staff recommends approval of the request for a Preliminary Subdivision Plan by Clint Bryant, application number P22-147, subject to the following conditions:

1. That all requirements of the Tooele City Engineering and Public Works Divisions shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the Tooele City Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
3. That all requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.
4. That all requirements of the geotechnical report shall be satisfied throughout the development of the site and the construction of all buildings on the site.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
2. The proposed development plans meet the requirements and provisions of the Tooele City Code.
3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
4. The proposed development conforms to the general aesthetic and physical development of the area.

5. The public services in the area are adequate to support the subject development.
6. The lot within the subdivision meets or exceeds all requirements of the RR-1 Residential zoning district for lot size, lot width and lot frontages.
7. The creation of the lot will not result in the creation of any non-conformities regarding existing buildings and property lines.

### **MODEL MOTIONS**

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Bryant Preliminary Subdivision Plan Request by Clint Bryant, for the purpose of creating one single-family residential lot at approximately 426 North Coleman Street, application number P22-147, based on the findings and subject to the conditions listed in the Staff Report dated March 31, 2022:”

1. List any additional findings and conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Bryant Preliminary Subdivision Plan Request by Clint Bryant, for the purpose of creating one single-family residential lot at approximately 426 North Coleman Street, application number P22-147, based on the following findings:”

1. List findings...



EXHIBIT A

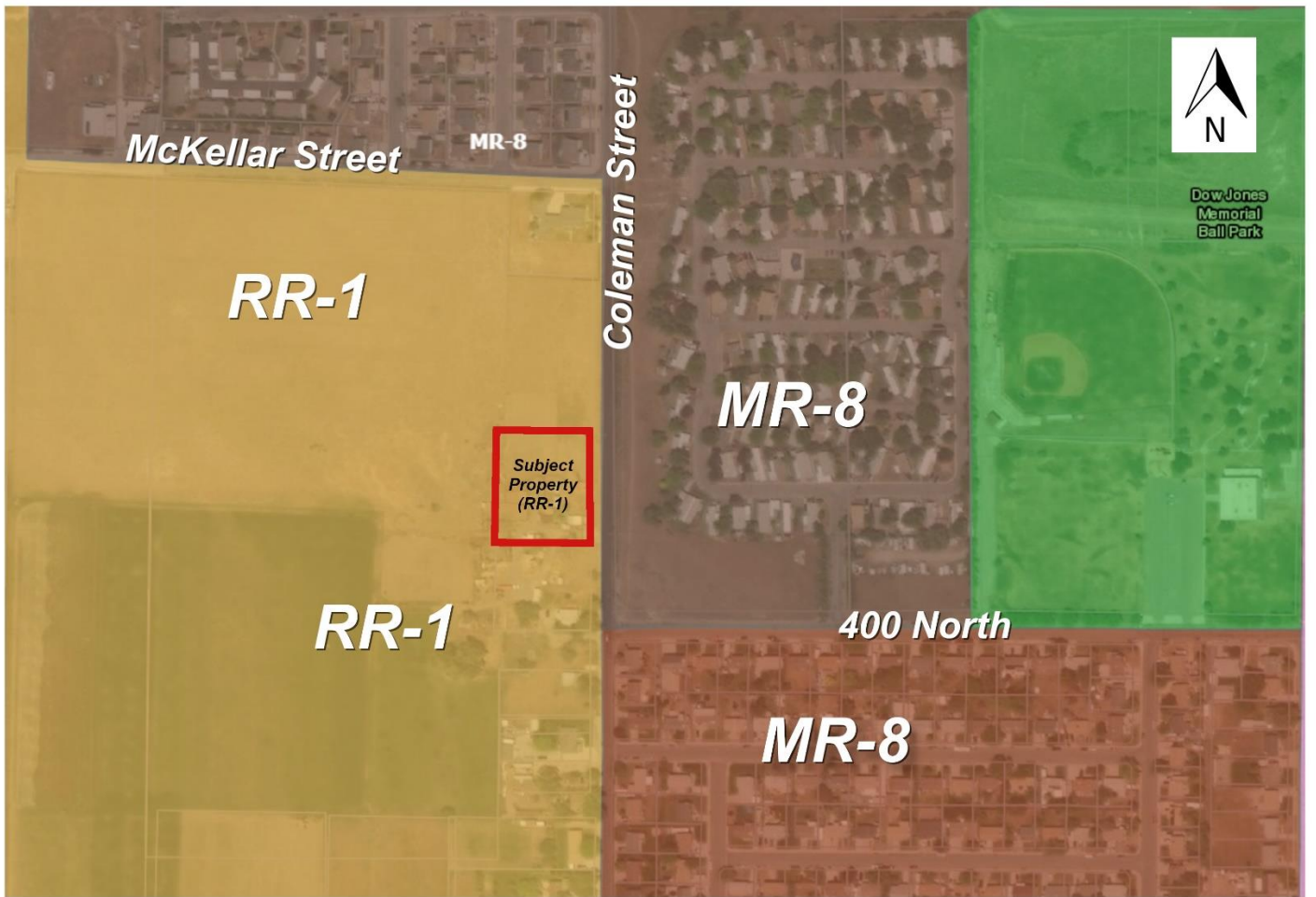
MAPPING PERTINENT TO THE BRYANT SUBDIVISION PRELIMINARY PLAN

**Bryan Preliminary Subdivision Plan**



**Aerial View**

# Bryan Preliminary Subdivision Plan



**Current Zoning**



**EXHIBIT B**

**PROPOSED DEVELOPMENT PLANS**

# Minor Subdivision Application

Community Development Department  
 90 North Main Street, Tooele, UT 84074  
 (435) 843-2132 Fax (435) 843-2139  
[www.tooelecity.org](http://www.tooelecity.org)



*Notice:* The applicant must submit copies of the plat and plans to be reviewed by the City in accordance with the terms of the Tooele City Code. Once a set of plat and plans are submitted, the plat and plans are subject to compliance reviews by the various city departments and may be returned to the applicant for revision if the plat and plans are found to be inconsistent with the requirements of the City Code and all other applicable City ordinances. All submitted plat and plan proposals shall be reviewed in accordance with the Tooele City Code. Submission of final plat and plans in no way guarantees placement of the application on any particular agenda of any City reviewing body. It is **strongly** advised that all plans be submitted well in advance of any anticipated deadlines.

Project Information							
Date of Submission:		Submittal #: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4		Zone: RR-1	Acres: 1.00	Parcel #(s): 02-082-0-0039	
Project Name: Bryant Minor Subdivision							
Project Address: 426 N Coleman Street							
Project Description: Creating minor sub for a new home					Phases: 1	Lots: 2	
Property Owner(s): Janice T Clegg Trustee				Applicant(s):			
Address: 257 N Coleman				Address: 401 N. Coleman St.			
City: Tooele	State: Utah	Zip: 84074		City: Tooele	State: UT	Zip: 84074	
Phone:		Email:		Phone: 435-840-4192		Email: clint.bryant04@gmail.com	
Contact Person: Clint Bryant				Address: ''			
Phone: 435-840-4192				City: ''		State: '' Zip: ''	
Cellular:		Fax:		Email: clint.bryant04@gmail.com			
Engineer & Company: Ensign Engineering				Surveyor & Company: Ensign Engineering			
Address: 169 N Main Street, Unit 1				Address: 169 N Main Street, Unit 1			
City: Tooele	State: Utah	Zip: 84074		City: Tooele	State: Utah	Zip: 84074	
Phone: (435) 843-3590		Email: thussey@ensignutah.com		Phone: (435) 843-3590		Email: thussey@ensignutah.com	

\*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This information will be used only so far as necessary for completing the transaction. If you decide not to supply the requested information, you should be aware that your application may take a longer time or may be impossible to complete. If you are an "at-risk government employee" as defined in *Utah Code Ann.* § 63-2-302.5, please inform the city employee accepting this information. Tooele City does not currently share your private, controlled or protected information with any other person or government entity.

For Office Use Only								
Land Use Review:		Date:	Water Superintendent Review:		Date:	City Engineer Review:		Date:
Planning Review:		Date:	Reclamation Superintendent Review:		Date:	Director Review:		Date:
Fire Flow Test								
Location:			Residual Pressure:		Flow (gpm):		Min. Required Flow (gpm):	
Performed By:			Date Performed:		Corrections Needed: <input type="checkbox"/> Yes <input type="checkbox"/> No		Comments Returned: Date: <input type="checkbox"/> Yes <input type="checkbox"/> No	





CALL BLUESTAKES  
@ 811 AT LEAST 48 HOURS  
PRIOR TO THE  
COMMENCEMENT OF ANY  
CONSTRUCTION.

**BENCHMARK**

THE EAST QUARTER CORNER OF SECTION 20,  
TOWNSHIP 3 SOUTH, RANGE 4 WEST,  
SALT LAKE BASE AND MERIDIAN  
ELEV = 4867.39

**PRELIMINARY PLAT  
BRYANT MINOR SUBDIVISION**

LOCATED IN THE SOUTHEAST QUARTER OF  
SECTION 20, TOWNSHIP 3 SOUTH, RANGE 4  
WEST, SALT LAKE BASE AND MERIDIAN,  
TOOELE CITY, TOOELE COUNTY, UTAH

**SURVEYOR'S CERTIFICATE**

I, Douglas J. Kinsman do hereby certify that I am a Professional Licensed Land Surveyor, and that I hold Certificate No. 334575 in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Act; I further certify that by authority of the owners I have completed a survey of the property described on this subdivision plat in accordance with section 17-23-17, have verified all measurements, and have subdivided said tract of land into lots, hereafter to be known as Bryant Minor Subdivision, and that the same has been correctly surveyed and staked on the ground as shown on this plat. I further certify that all lots meet frontage width and area requirements of the applicable zoning ordinances.

**BOUNDARY DESCRIPTION**

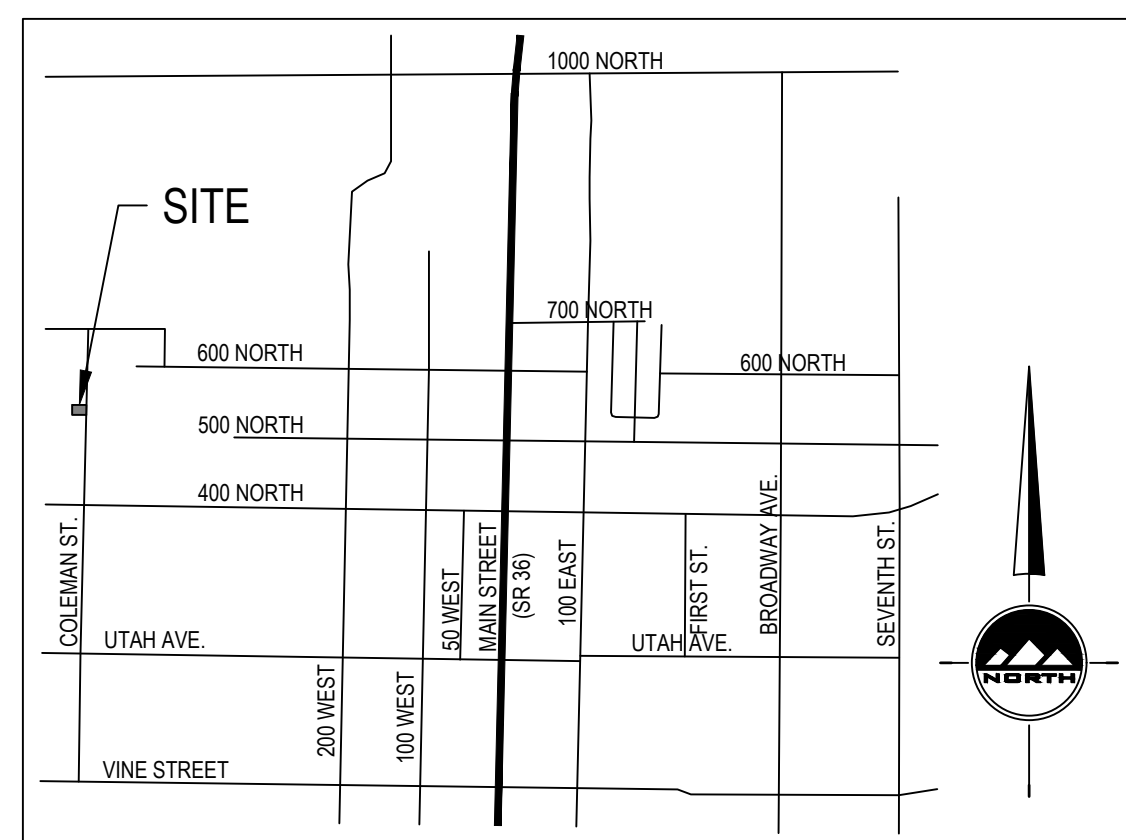
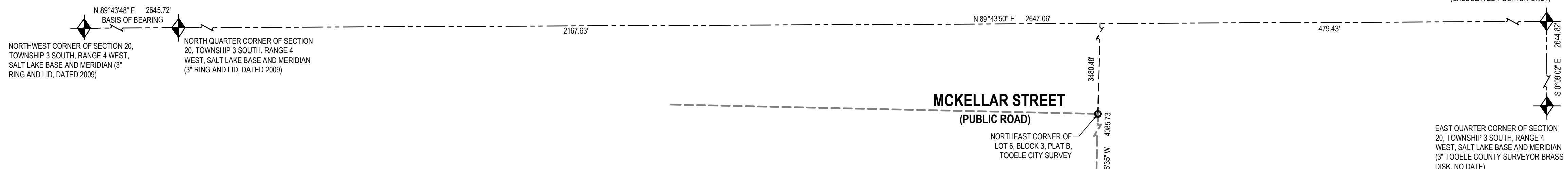
A parcel of land, situate in the Southeast Quarter of Section 20, Township 3 South, Range 4 West, Salt Lake Base and Meridian, said parcel also located in Tooele County, Utah, more particularly described as follows:  
Beginning at a point which is located North 89°43'50" East 2167.63 feet along the Section Line, and South 1°16'35" West 4085.73 feet to and along the East line of Lot 6, Block 3, Plat B, of Tooele City Survey, Book 2, Page 82, as recorded in the Tooele County Records Office, from the North Quarter Corner of Section 20, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and running:

thence South 1°16'35" West 205.95 feet more or less along and beyond a barb wire fence;  
thence North 89°44'51" West 223.25 feet more or less to, along, and beyond a barb wire fence  
thence North 0°50'24" East 205.93 feet;  
thence South 89°44'51" East 224.82 feet to the Point of Beginning.

Parcel contains: 46.133 square feet, or 1.06 acres, 1 Lot, 1 Parcel.

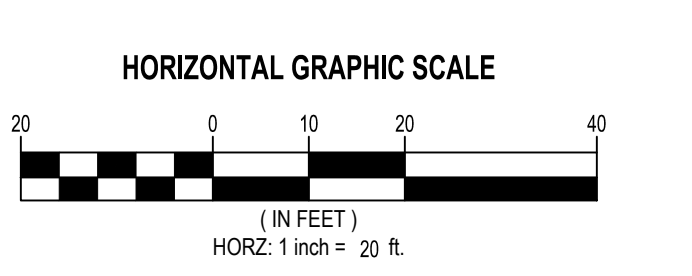
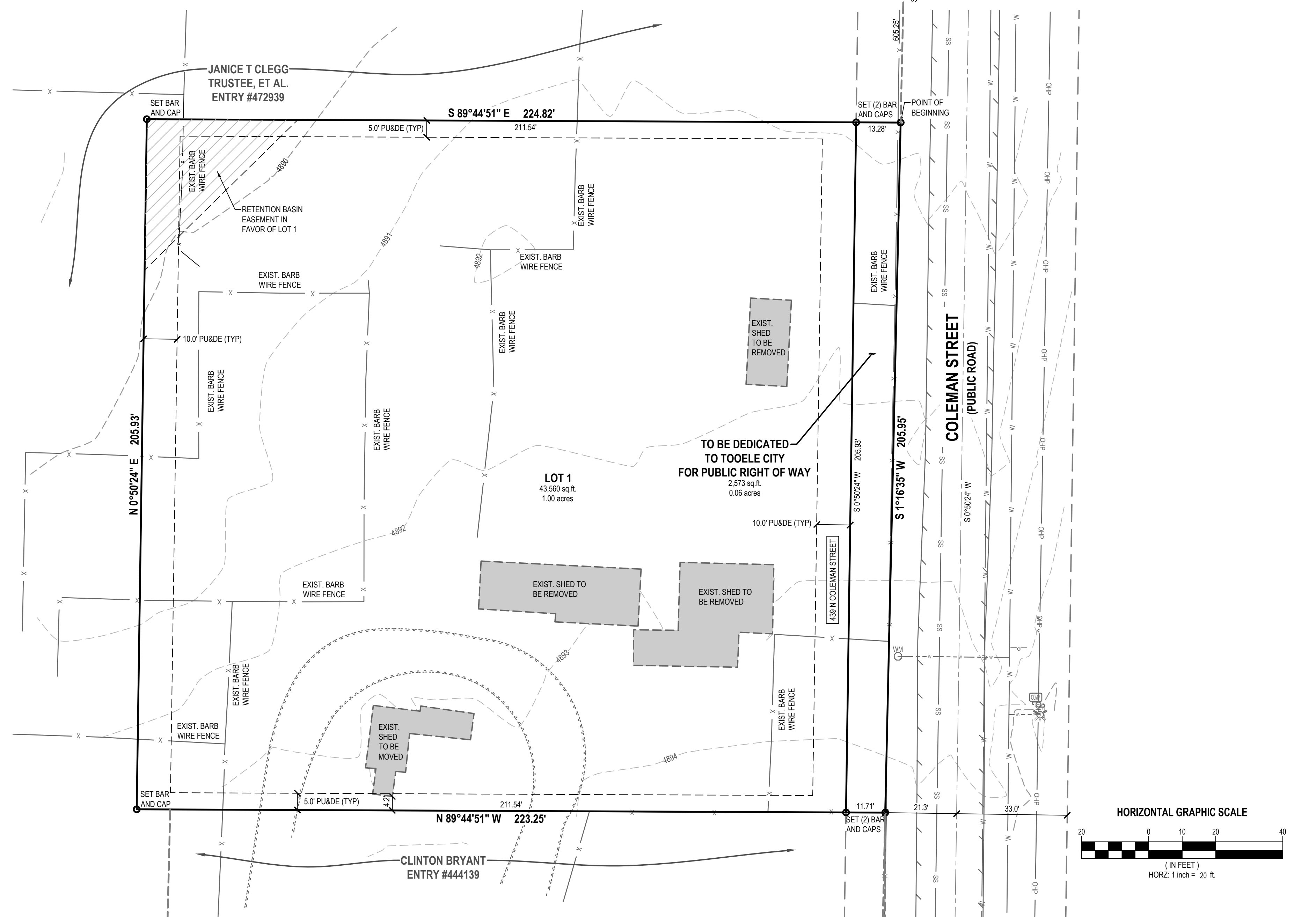
MARCH 11, 2022

Date  
Douglas J. Kinsman  
License no: 334575



**LEGEND**

	SECTION CORNER		ADJACENT RIGHT OF WAY
	EXIST REBAR AND CAP		CENTERLINE
	SET 5/8" X 24" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENSGN ENG. & LAND SURV."		PROPERTY LINE
	WATER METER		ADJACENT PROPERTY LINE
	WATER VALVE		FENCE
	FIRE HYDRANT		EDGE OF ASPHALT
	SANITARY SEWER MANHOLE		SANITARY SEWER LINE
	UTILITY POLE		OVERHEAD POWER LINE
	LIGHT		EXISTING CONTOURS
			CONCRETE
			BUILDING
			RETENTION EASEMENT



**SHEET 1 OF 1**  
PROJECT NUMBER: T1183A  
MANAGER: D. KINSMAN  
DRAWN BY: T. HUSSEY  
CHECKED BY: D. KINSMAN  
DATE: 3/11/2022

**DEVELOPER**  
CLINTON BRYANT  
401 NORTH COLEMAN STREET  
TOOELE, UTAH 84074  
435-840-4192

**TOOELE**  
169 North Main Street Unit 1  
Tooele, Utah 84074  
Phone: 435-843-3590  
Fax: 435-578-0108  
WWW.ENSGNENG.COM

**SALT LAKE CITY**  
LAYTON  
Phone: 801-262-1100  
CEDAR CITY  
Phone: 435-385-1403  
RICHFIELD  
Phone: 435-896-2963

**FIRE CHIEF APPROVAL**  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
BY TOOELE CITY FIRE CHIEF

**COMCAST APPROVAL**  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
BY COMCAST

**PARKS DEPARTMENT APPROVAL**  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
BY TOOELE CITY PARKS DEPARTMENT

**CENTURYLINK APPROVAL**  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
BY CENTURYLINK

**CITY ATTORNEY'S APPROVAL**  
APPROVED AS TO FORM ON THIS \_\_\_\_\_ DAY OF  
A.D. 20\_\_\_\_

**POST MASTER APPROVAL**  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
BY POST MASTER

**CITY ENGINEER'S APPROVAL**  
APPROVED AS TO FORM ON THIS \_\_\_\_\_ DAY OF  
A.D. 20\_\_\_\_

**COUNTY HEALTH DEPARTMENT APPROVAL**  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
BY TOOELE COUNTY HEALTH DEPARTMENT

**COMMUNITY DEVELOPMENT APPROVAL**  
APPROVED AS TO FORM ON THIS \_\_\_\_\_ DAY OF  
A.D. 20\_\_\_\_

**SCHOOL DISTRICT APPROVAL**  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
BY TOOELE COUNTY SCHOOL DISTRICT

**COUNTY RECORDER APPROVAL**  
REVIEWED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_  
BY THE TOOELE COUNTY RECORDER AS TO DESCRIPTION OF RECORD.

**CHIEF OF POLICE APPROVAL**  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
BY TOOELE CITY CHIEF OF POLICE

**CITY COUNCIL APPROVAL**  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
BY TOOELE CITY COUNCIL

**DOMINION ENERGY**  
DOMINION APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS, OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL, OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION RIGHT-OF-WAY DEPARTMENT AT 1-800-366-8532.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_

DOMINION ENERGY  
BY \_\_\_\_\_  
TITLE \_\_\_\_\_

**ROCKY MOUNTAIN POWER COMPANY**  
1. PURSUANT TO UTAH CODE ANN. § 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.  
2. PURSUANT TO UTAH CODE ANN. § 17-27A-603(4)(C)(II) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:  
(1) A RECORDED EASEMENT OR RIGHT-OF-WAY  
(2) THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS  
(3) TITLE 54, CHAPTER 8A, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR  
(4) ANY OTHER PROVISION OF LAW.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

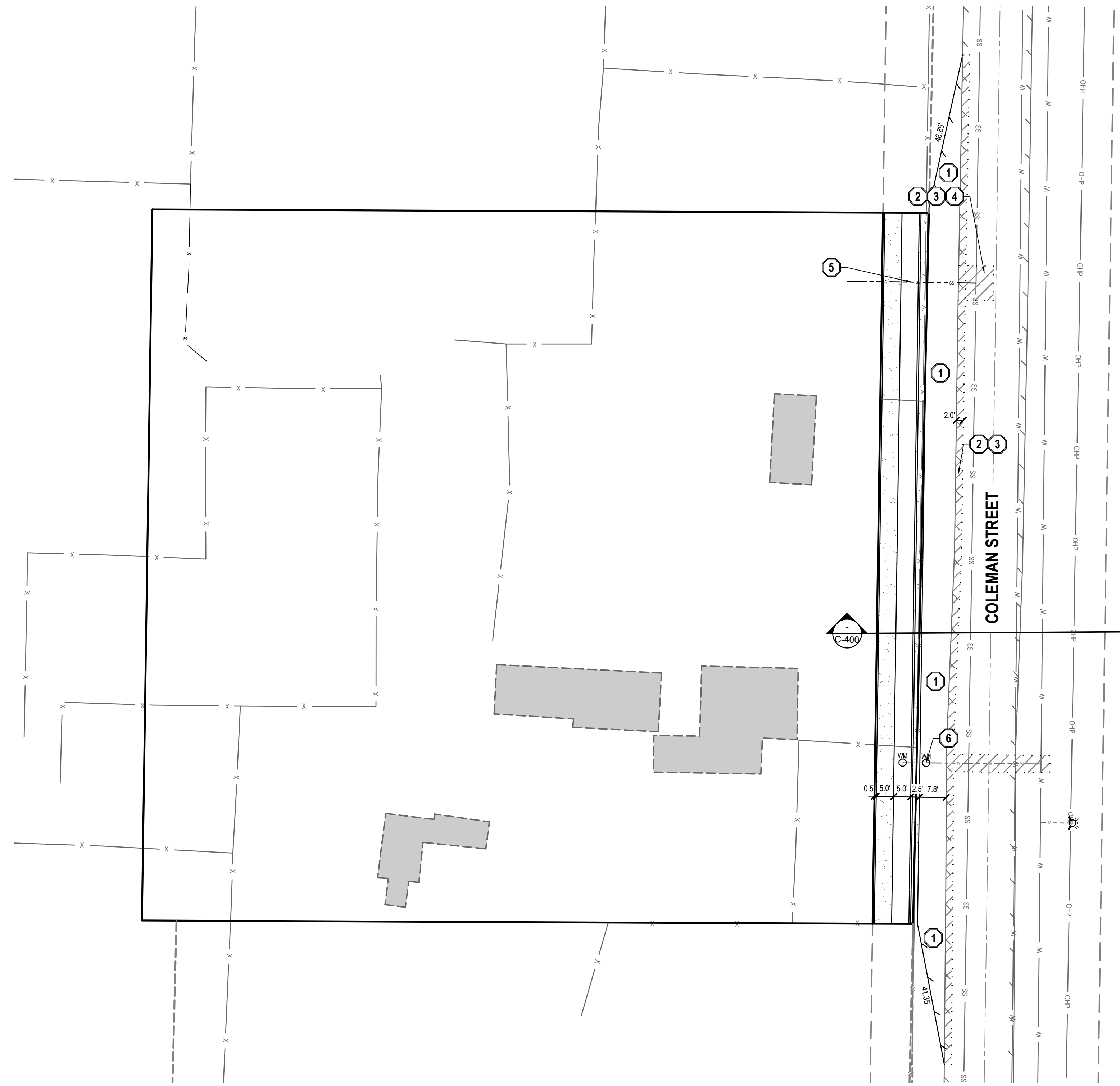
ROCKY MOUNTAIN POWER  
BY \_\_\_\_\_  
TITLE \_\_\_\_\_

**PRELIMINARY PLAT  
BRYANT MINOR SUBDIVISION**

LOCATED IN THE SOUTHEAST QUARTER OF  
SECTION 20, TOWNSHIP 3 SOUTH, RANGE 4  
WEST, SALT LAKE BASE AND MERIDIAN,  
TOOELE CITY, TOOELE COUNTY, UTAH

**PLANNING COMMISSION**  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY THE TOOELE CITY  
PLANNING COMMISSION:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





**GENERAL NOTES**

1. ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
2. ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
3. SEE LANDSCAPE/ARCHITECTURAL PLANS FOR CONCRETE MATERIAL, COLOR, FINISH, AND SCORE PATTERNS THROUGHOUT SITE.
4. ALL PAVEMENT MARKINGS SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. (MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES).
5. ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOD, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
6. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.
7. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.
8. EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.
9. ALL CONSTRUCTION SIGNAGE, BARRICADES, TRAFFIC CONTROL DEVICES, ETC. SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. THE CONTRACTOR WILL MAINTAIN SUCH SO THAT THEY ARE PROPERLY PLACED AND VISIBLE AT ALL TIMES.
10. SIDEWALKS AND CURBS DESIGNATED TO BE DEMOLISHED SHALL BE DEMOLISHED TO THE NEAREST EXPANSION JOINT, MATCHING THESE PLANS AS CLOSELY AS POSSIBLE.
11. ALL SANITARY SEWER INFRASTRUCTURE TO BE INSTALLED PER GOVERNING AGENCY STANDARD PLANS AND SPECIFICATIONS.
12. ALL WATER INFRASTRUCTURE TO BE INSTALLED PER GOVERNING AGENCY OR APWA STANDARD PLANS AND SPECIFICATIONS.
13. DEFLECT OR LOOP ALL WATERLINES TO AVOID CONFLICTS WITH OTHER UTILITIES PER GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
14. PROJECT SHALL COMPLY WITH ALL UTAH DIVISION OF DRINKING WATER RULES AND REGULATIONS INCLUDING, BUT NOT LIMITED TO, THOSE PERTAINING TO BACKFLOW PROTECTION AND CROSS CONNECTION PREVENTION.
15. THE CONTRACTOR IS TO COORDINATE ALL UTILITIES WITH MECHANICAL/PLUMBING PLANS.
16. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING UTILITY STRUCTURES OR PIPES.
17. THE CONTRACTOR SHALL ADJUST TO GRADE ALL EXISTING UTILITIES AS NEEDED PER LOCAL GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.

**SCOPE OF WORK:**

PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:

- 1 ASPHALT PAVEMENT PER DETAIL 1/C-400.
- 2 SAWCUT EXISTING ASPHALT PAVEMENT TO PROVIDE A CLEAN EDGE FOR THE TRANSITION BETWEEN EXISTING AND PROPOSED ASPHALT PAVEMENT.
- 3 REMOVE AND PROPERLY DISPOSE OF EXISTING ASPHALT PAVEMENT.
- 4 INSTALL BITUMINOUS PAVEMENT T-PATCH PER APWA 255.
- 5 CONNECT TO EXISTING SEWER MAIN PER TOOELE CITY STANDARDS AND SPECIFICATIONS PLAN NO. 431R.
- 6 EXISTING WATER LATERAL WITH WATER METER TO BE REMOVED AND REPLACED WITH NEW LATERAL (1" MINIMUM) AND WATER METER.
- 7 5' SIDEWALK PER TOOELE CITY STANDARDS AND SPECIFICATIONS PLAN NO. 293R.
- 8 TYPE A CURB AND GUTTER PER TOOELE CITY STANDARDS AND SPECIFICATIONS PLAN NO. 293R.
- 9 NEW WATER METER TO BE INSTALLED IN PARK STRIP.



**TOOELE**  
169 N. Main Street, Unit 1  
Tooele, UT. 84074  
Phone: 435.843.3590

**SALT LAKE CITY**  
Phone: 801.255.0529

**LAYTON**  
Phone: 801.547.1100

**CEDAR CITY**  
Phone: 435.865.1453

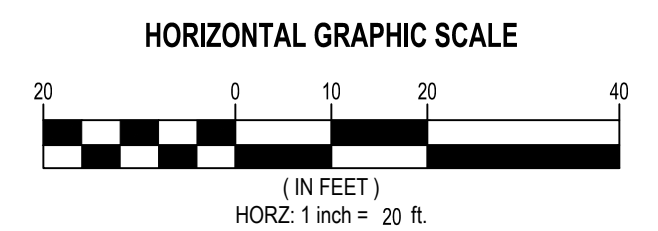
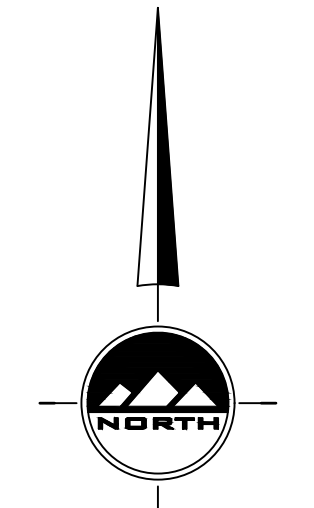
**RICHFIELD**  
Phone: 435.896.2983

[WWW.ENSIGNENG.COM](http://WWW.ENSIGNENG.COM)

FOR:  
CLINTON BRYANT  
401 NORTH COLEMAN STREET  
TOOELE, UTAH 84074  
CONTACT:  
CLINTON BRYANT  
PHONE: 435-840-4192

**BRYANT MINOR SUBDIVISION**

**401 NORTH COLEMAN STREET  
TOOELE, UTAH 84074**



**SITE PLAN/  
UTILITY PLAN**

PROJECT NUMBER: T1183A PRINT DATE: 3/11/22  
DRAWN BY: T. HUSSEY CHECKED BY: C. CARPENTER  
PROJECT MANAGER: D. KINSMAN

**C-100**

**TOOELE CITY CORPORATION**

**ORDINANCE 2022-10**

**AN ORDINANCE OF TOOELE CITY AMENDING TOOELE CITY CODE CHAPTER 7-24 REGARDING ANNEXATION.**

WHEREAS, Utah Constitution, Article XI, Section 5 directly confers upon Utah's charter cities, including Tooele City, "the authority to exercise all powers relating to municipal affairs, and to adopt and enforce within its limits, local police, sanitary and similar regulations not in conflict with the general law"; and,

WHEREAS, Utah Code Section 10-8-84 enables Tooele City to "pass all ordinances and rules, and make all regulations . . . as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the city and its inhabitants, and for the protection of property in the city"; and,

WHEREAS, municipal annexations are governed by Utah Code Chapter 10-2 Part 4, and by Tooele City Code Chapter 7-24; and,

WHEREAS, Chapter 7-24 was enacted in 1975 and was revised in 1984, with other amendments in 1995, 1996, and 1998, and the City Administration recommends that Chapter 7-24 be updated and harmonized with current Utah Code provisions and Tooele City practice; and,

WHEREAS, some of the key proposed amendments of this Ordinance include the following: (a) specifying the technical information required prior to Planning Commission consideration and City Council approval; (b) harmonizing City Code procedures with Utah Code requirements for annexation petitions, local entity plats, and Lt. Governor certification; (c) explaining the timing of the annexation agreement approval vis a vis annexation petition approval; and, (d) clarifying that the required two-thirds (2/3) "super-majority" vote is in fact a four-fifths (4/5) vote; and,

WHEREAS, annexation policy questions are critical to a municipality's character, services, and future; and,

WHEREAS, the Planning Commission convened a public hearing on March 23, 2022, accepted public comment, and provided its recommendation to the City Council; and,

WHEREAS, the City Council convened a public hearing on April 6, 2022, and accepted public comment:

NOW, THEREFORE, BE IT ORDAINED BY TOOELE CITY that Tooele City Code Chapter 7-24 is hereby amended, as shown in Exhibit A.

This Ordinance shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council this \_\_\_\_ day of \_\_\_\_\_, 2022.



TOOELE CITY COUNCIL

(For)

(Against)

---

---

---

---

---

---

---

---

---

---

ABSTAINING: \_\_\_\_\_

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

---

---

ATTEST:

\_\_\_\_\_  
Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form:

\_\_\_\_\_  
Roger Evans Baker, City Attorney

## Exhibit A

Proposed Amended Tooele City Code Chapter 7-24

(redline and clean)

## CHAPTER 24. ANNEXATION~~ANNEXED AREAS~~

### 7-24-1. Procedure for annexation.

### 7-24-2. Initial zoning classifications.

### 7-24-3. Annexation Agreement~~Transfer of Water Shares.~~

### 7-24-1. Procedure for annexation.

(1) Whenever a majority of the real property owners and not less than one third (1/3) of the real property owners as determined by the value of all of the ~~parcels of real property tracts~~ taken together in the contiguous area ~~proposed for annexation to be annexed~~, according to the last assessment rolls, desire to have Tooele City annex ~~the property the particular area~~ to Tooele City, they shall proceed as follows:

(a) Prepare a written petition signed by the ~~above-referenced property owners, said majority, and by one third (1/3) of the real property owners by value, as determined by the last assessment rolls, of the real property to be annexed~~, which petition shall be directed to the Community Development Department, together with a completed City annexation application form and payment of the application fee. ~~Tooele City Planning and Zoning Board and the Tooele City Council, and shall petition said Board and Council for the annexation of~~ The petition shall include the legal description of the land area proposed for annexation, ~~a particular contiguous area to Tooele City, and shall set forth the legal description of the entire tract to be annexed and~~ shall otherwise comply with the requirements of U.C.A. Chapter 10-2 Part 4.

(b) ~~In addition, said property owners shall Submit cause an accurate plat of the land area proposed for annexation. such territory to be prepared under the supervision of the Tooele City Engineer or by a surveyor licensed by the State of Utah setting forth the metes and bounds description of the territory to be annexed and designating both limits to which it is contiguous. Said~~ The plat shall also include areas for the signatures of , in the margin, ~~a proper certification with date, signature and seal by the Engineer or surveyor preparing the same, an Approval for Execution by the Planning Commission members, and Zoning Board of Tooele City including the date of recommendation, execution and lines for the signatures of each member approving the same, an Approval for Execution by the members of the City Council members, approving the plat, including the date of approval, and a signature line for each member executing the same, a marginal box for execution by the City Attorney approving the plat as to form, a marginal box for the Tooele City Recorder for s plat certification, and the County Recorder for recordation. The plat shall conform to the requirements of U.C.A. Section 17-23-20, as amended, regarding final local entity plats. that the same was filed with the City Recorder's Office and indicating the day and time of said filing as well as a~~

~~separate certification by the City Recorder that said plat and Ordinance Number was approved by the City Council including the date of approval and certification by the City Council. In addition, a marginal box shall be provided for the County Recorder's documentation as to the book, page, date and time of recordation as well as the signature and seal of the County Recorder. There shall be no other marginal notations upon the plat.~~

(c) After the ~~signed petition and the plat have been submitted, has been prepared as set forth in Section 1(b) hereof and the petition has been executed by each real property owner signing the same, their signatures having been acknowledged by a Notary Public, said the~~ petition and plat shall be presented to the City Attorney for ~~his or her approval~~ review as to form, and to the City Recorder for certification.

(d) Following City Attorney review and City Recorder certification, the petition and plat shall be presented to the City Council, which shall approve or reject a resolution to accept the petition for further consideration.

(e) Following acceptance by resolution of the petition for further consideration, and prior to Planning Commission review and recommendation, the petitioners shall provide at their expense the following detailed studies, among others, for consideration by the City as to the impacts of the proposed annexation upon the City:

(i) culinary water system, including source, storage, transmission, distribution, treatment, and water rights;

(ii) sanitary water system, including collection and treatment;

(iii) storm water retention, detention, and drainage;

(iv) parks and recreation;

(v) police response;

(vi) fire response;

(vii) fiscal and tax;

(viii) others as determined by the City Council.

(f) Following approval of a resolution to the accept the petition for further consideration, ~~Subsequent to the approval of the City Attorney as to the form of the plat, said the~~ petition and plat, together with the above-required studies, shall be presented to the ~~Tooele City Planning Commission for recommendation and Zoning Board at either a general or special meeting, attended by a quorum or majority of said Board for approval of said body.~~

(e) After review and recommendation ~~Upon approval of a petition by the Planning Commission, and Zoning Board and the execution of Approval upon the plat by signatures of a majority of the members of said Board voting therefor, the plat and petition, together with the above-required studies, shall be filed with the City Recorder who shall present the~~

~~same presented to the Tooele City Council to study at one or more work meetings and for final action at a business meeting, after public hearing, the next regular meeting thereof, for the approval by the City Council.~~

(f) ~~The petition and annexation may be approved by ordinance upon the vote of four-fifths (4/5) if two thirds (2/3) of all of the members of the City Council, which approving members shall vote at a regular meeting of said Council for the annexation as petitioned, they shall so declare said annexation by Ordinance passed by said two thirds (2/3) of all members of the Council. Those members declaring the annexation by Ordinance shall execute their approval by signature upon the plat in the place provided.~~

(g) ~~Subsequent to the approval by the City Council, the City Recorder shall cause said plat and the Ordinance to be certified as to their authenticity indicating the day of approval by a two thirds (2/3) majority of the council and shall cause the same to be recorded in the office of the Tooele County Recorder, submit the plat and Ordinance to the Utah Lt. Governor as required by U.C.A. 10-2-25, as amended. (Ord. 84-01, 01-04-84; Ord. 75-12, 05-12-75)~~

~~Declaration.~~ (Ord. 98-31, 08-18-98); (Ord. 96-22, 11-6-96); (Ord. 95-20, 12-15-95)

#### **7-24-2. Initial zoning classifications.**

All ~~newland~~ areas annexed to Tooele City ~~as provided above shall receive the zoning classification be classified as the the City Council shall ordain identifies~~ in the Ordinance of annexation. No portion of the annexed land ~~said territory shall be granted a variance or be re-classified to another zoning designation without following the procedure provided by the Utah Code and the Tooele City Code for such variances or zoning reclassifications being adhered to.~~ (Ord. 84-01, 01-04-84; Ord. 75-12, 05-12-75)

#### **7-24-3. Annexation Agreements**

(1) Annexation approval is conditioned upon all annexation petitioners executing an Annexation Agreement with the City. The Agreement shall provide, among other things, for the transfer of water rights to the City in compliance with Chapter 26 of this Title. ~~Approval of the annexation by ordinance shall occur only following approval of the Agreement by resolution. Execution of the Agreement by the petitioners shall occur prior to a City Council execution of the annexation plat vote on the proposed annexation. Refusal by one or more of the petitioners to execute the Agreement shall be grounds for rescinding the Council's annexation approval refusing to and for not submitting the plat and ordinance to the Lt. Governor annex the land subject to the petition.~~

(2) ~~The City Recorder shall cause the Agreement to be recorded with the Tooele County Recorder, as an encumbrance upon the title to the annexed property. A copy of the executed Agreement shall be attached to the Annexation Individual Policy Declaration approved by the City Council, and shall be recorded with the Policy~~

## CHAPTER 24. ANNEXATION

### 7-24-1. Procedure for annexation.

### 7-24-2. Initial zoning classifications.

### 7-24-3. Annexation Agreement.

#### 7-24-1. Procedure for annexation.

(1) Whenever a majority of the real property owners and not less than one third (1/3) of the real property owners as determined by the value of all of the parcels of real property taken together in the contiguous area proposed for annexation, according to the last assessment rolls, desire to have Tooele City annex the property to Tooele City, they shall proceed as follows:

(a) Prepare a written petition signed by the above-referenced property owners, which petition shall be directed to the Community Development Department, together with a completed City annexation application form and payment of the application fee. The petition shall include the legal description of the land area proposed for annexation, and shall otherwise comply with the requirements of U.C.A. Chapter 10-2 Part 4.

(b) Submit an accurate plat of the land area proposed for annexation. The plat shall include areas for the signatures of the Planning Commission members, including the date of recommendation, the City Council members, including the date of approval, the City Attorney approving the plat as to form, the City Recorder for plat certification, and the County Recorder for recordation. The plat shall conform to the requirements of U.C.A. Section 17-23-20, as amended, regarding final local entity plats.

(c) After the signed petition and the plat have been submitted, the petition and plat shall be presented to the City Attorney for review as to form, and to the City Recorder for certification.

(d) Following City Attorney review and City Recorder certification, the petition and plat shall be presented to the City Council, which shall approve or reject a resolution to accept the petition for further consideration.

(e) Following acceptance by resolution of the petition for further consideration, and prior to Planning Commission review and recommendation, the petitioners shall provide at their expense the following detailed studies, among others, for consideration by the City as to the impacts of the proposed annexation upon the City:

- (i) culinary water system, including source, storage, transmission, distribution, treatment, and water rights;
- (ii) sanitary water system, including collection and treatment;
- (iii) storm water retention, detention, and drainage;
- (iv) parks and recreation;

- (v) police response;
- (vi) fire response;
- (vii) fiscal and tax;
- (viii) others as determined by the City Council.

(f) Following approval of a resolution to the accept the petition for further consideration, the petition and plat, together with the above-required studies, shall be presented to the Planning Commission for recommendation.

(e) After review and recommendation of a petition by the Planning Commission, the plat and petition, together with the above-required studies, shall be presented to the City Council to study at one or more work meetings and for final action at a business meeting, after public hearing.

(f) The petition and annexation may be approved by ordinance upon the vote of four-fifths (4/5) of the members of the City Council, which approving members shall execute their approval by signature upon the plat in the place provided.

(g) Subsequent to approval by the City Council, the City Recorder shall submit the plat and Ordinance to the Utah Lt. Governor as required by U.C.A. 10-2-25, as amended.

(Ord. 1984-01, 01-04-1984) (Ord. 1975-12, 05-12-1975)

#### 7-24-2. Initial zoning classifications.

All land areas annexed to Tooele City shall receive the zoning classification the City Council identifies in the ordinance of annexation. No portion of the annexed land shall be re-classified to another zoning designation without following the procedure provided by the Utah Code and the Tooele City Code for zoning reclassification.

(Ord. 1984-01, 01-04-1984) (Ord. 1975-12, 05-12-1975)

#### 7-24-3. Annexation Agreement

(1) Annexation approval is conditioned upon all annexation petitioners executing an Annexation Agreement with the City. The Agreement shall provide, among other things, for the transfer of water rights to the City in compliance with Chapter 26 of this Title. Approval of the annexation by ordinance shall occur only following approval of the Agreement by resolution. Execution of the Agreement by the petitioners shall occur prior to City Council execution of the annexation plat. Refusal by one or more of the petitioners to execute the Agreement shall be grounds for rescinding the Council's annexation approval and for not submitting the plat and ordinance to the Lt. Governor.

(2) The City Recorder shall cause the Agreement to be recorded with the Tooele County Recorder.

(Ord. 1998-31, 08-18-1998) (Ord. 1996-22, 11-6-1996) (Ord. 1995-20, 12-15-1995)



**Tooele City Planning Commission  
Business Meeting Minutes**

**Date:** Wednesday, March 23, 2022

**Time:** 7:00 p.m.

**Place:** Tooele City Hall Council Chambers  
90 North Main Street, Tooele Utah

**Commission Members Present:**

Melanie Hammer  
Nathan Thomas  
Chris Sloan  
Matt Robinson  
Tyson Hamilton  
Weston Jensen  
Paul Smith  
Alison Dunn

**Commission Members Excused:**

Melodi Gochis

**City Council Members Present:**

Maresa Manzione

**City Council Members Excused:**

Ed Hansen

**City Employees Present:**

Andrew Aagard, City Planner  
Jim Bolser, Community Development Director  
Paul Hansen, Tooele Engineer  
Roger Baker, Tooele City Attorney

Minutes prepared by Katherin Yei

Chairman Robinson called the meeting to order at 7:00 p.m.

**1. Pledge of Allegiance**

The Pledge of Allegiance was led by Chairman Thomas.

**2. Roll Call**

Melanie Hammer, Present  
Nathan Thomas, Present  
Chris Sloan, Present  
Matt Robinson, Present

Tyson Hamilton, Present  
Weston Jensen, Present  
Paul Smith, Present  
Alison Dunn, Present  
Melodi Gochis, Excused

**3. Recommendation on a Zoning Map Amendment by the SJ Managing Company for the Proposed One O’Clock Hill Development to Reassign the Zoning for Approximately 38 Acres Located at Approximately 900 South Main Street (South Side of SR-36) from the RR-1 Residential Zoning District with the Sensitive Area Overlay to the R1-7 Residential Zoning District and Removing the Sensitive Area Overlay from the Development Portions of the Property**

Mr. Aagard presented information on the zoning map amendment for the 30-acre property located near SR-36 and One O’clock and Two O’clock Drive. The property is currently zoned RR-1 Residential, requiring one-acre lots, and bears the Medium Density Residential land use designation. The applicant is asking for a portion of the Sensitive Area Overlay to be removed. A concept plan had been presented and shows it is possible to develop between 90 and 130 residential lots. The Planning Commission tabled the review and requested studies of the site, including potential hazards, traffic, geotechnical, and rock fall studies. All studies have been provided by the applicant, including a letter from Rocky Mountain Power regarding the power lines. This item was first heard on September 8<sup>th</sup> and met the requirements for a public hearing.

Mr. Johnson, the applicant, addressed the Planning Commission. They have done extensive studies and provided a general landscape plan. All studies have shown the land is developable. They are asking for a small strip of the Sensitive Area Overlay to be removed.

The Planning Commission shared their concerns on the following:

The trail being a part of the City or County property, building on or near this property could reduce the migration pattern of the wildlife, and the property not having much use otherwise.

Mr. Johnson addressed the Planning Commission’s concerns. They would like to put a trail in for the community and work with the City to maintain it and allow everyone access to it.

Mr. Baker gave a reminder to the Planning Commission; If they believe there are recommendations in the studies that need to be a part of the development, the Planning Commission should make the study recommendations as conditions to their recommendation to the City Council and add them to the motion. While their vote is a recommendation, conditions have to be stated in the motion for them to be binding conditions.

Commissioner Smith shared his reasoning for not supporting the zoning amendment, including the wildlife migration and the area not being a good fit to build.

**Commissioner Thomas motion to recommend a positive for Zoning Map Amendment by the SJ Managing Company for the Proposed One O’Clock Hill Development to Reassign**

**the Zoning for Approximately 38 Acres Located at Approximately 900 South Main Street (South Side of SR-36) from the RR-1 Residential Zoning District with the Sensitive Area Overlay to the R1-7 Residential Zoning District and Removing the Sensitive Area Overlay from the Development Portions of the Property based on the findings and conditions in the staff report and recommendations in the subsequent specific reports, and the trail to be a part of the project.** Commissioner Sloan seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Thomas, “Aye”, Chairman Robinson, “Aye”, Commissioner Hamilton, “Aye”, Commissioner Sloan, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Smith, “Naye”. The motion passed.

**4. Public Hearing and Recommendation on a City Code Text Amendment Request by Tooele City for Ordinance 2022-10 An Ordinance of the Tooele City Council Proposing Amendments to Chapter 7-24 of the Tooele City Code Regarding Annexation.**

Mr. Baker presented a proposed City Code text amendment for chapter 7-24 regarding annexation. The changes are mostly to remove old procedural provisions that cross reference State code that are outdated or obsolete. They have made specific updates to the procedural steps that are required by State law and the City’s actual practice, as well as specifying various studies that are important to give the City Council the information they need for informed annexation decisions. They are the same studies that have been required by the City for ten years. The City is giving more predictability of what will be asked or required before petitioners come to the Commission or the Council. Staff has also worked on clarifying some procedural steps. The City Code specifies the annexation needs to be approved by 2/3 of the City Council. Mr. Baker recommended 2/3 be changed to 4/5 to reflect an actual supermajority in a five-member public body. The City Council discussed some of the pros and cons of having a super majority vote versus a simple majority vote. Mr. Baker indicated that a previous City Council appeared to believe that annexations are of such policy importance that a simple majority should not be able to approve them and permanently change the City, but that a super-majority should be required.

The Planning Commission had concerns on the change effecting the pending annexation and anything current from the legislative session being included. The discussion included a general outline of what the Council discussed in their previous work meeting. A portion of the Council believed simple majority was adequate because there are so many hurdles for annexation standpoints with each decision being important.

Mr. Baker addressed the Commission’s questions and concerns. There is an annexation application pending, but the changes should not affect it. The changes will match what is happening with the current annexation. If the Council changes approval to simple majority, that would apply to the current annexation petition. To Mr. Baker’s awareness, the latest legislative session should not affect the annexation amendments.

Council Member Manzione addressed the Commission. By the time it reaches the Council, the annexation application has been thoroughly vetted.

Chairman Robinson opened the public hearing. No one came forward. The public hearing was closed.

Chairman Robinson, Commissioner Hammer, and Commissioner Smith support the super majority, because it removes any ambiguity.

Commissioner Sloan and Commissioner Thomas supports the simple majority, because the application has been vetted through the many requirements before it reaches City Council.

**Commissioner Sloan motion to recommend a positive for Recommendation on a City Code Text Amendment Request by Tooele City for Ordinance 2022-10 An Ordinance of the Tooele City Council Proposing Amendments to Chapter 7-24 of the Tooele City Code Regarding Annexation with the exception the threshold be changed to simple majority.**

Commission Hamilton seconded the motion. The vote was as follows: Commissioner Hammer, “Naye”, Commissioner Thomas, “Aye”, Chairman Robinson, “Naye,” Commissioner Hamilton, “Aye”, Commissioner Sloan, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Smith, “Naye”. The motion passed.

**5. Public Hearing and Recommendation on a City Code Text Amendment Request by Tooele City to Revise the Provisions of Table 2 of Chapter 7-16 of the Tooele City Code to Amend Certain Set Back Requirements in the Various Nonresidential Zoning Districts**

Mr. Bolser presented an amendment request to the Tooele City Code Chapter 7-16, Table 2, amending the nonresidential zoning district setbacks. The City addressed a zoning text amendment regarding the Industrial zone setbacks from 30 feet to 15 feet, enabling the existing buildings in the Industrial Depot to be subdivided without violating setbacks. The setbacks for the Light Industrial, Industrial Service, and Research and Development zones were increased to 15 feet for side yards and 20 feet for rear yards. They have received applications that have found the setbacks to be cumbersome or prohibiting. The proposed text amendment, reduces the side yard to five feet and rear yards to ten feet for maintenance and water drainage. Previous to the amendment, the setbacks are allowed to be as little as zero feet. The notes below the tables will also be clarified.

Chairman Robinson opened the public hearing. No one came forward. The public hearing was closed

**Commissioner Sloan motion to forward a positive recommend a positive for a City Code Text Amendment Request by Tooele City to Revise the Provisions of Table 2 of Chapter 7-16 of the Tooele City Code to Amend Certain Set Back Requirements in the Various Nonresidential Zoning Districts based on the findings in the staff report.**

Commission Hammer seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Thomas, “Aye”, Commissioner Robinson, “Aye,” Commissioner Hamilton, “Aye”, Commissioner Sloan, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Smith, “Aye”. The motion passed.

## **6. Discussion on Ordinance 2022-11 An Ordinance of Tooele City Enacting a Temporary Zoning Ordinance Regarding Garage Parking in Multi-Family Residential Developments**

Mr. Baker indicated his purpose of introducing the Commission to a temporary zoning ordinance regarding garage parking being counted for minimum required off-street parking in residential areas. There is a legal doctrine called the pending ordinance rule. Once a temporary zoning ordinance is put in place, all developments have to follow the it until it ends at six months or a new rule takes effect. If there is an important enough reason, compelling and countervailing, the City Council can impose a temporary zoning ordinance without the Planning Commission's recommendation and with public hearings. This is to help prevent a rush of applications to vest in the current regulations while new regulations are being formulated and are going through the regular process for enacting new land use ordinances.

The Planning Commission asked the following questions:

What is the difference between the temporary ordinance and a moratorium?

Does the new rule have to mirror the temporary ordinance?

Mr. Baker addressed the Planning Commission. The Council cannot declare a moratorium on their own rules, but they can change their rules. The pending ordinance doctrine allows the rules to change immediately without going through the regular process. It is temporary and for a period of up to 6 months. At 6 months, the ordinance will revert to previous or they need to have adopted something new. The new rule does not have to mirror the temporary ordinance. Any change has to go through the regular process. The current rules require two parking spaces for a single-family dwelling, which is usually accomplished by a driveway long and wide enough for two cars, and require garages with minimum dimensions. The concern is garages are often used for storage, and whether to count the garage apart of the minimum required off-street parking spaces. City Hall has received many complaints regarding on-street parking. Some townhouse developments do not have driveways or other off-street parking, and because of the higher densities more of the street frontage is used for drive approached, reducing the amount of on-street parking, forcing parking to spill over into neighboring developments. On-street parking during snow events is a violation of the City Code because it prevents safe and adequate snow plowing. In the opinion of the City Administration, this rises to the level of a compelling, countervailing public interest. The ordinance being presented is for a maximum six-month period, allowing garage space to not be included in off street parking. Anything proposed as a new permanent regulation will come back for further discussion and recommendations.

The Planning Commission shared their personal experience, expressing the need for the ordinance. They asked the following questions about the current requirements:

Does the City require the driveway to be long enough and wide enough to fit two cars?

What are the requirements for residential areas?

Is six months a realistic timeline to get the new ordinance in place?

Mr. Baker addressed the Planning Commission concerns. The process will include looking at the off-street parking requirements for single family, townhomes, and apartments. The requirement for single-family detached housing is 25 feet, requiring a two-car garage, and a 20-foot depth



between house and street, which required a driveway that accommodates two cars. The City does require setbacks in driveways and garages, requiring two spaces, and requiring off street parking. There are no extensions to the 6-month maximum. City staff must work efficiently to bring something forward before the temporary regulation reverts back to the current rule. The six months started with a public notice published on Friday, March 18<sup>th</sup>.

The Planning Commission shared their support.

### **7. City Council Reports**

Council Member Manzione presented a brief overview of the City Council’s meeting. The City Council wanted to hear a discussion and the opinions of the Commission regarding the annexation change. The Mayor is starting ‘Monday with the Mayor’, a presentation and discussion for the community. The meetings will be held the first Monday of every month in person or on Facebook live.

### **8. Review and Approval of Planning Commission Minutes for the Meeting Held on March 9, 2022.**

There were no changes to the minutes

**Commissioner Hamilton motion to approve the Planning Commission minutes from March 9, 2022.** Chairman Robinson seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Thomas, “Aye”, Chairman Robinson, “Aye,” Commissioner Hamilton, “Aye”, Commissioner Sloan, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Smith, “Aye”. The motion passed.

### **9. Adjourn**

**Chairman Robinson adjourned the meeting at 8:07 p.m.**

*The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.*

Approved this \_\_\_\_ day of April, 2022

\_\_\_\_\_  
Matt Robinson, Tooele City Planning Commission Chair

**TOOELE CITY CORPORATION**

**RESOLUTION 2022-30**

**A RESOLUTION OF THE TOOELE CITY COUNCIL APPROVING AN INTERLOCAL AGREEMENT BETWEEN TOOELE CITY AND TOOELE COUNTY FOR SOLID WASTE DISPOSAL.**

WHEREAS, Tooele County owns and operates a solid waste landfill and transfer station ("Landfill"); and,

WHEREAS, Tooele City operates a refuse collection utility program and contracts with Ace Recycling and Disposal, a private hauler, to collect refuse from the City's residential utility customers; and,

WHEREAS, the County has entered into an agreement with ClearSky Environmental, Inc., a Wyoming corporation, to construct and operate a waste processing facility, to which facility the County has agreed to deliver no less than 35,000 tons of refuse per year, the majority of which refuse originates from Tooele City; and,

WHEREAS, on June 16, 2021, the City Council approved Resolution 2021-68, approving an Amendment and Extension of the Interlocal Agreement for Solid Waste Disposal, for one year, in anticipation of entering into a new interlocal agreement at the conclusion of that year; and,

WHEREAS, the City and the County desire to enter into a new and longer-term interlocal agreement regarding solid waste disposal (see the agreement attached as Exhibit A):

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the Interlocal Agreement with Tooele City for Solid Waste Disposal (Exhibit A) is hereby approved and that the Mayor is hereby authorized to execute the same on behalf of Tooele City.

This Resolution shall become effective immediately upon passage by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this \_\_\_\_ day of \_\_\_\_\_, 2022.

TOOELE CITY COUNCIL

(For)

(Against)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ABSTAINING: \_\_\_\_\_

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

\_\_\_\_\_

\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form:

\_\_\_\_\_  
Roger Evans Baker, Tooele City Attorney

## EXHIBIT A

Interlocal Agreement with Tooele City  
for Solid Waste Disposal

**INTERLOCAL AGREEMENT WITH TOOELE CITY  
FOR SOLID WASTE DISPOSAL  
(Replaces County Contracts 18-11-01 and 21-06-15)**

**AGREEMENT FOR COOPERATIVE ACTION** dated this 1st day of July, 2022, by and between TOOELE COUNTY, a political subdivision of the State of Utah ("County"), and TOOELE CITY, a political subdivision of the State of Utah ("City").  
aft

**WHEREAS**, Utah Code Title 11 Chapter 13 allows two or more public entities to enter into an agreement for joint or cooperative action; and

**WHEREAS**, County owns and operates a solid waste landfill and transfer station ("landfill"); and

**WHEREAS**, City operates a refuse collection program and contracts with a private hauler ("contractor") to collect refuse from City's residential and business customers; and

**WHEREAS**, the parties desire to establish the terms under which County will accept city's refuse at the landfill;

**NOW THEREFORE**, the parties mutually agree as follows:

1. **NO SEPARATE INTERLOCAL ENTITY.** This Agreement does not create a separate interlocal entity.
2. **ACCEPTANCE OF REFUSE.** County agrees to receive at the landfill all refuse collected by contractor from City's customers.
3. **TIPPING FEES.** County agrees to charge, and City agrees to pay, a tipping fee in the amount of \$40 per ton for refuse delivered to the landfill by contractor. Each January 1, beginning January 1, 2023, County may increase the tipping fee by no more than \$1.50 per ton. Payments shall be made by City promptly upon receipt of invoice from County.
4. **TERM.** This Agreement shall expire on June 30, 2032.
5. **EARLY TERMINATION.** Either party may terminate this Agreement for cause upon a default by the other party not cured within 60 days after written notice. Either party may terminate this Agreement without cause upon 180 days' written notice.
6. **NOTICES.** Notices provided under this Agreement may be given by first-class mail, or via email, or via personal delivery to:



**COUNTY:**

Tooele County Manager  
47 South Main Street  
Tooele, UT 84074  
(with copy to solid waste director and county attorney)

**CITY:**

Tooele City Mayor  
90 North Main Street  
Tooele, Utah 84074  
(with copy to city attorney)

**7. INDEMNIFICATION.** The parties shall indemnify, release, and hold each other harmless from and against any suits, claims, liabilities or causes of action arising out of the subject matter of this Agreement. This indemnification provision shall survive the termination of this Agreement. The parties are governmental entities under the Utah Governmental Immunity Act. Neither party waives any defenses or liability limits available under that Act.

**8. NO WAIVER.** The failure by a party to insist upon the strict performance of any obligation required by this Agreement shall not constitute a waiver of any such failure to perform.

**9. NO THIRD-PARTY BENEFICIARIES.** Nothing in this Agreement is intended for the benefit of any party except for the named parties. There are no third-party beneficiaries to this Agreement.

**10. WAIVER OF JURY TRIAL.** The parties expressly waive any the right to trial by jury in any legal proceeding arising out of this Agreement.

**11. COSTS AND ATTORNEYS' FEES.** If a legal proceeding is brought by either party to enforce this Agreement, the prevailing party shall be entitled to recover its related costs and reasonable attorneys' fees.

**12. ENTIRE AGREEMENT.** This Agreement constitutes the final expression of the parties as to the terms of this Agreement and the subject matter hereof, and supersedes all prior agreements, understandings, negotiations, and discussions between the parties and/or their respective counsel with respect to the subject matter covered hereby. This Agreement expressly replaces County Contracts 18-11-01 and 21-06-05.

**13. MODIFICATION.** Any modification to this Agreement shall be made in writing and approved by the parties' respective legislative bodies.

**14. SEVERABILITY.** The unenforceability, invalidity or illegality of any provision of this Agreement shall not render the other provisions unenforceable, invalid or illegal.

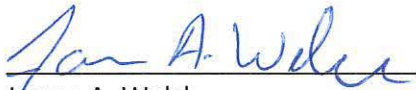
15. **FORCE MAJEURE.** Neither party to this Agreement shall be held responsible for delay or default caused by fire, riot, acts of God, war or pandemic beyond that party's reasonable control.

16. **SUCCESSORS AND ASSIGNS.** Neither party may assign its rights or obligations under this Agreement without the express written consent of the other party.

17. **AUTHORITY.** The individuals executing this Agreement represent and warrant that they possess the legal authority to execute this Agreement, such authority being granted and evidenced by duly adopted resolutions of each party's legislative body.

**IN WITNESS WHEREOF,** the parties have caused this Agreement to be duly executed this 1st day of July, 2022.

**TOOELE COUNTY:**



James A. Welch  
Tooele County Manager

**TOOELE CITY:**

\_\_\_\_\_  
Debbie Winn  
Mayor

**APPROVED AS TO FORM:**



Colin Winchester  
Deputy Tooele County Attorney

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Roger Baker  
Tooele City Attorney

**ATTEST:**



Tracy Shaw  
Tooele County Clerk

**ATTEST:**

\_\_\_\_\_  
Michelle Pitt  
Tooele City Recorder



**TOOELE CITY CORPORATION**

**RESOLUTION 2022-31**

**A RESOLUTION OF THE TOOELE CITY COUNCIL APPROVING AN AGREEMENT WITH TOOELE COUNTY FOR DISPATCH SERVICES FOR FISCAL YEAR 2022-2023.**

WHEREAS, the Tooele County Sheriff provides dispatch services for the Tooele City Police Department; and,

WHEREAS, Tooele County and Tooele City desire to enter into a contract for Tooele City Fiscal Year 2022-2023 defining their respective obligations in relation to dispatch services; and,

WHEREAS, the proposed Dispatch Service Agreement is attached as Exhibit A; and,

WHEREAS, local dispatch services are critical to the safety of Tooele City peace officers and the efficiency of local law enforcement operations; and,

WHEREAS, the City Administration recommends that the Dispatch Service Agreement for Tooele City fiscal year 2022-2023 is in the best interest of Tooele City and serves the general public safety and welfare as well as the safety and welfare of Tooele City peace officers:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the fiscal year 2022-2023 Dispatch Service Agreement attached hereto as Exhibit A is hereby approved, and that the Mayor is hereby authorized to sign the same.

This Resolution shall take effect immediately upon passage, by authority of the Tooele City Charter, without further publication.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this \_\_\_\_ day of \_\_\_\_\_, 2022.

TOOELE CITY COUNCIL

(For)

(Against)

---



---



---



---



---



---



---



---



---



---

ABSTAINING: \_\_\_\_\_

TOOELE CITY MAYOR

(Approved)

(Disapproved)

---



---

ATTEST:

\_\_\_\_\_  
Michelle Pitt, City Recorder

S E A L

Approved as to Form:

\_\_\_\_\_  
Roger Evans Baker, Tooele City Attorney

# Exhibit A

## Dispatch Service Agreement



# Dispatch Service Agreement

## Tooele County – Tooele City

1. CONTRACTING PARTIES: This agreement made and executed the 1st day of July 2022, by and between TOOELE COUNTY, a body politic and corporate of the State of Utah, (hereinafter referred to as “County”), and Tooele City, (hereinafter referred to as “City”).

2. PURPOSE: This agreement is for the purpose of Tooele County providing radio dispatch services to Tooele City.

IN CONSIDERATION of the following mutual promises, terms and conditions, the parties agree as follows:

3. DISPATCH SERVICES: The County agrees to provide to the City the following radio dispatch services during the term of this agreement at an adequate level and in a timely fashion:

- a. Receive and prioritize 911 emergency and non-emergency telephone answering and radio dispatch service for the City 24 hours a day 7 days a week. Handle outbound telephone calls for officers when appropriate.
- b. Ensure officer safety by adequate security checks of on-duty officers.
- c. Gather, record, and report all data collected by the dispatch center and provide recordings of such upon request.
- d. Provide fire dispatch services.
- e. Provide Spillman Flex interface system technology analyst support.
- f. Conduct monthly area wide communication meetings.
- g. Run Utah Criminal Justice Information System database checks.
- h. Provide clearing house for NCIC entries including modifications and clears.
- i. Oversee county-wide wrecker rotation.

4. CONSIDERATION: In consideration of the County providing the dispatch services specified herein from July 1, 2022, through June 30, 2023, the City agrees to pay the County the sum of \$321,459.00. Said fees shall be paid to Tooele County on a quarterly basis and shall be paid without the necessity of being billed by the County. Said payments shall be made within fifteen (15) days following the end of each quarter. The basis and method of computation of said amount is attached hereto as Exhibit “A” which by reference is made a part hereof. The County may at the end of each calendar year, adjust the fee it charges the City for dispatch services under this agreement.

5. BUDGET NOTICE: The County agrees to notify the City by January 31<sup>st</sup> of the previous year data, as requested. The county agrees to provide the agreement and fee allocation to the City no later than March 31<sup>st</sup> of each year.

6. CONTRACT TERM: This agreement shall take effect on July 1, 2022, and shall terminate on June 30, 2023, unless terminated sooner according to the terms and conditions of this agreement.

7. INADEQUATE SERVICE: If the City determines that it has received inadequate dispatch services under this agreement, the Police Chief shall report the problem, in writing, to the Sheriff. If the problem has not been resolved to the satisfaction of the City within fifteen (15) days, the original report, together with a supplemental report indicating the current status of the problem shall be forwarded to the Tooele County Commission for review.

8. TERMINATION: This agreement may be terminated prior to its duration if a party materially breaches the terms or conditions thereof and provided the non-breaching party gives written notice to the breaching party to remedy said default if the said default is not cured within thirty (30) days after receipt of said notice. This agreement may also be terminated by either party for any reason upon ninety (90) days written notice. Failure to sign and return this agreement by August 31, 2022, shall be considered notice of termination and services will be discontinued.

9. LIABILITY: It is mutually agreed that each party shall be responsible for, and shall indemnify the other party for, the negligent acts of their own representatives and employees.

10. WAIVER OF JURY TRIAL: The parties waive any and all rights to trial by jury in any legal proceeding arising out of or relating to this Agreement.

**DATED** this 1<sup>st</sup> day of July 2022

**TOOOELE CITY**

\_\_\_\_\_  
Debra E. Winn, Mayor

**ATTEST:**

\_\_\_\_\_  
Michelle Pitt, City Recorder

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Roger Baker, City Attorney

**TOOELE COUNTY**

\_\_\_\_\_  
Andy Welch, County Manager  
Tooele County Council

**ATTEST:**

\_\_\_\_\_  
Tracy Shaw  
Tooele County Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Scott Broadhead  
Tooele County Attorney

**TOOELE CITY CORPORATION**

**RESOLUTION 2022-32**

**A RESOLUTION OF THE TOOELE CITY COUNCIL TENTATIVELY ADOPTING THE BUDGET OFFICER'S TENTATIVE BUDGET FOR TOOELE CITY FISCAL YEAR 2022-2023, AND ESTABLISHING THE TIME AND PLACE OF A PUBLIC HEARING TO CONSIDER ITS ADOPTION.**

WHEREAS, U.C.A. §10-6-111 requires that on or before the first regularly scheduled meeting of the governing body in May of each year, the budget officer (Tooele City Mayor) shall prepare for the ensuing year, and file with the governing body (City Council) a tentative budget for each fund for which a budget is required; and,

WHEREAS, the Mayor has filed the tentative budget for Fiscal Year 2022-2023 with the City Council along with the required budget message; and,

WHEREAS, the tentative budget sets forth the actual revenues and expenditures in the last completed fiscal year, the estimated total revenues and expenditures for the current fiscal year, and the Mayor's estimates of revenues and expenditures for the budget year (the upcoming fiscal year); and,

WHEREAS, the City Council has received the tentative budget and desires to tentatively adopt the same and to establish the time and place of a public hearing to consider its final adoption:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the tentative budget for each fund for the ensuing fiscal year, 2022-2023, is hereby tentatively adopted.

IT IS FURTHER RESOLVED that a public hearing to consider the final adoption of the Tooele City budget for 2022-2023 shall be held on the 15<sup>th</sup> day of June, 2022, at 7:10 p.m., at Tooele City Council Chambers located at 90 North Main Street, Tooele, Utah.

The City Recorder shall cause notice of a public hearing to consider its adoption to be published at least seven (7) days prior to the hearing 1) in at least one issue of the Tooele *Transcript-Bulletin*, a newspaper of general circulation published in Tooele City, 2) on the Utah Public Notice Website, and 3) and on the home page of the Tooele City website, as required by U.C.A. §10-6-113.

The City Recorder shall cause the tentative budget approved hereby to be available for public inspection at least ten (10) days before the adoption of the final budget, as required by U.C.A. §10-6-112.

This Resolution shall be effective immediately upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this  
\_\_\_\_ day of \_\_\_\_\_, 2022.

TOOELE CITY COUNCIL

(For)

(Against)

---

---

---

---

---

---

---

---

---

---

ABSTAINING: \_\_\_\_\_

MAYOR OF TOOELE CITY

(For)

(Against)

---

---

ATTEST:

\_\_\_\_\_  
Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form:

\_\_\_\_\_  
Roger Evans Baker, City Attorney



## TOOELE CITY CORPORATION

### RESOLUTION 2022-35

#### **A RESOLUTION OF THE TOOELE CITY COUNCIL RATIFYING A CONTRACT WITH VANCON INC. FOR CONSTRUCTION OF THE 2022 RED DEL PAPA PARK WELL HOUSE AND WATERLINE, BID SCHEDULE "A" - WELL HOUSE.**

WHEREAS, the City continues to experience residential, commercial, and industrial growth within the service boundaries of the City and the Tooele City Water Special Service District, and has developed the Red Del Papa Park Well; and,

WHEREAS, the Park Well House will provide additional water service capacity; and,

WHEREAS, the provision of additional source capacity is an element of the City's Culinary Water Master Plan; and,

WHEREAS, the Park Well House design has been approved by the State Division of Drinking Water; and

WHEREAS, funding of the Park Well House will be through culinary water impact fees; and,

WHEREAS, the City solicited public bids for construction of the 2022 Red Del Papa Park Well House and Waterline project in accordance with the procedures of §11-39-101 et seq., Utah Code Annotated, as amended; and,

WHERE, the Bid allowed for award of separate bids for construction of the Well House (Schedule "A") and the Waterline (Schedule "B"); and,

WHEREAS, VanCon is the apparent lowest responsive responsible bidder for Bid Schedule "A" - Well House, with a bid of One Million Thirty-Three Thousand Dollars (\$1,033,000.00) for construction of the 2022 Red Del Papa Park Well House and Waterline, Bid Schedule "A" - Well House; and,

WHEREAS, a copy of the Bid Tabulation and Agreement are attached as Exhibits A and B, respectively; and,

WHEREAS, the City Administration requests an additional appropriation of 5% in the amount of Fifty-One Thousand Six Hundred Fifty Dollars (\$51,650.00) as contingency for change orders for changed conditions which may arise during the Project, as reviewed and approved by the Mayor:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that

1. the agreement attached as Exhibit B with VanCon Inc. is hereby ratified, in the amount of One Million Thirty-Three Thousand Dollars (\$1,033,000.00), for construction of the 2022 Red Del Papa Park Well House and Waterline, Bid

Schedule "A" - Well House; and,

2. an additional Fifty-One Thousand Six Hundred Fifty Dollars (\$51,650.00) contingency is hereby approved, which may be used for changed conditions as reviewed and approved by the Mayor.

This Resolution shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council  
this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

TOOELE CITY COUNCIL

(For)

(Against)

---

---

---

---

---

---

---

---

---

---

ABSTAINING: \_\_\_\_\_

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

---

---

ATTEST:

\_\_\_\_\_  
Michelle Pitt, City Recorder

S E A L

Approved as to Form: \_\_\_\_\_  
Roger Evans Baker, Tooele City Attorney

EXHIBIT A

Bid Tabulation

## EXHIBIT B

Agreement - VanCon Inc.



**2022 Park Well House and Water Line  
BID TABULATION  
April 12, 2022**

Item No.	Description	Estimated Quantity	Unit	VanCon		Corrio Construction		Broken Arrow	
				Unit Bid Price	Total	Unit Bid Price	Total	Unit Bid Price	Total
<b>BID SCHEDULE "A" - WELL HOUSE</b>									
A1	Mobilization	1	LS	\$124,000.0	\$124,000.00	\$59,976.00	\$59,976.00		
A2	Wellhouse, Complete	1	LS	\$767,000.0	\$767,000.00	\$950,167.00	\$950,167.00		
A3	Meter Vault, Complete	1	LS	\$50,000.00	\$50,000.00	\$51,520.00	\$51,520.00		
A4	Site Improvements, Complete	1	LS	\$72,500.00	\$72,500.00	\$111,322.00	\$111,322.00		
A5	Furnish and Install 16" Diameter Culinary Waterline	60	L.F.	\$325.00	\$19,500.00	\$442.17	\$26,530.20		
<b>Total Bid Schedule "A" - Wellhouse</b>				<b>\$1,033,000.00</b>		<b>\$1,199,515.20</b>			
<b>BID SCHEDULE "B" - WATER LINE</b>									
B1	Mobilization	1	LS	\$232,450.0	\$232,450.00			\$67,180.30	\$67,180.30
B2	Furnish and Install 16" Diameter Culinary Waterline	3,600	LF	\$250.00	\$900,000.00			\$239.16	\$860,976.00
B3	Furnish and Install 8" Diameter Culinary Waterline	130	LF	\$275.00	\$35,750.00			\$137.85	\$17,920.50
B4	Loop Existing Water Main Lines	7	EA	\$13,500.00	\$94,500.00			\$6,697.09	\$46,879.63
B5	Mainline Connections	4	EA	\$15,000.00	\$60,000.00			\$3,155.47	\$12,621.88
B6	Remove and Replace Existing Fire Hydrant, Complete	2	EA	\$15,000.00	\$30,000.00			\$11,979.69	\$23,959.38
B7	Remove and Salvage Existing Pipe and 8" Valves on 400 North	1	LS	\$9,000.00	\$9,000.00			\$6,598.86	\$6,598.86
B8	Remove and Replace 8" Thick Concrete Water Way	120	SF	\$40.00	\$4,800.00			\$61.03	\$7,323.60
B9	Replace Existing Water Service Laterals, Complete	28	EA	\$6,000.00	\$168,000.00			\$3,356.31	\$93,976.68
B10	Furnish and Install 16-inch Diameter Gate Valves, Valve Box and Collar	10	EA	\$15,000.00	\$150,000.00			\$16,892.44	\$168,924.40
B11	Furnish and Install 8-inch Diameter Gate Valves, Valve Box and Collar	5	EA	\$2,800.00	\$14,000.00			\$3,633.55	\$18,167.75
B12	Furnish and Install Valve Box and Concrete Collars for Water Valves	15	EA	\$900.00	\$13,500.00			\$1,272.98	\$19,094.70
<b>Total Bid Schedule "B" - Waterline</b>				<b>\$1,712,000.00</b>				<b>\$1,343,623.68</b>	
<b>Total Bid</b>				<b>\$2,745,000.00</b>				<b>\$0.00</b>	
<b>COMMENTS</b>									

**DOCUMENT 00 52 00**

**AGREEMENT**

**PART 1 GENERAL**

**1.1 CONTRACTOR**

- A. Name: VanCon Inc.
- B. Address: 1825 North Mountain Springs Parkway, Springville, Utah 84663
- C. Telephone number: (801) 491-8898
- D. Facsimile number: (801) 491-8883
- E. E-Mail: emily@wedigutah.com

**1.2 OWNER**

- A. The name of the OWNER is Tooele City Corporation

**1.3 CONSTRUCTION CONTRACT**

- A. The Construction Contract is known as

**2022 Park Well House and Waterline  
Bid Schedule A - Well House**

**1.4 ENGINEER**

- A. Paul Hansen Associates, L.L.C. is the OWNER's representative and agent for this Construction Contract who has the rights, authority and duties assigned to the ENGINEER in the Contract Documents.

**PART 2 TIME AND MONEY CONSIDERATIONS**

**2.1 CONTRACT PRICE**

- A. The Contract Price includes the cost of the Work specified in the Contract Documents, plus the cost of all bonds, insurance, permits, fees, and all charges, expenses or assessments of whatever kind or character.

- B. The Schedules of Prices awarded from the Bid Schedule are as follows.
1. Base Bid.
  2. \_\_\_\_\_
  3. \_\_\_\_\_
  4. \_\_\_\_\_
- C. An Agreement Supplement [\_\_\_\_\_] is, [] is not attached to this Agreement.
- D. Based upon the above awarded schedules and the Agreement Supplement (if any), the Contract Price awarded is: One Million Thirty Three Thousand Dollars (\$1,033,000.00).

## 2.2 CONTRACT TIME

- A. All Work shall be substantially completed within 180 days of the Notice to Proceed, and fully complete within 190 days from the Notice to Proceed. *Note: Additional contract time will be considered for material supply chain delays which are appropriately documented.*

## 2.3 PUNCH LIST TIME

- A. The Work will be complete and ready for final payment within 5 days after the date CONTRACTOR receives ENGINEER's Final Inspection Punch List unless exemptions of specific items are granted by ENGINEER in writing or an exception has been specified in the Contract Documents.
- B. Permitting the CONTRACTOR to continue and finish the Work or any part of the Work after the time fixed for its completion, or after the date to which the time for completion may have been extended, whether or not a new completion date is established, shall in no way operate as a waiver on the part of the OWNER of any of OWNER's rights under this Agreement.

## 2.4 LIQUIDATED DAMAGES

- A. Time is the essence of the Contract Documents. CONTRACTOR agrees that OWNER will suffer damage or financial loss if the Work is not completed on time or within any time extensions allowed in accordance with Part 12 of the General Conditions. CONTRACTOR and OWNER agree that proof of the exact amount of any such damage or loss is difficult to determine. Accordingly, instead of requiring any such proof of damage or specific financial loss for late

completion, CONTRACTOR agrees to pay the following sums to the OWNER as liquidated damages and not as a penalty.

1. **Late Contract Time Completion:**

Five Hundred dollars and 00 cents (\$ 500.00 ) for each day or part thereof that expires after the Contract Time until the Work is accepted as Substantially Complete as provided in Article 14.5 of the General Conditions.

2. **Late Punch List Time Completion:** 50% of the amount specified for Late Contract Time Completion for each day or part thereof if the Work remains incomplete after the Punch List Time. The Punch List shall be considered delivered on the date it is transmitted by facsimile, hand delivery or received by the CONTRACTOR by certified mail.

3. **Interruption of Public Services:** No interruption of public services shall be caused by CONTRACTOR, its agents or employees, without the ENGINEER's prior written approval. OWNER and CONTRACTOR agree that in the event OWNER suffers damages from such interruption, the amount of liquidated damages stipulated below shall not be deemed to be a limitation upon OWNER's right to recover the full amount of such damages.

Five Hundred dollars and 00 cents (\$ 500.00) for each day or part thereof of any utility interruption caused by the CONTRACTOR without the ENGINEER's prior written authorization.

4. **Survey Monuments:** No land survey monument shall be disturbed or moved until ENGINEER has been properly notified and the ENGINEER's surveyor has referenced the survey monument for resetting. The parties agree that upon such an unauthorized disturbance it is difficult to determine the damages from such a disturbance, and the parties agree that CONTRACTOR will pay as liquidated damages the sum of (\$500.00) to cover such damage and expense.

5. **Deduct Damages from Moneys Owed CONTRACTOR:** OWNER shall be entitled to deduct and retain liquidated damages out of any money which may be due or become due the CONTRACTOR. To the extent that the liquidated damages exceed any amounts that would otherwise be due the CONTRACTOR, the CONTRACTOR shall be liable for such amounts and shall return such excess to the OWNER.

**PART 3 EXECUTION**

**3.1 EFFECTIVE DATE**

A. OWNER and CONTRACTOR execute this Agreement and declare it in effect as of the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**3.2 CONTRACTOR'S SUBSCRIPTION AND ACKNOWLEDGMENT**

- A. CONTRACTOR's signature: \_\_\_\_\_
- B. Please print name here: \_\_\_\_\_
- C. Title: \_\_\_\_\_
- D. CONTRACTOR's Utah license number: \_\_\_\_\_

**Acknowledgment**

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

by \_\_\_\_\_  
(person acknowledging and title or representative capacity, if any).

\_\_\_\_\_  
Notary's signature

\_\_\_\_\_  
Residing at

\_\_\_\_\_  
My commission expires:

Notary's seal

**3.3 OWNER'S SUBSCRIPTION AND ACKNOWLEDGMENT**

- A. OWNER's signature: \_\_\_\_\_
- B. Please print name here: Debra E. Winn
- C. Title: Mayor

ATTEST:

---

Michelle Y. Pitt  
Tooele City Recorder

S E A L

APPROVED AS TO FORM

---

Roger Evans Baker  
Tooele City Attorney

END OF DOCUMENT



THIS PAGE LEFT BLANK INTENTIONALLY

## TOOELE CITY CORPORATION

### RESOLUTION 2022-36

#### **A RESOLUTION OF THE TOOELE CITY COUNCIL RATIFYING A CONTRACT WITH BROKEN ARROW INC. FOR CONSTRUCTION OF THE 2022 RED DEL PAPA PARK WELL HOUSE AND WATERLINE, BID SCHEDULE "B" - WATERLINE.**

WHEREAS, the City continues to experience residential, commercial and industrial growth with the service boundaries of the City and the Tooele City Water Special Service District, and has completed the Red Del Papa Park Well; and,

WHEREAS, the Park Well House Waterline is essential for delivery of new culinary water from the Red Del Papa Park Well; and,

WHEREAS, this Waterline is an element of the City's Culinary Water Master Plan and Impact Fee Facilities Plan; and,

WHEREAS, the Park Well House Waterline design has been approved by the State Division of Drinking Water; and

WHEREAS, funding of the Park Well House Waterline will be through culinary water impact fees; and,

WHEREAS, the City solicited public bids for construction of the 2022 Red Del Papa Park Well House and Waterline in accordance with the procedures of §11-39-101 et seq., Utah Code Annotated, as amended; and,

WHERE, the Bid allowed for award of separate bids for construction of the Wellhouse (Schedule "A") and the Waterline (Schedule "B"); and,

WHEREAS, Broken Arrow Inc. is the apparent lowest responsive responsible bidder for Bid Schedule "B" - Waterline, with a bid of One Million Three Hundred Forty-Three Thousand Six Hundred Twenty-Three Dollars and Sixty-Eight Cents (\$1,343,623.68) for construction of the 2022 Red Del Papa Park Well House and Waterline, Bid Schedule "B" - Waterline; and,

WHEREAS, a copy of the Bid Tabulation and Agreement are attached as Exhibits A and B, respectively; and,

WHEREAS, the City Administration requests an additional appropriation of 5% in the amount of Sixty-Seven Thousand Two Hundred Dollars (\$67,200.00) as contingency for change orders for changed conditions which may arise during the Project, as reviewed and approved by the Mayor:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that

1. the agreement attached as Exhibit B with Broken Arrow Inc. is hereby ratified, in the

amount of One Million Three Hundred Forty-Three Thousand Six Hundred Twenty-Three Dollars and Sixty-Eight Cents (\$1,343,623.68) for construction of the 2022 Red Del Papa Park Well House and Waterline, Bid Schedule "B" - Waterline; and,

2. an additional Sixty-Seven Thousand Two Hundred Dollars (\$67,200.00) contingency is hereby approved, which may be used for changed conditions as reviewed and approved by the Mayor.

This Resolution shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council  
this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

TOOELE CITY COUNCIL

(For)

(Against)

---

---

---

---

---

---

---

---

---

---

ABSTAINING: \_\_\_\_\_

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

---

---

ATTEST:

\_\_\_\_\_  
Michelle Pitt, City Recorder

S E A L

Approved as to Form: \_\_\_\_\_  
Roger Evans Baker, Tooele City Attorney

EXHIBIT A

Bid Tabulation

## EXHIBIT B

Agreement - Broken Arrow Inc.



**2022 Park Well House and Water Line  
BID TABULATION  
April 12, 2022**

Item No.	Description	Estimated Quantity	Unit	VanCon		Corrio Construction		Broken Arrow	
				Unit Bid Price	Total	Unit Bid Price	Total	Unit Bid Price	Total
<b>BID SCHEDULE "A" - WELL HOUSE</b>									
A1	Mobilization	1	LS	\$124,000.0	\$124,000.00	\$59,976.00	\$59,976.00		
A2	Wellhouse, Complete	1	LS	\$767,000.0	\$767,000.00	\$950,167.00	\$950,167.00		
A3	Meter Vault, Complete	1	LS	\$50,000.00	\$50,000.00	\$51,520.00	\$51,520.00		
A4	Site Improvements, Complete	1	LS	\$72,500.00	\$72,500.00	\$111,322.00	\$111,322.00		
A5	Furnish and Install 16" Diameter Culinary Waterline	60	L.F.	\$325.00	\$19,500.00	\$442.17	\$26,530.20		
<b>Total Bid Schedule "A" - Wellhouse</b>				<b>\$1,033,000.00</b>		<b>\$1,199,515.20</b>			
<b>BID SCHEDULE "B" - WATER LINE</b>									
B1	Mobilization	1	LS	\$232,450.0	\$232,450.00			\$67,180.30	\$67,180.30
B2	Furnish and Install 16" Diameter Culinary Waterline	3,600	LF	\$250.00	\$900,000.00			\$239.16	\$860,976.00
B3	Furnish and Install 8" Diameter Culinary Waterline	130	LF	\$275.00	\$35,750.00			\$137.85	\$17,920.50
B4	Loop Existing Water Main Lines	7	EA	\$13,500.00	\$94,500.00			\$6,697.09	\$46,879.63
B5	Mainline Connections	4	EA	\$15,000.00	\$60,000.00			\$3,155.47	\$12,621.88
B6	Remove and Replace Existing Fire Hydrant, Complete	2	EA	\$15,000.00	\$30,000.00			\$11,979.69	\$23,959.38
B7	Remove and Salvage Existing Pipe and 8" Valves on 400 North	1	LS	\$9,000.00	\$9,000.00			\$6,598.86	\$6,598.86
B8	Remove and Replace 8" Thick Concrete Water Way	120	SF	\$40.00	\$4,800.00			\$61.03	\$7,323.60
B9	Replace Existing Water Service Laterals, Complete	28	EA	\$6,000.00	\$168,000.00			\$3,356.31	\$93,976.68
B10	Furnish and Install 16-inch Diameter Gate Valves, Valve Box and Collar	10	EA	\$15,000.00	\$150,000.00			\$16,892.44	\$168,924.40
B11	Furnish and Install 8-inch Diameter Gate Valves, Valve Box and Collar	5	EA	\$2,800.00	\$14,000.00			\$3,633.55	\$18,167.75
B12	Furnish and Install Valve Box and Concrete Collars for Water Valves	15	EA	\$900.00	\$13,500.00			\$1,272.98	\$19,094.70
<b>Total Bid Schedule "B" - Waterline</b>				<b>\$1,712,000.00</b>				<b>\$1,343,623.68</b>	
<b>Total Bid</b>				<b>\$2,745,000.00</b>				<b>\$0.00</b>	
<b>COMMENTS</b>									

**DOCUMENT 00 52 00**

**AGREEMENT**

**PART 1 GENERAL**

**1.1 CONTRACTOR**

- A. Name: Broken Arrow Inc.
- B. Address: 8960 Clinton Landing Road, Lakepoint, Utah 84074
- C. Telephone number: (801) 355-0527
- D. Facsimile number: (801) 282-5701
- E. E-Mail: dcummings@brokenarrowusa.com

**1.2 OWNER**

- A. The name of the OWNER is Tooele City Corporation

**1.3 CONSTRUCTION CONTRACT**

- A. The Construction Contract is known as

**2022 Park Well House and Waterline  
Bid Schedule B - Waterline**

**1.4 ENGINEER**

- A. Paul Hansen Associates, L.L.C. is the OWNER's representative and agent for this Construction Contract who has the rights, authority and duties assigned to the ENGINEER in the Contract Documents.

**PART 2 TIME AND MONEY CONSIDERATIONS**

**2.1 CONTRACT PRICE**

- A. The Contract Price includes the cost of the Work specified in the Contract Documents, plus the cost of all bonds, insurance, permits, fees, and all charges, expenses or assessments of whatever kind or character.

- B. The Schedules of Prices awarded from the Bid Schedule are as follows.
1. Base Bid.
  2. \_\_\_\_\_
  3. \_\_\_\_\_
  4. \_\_\_\_\_
- C. An Agreement Supplement [\_\_\_\_\_] is, [] is not attached to this Agreement.
- D. Based upon the above awarded schedules and the Agreement Supplement (if any), the Contract Price awarded is: One Million Three Hundred Forty Three Thousand Six Hundred Twenty Three Dollars and Sixty Eight Cents (\$1,343,623.68).

## 2.2 CONTRACT TIME

- A. All Work shall be substantially completed within 180 days of the Notice to Proceed, and fully complete within 190 days from the Notice to Proceed. *Note: Additional contract time will be considered for material supply chain delays which are appropriately documented.*

## 2.3 PUNCH LIST TIME

- A. The Work will be complete and ready for final payment within 5 days after the date CONTRACTOR receives ENGINEER's Final Inspection Punch List unless exemptions of specific items are granted by ENGINEER in writing or an exception has been specified in the Contract Documents.
- B. Permitting the CONTRACTOR to continue and finish the Work or any part of the Work after the time fixed for its completion, or after the date to which the time for completion may have been extended, whether or not a new completion date is established, shall in no way operate as a waiver on the part of the OWNER of any of OWNER's rights under this Agreement.

## 2.4 LIQUIDATED DAMAGES

- A. Time is the essence of the Contract Documents. CONTRACTOR agrees that OWNER will suffer damage or financial loss if the Work is not completed on time or within any time extensions allowed in accordance with Part 12 of the General Conditions. CONTRACTOR and OWNER agree that proof of the exact amount of any such damage or loss is difficult to determine. Accordingly, instead of requiring any such proof of damage or specific financial loss for late

completion, CONTRACTOR agrees to pay the following sums to the OWNER as liquidated damages and not as a penalty.

1. **Late Contract Time Completion:**  
Five Hundred dollars and 00 cents (\$ 500.00 ) for each day or part thereof that expires after the Contract Time until the Work is accepted as Substantially Complete as provided in Article 14.5 of the General Conditions.
2. **Late Punch List Time Completion:** 50% of the amount specified for Late Contract Time Completion for each day or part thereof if the Work remains incomplete after the Punch List Time. The Punch List shall be considered delivered on the date it is transmitted by facsimile, hand delivery or received by the CONTRACTOR by certified mail.
3. **Interruption of Public Services:** No interruption of public services shall be caused by CONTRACTOR, its agents or employees, without the ENGINEER's prior written approval. OWNER and CONTRACTOR agree that in the event OWNER suffers damages from such interruption, the amount of liquidated damages stipulated below shall not be deemed to be a limitation upon OWNER's right to recover the full amount of such damages.

Five Hundred dollars and 00 cents (\$ 500.00) for each day or part thereof of any utility interruption caused by the CONTRACTOR without the ENGINEER's prior written authorization.

4. **Survey Monuments:** No land survey monument shall be disturbed or moved until ENGINEER has been properly notified and the ENGINEER's surveyor has referenced the survey monument for resetting. The parties agree that upon such an unauthorized disturbance it is difficult to determine the damages from such a disturbance, and the parties agree that CONTRACTOR will pay as liquidated damages the sum of (\$500.00) to cover such damage and expense.
5. **Deduct Damages from Moneys Owed CONTRACTOR:** OWNER shall be entitled to deduct and retain liquidated damages out of any money which may be due or become due the CONTRACTOR. To the extent that the liquidated damages exceed any amounts that would otherwise be due the CONTRACTOR, the CONTRACTOR shall be liable for such amounts and shall return such excess to the OWNER.

**PART 3 EXECUTION**

**3.1 EFFECTIVE DATE**

A. OWNER and CONTRACTOR execute this Agreement and declare it in effect as of the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**3.2 CONTRACTOR'S SUBSCRIPTION AND ACKNOWLEDGMENT**

- A. CONTRACTOR's signature: \_\_\_\_\_
- B. Please print name here: \_\_\_\_\_
- C. Title: \_\_\_\_\_
- D. CONTRACTOR's Utah license number: \_\_\_\_\_

**Acknowledgment**

State of \_\_\_\_\_ )  
  ) ss.  
County of \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

by \_\_\_\_\_  
(person acknowledging and title or representative capacity, if any).

\_\_\_\_\_  
Notary's signature

\_\_\_\_\_  
Residing at

\_\_\_\_\_  
My commission expires:

Notary's seal

**3.3 OWNER'S SUBSCRIPTION AND ACKNOWLEDGMENT**

- A. OWNER's signature: \_\_\_\_\_
- B. Please print name here: Debra E. Winn
- C. Title: Mayor

ATTEST:

---

Michelle Y. Pitt  
Tooele City Recorder

S E A L

APPROVED AS TO FORM

---

Roger Evans Baker  
Tooele City Attorney

END OF DOCUMENT



THIS PAGE LEFT BLANK INTENTIONALLY

## TOOELE CITY CORPORATION

### RESOLUTION 2022-37

#### **A RESOLUTION OF THE TOOELE CITY COUNCIL RATIFYING A CONTRACT WITH VANCON INC. FOR CONSTRUCTION OF THE BERRA WELL 1 MILLION GALLON RESERVOIR.**

WHEREAS, the City continues to experience residential, commercial and industrial growth with the service boundaries of the City and the Tooele City Water Special Service District, and has constructed the Berra Well; and,

WHEREAS, the 1 Million Gallon water storage reservoir will provide additional water service capacity and allow the City flexibility to meet a variety of flow demands within the northwest quadrant of the City; and,

WHEREAS, the provision of additional water storage capacity is an element of the City's Culinary Water Master Plan; and,

WHEREAS, the water storage reservoir design has been approved by the State Division of Drinking Water; and,

WHEREAS, funding of the 1 Million Gallon water storage reservoir will be through culinary water impact fees; and,

WHEREAS, the City solicited public bids for construction of the Berra Well 1 Million Gallon Reservoir in accordance with the procedures of §11-39-101 et seq., Utah Code Annotated, as amended; and,

WHEREAS, VanCon is the apparent lowest responsive responsible bidder with a bid of One Million Eight Hundred Thirty-Three Thousand Dollars (\$1,833,000.00) for construction of the Berra Well 1 Million Gallon Reservoir; and,

WHEREAS, a copy of the Bid Tabulation and Agreement are attached as Exhibits A and B, respectively.

WHEREAS, the City Administration requests an additional appropriation of 5% in the amount of Ninety-One Thousand Six Hundred Fifty Dollars (\$91,650.00) as contingency for change orders for changed conditions which may arise during the Project, as reviewed and approved by the Mayor:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that

1. the agreement attached as Exhibit B with VanCon Inc. is hereby ratified, in the amount of One Million Eight Hundred Thirty-Three Thousand Dollars (\$1,833,000.00) for construction of the Berra Well 1 Million Gallon Reservoir; and,

2. an additional Ninety-One Thousand Six Hundred Fifty Dollars (\$91,650.00) contingency is hereby approved, which may be used for changed conditions as reviewed and approved by the Mayor.

This Resolution shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

TOOELE CITY COUNCIL

(For)

(Against)

---



---



---



---



---



---



---



---



---



---

ABSTAINING: \_\_\_\_\_

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

---



---

ATTEST:

\_\_\_\_\_  
Michelle Pitt, City Recorder

S E A L

Approved as to Form:

\_\_\_\_\_  
Roger Evans Baker, Tooele City Attorney

EXHIBIT A

Bid Tabulation

EXHIBIT B

Agreement - VanCon Inc.



## Berra Well 1 Million Gallon Reservoir BID TABULATION

April 12, 2022

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITY	UNIT	VANCON, INC.	DALE COX CONTRACTING	FX CONSTRUCTION	GERBER
1	Mobilization	1	LS	\$125,000.00	\$100,000.00	\$187,000.00	\$140,000.00
2	1 Million Gallon Reinforced Concrete Reservoir, Complete	1	LS	\$1,628,000.00	\$1,581,048.00	\$2,053,245.00	\$2,390,000.00
3	Reservoir Overflow and Storm Drain Piping, Complete	1	LS	\$130,000.00	\$325,439.00	\$57,200.00	\$132,000.00
<b>Total</b>				\$1,883,000.00	\$2,006,487.00	\$2,297,445.00	\$2,662,000.00
<b>COMMENTS</b>							

**DOCUMENT 00 52 00**

**AGREEMENT**

**PART 1 GENERAL**

**1.1 CONTRACTOR**

- A. Name: VanCon Inc.
- B. Address: 1825 North Mountain Springs Parkway, Springville, Utah 84663
- C. Telephone number: (801) 491-8898
- D. Facsimile number: (801) 491-8883
- E. E-Mail: emily@wedigutah.com

**1.2 OWNER**

- A. The name of the OWNER is Tooele City Corporation

**1.3 CONSTRUCTION CONTRACT**

- A. The Construction Contract is known as

**Berra Well 1 Million Gallon Reservoir**

**1.4 ENGINEER**

- A. Paul Hansen Associates, L.L.C. is the OWNER's representative and agent for this Construction Contract who has the rights, authority and duties assigned to the ENGINEER in the Contract Documents.

**PART 2 TIME AND MONEY CONSIDERATIONS**

**2.1 CONTRACT PRICE**

- A. The Contract Price includes the cost of the Work specified in the Contract Documents, plus the cost of all bonds, insurance, permits, fees, and all charges, expenses or assessments of whatever kind or character.

- B. The Schedules of Prices awarded from the Bid Schedule are as follows.
1. Base Bid.
  2. \_\_\_\_\_
  3. \_\_\_\_\_
  4. \_\_\_\_\_
- C. An Agreement Supplement [\_\_\_\_\_] is, [] is not attached to this Agreement.
- D. Based upon the above awarded schedules and the Agreement Supplement (if any), the Contract Price awarded is: One Million Eight Hundred Eight Three Thousand Dollars (\$1,833,000.00).

## 2.2 CONTRACT TIME

- A. All Work shall be substantially completed within 180 days of the Notice to Proceed, and fully complete within 190 days from the Notice to Proceed. *Note: Additional contract time will be considered for material supply chain delays which are appropriately documented.*

## 2.3 PUNCH LIST TIME

- A. The Work will be complete and ready for final payment within 5 days after the date CONTRACTOR receives ENGINEER's Final Inspection Punch List unless exemptions of specific items are granted by ENGINEER in writing or an exception has been specified in the Contract Documents.
- B. Permitting the CONTRACTOR to continue and finish the Work or any part of the Work after the time fixed for its completion, or after the date to which the time for completion may have been extended, whether or not a new completion date is established, shall in no way operate as a waiver on the part of the OWNER of any of OWNER's rights under this Agreement.

## 2.4 LIQUIDATED DAMAGES

- A. Time is the essence of the Contract Documents. CONTRACTOR agrees that OWNER will suffer damage or financial loss if the Work is not completed on time or within any time extensions allowed in accordance with Part 12 of the General Conditions. CONTRACTOR and OWNER agree that proof of the exact amount of any such damage or loss is difficult to determine. Accordingly, instead of requiring any such proof of damage or specific financial loss for late

completion, CONTRACTOR agrees to pay the following sums to the OWNER as liquidated damages and not as a penalty.

1. **Late Contract Time Completion:**

Five Hundred dollars and 00 cents (\$ 500.00 ) for each day or part thereof that expires after the Contract Time until the Work is accepted as Substantially Complete as provided in Article 14.5 of the General Conditions.

2. **Late Punch List Time Completion:** 50% of the amount specified for Late Contract Time Completion for each day or part thereof if the Work remains incomplete after the Punch List Time. The Punch List shall be considered delivered on the date it is transmitted by facsimile, hand delivery or received by the CONTRACTOR by certified mail.

3. **Interruption of Public Services:** No interruption of public services shall be caused by CONTRACTOR, its agents or employees, without the ENGINEER's prior written approval. OWNER and CONTRACTOR agree that in the event OWNER suffers damages from such interruption, the amount of liquidated damages stipulated below shall not be deemed to be a limitation upon OWNER's right to recover the full amount of such damages.

Five Hundred dollars and 00 cents (\$ 500.00) for each day or part thereof of any utility interruption caused by the CONTRACTOR without the ENGINEER's prior written authorization.

4. **Survey Monuments:** No land survey monument shall be disturbed or moved until ENGINEER has been properly notified and the ENGINEER's surveyor has referenced the survey monument for resetting. The parties agree that upon such an unauthorized disturbance it is difficult to determine the damages from such a disturbance, and the parties agree that CONTRACTOR will pay as liquidated damages the sum of (\$500.00) to cover such damage and expense.

5. **Deduct Damages from Moneys Owed CONTRACTOR:** OWNER shall be entitled to deduct and retain liquidated damages out of any money which may be due or become due the CONTRACTOR. To the extent that the liquidated damages exceed any amounts that would otherwise be due the CONTRACTOR, the CONTRACTOR shall be liable for such amounts and shall return such excess to the OWNER.

**PART 3 EXECUTION**

**3.1 EFFECTIVE DATE**

A. OWNER and CONTRACTOR execute this Agreement and declare it in effect as of the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**3.2 CONTRACTOR'S SUBSCRIPTION AND ACKNOWLEDGMENT**

- A. CONTRACTOR's signature: \_\_\_\_\_
- B. Please print name here: \_\_\_\_\_
- C. Title: \_\_\_\_\_
- D. CONTRACTOR's Utah license number: \_\_\_\_\_

**Acknowledgment**

State of \_\_\_\_\_ )  
 ) ss.  
 County of \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

by \_\_\_\_\_  
(person acknowledging and title or representative capacity, if any).

\_\_\_\_\_  
Notary's signature

\_\_\_\_\_  
Residing at

\_\_\_\_\_  
My commission expires:

Notary's seal

**3.3 OWNER'S SUBSCRIPTION AND ACKNOWLEDGMENT**

- A. OWNER's signature: \_\_\_\_\_
- B. Please print name here: Debra E. Winn
- C. Title: Mayor

ATTEST:

---

Michelle Y. Pitt  
Tooele City Recorder

S E A L

APPROVED AS TO FORM

---

Roger Evans Baker  
Tooele City Attorney

END OF DOCUMENT

THIS PAGE LEFT BLANK INTENTIONALLY



## TOOELE CITY CORPORATION

### RESOLUTION 2022 - 38

#### **A RESOLUTION OF THE TOOELE CITY COUNCIL RATIFYING A CONTRACT WITH BROKEN ARROW INC. FOR THE 2022 ROADWAY IMPROVEMENT PROJECT.**

WHEREAS, Tooele City has more than 220 lane miles of public roadway located within the City limits for which it has maintenance; and,

WHEREAS, a significant number of those roadways require maintenance in varying levels of effort in order to maintain reasonably safe and convenient public access and to extend the life of those roadways; and,

WHEREAS, the Administration has elected to replace aging waterline within certain roadways while the roadway is being reconstructed; and,

WHEREAS, the City receives State roadway assistance (Road "C") funds together with additional funding from the State Legislature, which funds are to be used by the City for public roadway pavement maintenance and repair; and,

WHEREAS, funding of the waterline replacement will be through the culinary water revenue funds, and funding of the curb and gutter replacement will be through the storm water revenue fund; and,

WHEREAS, the City solicited public bids for construction of the 2022 Roadway Improvement Project in accordance with the procedures of §72-6-108, Utah Code Annotated, as amended; and,

WHEREAS, Broken Arrow Inc. has submitted a cost proposal of Eight Hundred Nine Thousand Five Hundred Forty-One Dollars and Forty Cents (\$809,541.40), which is the lowest responsible responsive bid; and,

WHEREAS, a copy of the Bid Tabulation and Agreement are attached as Exhibit A and Exhibit B, respectively; and,

WHEREAS, the City Administration requests an additional appropriation of 5% in the amount of Forty-One Thousand Dollars (\$41,000.00) as contingency for change orders for changed conditions which may arise during the Project, as reviewed and approved by the Mayor:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that

1. the agreement attached as Exhibit B with Broken Arrow Inc. is hereby ratified, in the amount of Eight Hundred Nine Thousand Five Hundred Forty-One Dollars and Forty Cents (\$809,541.40), for completion of the 2022 Roadway Improvement Project; and,

2. an additional Forty-One Thousand Dollars (\$41,000.00) contingency is hereby approved, which may be used for changed conditions as reviewed and approved by the Mayor.

This Resolution shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council  
this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

TOOELE CITY COUNCIL

(For)

(Against)

---

---

---

---

---

---

---

---

---

---

ABSTAINING: \_\_\_\_\_

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

---

---

ATTEST:

\_\_\_\_\_  
Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form:

\_\_\_\_\_  
Roger Evans Baker, Tooele City Attorney

EXHIBIT A

Bid Tabulation

## EXHIBIT B

Agreement: Broken Arrow Inc.

**2022 Roadway Improvement Project  
 BID TABULATION  
 April 5, 2022**

Item No.	Description	Estimated Quantity	Unit	Broken Arrow		Lyndon Jones Construction		Kilgore Contrating	
				Unit Bid Price	Total	Unit Bid Price	Total	Unit Bid Price	Total
<b>GENERAL</b>									
1	Mobilization	1	LS	\$62,115.00	\$62,115.00	\$86,300.00	\$86,300.00	\$147,500.00	\$147,500.00
<b>CULINARY WATER</b>									
2	Furnish and Install 8-Inch Diameter Waterline	1,250	LF	\$89.61	\$112,012.50	\$127.70	\$159,625.00	\$106.00	\$132,500.00
3	Furnish and Install Waterline Connections to Existing Line	1	LS	\$2,453.00	\$2,453.00	\$1,611.00	\$1,611.00	\$13,500.00	\$13,500.00
4	Furnish and Install Hot Tap Valves	3	Each	\$5,498.00	\$16,494.00	\$5,177.00	\$15,531.00	\$5,600.00	\$16,800.00
5	Remove and Replace Existing Fire Hydrant	2	Each	\$10,155.00	\$20,310.00	\$6,499.00	\$12,998.00	\$9,150.00	\$18,300.00
6	Furnish and Install New Fire Hydrant Assembly, Complete	4	Each	\$9,576.00	\$38,304.00	\$10,649.25	\$42,597.00	\$7,750.00	\$31,000.00
7	Remove and Replace Existing 1" Water Service Laterals	23	EA	\$3,494.00	\$80,362.00	\$3,413.00	\$78,499.00	\$5,325.00	\$122,475.00
<b>ROADWAY / CONCRETE</b>									
8	Remove and Dispose Existing Islands	2	Each	\$2,327.00	\$4,654.00	\$2,418.00	\$4,836.00	\$2,150.00	\$4,300.00
9	Demolition and Disposal of Existing Asphalt and Base	72,000	SF	\$0.74	\$53,280.00	\$0.67	\$48,240.00	\$1.15	\$82,800.00
10	Demolition and Disposal of Existing Curb & Gutter and Subbase	1,550	LF	\$12.39	\$19,204.50	\$5.48	\$8,494.00	\$10.50	\$16,275.00
11	Furnish and Install New Type "A" Curb & Gutter and Subbase	275	LF	\$71.74	\$19,728.50	\$52.00	\$14,300.00	\$56.50	\$15,537.50
12	Furnish and Install New Type "F" Curb & Gutter and Subbase	1,275	LF	\$71.14	\$90,703.50	\$60.04	\$76,551.00	\$74.50	\$94,987.50
13	Remove and Dispose Existing Drive Approach and Base	1,100	SF	\$4.63	\$5,093.00	\$1.69	\$1,859.00	\$5.75	\$6,325.00
14	Remove and Dispose Existing Waterway and Base	140	SF	\$12.71	\$1,779.40	\$6.25	\$875.00	\$12.00	\$1,680.00
15	Furnish and Install 8" Thick Concrete Waterway and Subbase	140	SF	\$20.90	\$2,926.00	\$31.50	\$4,410.00	\$26.25	\$3,675.00
16	Furnish and Install 3" Minimum Asphalt and 8" Minimum Thickness Roadbase	72,000	SF	\$3.65	\$262,800.00	\$3.85	\$277,200.00	\$2.90	\$208,800.00
17	Furnish and Install 3" Minimum Asphalt and 6" Minimum Thickness Roadbase for Private Drives	1,100	SF	\$4.77	\$5,247.00	\$14.57	\$16,027.00	\$6.50	\$7,150.00
18	Raise and Collar Existing Water Valves	7	Each	\$575.00	\$4,025.00	\$1,094.00	\$7,658.00	\$550.00	\$3,850.00
19	Raise and Collar Existing Sewer Manholes	10	Each	\$805.00	\$8,050.00	\$1,382.00	\$13,820.00	\$875.00	\$8,750.00
<b>Total</b>					<b>\$809,541.40</b>		<b>\$871,431.00</b>		<b>\$936,205.00</b>
<b>COMMENTS</b>									

**DOCUMENT 00 52 00**

**AGREEMENT**

**PART 1 GENERAL**

**1.1 CONTRACTOR**

- A. Name: Broken Arrow Inc.
- B. Address: 8960 Clinton Landing Road, Lakepoint, Utah 84074
- C. Telephone number: (801) 355-0527
- D. Facsimile number: (801) 282-5701
- E. E-Mail: dcummings@brokenarrowusa.com

**1.2 OWNER**

- A. The name of the OWNER is Tooele City Corporation

**1.3 CONSTRUCTION CONTRACT**

- A. The Construction Contract is known as

**2022 Roadway Reconstruction Project**

**1.4 ENGINEER**

- A. Paul Hansen Associates, L.L.C. is the OWNER's representative and agent for this Construction Contract who has the rights, authority and duties assigned to the ENGINEER in the Contract Documents.

**PART 2 TIME AND MONEY CONSIDERATIONS**

**2.1 CONTRACT PRICE**

- A. The Contract Price includes the cost of the Work specified in the Contract Documents, plus the cost of all bonds, insurance, permits, fees, and all charges, expenses or assessments of whatever kind or character.



B. The Schedules of Prices awarded from the Bid Schedule are as follows.

1. Base Bid.
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

C. An Agreement Supplement [\_\_\_\_\_] is, [] is not attached to this Agreement.

D. Based upon the above awarded schedules and the Agreement Supplement (if any), the Contract Price awarded is: Eight Hundred Nine Thousand Five Hundred Forty One Dollars and Forty Cents (\$809,541.40).

## 2.2 CONTRACT TIME

- A. Substantial Completion of the Work shall occur by October 1, 2022. Final completion shall occur by October 15, 2022.
- B. For any of the work areas included within the project, work shall be substantially completed within 45 days of commencement of work on that particular street.

## 2.3 PUNCH LIST TIME

- A. The Work will be complete and ready for final payment within 5 days after the date CONTRACTOR receives ENGINEER's Final Inspection Punch List unless exemptions of specific items are granted by ENGINEER in writing or an exception has been specified in the Contract Documents.
- B. Permitting the CONTRACTOR to continue and finish the Work or any part of the Work after the time fixed for its completion, or after the date to which the time for completion may have been extended, whether or not a new completion date is established, shall in no way operate as a waiver on the part of the OWNER of any of OWNER's rights under this Agreement.

## 2.4 LIQUIDATED DAMAGES

- A. Time is the essence of the Contract Documents. CONTRACTOR agrees that OWNER will suffer damage or financial loss if the Work is not completed on time or within any time extensions allowed in accordance with Part 12 of the General Conditions. CONTRACTOR and OWNER agree that proof of the exact amount of any such damage or loss is difficult to determine. Accordingly,

instead of requiring any such proof of damage or specific financial loss for late completion, CONTRACTOR agrees to pay the following sums to the OWNER as liquidated damages and not as a penalty.

1. **Late Contract Time Completion:**

Five Hundred dollars and 00 cents (\$ 500.00 ) for each day or part thereof that expires after the Contract Time until the Work is accepted as Substantially Complete as provided in Article 14.5 of the General Conditions.

2. **Late Punch List Time Completion:** 50% of the amount specified for Late Contract Time Completion for each day or part thereof if the Work remains incomplete after the Punch List Time. The Punch List shall be considered delivered on the date it is transmitted by facsimile, hand delivery or received by the CONTRACTOR by certified mail.

3. **Interruption of Public Services:** No interruption of public services shall be caused by CONTRACTOR, its agents or employees, without the ENGINEER's prior written approval. OWNER and CONTRACTOR agree that in the event OWNER suffers damages from such interruption, the amount of liquidated damages stipulated below shall not be deemed to be a limitation upon OWNER's right to recover the full amount of such damages.

Five Hundred dollars and 00 cents (\$ 500.00) for each day or part thereof of any utility interruption caused by the CONTRACTOR without the ENGINEER's prior written authorization.

4. **Survey Monuments:** No land survey monument shall be disturbed or moved until ENGINEER has been properly notified and the ENGINEER's surveyor has referenced the survey monument for resetting. The parties agree that upon such an unauthorized disturbance it is difficult to determine the damages from such a disturbance, and the parties agree that CONTRACTOR will pay as liquidated damages the sum of (\$500.00) to cover such damage and expense.

5. **Deduct Damages from Moneys Owed CONTRACTOR:** OWNER shall be entitled to deduct and retain liquidated damages out of any money which may be due or become due the CONTRACTOR. To the extent that the liquidated damages exceed any amounts that would otherwise be due the CONTRACTOR, the CONTRACTOR shall be liable for such amounts and shall return such excess to the OWNER.

**PART 3 EXECUTION**

**3.1 EFFECTIVE DATE**

A. OWNER and CONTRACTOR execute this Agreement and declare it in effect as of the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**3.2 CONTRACTOR'S SUBSCRIPTION AND ACKNOWLEDGMENT**

A. CONTRACTOR's signature: \_\_\_\_\_

B. Please print name here: \_\_\_\_\_

C. Title: \_\_\_\_\_

D. CONTRACTOR's Utah license number: \_\_\_\_\_

**Acknowledgment**

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

by \_\_\_\_\_  
(person acknowledging and title or representative capacity, if any).

\_\_\_\_\_  
Notary's signature

\_\_\_\_\_  
Residing at

\_\_\_\_\_  
My commission expires: Notary's seal

**3.3 OWNER'S SUBSCRIPTION AND ACKNOWLEDGMENT**

A. OWNER's signature: \_\_\_\_\_

B. Please print name here: Debra E. Winn

C. Title: Mayor

ATTEST:

---

Michelle Y. Pitt  
Tooele City Recorder

S E A L

APPROVED AS TO FORM

---

Roger Evans Baker  
Tooele City Attorney

END OF DOCUMENT

THIS PAGE LEFT BLANK INTENTIONALLY

**TOOELE CITY CORPORATION**

**RESOLUTION 2022-39**

**A RESOLUTION OF THE TOOELE CITY COUNCIL ADOPTING THE FIRE DEPARTMENT ANALYSIS REPORT PREPARED BY THE CENTER FOR PUBLIC SAFETY MANAGEMENT LLC.**

WHEREAS, on August 18, 2021, the City Council approved Resolution 2021-83, authorizing a comprehensive analysis of fire services in Tooele City by the Center for Public Safety Management LLC (“CPSM”); and,

WHEREAS, CPSM presented its draft report to the City Council during a work meeting on April 6, 2022; and,

WHEREAS, excerpts of the 154-page CPSM Fire Department Analysis Report are attached hereto as Exhibit A; and,

WHEREAS, the City Administration and City Council desire to adopt the CPSM Report as a guiding document for Tooele City in its management of the Tooele City Fire Department, and find that doing so is in the best interest of Tooele City and its residents and businesses:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that the CPSM Fire Department Analysis Report referenced herein and excerpted in Exhibit A is hereby adopted.

This Resolution shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Council this \_\_\_\_ day of \_\_\_\_\_, 2022.

TOOELE CITY COUNCIL

(For)

(Against)

---

---

---

---

---

---

---

---

---

---

ABSTAINING: \_\_\_\_\_

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

---

---

ATTEST:

\_\_\_\_\_  
Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form:

\_\_\_\_\_  
Roger Evans Baker, City Attorney



## Exhibit A

# CPSM Fire Department Analysis Report

# FIRE DEPARTMENT ANALYSIS REPORT

---

City of Tooele, Utah

*Draft Report—March 2022*



## CPSM<sup>®</sup>

---

CENTER FOR PUBLIC SAFETY MANAGEMENT, LLC  
475 K STREET NW, STE. 702 • WASHINGTON, DC 20001  
WWW.CPSM.US • 716-969-1360

### ICMA

Exclusive Provider of Public Safety Technical Services for  
International City/County Management Association

# THE ASSOCIATION & THE COMPANY

---

The International City/County Management Association is a 103-year old, nonprofit professional association of local government administrators and managers, with approximately 13,000 members located in 32 countries.

Since its inception in 1914, ICMA has been dedicated to assisting local governments and their managers in providing services to its citizens in an efficient and effective manner. ICMA advances the knowledge of local government best practices with its website ([www.icma.org](http://www.icma.org)), publications, research, professional development, and membership. The ICMA Center for Public Safety Management (ICMA/CPSM) was launched by ICMA to provide support to local governments in the areas of police, fire, and emergency medical services.

ICMA also represents local governments at the federal level and has been involved in numerous projects with the Department of Justice and the Department of Homeland Security.

In 2014, as part of a restructuring at ICMA, the Center for Public Safety Management (CPSM) was spun out as a separate company. It is now the exclusive provider of public safety technical assistance for ICMA. CPSM provides training and research for the Association's members and represents ICMA in its dealings with the federal government and other public safety professional associations such as CALEA, PERF, IACP, IFCA, IPMA-HR, DOJ, BJA, COPS, NFPA, and others.

The Center for Public Safety Management, LLC, maintains the same team of individuals performing the same level of service as when it was a component of ICMA. CPSM's local government technical assistance experience includes workload and deployment analysis using our unique methodology and subject matter experts to examine department organizational structure and culture, identify workload and staffing needs, and align department operations with industry best practices. We have conducted over 420 such studies in 46 states and provinces and over 300 communities ranging in population from 8,000 (Boone, Iowa) to 800,000 (Indianapolis, Ind.).

Thomas Wieczorek is the Director of the Center for Public Safety Management. Leonard Matarese serves as the Director of Research & Program Development. Dr. Dov Chelst is the Director of Quantitative Analysis.

# CENTER FOR PUBLIC SAFETY MANAGEMENT PROJECT CONTRIBUTORS

---

Thomas J. Wieczorek, Director

Leonard A. Matarese, Director, Research & Project Development

Dov Chelst, Ph.D. Director of Quantitative Analysis

Joseph E. Pozzo, Senior Manager

James Mauney, Senior Associate

Xianfeng Li, Data Analyst

Dennis Kouba, Senior Editor

# CONTENTS

---

- Tables ..... 5
- Figures ..... 7
- Section 1. Introduction..... 1
  - Recommendations ..... 4
- Section 2. Agency Review and Characteristics..... 10
  - Department Overview and Organizational Structure ..... 10
  - Governance and Administration ..... 11
  - Fiscal Resources ..... 15
  - Service Area ..... 17
- Section 3. Fire Department Programs and Services ..... 19
  - Facilities ..... 19
  - Fleet ..... 30
  - Training Programs ..... 35
  - Community Risk Reduction Programs ..... 38
- Section 4. All-Hazards Risk Assessment of the Community ..... 43
  - Demographics..... 43
  - Environmental Factors ..... 48
  - Building and Target Hazard Risks..... 49
    - Industrial Depot ..... 51
  - Transportation Factors ..... 54
  - Fire and Fire-Related Risk ..... 58
  - EMS Risk ..... 59
  - ISO Rating ..... 59
  - Community Loss and Save Information ..... 64
    - Fire Incident Demand..... 64
  - Resiliency..... 69
  - Risk Categorization ..... 73
- Section 5. Emergency Deployment and Performance ..... 81
  - Fire Operations Overview ..... 81
    - NFPA 1720 ..... 83
    - NFPA 1500, and Two-In/Two-Out..... 87
    - TCFD Response Times ..... 89
  - TCFD Staffing Model ..... 92
  - Mutual Aid ..... 99

Section 6. Conclusion .....	102
Contemporary Fire Service Leadership .....	104
Moving Forward .....	106
Section 7. Data Analysis .....	113
Methodology .....	113
Aggregate Call Totals and Runs .....	114
Calls by Type .....	114
Calls by Type and Duration .....	116
Average Calls by Month and Hour of Day .....	117
Units Arriving at Calls .....	119
Workload: Runs and Total Time Spent .....	121
Runs and Deployed Time – All Units .....	121
Workload by Location .....	125
Workload by Unit .....	127
Analysis of Busiest Hours .....	131
Response Time .....	133
Response Time by Type of Call .....	134
Response Time Distribution .....	137
Attachment I: Actions Taken .....	139
Attachment II: Fire Suppression Units Arriving at Calls .....	140
Attachment III: Fire Mutual Aid .....	141
Attachment IV: 2019 & 2020 Comparison .....	143

# TABLES

---

TABLE 2-1: TCFD Operational Standard Operating Guidelines .....	14
TABLE 2-2: TCFD Administrative Standard Operating Guidelines .....	15
TABLE 2-3: TCFD Budgeted Amounts for FYs 2020, 2021, and 2022 .....	16
TABLE 2-4: TCFD FY 22 Line Item Budget .....	16
TABLE 2-5: TCFD Capital Budget Plan, Fiscal Years 2020, 2021, and 2022 .....	17
TABLE 3-1: Proposed Phased Construction Approach to New Station 3 .....	22
TABLE 3-2: TCFD Station Apparatus Assignments .....	23
TABLE 3-3: TCFD Fleet .....	31
TABLE 3-4: Fleet Replacement and Refurbishment Recommendations .....	34
TABLE 3-5: Community Risk Reduction Activity, 2018–2021 .....	41
TABLE 4-1: Tooele City Environmental Hazards .....	48
TABLE 4-2: Fire Call Types 2019* .....	58
TABLE 4-3: Fire Call Types, 2020 and 2021* .....	58
TABLE 4-4: All Call Types and Duration of Calls .....	70
TABLE 4-5: Top 10 Hours with the Most Calls Received .....	70
TABLE 4-6: Call Workload by Station and Unit .....	71
TABLE 4-7: Frequency of Overlapping Calls .....	71
TABLE 4-8: Calls by Call Type and Number of Arriving Fire Suppression Units .....	71
TABLE 4-9: Event Probability .....	73
TABLE 4-10: Consequence to Community Matrix .....	74
TABLE 4-11: Impact on TCFD .....	75
TABLE 5-1: NFPA 1720 Staffing for Effective Response Force, Residential Structure .....	84
TABLE 5-2: Critical Tasking in an Urban Demand Zone, Single-Family Dwelling .....	86
TABLE 5-3: Critical Tasking in a Suburban Demand Zone, Single-Family Dwelling .....	86
TABLE 5-4: Critical Tasking in a Rural Demand Zone, Single-Family Dwelling .....	87
TABLE 5-5: 80th and 90th Percentile Response Time of First Arriving Unit .....	91
TABLE 5-6: Emergency Scene Accountability–NFPA 1500 and NFPA 1561 .....	96
TABLE 5-7: Tooele City Mutual Aid Agreements .....	99
TABLE 5-8: Mutual Aid Provided .....	99
TABLE 5-9: Mutual Aid Received .....	100
TABLE 6-1: Recommendations In Order Of Priority .....	107
TABLE 7-1: Call Types .....	114
TABLE 7-2: Calls by Type and Duration .....	116
TABLE 7-3: Calls by Call Type and Number of Arriving Units .....	119
TABLE 7-4: Annual Runs and Deployed Time by Run Type .....	121
TABLE 7-5: Average Deployed Minutes by Hour of Day .....	123
TABLE 7-6: Annual Workload by Location .....	125
TABLE 7-7: Structure and Outside Fire Runs by Location .....	125
TABLE 7-8: Call Workload by Unit .....	127



TABLE 7-9: Annual Runs by Run Type and Unit.....	128
TABLE 7-10: Average Deployed Minutes by Run Type and Unit.....	129
TABLE 7-11: Frequency Distribution of the Number of Calls.....	131
TABLE 7-12: Top 10 Hours with the Most Calls Received.....	131
TABLE 7-13: Frequency of Overlapping Calls.....	131
TABLE 7-14: Average Response Time of First Arriving Unit, by Call Type.....	134
TABLE 7-15: 80th and 90th Percentile Response Times of First Arriving Unit, by Call Type.....	134
TABLE 7-16: Average, 80th, and 90th Percentile Response Time of First Arriving Unit, by Time of Day.....	136
TABLE 7-17: Cumulative Distribution of Response Time – First Arriving Unit – Outside and Structure Fires.....	138
TABLE 7-18: Actions Taken Analysis for Structure and Outside Fire Calls.....	139
TABLE 7-19: Calls by Call Type and Number of Arriving Fire Suppression Units.....	140
TABLE 7-20: Mutual Aid Given.....	141
TABLE 7-21: Mutual Aid Received.....	142
TABLE 7-22: Number of Calls by Month and Year.....	143
TABLE 7-23: Response Time Components (in Minutes) by Month and Year.....	143
TABLE 7-24: Unit Runs and Workload by Year.....	144

# FIGURES

FIGURE 2-1: TCFD Vision, Mission, Core Values ..... 10

FIGURE 2-2: TCFD Organizational Chart ..... 11

FIGURE 2-3: City of Tooele Organizational Chart ..... 12

FIGURE 2-4: Tooele City Regional Map..... 18

FIGURE 2-5: City of Tooele and TCFD Primary Fire Service Area ..... 18

FIGURE 3-1: TCFD Station 1 ..... 21

FIGURE 3-2: TCFD Station 2 ..... 21

FIGURE 3-3: Proposed Fire Station 3 Floor Plan (Through Phase III) ..... 23

FIGURE 3-4: Current Station Locations and Proposed Station 3 ..... 24

FIGURE 3-5: 1.5-Mile Coverage Diamonds: Current Station Locations Plus Station 3 Addition ..... 26

FIGURE 3-6: 1.5-Mile Coverage Diamonds: Stations 2 and 3 Only; Stations 2 and 3 with Station 1 Relocated ..... 27

FIGURE 3-7: Available Parcels: 1100 West and 200 South ..... 28

FIGURE 3-8: Coverage Diamonds: Stations 1 and 3 Configuration for Engines (1.5 Miles) and Ladders (2.5 Miles) ..... 29

FIGURE 4-1: Tooele City Population by Age Groups ..... 44

FIGURE 4-2: Tooele City Population Growth Projections ..... 45

FIGURE 4-3: Tooele City Land Use Map ..... 46

FIGURE 4-4: Tooele City Conceptual Residential Growth ..... 47

FIGURE 4-5: Tooele City Industrial Depot Large Footprint Buildings ..... 52

FIGURE 4-6: Tooele City Industrial Depot Footprint ..... 53

FIGURE 4-7: Tooele City Road Network and Level of Service ..... 55

FIGURE 4-8: Tooele City Bus Routes ..... 56

FIGURE 4-9: Rail in Tooele City ..... 57

FIGURE 4-10: PPC Ratings in the United States ..... 61

FIGURE 4-11: PPC Ratings in the United States ..... 61

FIGURE 4-12: Fire Incident Demand Density (All Fire Calls) ..... 66

FIGURE 4-13: Fire Incident Demand Density (Structure and Outside Fires) ..... 67

FIGURE 4-14: Other Fire-Related Incident Demand Density ..... 68

FIGURE 4-15: False Alarm Incident Demand Density ..... 69

FIGURE 4-16: Calls by Hour of Day ..... 72

FIGURE 4-17: Three-Axis Risk Calculation (RC) ..... 76

FIGURE 4-18: Low Risk ..... 77

FIGURE 4-19: Moderate Risk ..... 78

FIGURE 4-20: High Risk ..... 79

FIGURE 4-21: Special Risk ..... 80

FIGURE 5-1: Tooele City NFPA 1720 Demand Zones ..... 85

FIGURE 5-2: Two-In/Two-Out Interior Firefighting Model\* ..... 88

FIGURE 5-3: Fire Growth from Inception to Flashover ..... 90

FIGURE 5-4: NFPA 1720 Response Time Performance Measures ..... 90

FIGURE 5-5: Location of Current TCFD Members with Fire Stations .....	93
FIGURE 5-6: Accountability Boards .....	97
FIGURE 6-1: TCFD Organizational Chart with Full-Time Fire Chief .....	106
FIGURE 7-1: Calls by Type .....	115
FIGURE 7-2: Average Calls by Month.....	117
FIGURE 7-3: Calls by Hour of Day.....	118
FIGURE 7-4: Calls by Number of Arriving Units.....	119
FIGURE 7-5: Average Deployed Minutes by Hour of Day .....	124
FIGURE 7-6: Average Response Time of First Arriving Unit, by Call Type .....	135
FIGURE 7-7: Cumulative Distribution of Response Time – First Arriving Unit – Outside and Structure Fires .....	137
FIGURE 7-8: Calls by Number of Arriving Fire Suppression Units .....	140
FIGURE 7-9: Average Deployed Minutes by Hour of Day and Year .....	145

# SECTION 1. INTRODUCTION

---

The Center for Public Safety Management (CPSM) was retained by the City of Tooele, Utah, to complete a comprehensive analysis of the city's fire services. This analysis is designed to provide the city with a thorough and unbiased review of fire services provided by the Tooele City Fire Department (TCFD). This report documents this analysis, and includes our findings and observations, a comprehensive data and community risk analysis, and recommendations structured to improve services and move the department forward.

During our study, we analyzed operational, administrative, and performance data provided by the TCFD, and we also examined first-hand the department's operations. CPSM found the TCFD to be open and transparent about its operations. Officers and members with whom the project team interacted were passionate about their volunteer service to the community. In fact, CPSM did not encounter a single member who was not enthusiastic about what they do with regards to the TCFD and the community. All TCFD members are to be commended for their volunteer service and their commitment to the citizens of their community.

The project team conducted an on-site visit on January 24 and 25, 2022, for the purpose of observing fire department and agency-connected supportive operations; interviewing key fire department and city staff; examining the city's building, rail, and transportation risks; and reviewing department operations. Virtual and phone meetings were held throughout the study with senior fire staff and the Mayor's office where CPSM project staff could affirm project information and elicit further discussion regarding our administrative and operational analysis.

A component of the on-site visit included two stakeholder meetings with TCFD department members. The first (January 24, 2022) was with active and senior members of the department and also included the Mayor and her staff. The purpose of this meeting was to inform the members about the study, answer their questions, and engage in a discussion about the department. The second stakeholder meeting (January 25, 2022) included current officers of the TCFD. The purpose of this meeting was to discuss the operational and response aspects of the department. Discussion also included the fleet, facility issues and locations, fireground accountability, radio communications, equipment, training, and past budget requests.

The CPSM project team, while reviewing information and discussing operations with department members, always seeks first to understand existing operations, then to identify ways the department can improve efficiency, effectiveness, and safety for both its members as well as the community it serves.

A significant component of this analysis is the completion of an All-Hazard Risk Assessment of the Community. The All-Hazard Risk Assessment of the Community contemplates many factors that cause, create, facilitate, extend, and enhance risk in and to a community. The risk analysis conducted by CPSM for Tooele considers the impact of each risk or factor utilizing a three-axis approach. The three-axis approach to evaluating risk includes the *probability* of the event, *consequences* to the community, and *impact* on the organization, in this case the TCFD. Factors that are discussed in the risk assessment are:

- Population and demographics.
- The environment.
- Buildings located in the city (the built upon environment).

- Transportation to include road, rail, and mass transit.
- Targeted building/occupancy hazard.
- Fire- and EMS-related risks.
- Incident demand.

CPSM measured and reported on these risks individually and as a whole.

Other significant components of this report are an analysis of the Community Risk Reduction component of the department, member training and education, optimal facility location for a more favorable deployment of department resources, current deployment of resources and the performance of these resources in terms of response times and the single TCFD fire management zone; response patterns; department resiliency (ability to handle more than one incident); critical tasking elements for specific incident responses; and assembling an effective response force. CPSM analyzed these items and is providing recommendations where applicable to improve service delivery and for future planning purposes.

In summation, a comprehensive risk assessment and review of deployable assets and operational response culture and activities are critical aspects in determining how prepared a fire department is and how it will react when the alarm comes in. First, these reviews will assist the TCFD in quantifying the risks that it faces. Second, the TCFD will be better equipped to determine if the current response resources are sufficient, equipped, trained, and optimally positioned. The factors that drive the service needs are examined and then link directly to discussions regarding the assembling of an effective response force and when contemplating the response capabilities needed to adequately address the existing risks, which encompasses the component of critical tasking.

The CPSM project team identified a number of area that need to be addressed by the TCFD and the city, and which resulted in our recommendations These are:

- The TCFD needs to strengthen its administrative, operational, training, and program-related guidelines and oversight.
- The department needs to complete and review its required record keeping such as fire reports and training records.
- There is a need to address fire facilities, optimum facility locations, and what resources are deployed from each facility.
- The department and city need to address the TCFD's aging and aged-out fleet.
- The department must address the training, education, and state fire certifications for firefighters, officers, fire instructors, fire inspectors, and those participating in and leading special operations.
- The department needs to address the inconsistent manner in which it performs fire code inspections from year to year.
- Deficiencies in the 2020 Insurance Services Office's Public Protection Classification report must be addressed.
- The TCFD must ensure that it can assemble an Effective Response Force to perform critical tasks on the fireground as benchmarked against the National Fire Protection Association (NFPA) 1720 standard.

- There is an immediate need to address the lack of formal, policy-driven, emergency scene accountability through a coordinated effort led by the Incident Commander and in accordance with national standards.
- There is an immediate need to strengthen the ability for all on-scene personnel to communicate or be with a crew who can communicate with the dispatch center, incoming units, and Incident Command.

In the conclusion section of this analysis, CPSM provides additional information on each of the areas the CPSM project team has identified that need to be addressed by the TCFD and the city, as well as a matrix of the recommendations in priority order that CPSM recommends the city and the TCFD follow as they move forward to address the areas of concern identified in this analysis.

This analysis contains a series of observations and recommendations provided by CPSM which are intended to help the TCFD deliver services more efficiently and effectively. CPSM recognizes there may be recommendations and considerations offered that first must be budgeted for, or for which processes must be developed prior to implementation. CPSM also acknowledges the recommendations may be adopted in whole, in part, or rejected by the department and city.

§ § §

## RECOMMENDATIONS

---

Following is a summary of CPSM recommendations in the order in which they appear in this report. *We provide our suggestions for the priority order of implementation of these recommendations on pages 107–112.*

### *Governance and Administration*

*(See discussion on pages 11–15.)*

CPSM recommends the following regarding TCFD Standard Operating Guidelines (SOGs):

- The TCFD should label each SOG with the following information:
  - Date approved/implemented.
  - Date revised.
  - Fire Chief signature.
  - Label Operational SOGs as “O” with a corresponding SOG number (O-1, O-2, etc.).
  - Label Administrative SOGs as “A” with a corresponding SOG number (A-1, A-2, etc.).
- The TCFD should incorporate, where applicable, City Code of Ordinances in references.
- The TCFD should work with the city’s Human Resources Director, Finance Director, and other city departments as appropriate and incorporate city human resources, fiscal policies, risk management, purchasing, and other guidelines as applicable into TCFD SOGs.

### *Facilities*

*(See discussion on pages 19–30.)*

- CPSM recommends as a planning objective (over 1 to 3 years) that the city continue with its plan to construct a new Station 3.

CPSM further recommends the City review and consider the following fire facility alternatives to achieve optimal coverage in the city:

- The city construct Station 3 in its entirety and not in phases so that this station is fully functional when opened to meet current and future operational needs. CPSM recommends the TCFD deploy, at a minimum, a primary engine company and a primary ladder company out of Station 3, along with a primary engine company and a primary ladder company out of Station 2. In this scenario Station 1 is closed.
- The city should consider future fire facility planning and funding that relocates Station 1 south and west of its current location so as to provide deployment coverage to the south and west areas of the city. The city owns a parcel at the intersection of 1100 West and 200 South that will accommodate this facility. Once constructed and occupied, CPSM recommends the TCFD deploy at a minimum a primary engine company and a primary ladder company out of this location, a primary engine company out of Station 2, and a primary engine company and a primary ladder company out of Station 3. This configuration and deployment would provide optimal coverage of engine and ladder companies in the city. *CPSM views this as the most effective three-station model alternative.*

- In the short- to mid-term while considering a relocation of Station 1, and if the city desires to maintain a three station model, CPSM recommends the city maintain Station 1 without extensive remodeling so as to provide service to the west and southwest portions of the city. CPSM recommends the TCFD deploy at a minimum a primary engine company out of this location, a primary ladder company out of Station 2, and a primary engine company and a primary ladder company out of Station 3 as this configuration provides optimal coverage of engine and ladder companies in the city in the short- to mid-term as the city considers a relocation of Station 1.
- If the city chooses not to relocate Station 1 and maintain a two-station fire department, CPSM recommends the city construct Station 3 in its entirety, remodel Station 1, and close Station 2 as an operational deployment station due to its proximity to Station 1. This will achieve the most strategic two-station fire facility operational response coverage. CPSM recommends the TCFD then deploy a primary engine company and primary ladder company out of each of the two stations (1 and 3). Under this model, Station 1 will require, if conditions allow, the construction of an apparatus bay (north side of structure) that will accommodate a ladder apparatus. Station 2 can be repurposed as a shop/training facility and fire department annex for the storage of training and reserve apparatus and equipment.

## Fleet

(See discussion on pages 30–34.)

- CPSM recommends the TCFD and the city develop, over a one-year period, a fire apparatus replacement plan that follows apparatus age recommendations in accordance with NFPA 1901 standard, *Standard for Automotive Fire Apparatus*.

Planning objectives should include to the extent possible and based on funding:

- First-line apparatus should not exceed 15 years of service on the front line. Once an apparatus reaches this age, it should undergo a Level 1 refurbishing in accordance with NFPA 1912, *Standard for Fire Apparatus Refurbishing* (current standard) as a first alternative, or replacement if maintenance records and wear and tear warrant replacement.
- Apparatus in active/reserve status which is between 20 and 25 years old should comply with NFPA 1901 and undergo a Level 1 refurbishing in accordance with NFPA 1912 as an immediate planning objective if the department plans to continue to use this apparatus. All apparatus at the 25-year-old mark should be considered for replacement. Apparatus greater than 25 years old should be removed from service.
- Apparatus components which are either fixed or portable and which require annual testing—fire pumps, aerial ladder and aerial ladder assemblies, ground ladders, self-contained breathing apparatus to include personnel fit-testing, and fire hose—should be tested in accordance with manufacturer and industry specifications and standards, and proper records maintained at the department, the city and with the vendor.
- Based on the current age and condition of the TCFD fleet, CPSM proposes a fleet replacement plan as shown in the Table 3-4. This plan includes recommendations to remove two engine apparatus from service due to age, to replace one engine apparatus in the immediate future due to its age, to replace another engine in the next 12 to 24 months, and to refurbish one engine and one ladder over a 24 to 48 month period to gain more years of service for these two vehicles if mechanically sound and the bodies remain in good condition.



## Training

(See discussion on pages 35–38.)

- CPSM recommends the TCFD Fire Chief work with the city Human Resources Director and draft and implement, over an immediate six-month period, a formal Standard Operating Guidelines for training that include:
  - Standard state fire certifications for combat firefighters to include: Haz-Mat Awareness, Haz-Mat Operations, Firefighter I, Firefighter II, Wildland Firefighter I, and Emergency Vehicle Operator Course to include operating brush vehicle apparatus.
  - Standard state fire certifications for members who drive and operate the heavy fire apparatus to include: All certifications for combat firefighter plus Apparatus Driver Operator-Pumper (for those who drive the engine apparatus) and Apparatus Driver Operator-Aerial (for those who drive the ladder apparatus).
  - Standard state fire certifications for first-line officers (Lieutenants and Captains) to include: All certifications for combat firefighter plus Fire Officer I certification and Wild Land Firefighter II certification.
  - Standard state fire certifications for Chief Officers (Fire Chief, Assistant Chiefs) to include: All certifications for combat firefighter and first-line officers plus Fire Officer II at a minimum.
  - Standard state fire certifications for Training Officers to include: All certifications for combat firefighter plus Fire Instructor I at a minimum. It is further recommended the lead Training Officer have Fire Instructor II certification at a minimum.
  - Standard state fire certifications for Fire Inspectors and Fire Investigators to include: All certifications for combat firefighter plus Fire Inspector I at a minimum for Fire Inspectors, and Fire Investigator I for Fire Investigators. It is further recommended the lead Fire Inspector or person designated as the Fire Marshal have Fire Inspector II and Fire Investigator I certification at a minimum.
  - The Training Standard Operating Guidelines should also address the standard state certifications for members who take the lead in technical rescue components such as Rope Rescue, Ice Rescue, Trench Rescue, Collapse Rescue, Vehicle Rescue, and Machinery Rescue.
- The Training Standard Operating Guidelines should outline aggressive implementation goals and dates for each section of these recommendations, making combat firefighter, fire inspector, and fire officer (in this order) certification training the priority over the next 18 to 24 month period. The Guidelines should also contemplate how to manage members in all positions who do not meet the training certifications, to include any stipend they may be receiving, and how these Guidelines link to the recruitment and retention of current and future members.

## Community Risk Reduction

(See discussion on pages 38–42.)

- Community Risk Reduction is a city-wide public safety effort that includes fire prevention inspections and fire code enforcement, public safety education, and investigation of fires. The fire inspection program has certain state-and city-legislated requirements. As the department's current fire prevention inspection and fire code enforcement functions do not have a plan to meet the city's growing fire inspection demand and are not consistently

administered and managed as outlined in this analysis, CPSM recommends that the city hire a full-time Fire Marshal to lead and manage the Community Risk Reduction program. This program should include fire prevention inspections and fire code enforcement, the investigation of fires, and public fire education.

- In addition to formal education requirements deemed appropriate by the city's Human Resources Director commensurate with the position, the Fire Marshal candidate should have at a minimum the following Utah Fire and Rescue Academy state certifications when hired:
  - Firefighter II.
  - Officer II.
  - Fire Inspector II.
  - Fire Investigator.
- The Fire Marshal, once hired, should be required to obtain within 24 months the following Utah Fire and Rescue Academy state certifications:
  - Fire and Life Safety Educator I.
  - Fire Inspector III.
- CPSM recommends the Fire Marshal position be placed in the Community Development Department in the near term and until other recommendations in this analysis are evaluated and implemented.
- In conjunction with the hiring of a full-time Fire Marshal, CPSM recommends the city develop a fire prevention occupancy inspection plan in accordance with Chapter 5-1-8(2) of the City Code that specifies, by occupancy type and occupancy address, the frequency of fire inspections. The frequency of inspections should be either annual or bi-annual and based on the hazard or mechanical processes performed, life safety and vulnerability of the population in the occupancy, frequency of fire incidents, type of fire protection systems, and if it is a public assembly. The highest hazards and threat to life safety and vulnerable populations are recommended to be inspected annually and all others bi-annually. Included in this plan should be the initial inspection of businesses and occupancies issued a new Business License and those mandated by a state department to be inspected annually.
- CPSM further recommends the city maintain the cadre of part-time certified Fire Inspectors to assist the Fire Marshal in carrying out the fire inspection plan. It is also recommended the number of part-time Fire Inspectors be expanded to four and that at least two of these inspectors be certified by the Utah Fire and Rescue Academy as Fire Investigators so that trained and certified fire investigators are available to respond to TCFD fire incidents to determine the cause and origin of fires.

### *ISO Rating*

*(See discussion on pages 59–63.)*

- CPSM recommends the city and the TCFD develop a joint plan to address deficiencies in the current ISO Fire Service Rating Schedule review that was effective June 2020 and as outlined here regarding Fire Department Deployment Analysis, Company Personnel, Training (Facilities and Use, Company Training, New Driver and Operator Training, Pre-Fire Planning Inspection), and Water Supply (Inspection and Flow Testing).

## TCFD Staffing Model

(See discussion on pages 92–98.)

- CPSM recommends the TCFD adopt one or more of the response models outlined herein to ensure the most effective and immediate use of response resources and the safety of the public and firefighters. CPSM also recommends the TCFD develop a guideline that outlines the use of the Active911 wireless phone platform and make this system mandatory for all responders who have access to a wireless phone to ensure accountability of all responders. CPSM also recommends the TCFD migrates to a response model where apparatus responds with a minimum of three personnel, namely, a qualified driver/operator, an officer, and a qualified/certified firefighter as a platform for safety, greater on-scene effectiveness and accountability, and enhancement of assembling an Effective Response Force.
- CPSM recommends the TCFD immediately develop a personnel accountability guideline that incorporates individual and apparatus accountability tags as well as accountability boards in all apparatus and command vehicles. The personnel accountability guideline should incorporate language from NFPA standards 1720, 1500, and 1561.
- CPSM strongly recommends the TCFD develop a communications guideline that establishes no member may operate on the fireground alone, and all members must operate in a crew of at least two, of which one crew member must have a portable radio that is operating on the assigned tactical channel and is contact with the Incident Commander. It is further recommended each TCFD command vehicle have a bank of portable radios in addition to radios assigned to fire apparatus of sufficient numbers and that portable radios can be made available to responding volunteer members arriving in POVs to augment this communications guideline.

## Mutual Aid

(See discussion on pages 99-101.)

- CPSM recommends Tooele City conduct a comprehensive review of all fire protection service agreements. This review should include the development of new agreements with municipal and special district fire departments that the city currently provides or receives mutual aid to and from where a mutual aid agreement does not exist. The new agreements should define **service level response outside of a fire department's respective area and reciprocal equipment, or services** for these fire protection responses and services the city will provide. CPSM further recommends that each agreement have a sunset date that will trigger review and updating to address changes in fire protection services in Tooele City and those municipalities and special districts the city has an agreement with.

## Department Leadership

(See discussion on pages 104–105.)

- Based on the findings in this analysis that the city is a desirable place to live and will continue to grow with future residential and commercial development, and that the expected growth will increase response demand and bring new building and density risks to the city, and as the Tooele City Code codifies the TCFD as an administrative department of the city, and the Fire Chief position as a department head within the city government, and that the Mayor has direct supervision and responsibility over operations in the Fire Department, CPSM recommends the city consider hiring a full-time Fire Chief to lead and manage the TCFD.

- In addition to formal education requirements deemed appropriate by the city's Human Resources Director commensurate with the position, the Fire Chief candidate should have at minimum the following Utah Fire and Rescue Academy state certifications when hired:
  - Haz-Mat Awareness and Haz-Mat Operations.
  - Firefighter I and II.
  - Wildland Firefighter I and II.
  - Emergency Vehicle Operator Course.
  - Fire Officer I and II.
- CPSM does not recommend the minimization or deletion of the current succession of elected volunteer senior level officers (Fire Chief, Assistant Fire Chiefs) as these positions are needed to facilitate a contemporary fire department. What CPSM does recommend is the current Volunteer Fire Chief position be reclassified as the Deputy Fire Chief (Operations Chief) and the two Assistant Fire Chief positions remain intact. CPSM further recommends the full-time Fire Chief work with the Human Resources Director and develop job descriptions for these positions and all other officer and program positions the full time Fire Chief deems necessary while utilizing the certification recommendations already discussed in this analysis.
- CPSM also recommends if the city chooses to move forward this recommendation and the recommendation to hire a full-time Fire Marshal that the full-time Fire Marshal and his/her staff be included in the fire department and report to the full-time Fire Chief.
  - An alternative to hiring two full time positions (Fire Marshal and Fire Chief) is to combine the two positions into one. Under this alternative, The Fire Chief will also act as the City's Fire Marshal carrying out those job duties as well. The candidate should have the minimum education and Utah Fire and Rescue Academy state certifications for each position as outlined herein.

§ § §

# SECTION 2. AGENCY REVIEW AND CHARACTERISTICS

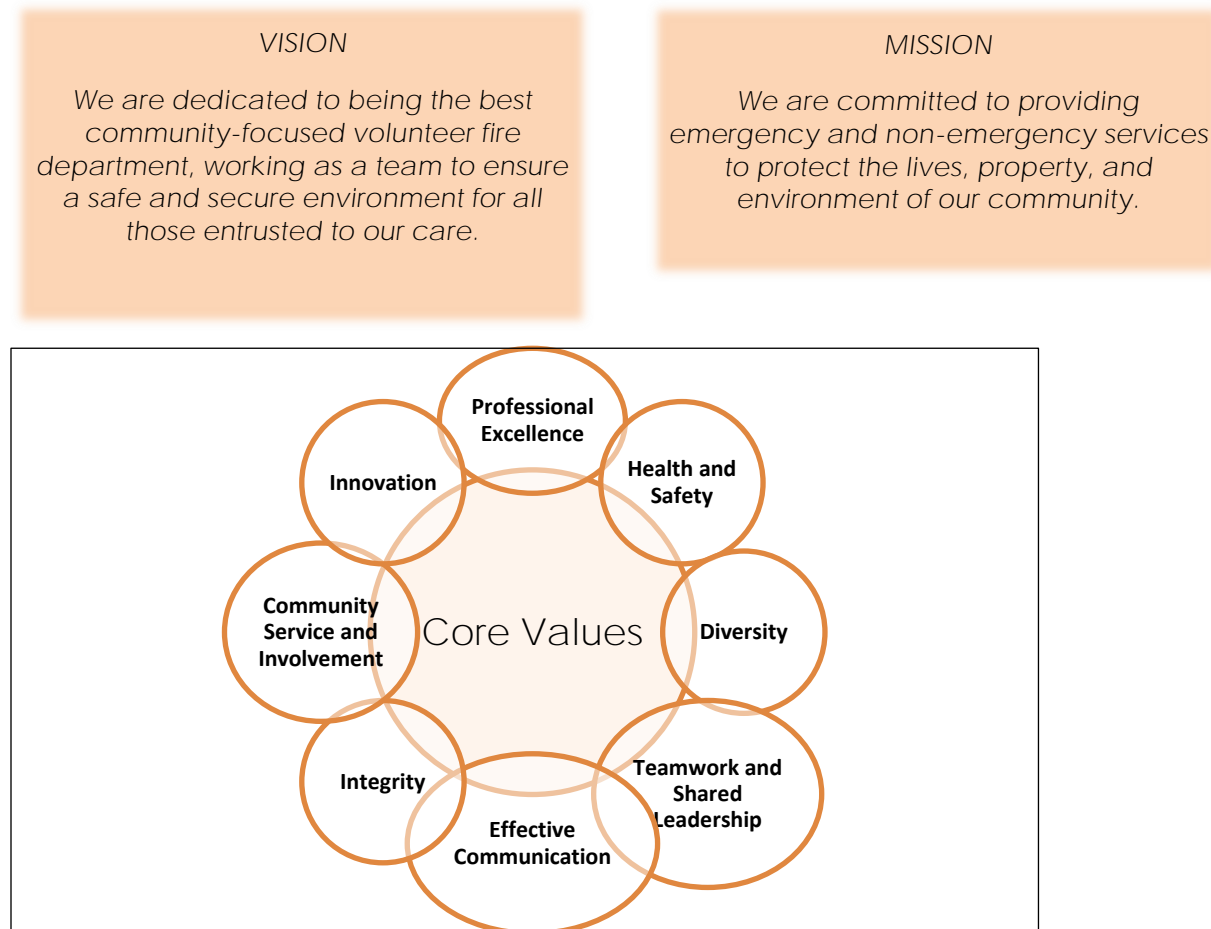
## Department Overview and Organizational Structure

Established in 1919, the Tooele City Fire Department (TCFD) provides fire services for the City of Tooele, Utah. The department has been proudly providing these services as a volunteer agency for more 100 years. Services include fire protection, community risk reduction, public education, and community engagement functions.

The TCFD membership is budgeted for fifty-five active members, which includes the Fire Chief, two Assistant Chiefs (one serving as the Fire Marshal), line Captains, line Lieutenants, and line firefighters. There are also more than 50 senior members who continue to support the organization as well as an auxiliary support organization made up of more than 25 members.

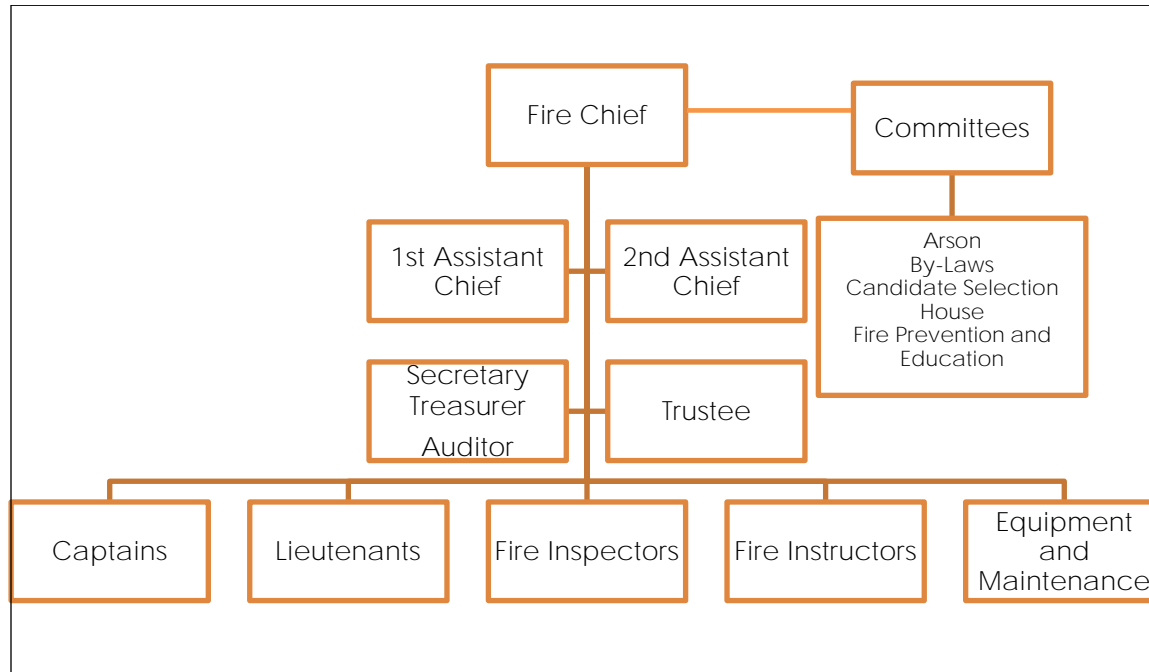
The TCFD has established a vision, mission, and core values, as follows:

FIGURE 2-1: TCFD Vision, Mission, Core Values



The next figure illustrates the functional organizational chart for the TCFD.

FIGURE 2-2: TCFD Organizational Chart



## Governance and Administration

The City of Tooele is governed under a home rule charter. While all other cities and towns in the state are governed under forms of government established by the state legislature, by voter referendum in 1965 the city established itself as a home rule charter city and therefore operates under its established rules of administration (not in conflict with the general law).<sup>1</sup>

Under the city charter, the elected City Council (Council) serves as the legislative body of the city. The elected Mayor serves as the Chief Executive Officer of the city. One member of the Council (as elected by the Council) serves as the Council Chairperson.

Section 2.06 of the charter establishes that the Mayor, with consent of the Council, shall appoint or designate department heads (or pursuant to Section 2-10 of the charter, remove a department head with consent of the Council). This includes the Fire Chief, who serves as the head of the fire department. Through Section 2-06 of the charter, the Mayor is charged with the responsibility to supervise all activities of city departments through each department head.<sup>2</sup>

Title 3-1-1 of the Tooele City Code establishes the fire department as a part of the Public Safety Department. Title 3-1-1 further establishes the fire department *shall consist of the Chief of the Department, one or more assistant chiefs, one or more chauffeurs or engineers and not to exceed fifty (50) men as call men who shall or may volunteer for such services and be accepted by a majority vote of the membership.*<sup>3</sup>

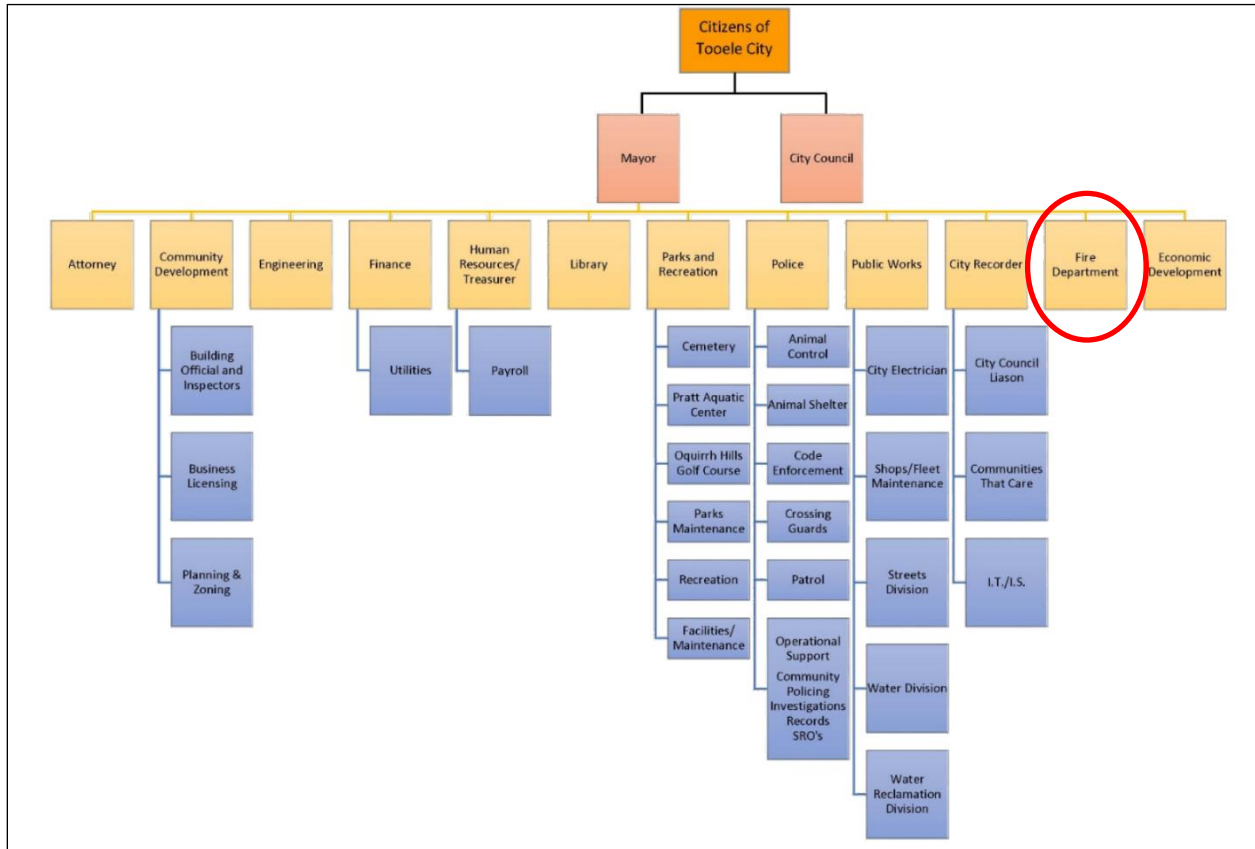
The next figure illustrates the city's organizational structure to show where the TCFD is slotted.

1 Tooele City Charter.

2 Ibid.

3 Tooele City Code.

FIGURE 2-3: City of Tooele Organizational Chart



Other significant Tooele City Codes that relate to the city's fire protection and community risk reduction include:

- 1-6-4(2): Powers Generally (Mayor), which states the Mayor will have direct supervision and responsibility over operations in the Finance Department, City Attorney's Office, City Recorder's Office, Human Resources Department, Police Department, Fire Department, City Hall, Community Development Department, Public Works Department, Parks and Recreation Department, Information Technology Department, Economic Development Department, and other administrative departments as may be created or amended from time to time.
- 1-6-4(4): Powers Generally (Mayor), which states the Mayor will oversee the issuing of building permits, the inspection of buildings, plumbing, and wiring, subject to uniform codes adopted by the city.
- 1-6-6: Officers, which states the Mayor shall appoint the following officers: city attorney, treasurer, police chief, fire chief, four members of the Planning Commission, all department heads except the city recorder, and members of advisory boards as provided by this Code, with the consent of the City Council, except as expressly permitted otherwise by the City Code or Utah Code.
- 3-1-4: Duties and Powers of the Fire Chief, which states the duty of extinguishing fires and of protecting life and property is entrusted to the Chief of the Fire Department. He may divide the City into Fire districts and make such rules and regulations, subject to the approval of the



Director of Public Safety for the government of all officers and members of the Department, as he may deem expedient. He may make suitable regulations under which the officers and members of the Department shall be required to wear an appropriate uniform or badge, by which, in case of fire and at other times, the authority and position in the Fire Department may be known. The Chief shall have the sole and entire command over all officers and members of the Department at fires. He shall have full charge at all times of all apparatus and appurtenances belonging to the Department, and he shall adopt such measures as he shall deem expedient for the extinguishment of fires, protection of property, or preservation of order and observance of the laws of the State, and for the enforcement of the duties required of him by law and the provisions of this Code. It shall be the duty of the Chief of the Department to inspect engines, hose and hook ladder equipment of the Fire Department.

- 3-1-5: Special Duties of the Fire Chief, which states it shall be especially the duty of the Chief of the Fire Department to see that at all times the provisions of this Code relating to the protection and regulations of property are strictly enforced, and also all provisions for the prevention of and the protection against fires.
- 3-1-18: Investigation, which states the Chief (or in his absence, his assistants in charge of the fire), shall, after its extinguishment, make a prompt and thorough investigation of the cause of the fire, the time of breaking out, the amount of loss and insurance, a description of the affected buildings and premises, and shall secure all other useful information and data available, and record the same in a book kept for that purpose in the office of the Department and shall report the same to the Public Safety Director at such times as he may direct.
- 3-1-27: Fires Outside City Limit, which states the Council may enter into cooperative agreements with the governing bodies of Cities, Towns and Counties of the State of Utah and in close proximity to the City to extinguish fires in any such areas outside the City limits of the City and may authorize the Fire Department under regulations established for that purpose to extinguish fires in such areas; and the City shall not be liable for any damage to persons or property resulting from firefighting equipment being outside the City limits pursuant to such agreements.
- 3-3-2: Enforcement (of the Fire Code), which was amended at the February 2, 2022, City Council meeting and states the "International Fire Code" and the "International Fire Code Standards" shall be enforced by the bureau of fire prevention in the Tooele City fire department in coordination with the Community Development Department.
- 3-5-1: Local Fire Officer, which states this ordinance authorizes the Tooele City Fire Chief, as the local fire officer for Tooele City, to prohibit open fires and the use of any ignition source when hazardous environmental conditions necessitate controlling the use thereof.
- 3-6-1: Purpose (Fire Code: Enforcement and Abatement), which states the purposes of this Chapter include the protection of the public life, health, safety, and general welfare, and the implementation of City administrative procedures for the protection of the public life, health, safety, and general welfare through the enforcement of this Title 3 (Fire) and of the International Fire Code and through the abatement of violations of this Title 3 and of the International Fire Code.
- 3-6-2: Declarations Regarding Violations of the Fire Code, which states it is hereby declared that violations of the Fire Code operate contrary to the purposes of this Chapter and constitute a threat to the public life, health, safety, and general welfare.



There also exists the TVFD (Tooele Volunteer Fire Department) Association, an independent non-profit organization that is separate from the TCFD. This organization is established as a business entity to accept charitable donations, funds from fundraising activities and donated public funds from the City. These donated funds from Tooele City are reflected in the annual budget line item #142000 (Table 2-4 below) and is used for the purpose of morale, welfare, and social services; which directly assists in the recruitment and retention of volunteer members.

The TCFD also has Standard Operation Guidelines (SOGs) that primarily govern the operational response components of the department. TCFD Administrative SOGs cover those items typical in public service such as expected behavior in general of a member, behavior within the fire facility, uniforms, and chain of command. The current SOGs are mostly dated 2020, with some dated 2021. By this dating system, it cannot be distinguished if these are the original implementation dates or if these are revision dates. Typically fire department SOGs are numbered and further separated as operational and administrative in the title. TCFD's documents do not have this identification system. *One strong point regarding the TCFD SOGs is that each has a reference listing of applicable fire service industry standards and benchmarks.* By this, members gain a better understanding of the SOG and can research references for additional learning opportunities.

The department's operational and administrative SOGs are described in the following two tables:

TABLE 2-1: TCFD Operational Standard Operating Guidelines

Carbon Monoxide Detection	Incident Command System	Non-Emergency Vehicle Operations	Responding in Privately Owned Vehicles
Confined Space Rescue Operations	Knots and Hoisting Tools	Overhaul Operations	Rope Rescue Operations
Elevator Rescue Operations	Knox Box Procedures	Personal Protective Equipment	Rules of Engagement
Emergency Vehicle Operations	Ladder Operations	Positive Pressure Ventilation	Salvage Operations
Fire Investigation Operations	Live Structure Fire Training	Radio Communications	Structure Fire Operations
Haz-Mat Operations	May Day Command Operations	Rapid Intervention Teams	Thermal Imaging Cameras
Hose Testing	May Day Firefighter Operations	Rehabilitation	Trench Rescue Operations
Ice Rescue Operations	Mutual Aid	Relay Pump Operations	Vehicle Extrication Operations
		Water Rescue Operations	Vehicle Fire Operations

§§§

TABLE 2-2: TCFD Administrative Standard Operating Guidelines

Department Ceremonial Procedures	Department Dress Uniforms	Fire Station House Rules
Department Chain of Command	Fire Service Standards	U.S. Flag Etiquette

## Recommendations:

CPSM recommends the following regarding TCFD Standard Operating Guidelines (SOGs):

- The TCFD should label each SOG with the following information:
  - Date approved/implemented.
  - Date revised.
  - Fire Chief signature.
  - Label Operational SOGs as “O” with a corresponding SOG number (O-1, O-2, etc.).
  - Label Administrative SOGs as “A” with a corresponding SOG number (A-1, A-2, etc.).
- The TCFD should incorporate, where applicable, City Code of Ordinances in references.
- The TCFD should work with the city's Human Resources Director, Finance Director, and other city departments as appropriate and incorporate city human resources, fiscal policies, risk management, purchasing, and other guidelines as applicable into TCFD SOGs.

Note that there are several additional SOG recommendations throughout this analysis.

## Fiscal Resources

The TCFD is funded primarily by the city through the general fund. Revenue in the general fund is generated from property tax and sales tax, as is typical throughout the country. Other revenues for TCFD are generated through a fee for fire inspections and a public safety impact fee assessment tied to new construction. The impact fee revenues can be applied to capital projects and equipment.

*The city owns, insures, and maintains the fire department's fleet and facilities. This is a substantial burden the volunteer fire department does not have to shoulder, which allows members to focus on the administration and operation of the department and not on the constant fundraising efforts typical of many volunteer fire departments across the country. This also shows the commitment the city has regarding the provision of fire protective services.*

The TCFD makes up about 2 percent of the city's general fund budget and is funded at \$469,272 in FY 2022. Funding has remained stable for TCFD through recent budget years, with small percentage increase or decreases, which typically are dependent on certain one-time requests or other line item increases or decreases from year to year. For example, in FY 2021 the budget increased due to the purchase/replacement of a light vehicle and increases in training and facility operational lines. The next table illustrates the budget for the TCFD in fiscal years 2020, 2021, and 2022.

TABLE 2-3: TCFD Budgeted Amounts for FYs 2020, 2021, and 2022<sup>4</sup>

	Actual FY 6/2020	Estimated FY 6/2021	Budget FY 6/2021	Recommend FY 6/2022	Approved FY 6/2022
<b>Fire Department (4222)</b>					
Salaries & Wages	89,857	92,015	89,136	97,566	97,566
Benefits	62,709	56,612	65,009	68,260	68,260
Operating Expenditures	313,929	248,419	380,297	303,447	303,447
<b>Total Fire Department</b>	<b>466,495</b>	<b>397,046</b>	<b>534,442</b>	<b>469,273</b>	<b>469,273</b>

The TCFD line item budget is further broken down as described in the next table.

TABLE 2-4: TCFD FY 22 Line Item Budget

4222 / FIRE DEPARTMENT							
ACCOUNT NUMBER	DESCRIPTION	ACTUAL FY 6/2020	ESTIMATED FY 6/2021	BUDGET FY 6/2021	REQUEST FY 6/2022	RECOMMEND FY 6/2022	APPROVED FY 6/2022
121002	PAID VOLUNTEERS	89,857	92,015	89,136	97,566	97,566	97,566
131000	EMPLOYEE BENEFITS	10,397	10,779	10,317	13,838	13,838	13,838
132000	LIFE INSURANCE	13,670	13,212	14,727	14,727	14,727	14,727
141000	UNIFORM ALLOWANCE	7,017	4,652	8,000	10,200	10,200	10,200
142000	NONWAGE COMPENSATION	31,625	27,969	31,965	29,495	29,495	29,495
211000	SUBSCRIPTIONS & MEMBERSHIPS	899	2,213	1,500	1,500	1,500	1,500
231000	TRAVEL AND TRAINING	10,490	0	30,000	30,000	30,000	30,000
241000	OFFICE EXPENSE	236	785	1,000	1,000	1,000	1,000
252000	OPERATION & MAINTENANCE	36,006	43,022	35,000	45,000	45,000	45,000
271000	BUILDING OPERATION & MAINTENANCE	6,065	12,005	30,000	20,000	20,000	20,000
272000	GROUNDS OPERATION & MAINTENANCE			500			
281000	ROCKY MOUNTAIN POWER	4,711	2,315	4,000	3,000	3,000	3,000
282000	QUESTAR GAS	6,186	5,984	7,200	6,500	6,500	6,500
283000	TOOELE CITY WATER PURCHASES	1,110	1,110	1,110	1,110	1,110	1,110
283001	TOOELE CITY SEWER FEES	528	528	528	528	528	528
292000	WIRELESS COMMUNICATIONS	9,583	10,805	15,500	28,500	20,000	20,000
481000	SPECIAL DEPARTMENTAL SUPPLIES	31,084	44,315	32,680	45,000	45,000	45,000
486004	HOMELAND SECURITY GRANT EXPENSES	32,152		15,250			
610000	MISCELLANEOUS EQUIPMENT	44,109	10,803	30,000	30,000	30,000	30,000
741000	MACHINERY & EQUIPMENT	22,228	21,825	37,000	37,000	37,000	37,000
744000	OFFICE FURNITURE & EQUIPMENT			2,000			
748000	AUTOS AND TRUCKS (CHIEFS VEHICLES)	37,764	20,184	66,250			
911071	TRANSFER - FIRE DEPT TRUST FUND (71)	70,779	72,529	70,779	62,809	62,809	62,809
4222	<b>TOTAL FIRE DEPARTMENT</b>	<b>466,495</b>	<b>397,046</b>	<b>534,442</b>	<b>477,773</b>	<b>469,273</b>	<b>469,273</b>

While it is a volunteer department, the TCFD does have certain members who receive a stipend for performing specific duties beyond that of the regular member. These members are the Fire Chief and Assistant Chiefs, fire inspectors, training coordinator, facilities and fleet/equipment maintenance coordinators, and the department secretary. The following describes the stipend amount for each.

- Fire Chief (1)                                      \$334.56 biweekly                                      \$8,699 annualized
- Assistant Chiefs (2)                                      \$308.81 biweekly                                      \$8,029 annualized
- Fire Inspector (4)                                      \$190.47 biweekly                                      \$4,952 annualized<sup>5</sup>
- Equipment/Fleet (3)                                      \$272.82 biweekly                                      \$7,093 annualized
- Facilities Upstairs (1)                                      \$180.22 biweekly                                      \$4,686 annualized

4. Tooele City Adopted Budget Book-FY 2022.

5. The Fire Inspector stipend has been tolled by the Mayor due to issues identified herein with this extra duty to include training and consistency with completing inspections. The Mayor hired three certified Fire Inspectors on a part-time basis to carry out the requirements of Fire Prevention Inspections.

- Facilities Downstairs (1)      \$247.08 biweekly      \$6,424 annualized
- Secretary (1)                      \$247.08 biweekly      \$6,424 annualized

Other allowances include cellular phones (7 phones: \$3,360 annualized) and a Fire Chief miscellaneous allowance of \$600/year. In total, TCFD stipends (with benefit costs), cellular phones and Fire Chief allowance total \$192,900 in the current year.

The city also budgets for TCFD capital projects. Major capital projects funded include the replacement of Self-Contained Breathing Apparatus (SCBAs), lease payments on a new ladder truck, and the funding for the proposed new Station 3, which is discussed at length in another section of this analysis. The next table describes fire department capital funding for FYs 2020, 2021, and 2022.

TABLE 2-5: TCFD Capital Budget Plan, Fiscal Years 2020, 2021, and 2022

FY20		FY21		FY22	
Capital Projects Fund (41) - SCBAs	\$333,792	Capital Projects Fund (41) – New Building (Allocated but Not Spent)	\$300,000	Capital Projects Fund (41) – New Building (Less cost of study)	\$2,300,000
Impact Fee Fund (45) - Ladder Truck Lease	\$75,271	Impact Fee Fund (45) - Ladder Truck Lease	\$75,271	Impact Fee Fund (45) - Ladder Truck Lease	\$75,271
RDA Fund (75) – Ladder Truck Lease	\$75,271	RDA Fund (75) - Ladder Truck Lease	\$75,271	RDA Fund (75) - Ladder Truck Lease	\$75,271
FY20 Fire Dept. Expenditures in other Funds	\$484,334	FY21 Fire Dept. Expenditures in other Funds	\$450,542	FY22 Fire Dept. Expenses Budgeted in other Funds	\$2,450,542

CPSM has no immediate recommendations here regarding the budget for the TCFD. In other sections of this analysis we will put forth recommendations that will have an impact on the funding and budgeting of the TCFD in future budget years, should the city adopt these recommendations in whole or in part.

## Service Area

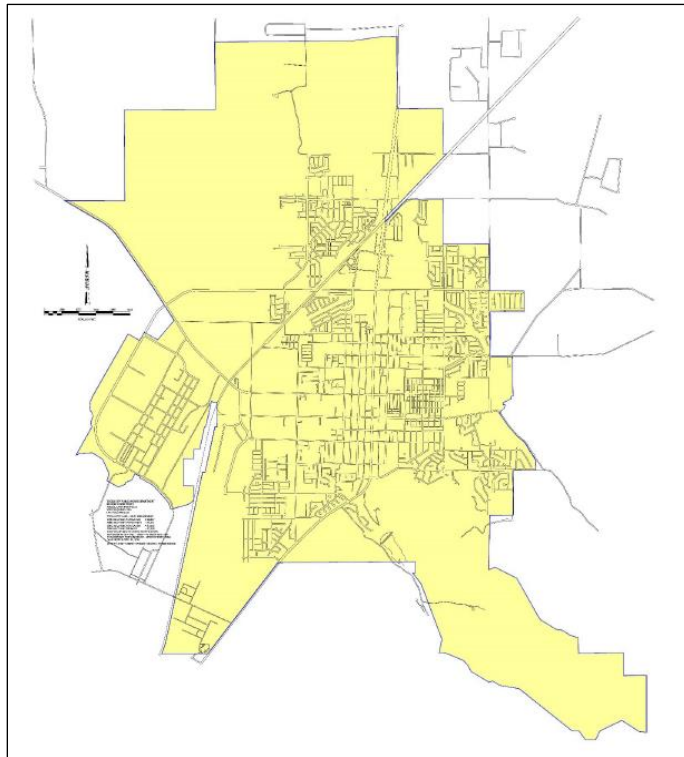
The municipal boundaries of Tooele City encompass an area of just over 21 square miles. The city is located in the northeast portion of Tooele County and lies approximately 30 minutes southwest of Salt Lake City, as illustrated in the next figure.

FIGURE 2-4: Tooele City Regional Map



The next figure illustrates the municipal boundaries of the city, which also is the primary fire service area of the TCFD.<sup>6</sup>

FIGURE 2-5: City of Tooele and TCFD Primary Fire Service Area



6. Map Sources: Tooele City Adopted Budget Book-FY 2022.

# SECTION 3. FIRE DEPARTMENT PROGRAMS AND SERVICES

---

## FACILITIES

---

Fire facilities must be designed and constructed to accommodate both current and forecast trends in fire service vehicle type and manufactured dimensions. A facility must have sufficiently-sized bay doors, circulation space between garaged vehicles, departure and return aprons of adequate length and turn geometry to ensure safe response, and floor drains and oil separators to satisfy environmental concerns. Station vehicle bay areas should also consider future tactical vehicles that may need to be added to the fleet to address forecast response challenges, even if this consideration merely incorporates civil design that ensures adequate parcel space for additional bays to be constructed in the future.

Personnel-oriented needs in fire facilities must enable performance of daily duties in support of response operations. For personnel, fire facilities must have provisions for vehicle maintenance and repair; storage areas for essential equipment and supplies; space and amenities for administrative work, training, physical fitness, laundering, meal preparation, and personal hygiene/comfort; and—where a fire department is committed to minimize “turnout time”—bunking facilities.

A fire department facility may serve as a *de facto* “safe haven” during local community emergencies, and serve as likely command center for large-scale, protracted, campaign emergency incidents. Therefore, design details and construction materials and methods should embrace a goal of having a facility that can perform in an uninterrupted manner despite prevailing climatic conditions and/or disruption of utilities. Programmatic details, such as the provision of an emergency generator connected to automatic transfer switching—even going as far as to provide tertiary redundancy of power supply via a “piggyback” roll-up generator with manual transfer (should the primary generator fail)—provide effective safeguards that permit the fire department to function fully during local emergencies when response activity predictably peaks.

Personnel/occupant safety is a key element of effective station design. This begins with small details such as the quality of finish on bay floors and nonslip treads on stairwell steps to decrease tripping/fall hazards, or use of hands-free plumbing fixtures and easily disinfected surfaces/countertops to promote infection control. It continues with installation of specialized equipment such as an exhaust recovery system to capture and remove cancer-causing by-products of diesel fuel exhaust emissions. A design should thoughtfully incorporate best practices for achieving a safe and hygienic work environment.

An ergonomic layout and corresponding space adjacencies in a fire station should seek to limit the travel distances between occupied crew areas to the apparatus bays. Likewise, facility design should carefully consider complementary adjacencies, such as lavatories/showers in proximity of bunk rooms, desired segregations, and break rooms or fitness areas that are remote from sleeping quarters. Furnishings, fixtures, and equipment selections should be thoughtfully considered in view of the around-the-clock occupancy of fire facilities. Durability is essential, given the accelerated wear and life cycle of systems and goods in facilities that are constantly occupied and operational.



Sound community fire-rescue protection requires the strategic distribution of fire station facilities to ensure that effective service area coverage is achieved, that predicted response travel times satisfy prevailing community goals and national best practices, and that the facilities are capable of supporting mission-critical personnel and vehicle-oriented requirements and needs. Additionally, depending on a fire-rescue department's scope of services, size, and complexity, other facilities may be necessary to support emergency communications, personnel training, fleet and essential equipment maintenance and repair, and supply storage and distribution.

National standards such as NFPA 1500, *Standard on Fire Department Occupational Safety, Health, and Wellness Program*, outlines standards that transfer to facilities such as infection control, personnel and equipment decontamination, cancer prevention, storage of protective clothing, and employee fitness. NFPA 1851, *Standard on Selection, Care, and Maintenance of Protective Ensembles for Structural Firefighting and Proximity Fire Fighting*, further delineates laundering standards for protective clothing and station wear. Laundry areas in fire facilities continue to evolve and are being separated from living areas to reduce contamination. Factors such as wastewater removal and air flow also need to be considered in a facility design.

The TCFD operates out of two facilities located in the central area of the city, and in near proximity to each other. Each station houses response apparatus from which crews assemble and respond 365 days a year. TCFD stations serve as operational centers for the department and locations for training and equipment maintenance. These stations also serve the community when needed, and certain administrative functions occur out of each. Station 1 serves as the main administrative facility for the department.

Station 1 (see following figure) is the oldest of the two facilities (constructed in 1957) and consists of just under 7,200 square feet (3,595 square-foot footprint) and three apparatus bays. In July 2000, the city commissioned a remodel and seismic evaluation cost study to determine the feasibility of renovating the current Station 1 due to age, space, and infrastructure issues, or constructing a new facility on the existing site. This led to an additional study in April 2021 that identified costs for a phased approach to constructing a new facility in the northern area of the city.

§ § §

FIGURE 3-1: TCFD Station 1



Station 2 (see next figure) was constructed in 1997 and consists of 4,440 square feet; it has 2.5 apparatus bays (approximately 2,750 square feet) and assorted workspaces.

FIGURE 3-2: TCFD Station 2



One solution to the concerns about Station 1 (age, ability to fit ladder apparatus, ability to expand/remodel) is to construct a new Station 3 in the northern area of the city. It has been



proposed that a new Station 3 be constructed in phases as outlined in the following table. Funding for this capital project is as follows: FY 21-22, \$300,000; FY 22-23, \$2,300,000.

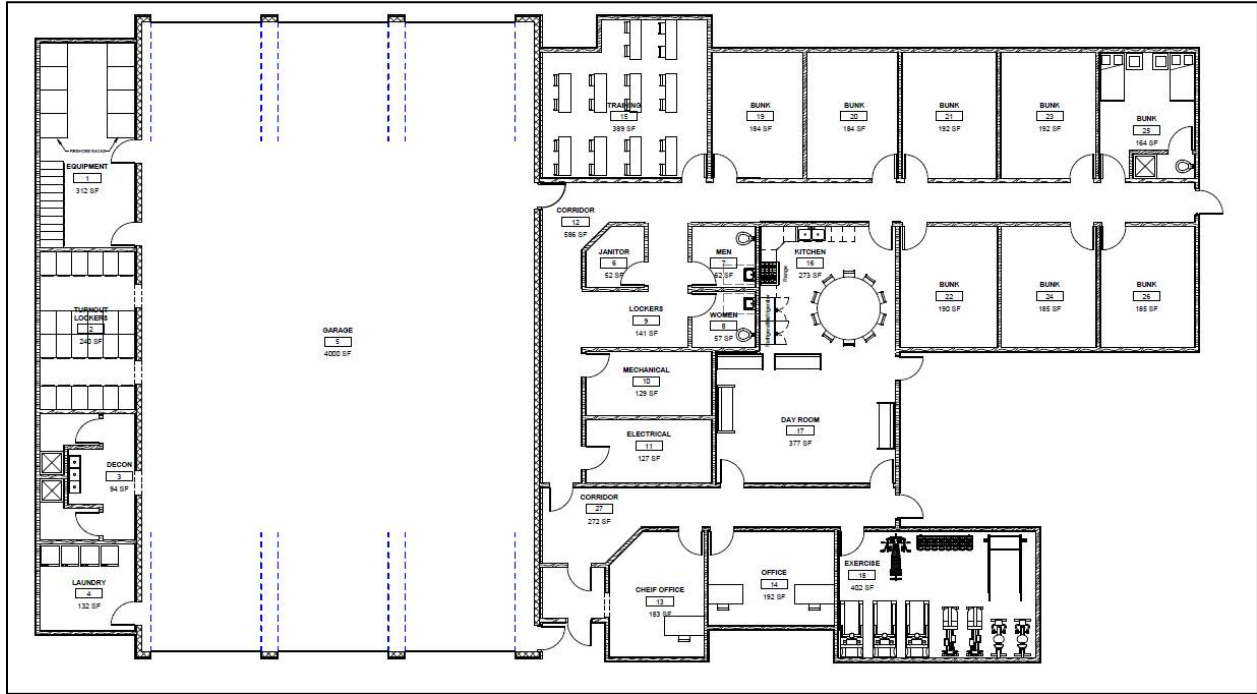
TABLE 3-1: Proposed Phased Construction Approach to New Station 3

<p>Phase I Immediate Needs</p>	<ul style="list-style-type: none"> <li>■ Fire Bays (storage of apparatus).</li> <li>■ Turnout Room (personal protective gear storage).</li> <li>■ Laundry Room and Decontamination Room.</li> <li>■ Equipment Rooms.</li> <li>■ Restrooms and Custodial Closet.</li> <li>■ Mechanical Room and Electrical Room.</li> <li>■ Site design (to include parking (10 stalls), generator, apparatus apron).</li> </ul>
<p>Phase II Near-Future Needs</p>	<ul style="list-style-type: none"> <li>■ Chief's Office and Office Space.</li> <li>■ Entry/Vestibule.</li> <li>■ Kitchen and Dayroom.</li> <li>■ Training Room.</li> <li>■ Additional Parking (30 stalls).</li> </ul>
<p>Phase III Longer Term Needs</p>	<ul style="list-style-type: none"> <li>■ Bunk Rooms with shower/restroom facilities.</li> <li>■ Exercise Room.</li> <li>■ Parking (4 additional stalls).</li> <li>■ Air-Med Facility (1,300 square-foot facility with 24/7 living areas).</li> </ul>

The next figure illustrates the proposed floor plan through Phase III of the fire station project (does not include the Air-Med facility).

§ § §

FIGURE 3-3: Proposed Fire Station 3 Floor Plan (Through Phase III)



The following table shows assigned apparatus to each of the current stations.

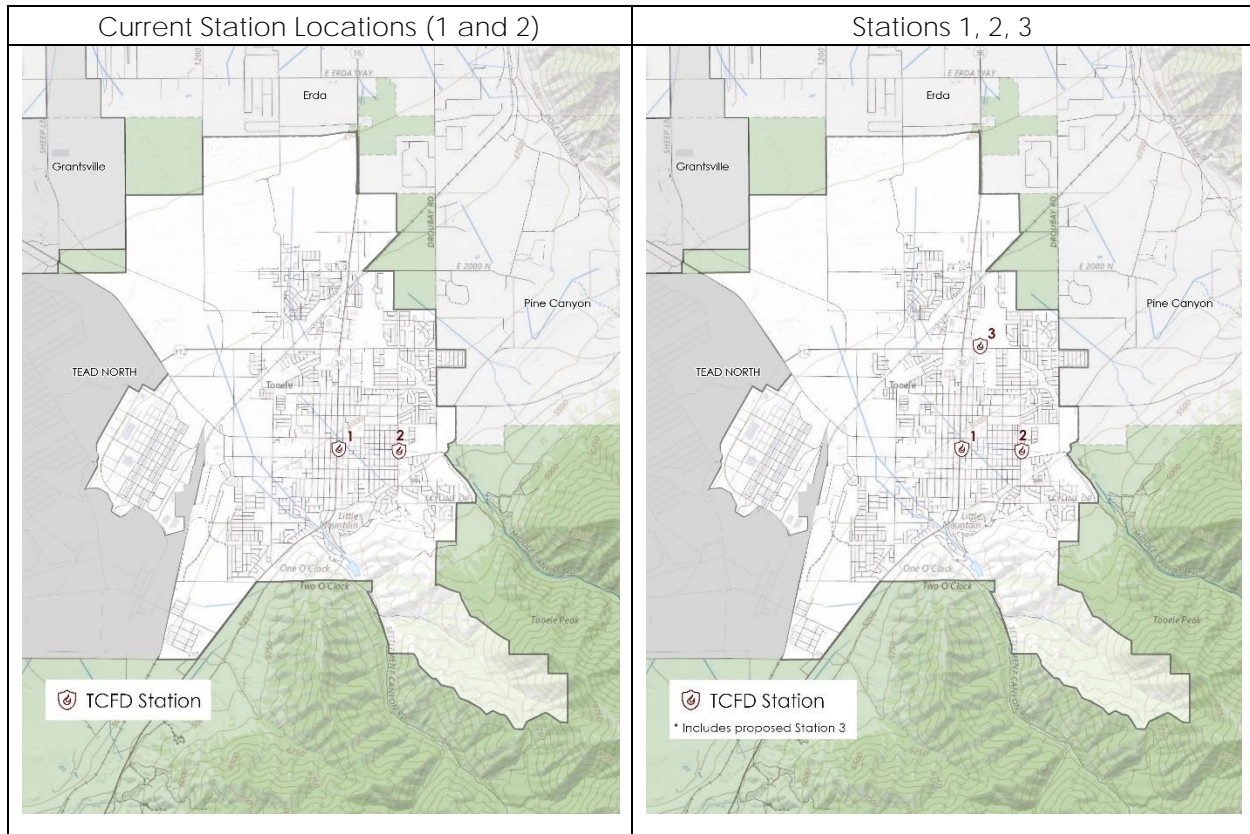
TABLE 3-2: TCFD Station Apparatus Assignments

Station 1	Station 2
Engine 9 - 209	Ladder 22 - 222
Engine 14 - 214	Ladder 24 - 224
Engine 20 - 220	Brush Truck 15 - 215
Engine 21 - 221	Brush Truck 16 - 216
Brush Truck 17 - 217	Brush Truck 23 - 223
Brush Truck 19 - 219	

Figure 3-4 on the next page illustrates the locations of the two existing stations, and the location of a proposed Station 3.

§ § §

FIGURE 3-4: Current Station Locations and Proposed Station 3



The TCFD would like to maintain Station 1 at its current location and renovate this facility, or construct a new facility in the proximity of the current Station 1 after the new Station 3 is completed. This plan would create a three-station alignment in the city; emergency apparatus would respond out of all three stations. *CPSM does not recommend remodeling Station 1 in a three-station deployment model in the long term. Rather, as a long-term planning objective, the department and city should look at relocating this station to the south and west when future funding becomes available. See further discussion below.*

CPSM reviewed the locations of the current stations, as well as the addition of Station 3. As already stated, sound community fire-rescue protection requires the strategic distribution of fire station facilities to ensure that effective service area coverage is achieved, that predicted response travel times satisfy prevailing community goals and national best practices, and that the facilities can support mission-critical personnel and vehicle-oriented requirements and needs now and into the future.

Maintaining Station 1 in the current location is not strategic in terms of distance between existing fire facilities and providing improved coverage. Improved coverage should be the goal of new station construction and/or remodeling of a current facility. Under the current plan for Station 3, the distances between existing facilities and the proposed location for Station 3 are as follows:

- Station 1 and Station 2: 0.9 miles
- Station 1 and Station 3: 1.5 miles
- Station 2 and Station 3: 1.9 miles

An additional benchmark is the ISO Public Protection Classification rating system. Under this system, one element a jurisdiction is graded on is the distribution within built-upon areas of engine companies and ladder companies (deployment analysis). For full credit in the Fire Suppression Rating Schedule (FSRS), a jurisdiction's fire protection area with residential and commercial properties should have a first-due engine company within 1.5 road miles and a ladder service company within 2.5 road miles.<sup>7</sup>

As engine and ladder companies both respond from fire facilities, and because engine companies are the more prevalent fire suppression company, fire facilities are predictably sited based on the response needs of engine companies. Given this, the following figures illustrate the current 1.5-mile deployment of each fire station (utilizing a 1.5-mile parallelogram or diamond shape, where all sides are equal), and then recommendations to achieve a more strategic fire facility siting plan.

The next figure illustrates the current station configuration with 1.5-mile coverage diamonds and the TCFD proposed three-station alignment with the new Station 3. When reviewing the figure, keep in mind that it may not be possible, because of the way municipal boundaries have been drawn and redrawn, to cover the entire built-upon area utilizing the 1.5 mile diamond coverage method.

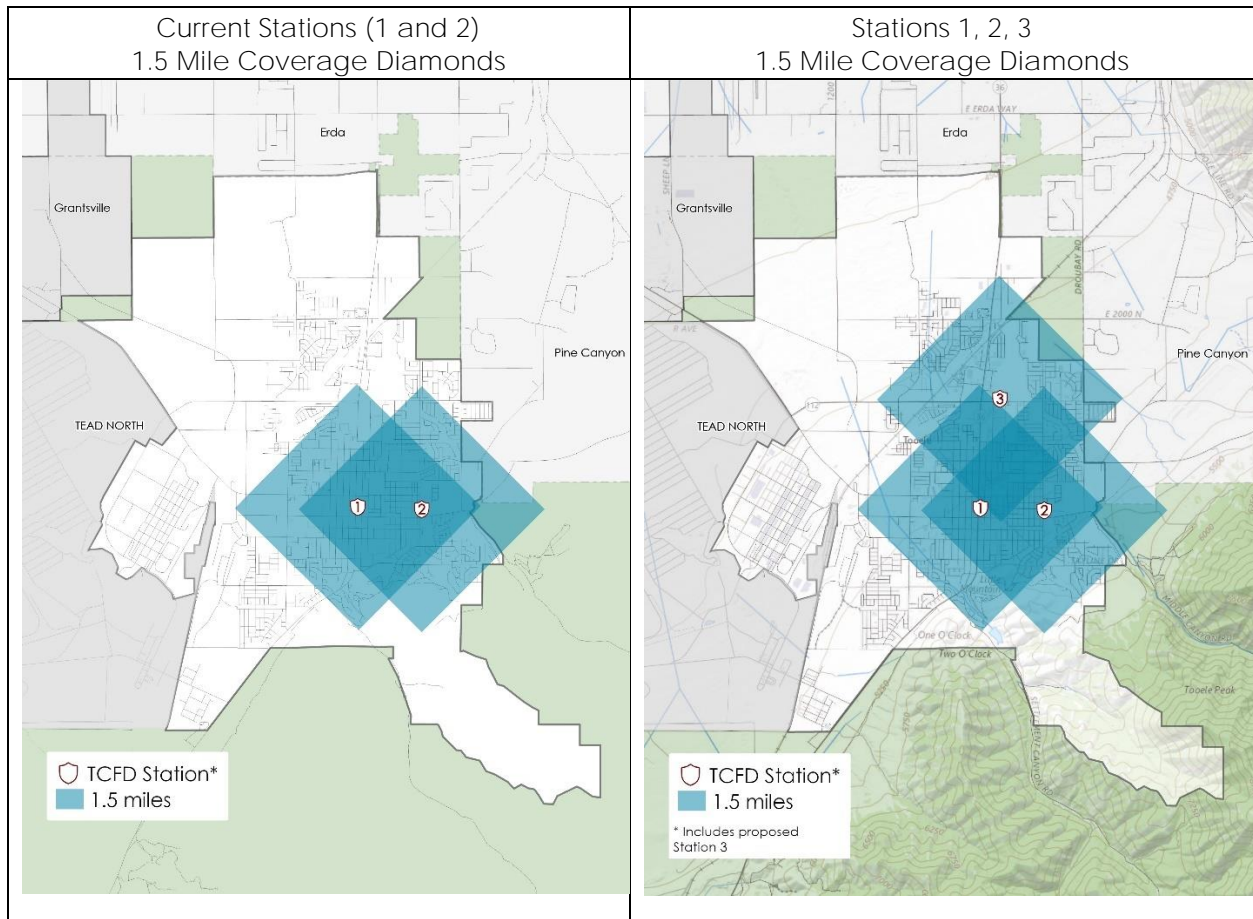
Because the current station locations are centralized in one area of the city (central and south central built-upon areas), coverage for other parts of the city is lacking under the 1.5-mile coverage diamond modeling. This points to the need for a new facility and/or relocation of fire facilities. The addition of Station 3 expands the 1.5-mile ISO benchmark to the north and northeast, which provides considerable improvement in coverage in these areas.

§ § §

---

7. Insurance Services Office, ISO Mitigation, Deployment Analysis.

FIGURE 3-5: 1.5-Mile Coverage Diamonds: Current Station Locations Plus Station 3 Addition

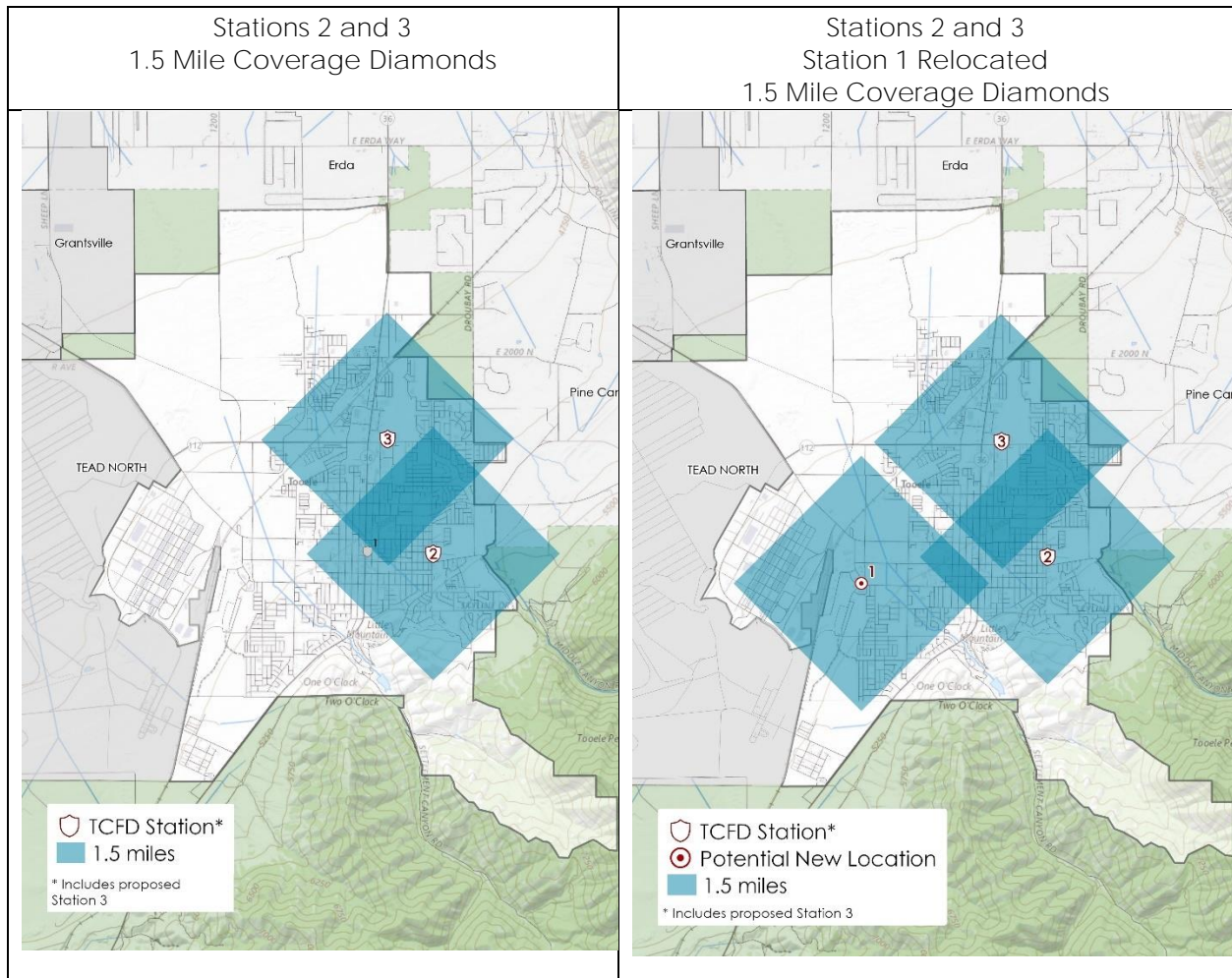


The next figure illustrates how the 1.5-mile coverage diamonds cover the city if Stations 2 and 3 become the primary fire facilities (a two-station model). The second part of the figure illustrates how three fire facilities would align with a new Station 3 and Station 1 relocated to the south and west of its current location.

§ § §



FIGURE 3-6: 1.5-Mile Coverage Diamonds: Stations 2 and 3 Only; Stations 2 and 3 with Station 1 Relocated



The above figure shows that a two-station model with Stations 2 and 3 provides coverage to the north and south central and eastern portions of the city. The 1.5-mile station coverage would still not exist for the southwest and western built-upon areas. However, moving Station 1 to a location south and west of its current location would provide considerable improvement in coverage. *This is the optimal three-station alignment.*

Site selection for a relocated Station 1 fire facility, if the city chooses to move in this direction in the future, should consider the most strategic location that best serves the purpose of covering the built-upon areas in the currently uncovered areas. The city informed CPSM that city-owned land is available at the intersection of 1100 West and 200 South where a fire station could be sited. Based on the mapping analysis herein, CPSM does see the site at the intersection of 1100 West and 200 South as an effective and advantageous location for a fire station to close the gap on timely response and other metrics such as NFPA and ISO to south and west built-upon areas of the city. The next figure illustrates the two parcels on which the city could consider placing a fire station in the future.

FIGURE 3-7: Available Parcels: 1100 West and 200 South



Another consideration if the city does not favor a three-station alignment is a two-station alignment utilizing the new Station 3 location, remodeling Station 1, and closing station 2 as an emergency response location due to its proximity to Station 1. *This achieves the best coverage utilizing the 1.5 mile diamonds for engine companies and 2.5 mile diamonds for ladder companies of a two-station fire department.* Under this model, Station 2 can be repurposed as a primary training and shop facility, and for the storage of reserve equipment that otherwise cannot be stored at the primary stations.

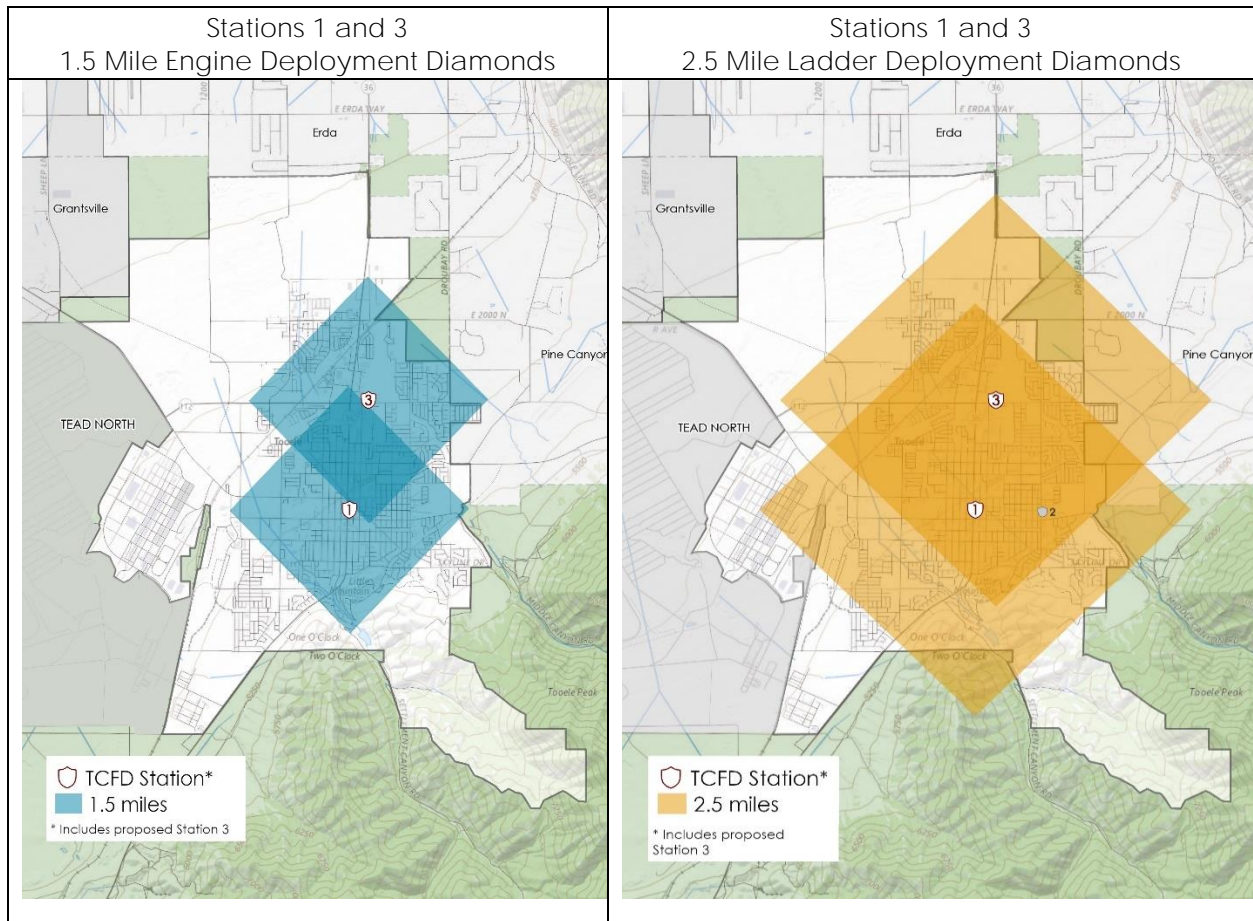
*It must be noted that any ladder apparatus placement at Station 1 likely will require modification to the building due to the length and height of this apparatus. Based on current ladder coverage and potential ladder coverage utilizing Station 1, CPSM recommends this should be explored if the city chooses a station model that includes the current Station 1. Modification would most likely involve an apparatus bay addition to the north side of the building without intrusion into the existing building (which could not be done due to current seismic-related construction restrictions).*

The next figure illustrates centralized coverage of built-upon areas of the city at the 1.5-mile distance for engine companies and 2.5-mile distance for ladder companies using this two-station model.

§ § §



FIGURE 3-8: Coverage Diamonds: Stations 1 and 3 Configuration for Engines (1.5 Miles) and Ladders (2.5 Miles)



### Recommendations:

- CPSM recommends as a planning objective (over 1 to 3 years) that the city continue with its plan to construct a new Station 3.

CPSM further recommends the City review and consider the following fire facility alternatives to achieve optimal coverage in the city:

- The city construct Station 3 in its entirety and not in phases so that this station is fully functional when opened to meet current and future operational needs. CPSM recommends the TCFD deploy, at a minimum, a primary engine company and a primary ladder company out of Station 3, along with a primary engine company and a primary ladder company out of Station 2. In this scenario Station 1 is closed.
- The city should consider future fire facility planning and funding that relocates Station 1 south and west of its current location so as to provide deployment coverage to the south and west areas of the city. The city owns a parcel at the intersection of 1100 West and 200 South that will accommodate this facility. Once constructed and occupied, CPSM recommends the TCFD deploy at a minimum a primary engine company and a primary ladder company out of this location, a primary engine company out of Station 2, and a primary engine company and

a primary ladder company out of Station 3. This configuration and deployment would provide optimal coverage of engine and ladder companies in the city. *CPSM views this as the most effective three-station model alternative.*

- In the short- to mid-term while considering a relocation of Station 1, and if the city desires to maintain a three station model, CPSM recommends the city maintain Station 1 without extensive remodeling so as to provide service to the west and southwest portions of the city. CPSM recommends the TCFD deploy at a minimum a primary engine company out of this location, a primary ladder company out of Station 2, and a primary engine company and a primary ladder company out of Station 3 as this configuration provides optimal coverage of engine and ladder companies in the city in the short- to mid-term as the city considers a relocation of Station 1.
- If the city chooses not to relocate Station 1 and maintain a two-station fire department, CPSM recommends the city construct Station 3 in its entirety, remodel Station 1, and close Station 2 as an operational deployment station due to its proximity to Station 1. This will achieve the most strategic two-station fire facility operational response coverage. CPSM recommends the TCFD then deploy a primary engine company and primary ladder company out of each of the two stations (1 and 3). Under this model, Station 1 will require, if conditions allow the construction of an apparatus bay (north side of structure) that will accommodate a ladder apparatus. Station 2 can be repurposed as a shop/training facility and fire department annex for the storage of training and reserve apparatus and equipment.

## FLEET

---

The provision of an operationally ready and strategically located fleet of mission-essential fire-rescue vehicles is fundamental to the ability of a fire-rescue department to deliver reliable and efficient public safety within a community.

The procurement, maintenance, and eventual replacement of response vehicles is one of the **largest expenses incurred in sustaining a community's fire-rescue department**. While it is the **personnel of the TCFD who provide emergency services within the community, the department's** fleet of response vehicles is essential to operational success. Modern, reliable vehicles are needed to deliver responders and the equipment/materials they employ to the scene of dispatched emergencies within the city.

TCFD apparatus maintenance is performed by **the city's vehicle maintenance shop and a private vendor that specializes in apparatus-specific maintenance and annual testing**. City vehicle maintenance shop work includes oil change and light service work that does not involve the fire pump or aerial hydraulic system maintenance and repair. Apparatus-specific work, aerial ladder testing, and annual preventive maintenance and required service is performed by a private vendor who specializes in this type of fire apparatus work. This combination of maintenance and repair work is common practice across the country. The intricacies and scope of fire pumps and fire pump controls, aerial ladder hydraulic systems and controls, and apparatus electrical control systems (the main components outside of the motor, chassis, and drive train) are best left in the hands of specialists for diagnosis, maintenance, and repair.

To ensure vehicle readiness, the TCFD has three members in stipend positions. These members are responsible for performing weekly checks, small equipment engine repair and maintenance, and coordinating regular maintenance and repair **with the city's vehicle maintenance shop or the private vendor for engine- or ladder-specific maintenance and repair**.

The TCFD's fleet of operational response apparatus is shown in the following table.

TABLE 3-3: TCFD Fleet

Apparatus Type	Year In Service	Operational Assignment
Engine: Van Pelt	1972	Active-Frontline
Engine: Mack CF	1982	Active-Frontline
Engine: Mack CF	1978	Active-Reserve
Engine: Pierce Quantum	1997	Active-Frontline
Engine: Pierce Quantum	2002	Active-Frontline
Pierce Quantum Quint-65' Ladder	2002	Active-Frontline
Pierce Quantum Quint-105' Ladder	2016	Active-Frontline
F350: Brush Truck	1992	Active-Frontline
F-350: Brush Truck	1992	Active-Frontline
F-350: Brush Truck	1997	Active-Frontline
F-550: Brush Truck	2003	Active-Frontline
Chevrolet 3500: Brush Truck	2008	Active-Frontline
The TCFD also has an assortment of command and staff vehicles.	Various Years	Active-Frontline

Replacement of fire-rescue response vehicles is a necessary, albeit expensive, element of fire department budgeting that should reflect careful planning. A well-planned and documented emergency vehicle replacement plan ensures ongoing preservation of a safe, dependable, and operationally capable response fleet. A plan must also include a schedule for future capital outlay that is affordable to the community.

NFPA 1901, *Standard for Automotive Fire Apparatus*, serves as a guide to the manufacturers that build fire apparatus and the fire departments that purchase them. This document is updated every five to eight years (or shorter time periods) using input from the public and industry stakeholders through a formal review process. The committee membership is made up of representatives from the fire service, manufacturers, consultants, and special interest groups. The committee monitors various issues and problems that occur with fire apparatus and attempts to develop standards that address those issues. A primary interest of the committee over the past years has been improving firefighter safety and reducing fire apparatus crashes.

The Annex Material in NFPA 1901 (2016) contains recommendations and work sheets to assist in decision-making in vehicle purchasing. With respect to recommended vehicle service life, the following excerpt is noteworthy:

*"It is recommended that apparatus greater than 15 years old that have been properly maintained and that are still in serviceable condition be placed in reserve status and upgraded in accordance with NFPA 1912, Standard for Fire Apparatus Refurbishing (2016), to incorporate as many features as possible of the current fire apparatus standard. This will ensure that, while the apparatus might not totally comply with the current edition of the automotive fire apparatus standards, many improvements and upgrades required by the recent versions of the standards are available to the firefighters who use the apparatus."*

The impetus for these recommended service life thresholds is the continual industry advances in vehicle and occupant safety. Despite good stewardship and maintenance of emergency vehicles in sound operating condition, there are many advances in occupant and vehicle component safety, such as fully enclosed cabs, enhanced rollover protection and air bags,

three-point restraints, antilock brakes, increased visibility, cab noise abatement/hearing protection, a clean cab free from carbon products, and a host of other improvements as reflected in each revision of NFPA 1901. These improvements provide safer response vehicles for those providing emergency services within the community, as well those "sharing the road" with these responders.

Many departments use a 10-5 rule (10 years front-line service, then 5 years of reserve service) when programming replacement of fire apparatus such as engines, ladders, water tenders, heavy rescues, and heavy squad type haz-mat vehicles. Annex D of the current NFPA 1912 edition states:

*To maximize fire fighter capabilities and minimize risk of injuries, it is important that fire apparatus be equipped with the latest safety features and operating capabilities. In the last 10 to 15 years, much progress has been made in upgrading functional capabilities and improving the safety features of fire apparatus. Apparatus more than 15 years old might include only a few of the safety upgrades required by the recent editions of the NFPA fire department apparatus standards or the equivalent Underwriters Laboratories of Canada (ULC) standards. Because the changes, upgrades, and fine tuning to NFPA 1901, Standard for Automotive Fire Apparatus have been truly significant, especially in the area of safety, fire departments should seriously consider the value (or risk) to fire fighters of keeping fire apparatus more than 15 years old in first-line service.*

*It is recommended that apparatus more than 15 years old that have been properly maintained and that are still in serviceable condition be placed in reserve status, be upgraded in accordance with NFPA 1912, and incorporate as many features as possible of the current fire apparatus standard. This will insure that, while the apparatus might not totally comply with the current editions of the automotive fire apparatus standards, many of the improvements and upgrades required by the current editions of the standards are available for firefighters who use the apparatus.*

Under the NFPA1912 standard there are two types of refurbishments a fire department can choose. These are Level 1 and Level 2 refurbishments. According to NFPA 1912, a Level 1 refurbishment includes *the assembly of a new fire apparatus by the use of a new chassis frame, driving and crew compartment, front axle, steering and suspension components, and the use of either new components or components from existing apparatus for the remainder of the of the apparatus.* A Level 2 refurbishment includes *the upgrade of major components or systems of a fire apparatus with components or systems of a fire apparatus that comply with the applicable standards in effect at the time the original apparatus was manufactured.*

A few important points to note regarding the NFPA 1912 standard regarding the refurbishment of heavy fire apparatus. These are:<sup>8</sup>

- Apparatus that was not manufactured to applicable NFPA fire apparatus standards or that is 25 years old should be replaced.
- A vehicle that undergoes a Level 1 refurbishing receives a new make and model designation and a new Certificate of Origin for the current calendar year. Apparatus receiving a Level 1 refurbishing are intended to meet the current edition of the NFPA automotive fire apparatus standard. *This is the optimal level of refurbishing.*

---

8. NFPA 1912 Standard for Fire Apparatus Refurbishing, 2016 Edition.

- A vehicle that has undergone a Level 2 refurbishing retains its original make and model identification as well as its original title and year of manufacture designation. Apparatus receiving Level 2 refurbishing are intended to meet the NFPA automotive fire apparatus standard in effect when the apparatus was manufactured.

The TCFD does not have an established fleet replacement plan that follows the NFPA recommendations for apparatus replacement as such: 10 years of front-line service then 5 years of reserve service, or 15 years of front-line service and then upgrading to the NFPA 1912 standard. The second option is reasonable considering the cost of new fire apparatus today. The TCFD operates an active status fleet of seven heavy fire apparatus (five engines and two ladders). Six of these apparatuses are beyond the 15-year front-line/reserve age for active status as recommended in the current edition of NFPA 1901. TCFD apparatus, particularly those that are older than 20 years, although seemingly road-and response-worthy, lack contemporary road, motor, chassis and chassis systems, and emergency response operational and safety features included in apparatus constructed during the last two to three cycles of NFPA 1901 (2003, 2009, 2016), as noted above.

One way to reduce the replacement costs of heavy apparatus is to consider the refurbishment process. Refurbishing engine and ladder apparatus typically costs half of what a new apparatus costs, depending of course on the type of apparatus (engine or ladder) and the components (motor, drive train, chassis, pump, paint, steering etc.) that must be refurbished.

### Recommendations:

- CPSM recommends the TCFD and the city develop, over a one-year period, a fire apparatus replacement plan that follows apparatus age recommendations in accordance with NFPA 1901 standard, *Standard for Automotive Fire Apparatus*.

Planning objectives should include, to the extent possible and based on funding:

- First-line apparatus should not exceed 15 years of service on the front line. Once an apparatus reaches this age, it should undergo a Level 1 refurbishing in accordance with NFPA 1912, *Standard for Fire Apparatus Refurbishing* (current standard) as a first alternative, or replacement if maintenance records and wear and tear warrant replacement.
- Apparatus in active/reserve status which is between 20 and 25 years old should comply with NFPA 1901 and undergo a Level 1 refurbishing in accordance with NFPA 1912 as an immediate planning objective if the department plans to continue to use this apparatus. All apparatus at the 25-year-old mark should be considered for replacement. Apparatus greater than 25 years old should be removed from service.
- Apparatus components which are either fixed or portable and which require annual testing—fire pumps, aerial ladder and aerial ladder assemblies, ground ladders, self-contained breathing apparatus to include personnel fit-testing, and fire hose—should be tested in accordance with manufacturer and industry specifications and standards, and proper records maintained at the department and city and with the vendor.
- Based on the current age and condition of the TCFD fleet, CPSM proposes a fleet replacement plan as shown in the following table. This plan includes recommendations to remove two engine apparatus from service due to age, to replace one engine apparatus in the immediate future due to its age, to replace another engine in the next 12 to 24 months, and to refurbish one engine and one ladder over a 24 to 48 month period to gain more years



of service for these two vehicles if mechanically sound and the bodies remain in good condition.

This fleet replacement/refurbishment plan is aggressive but is necessary. As things stand today, four of the department's heavy fire apparatus have aged out of the recommended years of service life.

TABLE 3-4: Fleet Replacement and Refurbishment Recommendations

Apparatus Type	Year In Service	Recommended Action
Engine: Van Pelt	1972	<b>Remove from front-line service.</b> This apparatus is well beyond the NFPA 1901 recommended life span.
Engine: Mack CF	1982	<b>Remove from front-line service.</b> This apparatus is well beyond the NFPA 1901 recommended life span. <b>Replace as soon as practical, but no later than in the next fiscal year,</b> with a comparable new engine that meets NFPA 1901 standards.
Engine: Mack CF	1978	<b>Remove from front-line service.</b> This apparatus is well beyond the NFPA 1901 recommended life span.
Engine: Pierce Quantum	1997	<b>Replace in the next 12-24 months.</b> This apparatus is at the terminal age (25 years) for heavy fire apparatus life span.
Engine: Pierce Quantum	2002	<b>Level 1 Refurbish in the next 24 to 36 months</b> in accordance with NFPA 1912 standards. If not mechanically feasible, replace.
Pierce Quantum Quint 65-foot Ladder	2002	<b>Level 1 Refurbish in the next 36 to 48 months</b> in accordance with NFPA 1912 standards. If not mechanically feasible, replace.
Pierce Quantum Quint 105-foot Ladder	2016	<b>Plan for a Level 1 Refurbish in 2031.</b> If not mechanically feasible, replace.

§ § §

## TRAINING PROGRAMS

---

Training is, without question, one of the most essential functions that a fire department should be performing on a regular basis. One could even make a credible argument that training is, in some ways, more important than emergency responses because a department that is not well trained, prepared, and operationally ready will be unable to fulfill its emergency response obligations and mission. Education and training are vital at all levels of fire service operations to ensure that the necessary functions are completed correctly, safely, and effectively. A **comprehensive, diverse, and ongoing training program is critical to the fire department's level of success.**

An effective fire department training program must cover all the essential elements of that department's **core missions and responsibilities**. The level of training or education required given a set of tasks varies with the jobs to be performed. The program must include an appropriate combination of technical/didactic training, manipulative or hands-on/practical evolutions, and training assessment to gauge the effectiveness of these efforts. Most of the training, but particularly the practical, standardized, hands-on training evolutions should be developed **based upon the department's own operating procedures and operations** while remaining cognizant of widely accepted practices and standards that could be used as a benchmark to **judge the department's operations for any number of reasons.**

Certain Occupational Safety and Health Administration (OSHA)<sup>9</sup> regulations dictate that minimum training must be completed on an annual basis. This training covers assorted topics that include:

- A review of the respiratory protection standard, self-contained breathing apparatus (SCBA) refresher and user competency training, SCBA fit testing (29 CFR 1910.134).
- Hazardous Materials Training (29 CFR 1910.120).
- Confined Space Training (29 CFR 1910.146).
- Structural Firefighting Training (29 CFR 1910.156).

Because so much depends upon the ability of the emergency responder to effectively deal with an emergency, education and training must have a prominent position within an emergency **responder's schedule of activities**. Education and training programs also help to create the character of a fire service organization. Agencies that place a real emphasis on their training tend to be more proficient in carrying out emergency incident duties. The prioritization of training also fosters an image of professionalism and instills pride in the organization.

The TCFD has certified instructors available to manage and provide training and education to the members of the department. New member and incumbent training are developed and implemented at the officer and instructor levels. Fire certification levels in accordance with the NFPA and National Wildfire Coordinating Group (NWCG) offered in the State of Utah and applicable to the TCFD includes:

- Hazardous Materials (HM) Awareness, Operations and Technician.
- Firefighter (FF) I and II.
- Apparatus Driver Operator (ADO-P or ADO-A): Pumper and Aerial.

---

9. The Utah Occupational Safety and Health Division (Utah Plan) covers state and local government employees.



- Fire Officer (OFF) I-IV.
- Fire Instructor (INST) I, II, III.
- Fire Inspector I, II, III.
- Fire Investigator.
- Wildland Firefighter (WLFF) I and II.
- Technical Rescue: Rope Rescue, Ice Rescue, Trench Rescue, Collapse Rescue, Vehicle Rescue, Machinery Rescue.

Firefighter certification at the local member level is governed by Utah Fire Service Certification System (UFSCS) and administered by the Utah Fire and Rescue Academy (UFRA). Training that is required to be eligible for certification can be received in several ways as described below:<sup>10</sup>

- Direct Delivery – Courses include all necessary manuals (loaners), handouts, quizzes, and related classroom materials. These courses also include a completed course syllabus with UFRA instructors assigned and the scheduling of necessary props. Direct delivery classes must be scheduled through the department's assigned UFRA Program Manager.
- Supported Delivery – Courses may include student manuals (if available) and a copy of the current UFRA curriculum for the subject requested. It is the responsibility of the department to supply/schedule instructors and supply all relevant student materials. It is also the responsibility of the department to schedule certification testing if such testing is desired.

The TCFD offers training for certification testing at the supported delivery method at TCFD facilities. Members can of course also attend direct delivery classes as well at state-supported sites.

In 2021, the TCFD had a calendar year incumbent monthly training program (on the first and third Wednesdays of the month) that included fire suppression operations and extinguishment, technical rescue that includes confined space training and rappelling, vehicle fire operations and extinguishment, wildland firefighting, aerial truck operations, self-contained breathing apparatus, radio communications, and medical training. TCFD requires that each "First Class Firefighter" attend 75 percent of the scheduled training events as outlined above. Scheduled monthly training is generally conducted in two-hour segments, which equates to 48 hours of in-house training in a calendar year. Additional training that is voluntary is conducted on Saturdays in four- to eight-hour segments.

There are no official department guidelines requiring that combat firefighters receive specific training and certifications. There are also no official department guidelines requiring that officers receive specific training and certifications. Article III, Section 4 of the TVFD bylaws has a requirement for training for new members. This requirement is as follows:

#### Section 4 – Probationary Period

*(1) Each new member of this Department shall have a probationary period. Upon admittance to the department the proposed member shall have a six-month probationary period to be trained on department guidelines and tactics. Each firefighter shall also have two years to become Firefighter 1 certified. Certification will be determined by the standards required by the Department. Training*

<sup>10</sup> Utah Fire and Rescue Academy, Utah Fire and Rescue Academy Training Page | Utah Fire and Rescue Academy | Utah Valley University (uvu.edu)

*opportunities must be provided by the Chief Officers and Training committee. If requirements are not met within the probationary period, an extension may be requested by the member and a vote shall be taken by the Department for an extension of time.*

When reviewed in December 2021, it was found that some TCFD members had at a minimum these state certifications: FF1, Haz-Mat Awareness, and WLF1. Some have FF2, INST1 or 2, HM Ops, ADO-P, OFF 1 or 2. Some active members do not have necessary certifications. Several department-wide weaknesses in training were identified in December 2021. These included a finding that not all officers had obtained any Fire Officer certifications; TCFD fire inspectors including the Fire Marshal had not obtained the fire inspector and fire investigation certifications; and several members, including those in key positions, had no certifications.

Much work must be done to ensure TCFD combat firefighters and officers achieve and maintain the basic-level firefighting and officer certifications. This is critical to ensure the safety of each TCFD member and the citizens of the city. Operating in Immediately Dangerous to Life and Health (IDLH) environments with zero visibility, or on the perimeter of a fast-moving wild land-urban interface fire requires formal classroom training that teaches the behavior of fire and the fundamental aspects of an IDLH environment. When followed up with initial and continuous hands-on practical application through certification courses, this breadth of training ensures a firefighter and fire officer has acquired the fundamentals of the profession, from which it becomes his/her responsibility to continuously learn and master.

## Recommendations:

- CPSM recommends the TCFD Fire Chief work with the city Human Resources Director and draft and implement, over an immediate six-month period, a formal Standard Operating Guidelines for training that include:
  - Standard state fire certifications for combat firefighters to include: Haz-Mat Awareness, Haz-Mat Operations, Firefighter I, Firefighter II, Wildland Firefighter I, and Emergency Vehicle Operator Course to include operating brush vehicle apparatus.
  - Standard state fire certifications for members who drive and operate the heavy fire apparatus to include: All certifications for combat firefighter plus Apparatus Driver Operator-Pumper (for those who drive the engine apparatus) and Apparatus Driver Operator-Aerial (for those who drive the ladder apparatus).
  - Standard state fire certifications for first-line officers (Lieutenants and Captains) to include: All certifications for combat firefighter plus Fire Officer I certification and Wild Land Firefighter II certification.
  - Standard state fire certifications for Chief Officers (Fire Chief, Assistant Chiefs) to include: All certifications for combat firefighter and first-line officers plus Fire Officer II at a minimum.
  - Standard state fire certifications for Training Officers to include: All certifications for combat firefighter plus Fire Instructor I at a minimum. It is further recommended the lead Training Officer have Fire Instructor II certification at a minimum.
  - Standard state fire certifications for Fire Inspectors and Fire Investigators to include: All certifications for combat firefighter plus Fire Inspector I at a minimum for Fire Inspectors, and Fire Investigator I for Fire Investigators. It is further recommended the lead Fire Inspector or person designated as the Fire Marshal have Fire Inspector II and Fire Investigator I certification at a minimum.

- The Training Standard Operating Guidelines should also address the standard state certifications for members who take the lead in technical rescue components such as Rope Rescue, Ice Rescue, Trench Rescue, Collapse Rescue, Vehicle Rescue, and Machinery Rescue.
- The Training Standard Operating Guidelines should outline aggressive implementation goals and dates for each section of these recommendations, making combat firefighter, fire inspector, and fire officer (in this order) certification training the priority over the next 18 to 24 month period. The Guidelines should also contemplate how to manage members in all positions who do not meet the training certifications, to include any stipend they may be receiving, and how these Guidelines link to the recruitment and retention of current and future members.

## COMMUNITY RISK REDUCTION PROGRAMS

---

Community risk reduction activities are important undertakings of a contemporary fire department. A comprehensive fire protection system in every jurisdiction should include, at a minimum, the key functions of fire prevention, code enforcement, inspections, and public education. Preventing fires before they occur, and limiting the impact of those that do, should be priority objectives of every fire department. Fire investigation is a mission-important function of fire departments, as this function serves to determine how a fire started and why the fire behaved the way it did, providing information that plays a significant role in fire prevention efforts. Educating the public about fire safety and teaching residents appropriate behaviors on how to react should they be confronted with a fire is also an important life safety responsibility of the fire department.

Fire suppression and response, although necessary to protect property, have negligible impact on preventing fires. Rather, it is public fire education, fire prevention, and built-in fire protection systems that are essential elements in protecting citizens from death and injury due to fire, smoke inhalation, and carbon monoxide poisoning. The fire prevention mission is of utmost importance, as it is the only area of service delivery that dedicates 100 percent of its effort to the reduction of the incidence of fire.

Fire prevention is a key responsibility of every member of the fire department, and fire prevention activities should include all personnel. **Personnel can be assigned with the responsibility for "in-service" inspections** to identify and mitigate fire hazards in buildings, to familiarize firefighters with the layout of buildings, identify risks they may encounter during firefighting operations, and to develop pre-fire plans. On-duty personnel in many departments are also assigned responsibility for permit inspections and public fire safety education activities.

Fire prevention should be approached in a truly systematic manner, and many community stakeholders have a personal stake and/or responsibility in these endeavors. A significant percent of all the requirements found in building/construction and related codes are related in some way to fire protection and safety. Various activities such as plan reviews, permits, and inspections are often spread among different departments in the municipal government and are often not coordinated nearly as effectively as they should be. Every effort should be made to ensure these activities are managed effectively between departments.

The fire prevention function in the city is managed by the Bureau of Fire Prevention in the TCFD in **coordination with the city's Community Development Department**. Part-time fire inspectors conduct fire inspections.

At the time of this analysis the City of Tooele and TCFD were utilizing the following fire and building codes:

- The International Fire Code, 2018 edition.
- The International Building Code, 2018 edition.

The city also utilized the following building related codes:

- The International Residential Code, 2015 Edition
  - Appendix Q of the 2018 edition of the International Residential Code, issued by the International Code Council.
- International Fuel Gas Code, 2018 Edition.
- International Energy Conservation Code
  - 2015 edition for residential.
  - 2018 edition for commercial.
- The International Existing Building Code, 2018 Edition.
  - Subject to additions in the Utah State Code [Title 15A-2-103(1, k-o)].
- International Mechanical Code, 2018 Edition.
- National Electric Code, 2020 Edition.
- International Plumbing Code, 2018 Edition.
- Utah Wildland Urban Interface Code, issued by the International Code Council, 2006 Edition.
  - Consistent with Title 65A, Chapter 8, Management of Forest Lands and Fire Control.
  - Includes alternatives or amendments approved by the Utah Division of Forestry, as a construction code that may be adopted by a local compliance agency by local ordinance or other similar action as a local amendment to the codes listed in this section.<sup>11</sup>

There are many reasons why existing buildings should be inspected for fire code compliance. The obvious purpose is to ensure that occupants of the building are living, working, or occupying a building that is safe for them to do so. Some buildings are required to have specific inspections conducted based on the type of occupancy and the use of the buildings such as but not limited to healthcare facilities (hospitals, nursing homes, etc.), schools, restaurants, and places of assembly. These inspections are mandated by various statutes, ordinances, and codes.

Fire inspections can also identify violations and make follow-up inspections to ensure that violations are addressed and that the fire code is enforced. In fire prevention, the term "enforcement" is most often associated with inspectors performing walk-throughs of entire facilities, looking for any hazards or violations of applicable codes. Educating the owner to the requirements as well as the spirit and intent of the code can also attain positive benefits for fire and life safety. Of course, this also improves community and business relationships.

In Utah, there is no legislated requirement for fire inspections. In a conversation with the state's Assistant Fire Marshal, we found the state recommends all businesses/occupancies be inspected

---

11. Utah Code Section 15A-2-103

on an annual basis for the reasons stated herein, and for the safety of occupants and responding firefighters.

New businesses in the city are required to have a business license. These occupancies require an initial fire inspection. Other occupancies in the city are mandated through licensing to have an annual fire inspection. In Utah these include occupancies that care for vulnerable populations such as hospitals, assisted living facilities, daycare, and the like. Places of public assembly, occupancies with cooking and range hood systems, and those buildings with fire protection systems (sprinkler, standpipe, automatic alarms) in the city should be routinely inspected to ensure these public safety protection systems are maintained per the fire code and are operable. Lastly, the Chapter 5-1-8(2) of the City Code states:

*Existing places of business licensed within the City may be inspected periodically by departments of the City, annually upon the City's own initiative or upon the City receiving a complaint of alleged noncompliance, for compliance with building, fire, health, and other City codes, ordinances, and regulations.*

The City of Tooele has almost 800 occupancies that require a fire inspection if not annually, at least on a consistent bi-annual or tri-annual basis based on life-safety, process, storage, fire, or building hazard. During the analysis, CPSM identified several weaknesses in the fire prevention function of the TCFD. These include:

- TCFD Fire Inspectors are not currently state certified at the Fire Inspector I or higher state certification, nor does the TCFD have a requirement that Fire Inspectors must be certified to perform these duties.
  - In January 2022, the Mayor hired three current firefighters who have the Fire Inspector certification to conduct fire inspections in the city.
- The TCFD does not have a fire inspection plan for all occupancy types that outlines what occupancies are inspected and when. The TCFD relies on notification from the city when a business license is issued (this requires a fire inspection), or when certain occupancies that require licensing or permitting contact the TCFD for an inspection.

The TCFD has a public fire education program, which is a vital component of an overall Community Risk Reduction program, particularly in the residential areas of the city. This effort is very commendable and results in time and resources well spent. A significant percentage of all fires, fire deaths, and injuries occur in the home, an area where code enforcement and inspection programs have little to no jurisdiction. Public education is the area where the fire service will make the greatest impact on preventing fires and subsequently reducing the accompanying loss of life, injuries, and property damage through adjusting people's attitudes and behaviors regarding fires and fire safety.

The investigation of the cause and origin of fires is also an important part of a comprehensive fire prevention system. Determining the cause of fires can help with future prevention efforts. In Tooele, the Incident Commander or Chief Officer initiates the fire origin and cause determination process. When possible, they can make those determinations. When needed, particularly when the fire involves an explosion or explosive device, significant loss, injury, or fatality, a request for the State Fire Marshal to respond is made to perform an in-depth investigation.

The TCFD has completed the following Community Risk Reduction work in 2018, 2019, 2020, and 2021 as detailed in the following table.

TABLE 3-5: Community Risk Reduction Activity, 2018–2021

Year	Fire Inspections		Year	Fire Inspections	
2018	Occupancy Type	Number	2019	Occupancy Type	Number
	Assembly Group A-2	4		Assembly Group A-2	6
	Assembly Group A-4	2		Assembly Group A-3	2
	Business Group B	44		Business Group B	30
	Educational Group E	3		Educational Group E	3
	Factory Group F-1	4		Factory Group F-1	4
	Factory Group F-2	1		Factory Group F-2	2
	High Hazard Group H-2	1		High Hazard Group H	1
	Mercantile Group M	15		Institutional Group I	2
	Residential Group R-2	1		Mercantile Group M	15
Storage Group S-1	6	Residential Group R-2	1		
	<b>Total</b>	<b>81</b>	Storage Group S-1	7	
			<b>Total</b>	<b>73</b>	
2020	Occupancy Type	Number	2021	Occupancy Type	Number
	Assembly Group A-2	4		Assembly Group A-2	5
	Business Group B	30		Assembly Group A-3	2
	Educational Group E	2		Business Group B	9
	Factory Group F	1		Educational Group E	5
	High Hazard Group H-3	2		Factory Group F	6
	Mercantile Group M	14		Institutional Group I	1
	Storage Group S-1	5		Mercantile Group M	6
	<b>Total</b>	<b>58</b>	Residential Group R-2	1	
			<b>Total</b>	<b>35</b>	

### Recommendations:

- Community Risk Reduction is a city-wide public safety effort that includes fire prevention inspections and fire code enforcement, public safety education, and investigation of fires. The fire inspection program has certain state- and city- legislated requirements. As the **department's** current fire prevention inspection and fire code enforcement functions do not have a plan to meet the **city's** growing fire inspection demand and are not consistently administered and managed as outlined in this analysis, CPSM recommends that the city hire a full-time Fire Marshal to lead and manage the Community Risk Reduction program. This program should include fire prevention inspections and fire code enforcement, the investigation of fires, and public fire education.
- In addition to formal education requirements deemed appropriate by the city's Human Resources Director commensurate with the position, the Fire Marshal candidate should have at minimum the following Utah Fire and Rescue Academy state certifications when hired:
  - Firefighter II.
  - Officer II.
  - Fire Inspector II.
  - Fire Investigator.

- The Fire Marshal, once hired, should be required to obtain within 24 months the following Utah Fire and Rescue Academy state certifications:
  - Fire and Life Safety Educator I.
  - Fire Inspector III.
- CPSM recommends the Fire Marshal position be placed in the Community Development Department in the near term and until other recommendations in this analysis are evaluated and implemented.
- In conjunction with the hiring of a full-time Fire Marshal, CPSM recommends the city develop a fire prevention occupancy inspection plan in accordance with Chapter 5-1-8(2) of the City Code that specifies, by occupancy type and occupancy address, the frequency of fire inspections. The frequency of inspections should be either annual or bi-annual and based on the hazard or mechanical processes performed, life safety and vulnerability of the population in the occupancy, frequency of fire incidents, type of fire protection systems, and if it is a public assembly. The highest hazards and threat to life safety and vulnerable populations are recommended to be inspected annually and all others bi-annually. Included in this plan should be the initial inspection of businesses and occupancies issued a new Business License and those mandated by a state department to be inspected annually.
- CPSM further recommends the city maintain the cadre of part-time certified Fire Inspectors to assist the Fire Marshal in carrying out the fire inspection plan. It is also recommended the number of part-time Fire Inspectors be expanded to four and that at least two of these inspectors be certified by the Utah Fire and Rescue Academy as Fire Investigators so that trained and certified fire investigators are available to respond to TCFD fire incidents to determine the cause and origin of fires.

§ § §



# SECTION 4. ALL-HAZARDS RISK ASSESSMENT OF THE COMMUNITY

---

## DEMOGRAPHICS

---

The 2020 decennial census population for Tooele City is 35,742 (U.S. Census Bureau). This is a 12.5 percent increase from the 2010 decennial population of 31,605. As the city is about 21.45-square miles, the population density based on the Census Bureau population data is 1,474/square mile.<sup>12</sup>

In terms of fire and EMS risk, the age and socio-economic profiles of a population can have an impact on the number of requests for fire and EMS services. Evaluation of the number of seniors and children by fire management zones can provide insight into trends in service delivery and quantitate the probability of future service requests. In a 2018 National Fire Protection Association (NFPA) report on residential fires, the following key findings were identified for the period 2011–2015:<sup>13</sup>

- Males were more likely to be killed or injured in home fires than females and accounted for larger percentages of victims (57 percent of the deaths and 54 percent of the injuries).
- The largest number of deaths (19 percent) in a single age group was among people ages 55 to 64.
- Half (50 percent) of the victims of fatal home fires were between the ages of 25 and 64, as were three of every five (62 percent) of the non-fatally injured.
- One-third (33 percent) of the fatalities were age 65 or older; only 15 percent of the non-fatally injured were in that age group.
- Children under the age of 15 accounted for 12 percent of the home fire fatalities and 10 percent of the injuries. Children under the age of 5 accounted for 6 percent of the deaths and 4 percent of the injuries.
- Adults of all ages had higher rates of non-fatal fire injuries than children.
- While smoking materials were the leading cause of home fire deaths overall, this was true only for people in the 45 to 84 age group.
- For adults 85 and older, fire from cooking was the leading cause of fire death.

In Tooele City the following age and socioeconomic factors are considered herein when assessing and determining risk for fire and EMS preparedness and response:<sup>14</sup>

- Children under the age of five represent 8.3 percent of the population.
- Persons under the age of 18 represent 31 percent of the population.
- Persons over the age of 65 represent 9.2 percent of the population.
- Female persons represent 51.4 percent of the population.

---

12. U.S. Census Bureau Quick Facts, Tooele City, Utah.

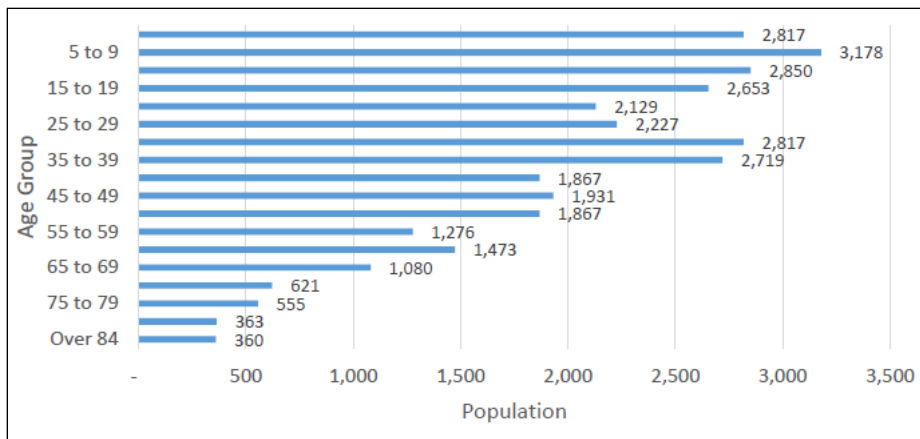
13. M. Ahrens, "Home Fire Victims by Age and Gender", Quincy, MA: NFPA, 2018.

14. <https://www.census.gov/quickfacts/elmiragecityarizona>

- There are 3.13 persons per household in Tooele City.
- The median household income in 2019 dollars is \$63,851.
- Persons living in poverty make up 7.7 percent of the population.
- Black or African-American alone represent 0.5 percent of the population. The remaining percentage of population by race includes White alone at 88.3 percent, American Indian or Alaska Native alone at 0.7 percent, Asian alone at 0.3 percent, two or more races at 4.3 percent, and Hispanic or Latino at 14.8 percent.

The next figure, although it uses 2016 information, provides a perspective of the age risk in Tooele City when benchmarked against the NFPA fire risk report on residential fires. Tooele City has significant population in the NFPA residential fire risk categories.<sup>15</sup>

FIGURE 4-1: Tooele City Population by Age Groups

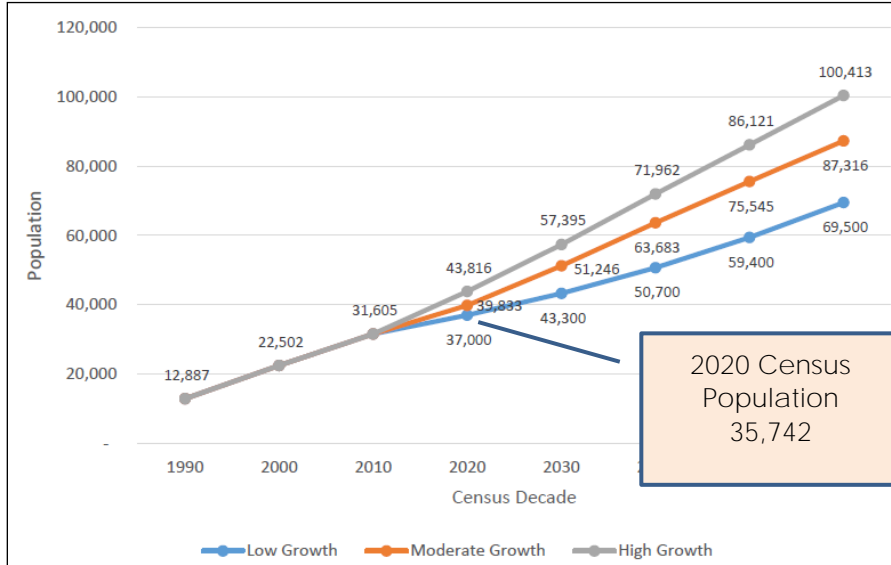


It is estimated the population of the city will continue to increase as illustrated in the projections in the following figure.

§ § §

<sup>15</sup> 2020 Tooele City General Plan

FIGURE 4-2: Tooele City Population Growth Projections<sup>16</sup>

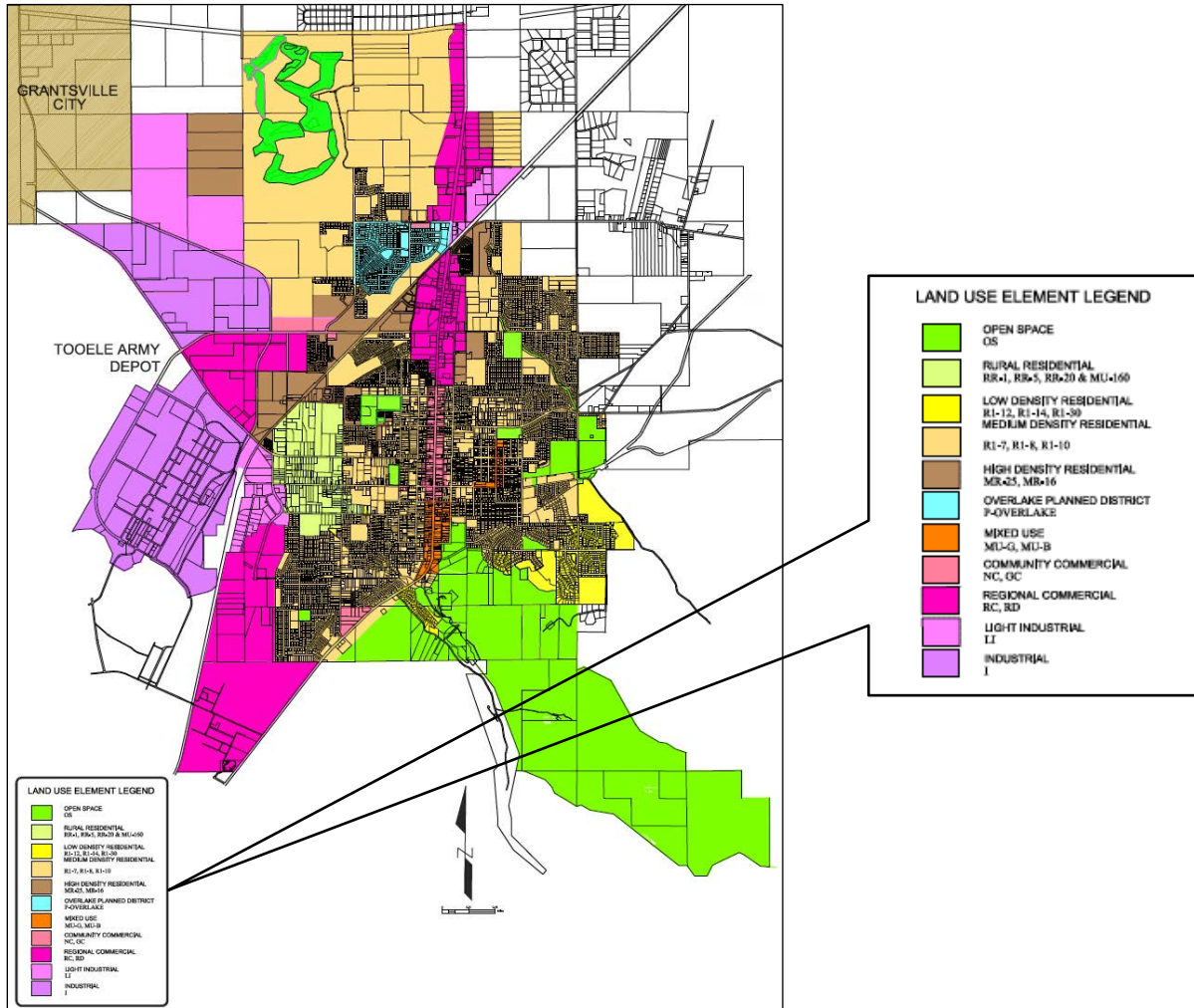


The city is poised for population growth as illustrated in the figure above. The land use map and projected growth map in the next two figures illustrate areas of the city in which this growth is likely to occur in terms of buildings. Some areas of residential growth illustrated in the projected growth map are speculative and are dependent on rezoning in some cases. It is important the city recognize this expected growth in population and buildings will be a driver for an increase in service demands on the TCFD.

§ § §

<sup>16</sup> Ibid.

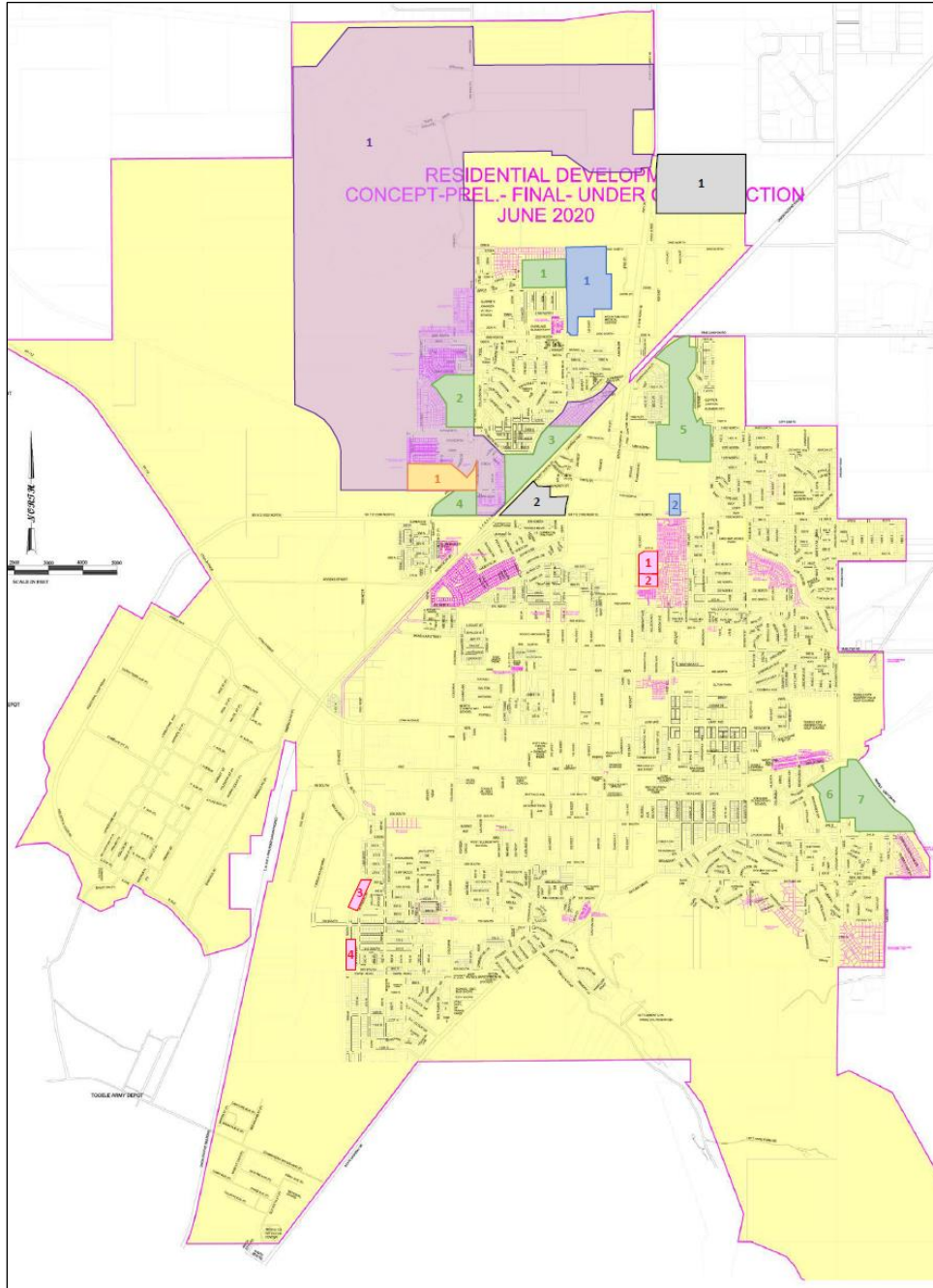
FIGURE 4-3: Tooele City Land Use Map<sup>17</sup>



§ § §

17. 2020 Tooele City General Plan

FIGURE 4-4: Tooele City Conceptual Residential Growth



- Green Block Areas**
1. 80 Units\*
  2. 170 Units\*
  3. 130 Units\*
  4. 230 Units\*
  5. 850 Units\*
  6. 30 Units\*
  7. 140 Units\*\*
- Red Block Areas**
1. 132 Units
  2. 74 Units
  3. 84 Units
  4. 84 Units
- Orange Block Areas**
1. 365 Units\*
- \*indicates speculative
- \*\*indicates very speculative
- Gray Block Areas**
1. 600 Units\*\*\*
  2. 340-530 Units\*\*\*
- Blue Block Areas**
1. No dwelling units
  2. 74 units
- \*\*\* indicates speculative and incumbent on rezoning approval

## ENVIRONMENTAL FACTORS

The City of Tooele is prone to and will continue to be exposed to certain environmental hazards that could have impacts on the community. The environmental risks with the highest potential for impact include flooding from rain, snow melt, and dam failure; severe weather to include summer thunderstorms with hail and intense winds, significant winter storms with heavy snow and wind, and extreme temperatures (cold and hot); landslides; wildfire; and steep slopes.<sup>18</sup> Of lower frequency potential, but significant in terms of community impact, are earthquake risks.

Specifics of environmental risks are included in the next table; this summary was taken from the 2016 Tooele County Pre-Disaster Mitigation Plan specific to Tooele City.

**TABLE 4-1: Tooele City Environmental Hazards**

<p style="text-align: center;"><b>Dam Failure</b></p> <p>Tooele's risk of dam failure involves the portions of the jurisdiction located below the Great Salt Lake from the north and Settlement Canyon Reservoir from the south. If these dams were to become breached, populations, structures, lands, amenities, and infrastructure adjacent to the dam could suffer serious impacts. Dam failure is the greatest risk to human life and structures in the community with potential to impact over 16,000 residents and nearly 5,000 structures.</p>	<p style="text-align: center;"><b>Steep Slopes</b></p> <p>Tooele City has risk associated with steep slopes within its boundaries. Areas of greatest concern have slopes of more than 25 percent, which are commonly found in hilly and mountainous areas and areas bordering drainages, streams, and rivers. Steep slopes have the potential to impact life, property, and agricultural features. Nearly 300 residents and 100 structures are at risk within the jurisdiction for steep slopes.</p>
<p style="text-align: center;"><b>Flood</b></p> <p>Portions of Tooele City are at risk to flooding. Areas most susceptible to flooding are portions of the community west of Main Street, south of 400 South, and areas west of Coleman St, as well as portions of the Settlement Canyon drainage below the reservoir. Other areas at risk of flood include Middle Canyon drainage through the northeast portions of the city. Floods resulting in these areas pose a threat to human life, structures, critical facilities, infrastructure, and other environmental, recreational, and agricultural amenities and lands within city limits.</p>	<p style="text-align: center;"><b>Flood (Soils)</b></p> <p>Portions of Tooele City are at risk to flooding based on soils data. Although rare, most of these soils are located where drainage below Settlement Canyon Reservoir occurs and out through the west portion of the city. Other areas at risk of flood include Middle Canyon drainage throughout the northeast portions of the city. Flooded soils in these areas pose a threat to human life, structures, critical facilities, infrastructure, and other environmental, recreational, and agricultural amenities and lands within city limits.</p>

<sup>18</sup> Tooele County Pre-Disaster Mitigation Plan



Landslides	Wildfire
<p>Isolated portions of Tooele City could suffer potential losses to landslides. Populations, structures, infrastructure, amenities, and lands that are most likely to be impacted include eastern and southern portions of the city. Landslides have the potential to impact environmental and agricultural features in the jurisdiction.</p>	<p>Tooele City is susceptible to moderate-high risk of wildfire in isolated portions of the city, such as the benches and hilly areas adjacent to the mountainous areas and areas with steeper slopes or grassy and shrubby vegetation. Areas at risk in the city are those in proximity to urban forests and development. Wildfires have the potential to impact over 6,000 people in the city, as well as 2,121 residential and commercial structures.</p>

## BUILDING AND TARGET HAZARD RISKS

A community risk and vulnerability exercise will evaluate the community as a whole, and with regard to buildings, measures all buildings and the risks associated with each property and then segregate the property as either a high-, medium-, or low-hazard depending on factors such as the life and building content hazard, and the potential fire flow and staffing required to mitigate an emergency in the specific property. According to the NFA *Fire Protection Handbook*, these hazards are defined as:

High-hazard occupancies: Schools, hospitals, nursing homes, explosives plants, refineries, high-rise buildings, and other high life-hazard (vulnerable population) or large fire-potential occupancies.

Medium-hazard occupancies: Apartments, offices, and mercantile and industrial occupancies not normally requiring extensive rescue by firefighting forces.

Low-hazard occupancies: One, two, or three-family dwellings and scattered small business and industrial occupancies.<sup>19</sup>

The construction type for residential structures in Tooele City is a mix of wood frame with wood or composite siding, and wood frame with brick veneer built on slab and crawl space with some having basements.

Townhomes, duplexes, and apartments are also common in Tooele City. Typical construction includes wood frame with wood or composite siding, and wood frame with brick veneer. Some apartment complexes include more than one floor level structures and have multiple buildings in a campus footprint.

The city does have an assortment of manufactured homes as well, which are typically made of light metal/wood construction with various exterior coverings. The commercial/industrial structure building inventory is primarily ordinary (block/brick) construction, wood frame with composite siding, and masonry non-combustible.

<sup>19</sup> Cote, Grant, Hall & Solomon, eds., *Fire Protection Handbook* (Quincy, MA: National Fire Protection Association, 2008), 12.



Tooele City has the following building types:

- Single-family homes comprise the largest building risk with 10,486 units, many greater than 3000 square feet and built of lightweight wood construction and include basements.
- Townhomes, duplexes, quads, and apartments represent the largest population density risk with 1,902 total units.
- Commercial/industrial structures: approximately 440.
- Professional businesses occupying single or multiple suites in a single structure.
- Strip malls: 29 (multiple business/commodity risk).
- Hotel structures of more than one floor level and single floor level (life safety density risk).
- Assisted living/long-term care structures (vulnerable population risk).
- Public education structures: eight elementary schools, two middle schools, and one high school with an additional high school scheduled to open in 2025.
- Public government buildings.
- Correctional institutions (Tooele County Detention Center).
- Hospitals/medical centers (Mountain West Medical Center).

In terms of identifying target hazards, consideration must be given to the activities that take place (public assembly, life-safety vulnerability, manufacturing, processing, etc.), the number and types of occupants (elderly, youth, handicapped, imprisoned, etc.), and other specific aspects related to the construction of the structure.

Tooele City has a variety of target hazards that include:

- Hospital/medical center target hazards (life safety, hazardous gas use) at Mountain West Medical Center.
- Multistory, wood-frame apartment buildings with common attics.
- Multistory renovated school that now has condominiums on the top two floors.
- Hotel target hazards (life safety). There are hotels in the city, some of which are multistory including the Kirk Hotel downtown, which is four stories.
- Correctional institution target hazard (life safety/access).
- Educational/school/public assembly target hazard (life safety). Within the city limits and under construction is the 70,000 square-foot Deseret Peak Utah Temple.
- Mercantile/Business/Industrial (life safety, hazardous storage and or processes).
- Long-term care target hazard (life safety, vulnerable population).
- Government infrastructure target hazard (hazardous storage/processes and continuity of operations).
- Government business target hazards (life safety, continuity of operations).
- Private business target hazards (life safety).

The city has a mix of low- and medium-risk structures that make up most of the building target hazard risk. High-hazard building risks are noted in this section as well. These include correctional institutions, assisted/long-term care facilities, residential structures housing a vulnerable population, hospital/medical centers, public assembly structures when occupied, and those that have hazardous materials used in processes or that are stored in large quantities.

## Industrial Depot

Within the city boundaries is an 800-acre industrial depot where a wide mix of warehouse-production, industrial, and distribution buildings are located. The area the depot occupies is a former U.S. Army site and many current buildings are vintage WWII industrial buildings, some large footprint with wood frame construction features. This site also includes modern industrial, warehouse distribution, and production buildings, some of which are large footprint buildings that pose several risks to firefighters. Larger building footprints range from the 20,000 square-foot Airgas Inc. medical and specialty gas distribution center to the 600,000 square-foot Cabela's distribution center.

While the modern, large-footprint buildings are typically built of fire resistive structural members and are sprinklered, they typically contain internal combustible accessories, storage, processes, and internal structures. While the life-safety hazard normally will not require extensive rescue by firefighting forces (in terms of the number of people on premises at one time to be rescued), the scope and complications of the larger footprint to be covered by initial attack lines and in a search and rescue undertaking typically raise these types of structures to a higher hazard.

Also included on the property are many spherical buildings that once were used to store military vehicles. These are now used as self-storage units; these pose a risk to firefighters as they do not know what is stored in a structure should they respond to an incident in one of these buildings. Finally, there is a variety of smaller buildings that serve as shops, storage, multi-use, and offices. These range in size from 1,200 square feet to 10,000 square feet.

§ § §

The next figure illustrates the mix of large footprint building types on the industrial depot property.

FIGURE 4-5: Tooele City Industrial Depot Large Footprint Buildings

Former Army Depot Buildings



Contemporary Large Footprint Buildings



The next figure illustrates the area of the industrial depot with current buildings and occupants.





## TRANSPORTATION FACTORS

---

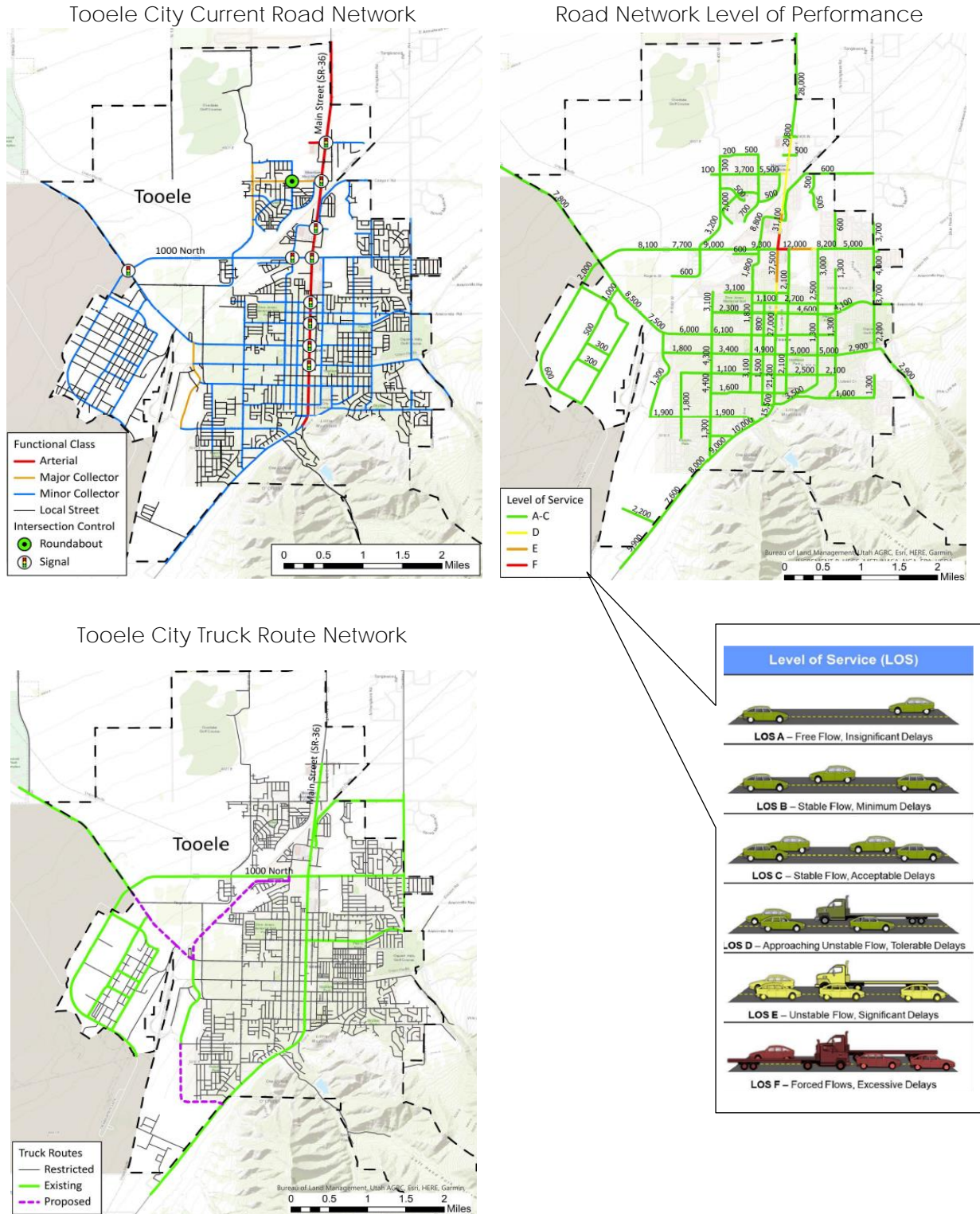
The road network in Tooele City is typical of the cities that CPSM has studied. As represented in the 2021 Tooele City Transportation Master Plan, this includes arterial streets, which carry higher volumes of traffic such as SR 36 (Main Street); major/minor collector streets that move traffic from one end of the city to the other (north to south and east to west) such as Coleman St., 200 West, 100 West, 100 East, Broadway Ave., 7th St., and Droubay Rd. (north to south); and 1000 North 700 South, 200 South, Vine St., Utah Ave., 200 North, 400 North, 2000 North, and 2400 North (east to west). Tooele City also has a vast network of local streets, which provide connection to the major road network as well as residential and commercial land uses.

Much of the local network has been planned in a grid system, which offers supportive connection of roads for emergency response. Some local roads are not connected or end in cul-de-sacs; this will hamper emergency operations from the perspective of apparatus positioning or roadway obstructions. Truck routes in the city have been designated as well.

The next figure illustrates the existing road network in Tooele City and the current level of service. The level of service is a quantitative measurement of the performance of an intersection or roadway. The quantitative analysis produces measurements from A to F, with A having the best performance and F having the worst performance. Level of service is important to fire and EMS in terms of ability to respond to emergencies over the existing road network and understanding where at certain times of the day the level of service is reduced and alternate routes may have to be taken to ensure timely response.

§ § §

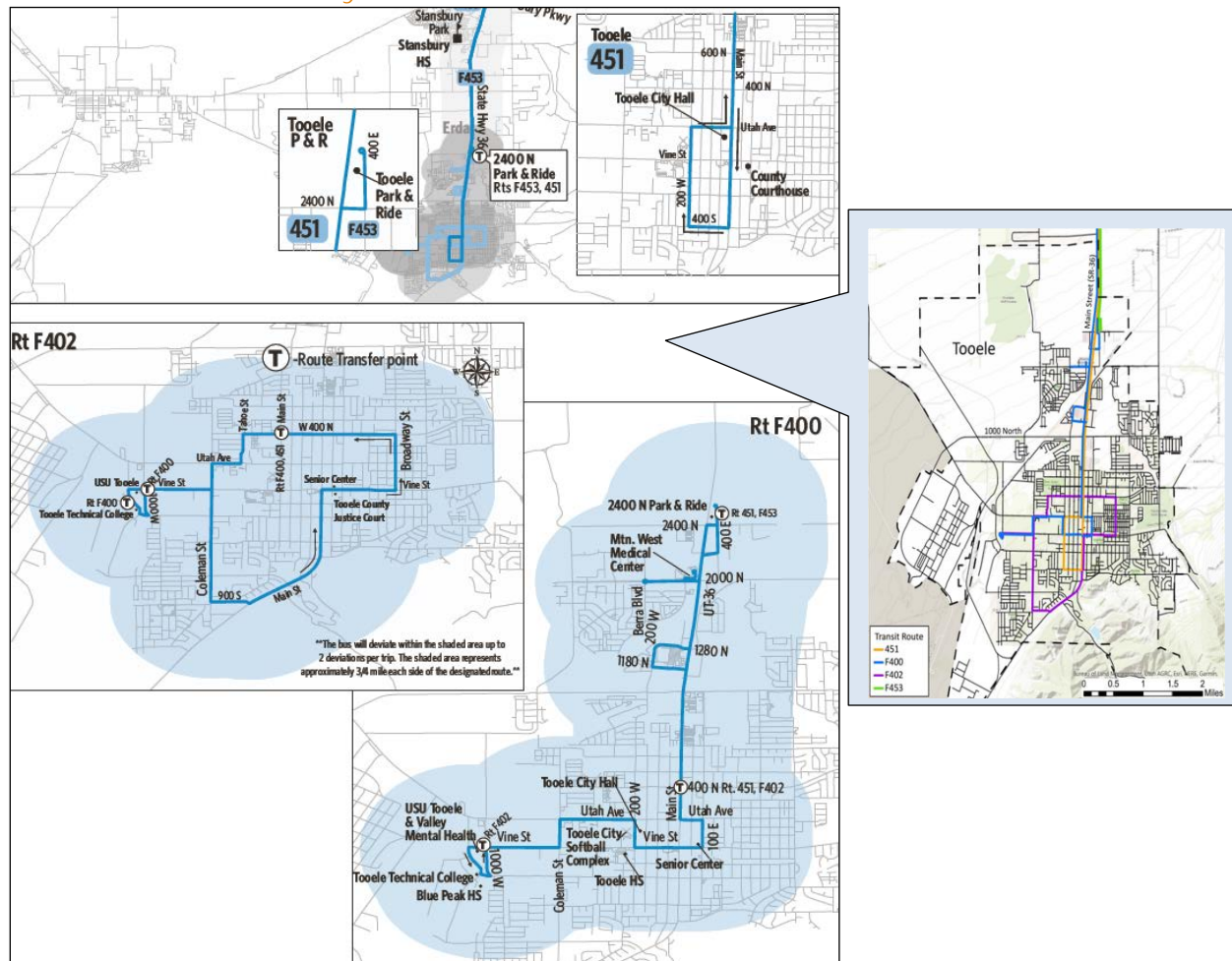
FIGURE 4-7: Tooele City Road Network and Level of Service



The Utah Transit Authority provides public transportation (bus) in Tooele City. This includes outgoing bus routes from Tooele City to Salt Lake City and incoming bus routes from Salt Lake

City to Tooele City. This includes a fixed route (451) and flex routes (F 400, F402, F453). Flex routes can deviate from their fixed route by up to three-quarters of a mile. The next figure illustrates the bus routes in Tooele City. These routes operate on weekdays.

FIGURE 4-8: Tooele City Bus Routes



The road network described herein poses risks for a vehicular accident, some at medium to greater than medium speeds, as well as vehicular-versus-pedestrian risks. There are additional transportation risks since tractor-trailer and other commercial vehicles traverse the roadways of Tooele City to deliver mixed commodities to business locations. Fires involving these products can produce smoke and other products of combustion risks that may be hazardous to health. Bus accidents during rider-populated rides pose a mass casualty response risk if multiple riders are injured.

Tooele City also has active railroad tracks that pass through the city. Union Pacific is the primary rail line; freight commodities are the primary consist of the trains. Primary freight (received and shipped) in the state includes intermodal (containers and trailers), minerals, hazardous wastes, hazardous materials, coal, metallic and non-metallic minerals, and lumber.<sup>20</sup> Salt Lake City has a large inland intermodal terminal that contributes to the rail traffic in Tooele City.

20. www.up.com, State by State Guide, Union Pacific in Utah

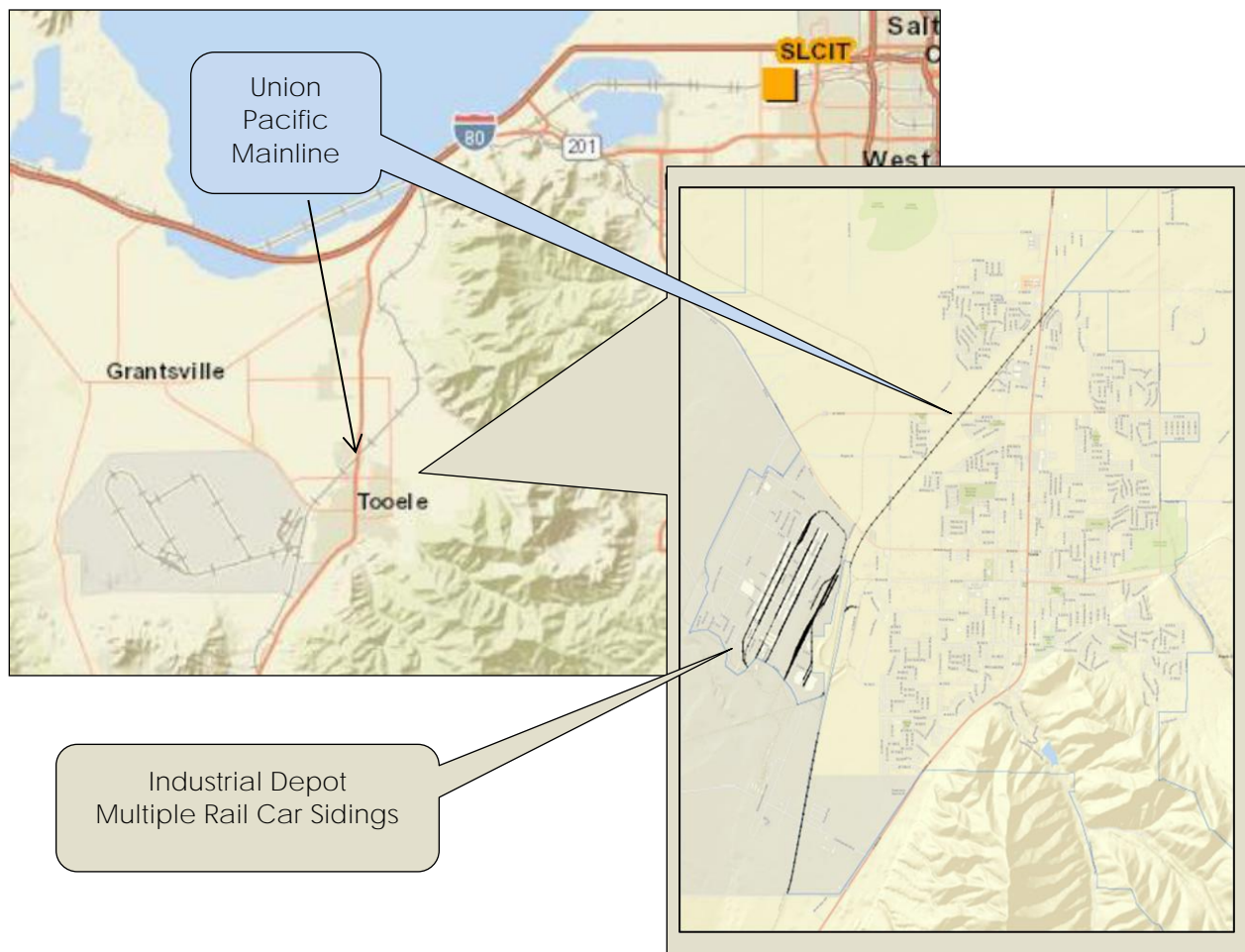


The industrial depot discussed above also has an internal rail yard that includes multiple sidings with rail cars stored for loading and off-loading purposes. Siding rail freight cars may include hazardous materials and hazardous wastes among other combustible materials. The industrial depot also operates its own internal rail service used to move cars around the many sidings for use by the various businesses.

Fires involving the potential commodities passing through and stored in sidings in Tooele City can produce smoke and other products of combustion risks that may be hazardous to health. Hazardous materials (existing or waste) themselves present hazards to health risks if being transported and involved in a rail accident.

The next figures illustrate rail in the region as well as rail in the city. At-grade crossings exist in the city and pose transportation accident risks.

FIGURE 4-9: Rail in Tooele City



## FIRE AND FIRE-RELATED RISK

An indication of the community's fire risk is the type and number of fire-related incidents to which the fire department responds. CPSM conducted a data analysis for this project that analyzed TCFD incident responses and workload. During the period studied, the TCFD arrived at 260 fire-related calls for service in the city during the 2019 study period. The following table details the call types and call type totals for these fire-related risks.

TABLE 4-2: Fire Call Types 2019\*

Call Type	Number of Calls	Calls per Day
False alarm	103	0.3
Good intent	24	0.1
Hazard	79	0.2
Outside fire	29	0.1
Public service	7	0.0
Structure fire	18	0.0
Fire total	260	0.7

Note: \*Developed from the CPSM data analysis.

Key takeaways from the data in this table are:

- Fire calls for the year totaled 260, an average of just under one call per day (0.7 calls/day).
- False alarm calls were the largest category of fire calls at 40 percent of fire calls.
- Structure and outside fire calls combined totaled 47 calls for the year and made up 18 percent of fire calls for the year.

After the CPSM data analysis was completed, the TCFD provided updated incident data, which the department extracted from its NFIRS records management system. This data is presented here in the following table.

TABLE 4-3: Fire Call Types, 2020 and 2021\*

2020			2021		
Call Type	Number of Calls	Calls per Day	Call Type	Number of Calls	Calls per Day
False alarm	134	0.4	False alarm	136	0.4
Good intent	15	0.0	Good intent	8	0.0
Hazard	90	0.2	Hazard	112	0.3
Outside fire	89	0.2	Outside fire	84	0.2
Public service	8	0.0	Public service	18	0.0
Structure fire	18	0.0	Structure fire	20	0.1
Fire Total	354	0.8	Fire Total	378	1.0

Note: \*This data provided by TCFD absed on NFIRS records.

Key takeaways from the data in this table are:

- Fire calls for 2020 totaled 354 (0.8/day) and calls for 2021 totaled 378 (1.0/day).
- False alarm calls were the largest category of fire calls for both 2020 and 2021.
- Structure and outside fire calls combined totaled 107 in 2020 and 104 in 2021.

## EMS RISK

---

As with fire risks, an indication of the community's pre-hospital emergency medical risk is the type and number of EMS calls that occur. The TCFD does not provide EMS first response with fire department apparatus and personnel other than motor vehicle accidents with entrapment or hazards, and to assist the private EMS service with bariatric patient movement.<sup>21</sup>

EMS pre-hospital care and ground transport in Tooele City is provided by Mountain West Medical Center (MWMC). Information relevant to EMS ground transport services includes:

- MWMC-EMS stages two EMS ground transport units in Tooele City on a regular basis and usually three during daytime peak call hours. The units are located at 950 North Main St. in Tooele City.
- The MWMC-EMS units are staffed at a minimum with one Paramedic and one Advanced EMT.
- The primary receiving hospital for EMS ground transport originating in Tooele City is Mountain West Medical Center located at 2055 North Main St. in Tooele City.
- The number of EMS transports originating in Tooele City for 2019, 2020, and 2021 were:
  - 2019: 1,183 transports
  - 2020: 1,295 transports
  - 2021: 1,506 transports

For 2019, 2020, and 2021 the number of EMS-related calls the TCFD responded to were:

- 2019: 7 calls.
- 2020: 22 calls.
- 2021: 16 calls.

## ISO RATING

---

The ISO is a national, not-for-profit organization that collects and evaluates information in communities across the United States regarding their capabilities to combat building fires. The data collected from a community is analyzed and applied to ISO's Fire Suppression Rating Schedule (FSRS) from which a Public Protection Classification (PPC™) grade is assigned to a community (1 to 10).

---

21. In a two-tiered system, the fire department responds with Basic Life Support (BLS) certified staffing and BLS equipment, to include an Automated External Defibrillator (AED), and/or Advanced Life Support (ALS) certified personnel and ALS equipment and pharmaceuticals, and initiates patient care prior to EMS ground transport arrival.

A Class 1 represents an exemplary community fire suppression program that includes all of the components outlined below. A Class 10 indicates that the community's fire suppression program does not meet ISO's minimum criteria. It is important to understand the PPC is not just a fire department classification, but a compilation of community services that include the fire department, the emergency communications center, and the community's potable water supply system operator.<sup>22</sup>

A community's PPC grade depends on:

- Needed Fire Flows (building locations used to determine the theoretical amount of water necessary for fire suppression purposes).
- Emergency Communications (10 percent of the evaluation).
- Fire Department (50 percent of the evaluation).
- Water Supply (40 percent of the evaluation).

Tooele City has an ISO rating of *Class 04/4X, the fourth highest rating achievable*. This rating became effective in June 2020. The final rating included the following credit by category:

- Emergency Communications: 7.01 earned credit points/10.00 credit points available.
- Fire Department: 37.47 earned credit points/50.00 credit points available.
- Water Supply: 35.85 earned credit points/40.00 credit points available.
- Community Risk Reduction (Fire Prevention/Inspection, Public Education, and Fire Investigation activities): 4.68 earned credit points/5.50 credit points available.

Overall, the community PPC rating yielded 67.25 earned credit points/105.50 credit points available. There was a 6.95 point diversion reduction assessed, which is automatically calculated based on the relative difference between the fire department and water supply scores. 60.00 points or more qualify a community for a rating of 4.

The following figures illustrates the dispersion of PPC ratings across the United States and in Utah.

§ § §

---

22. TCFD ISO PPC report; November 2019.

FIGURE 4-10: PPC Ratings in the United States<sup>23</sup>

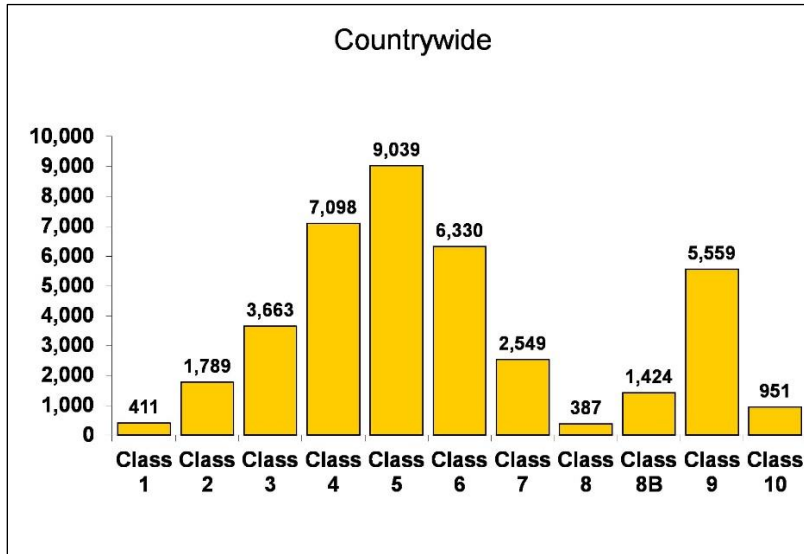
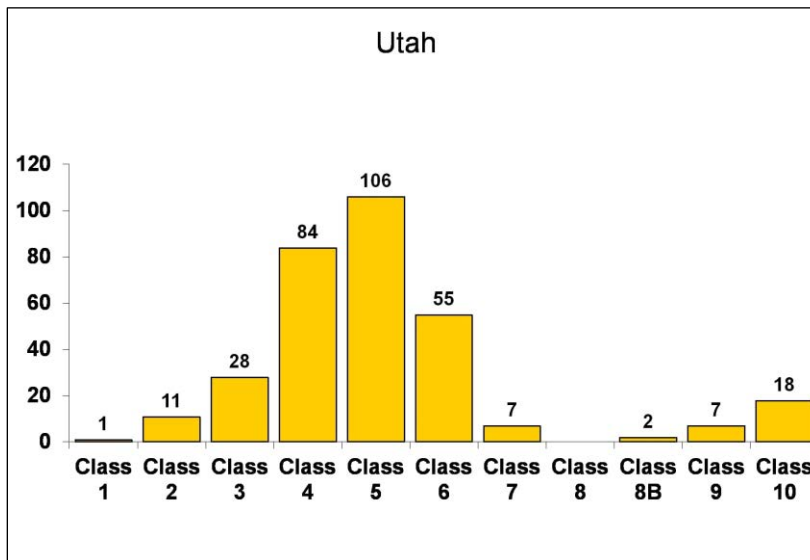


FIGURE 4-11: PPC Ratings in the United States<sup>24</sup>



Areas of scoring that should be reviewed further internally by the city and the TCFD are the following:

### Fire Department

Item 561: Credit for Deployment Analysis: 4.81/10.0 Credits

This section contemplates the deployment of engine and ladder companies against the percentage of built upon area within 1.5 miles of a first-due engine company and within 2.5 miles of a first-due ladder-service company.

23. <https://www.isomitigation.com/ppc/program-works/facts-and-figures-about-ppc-codes-around-the-country/>

24. Ibid.

This is addressed above in the facility section. Under the current two-station configuration, the TCFD deploys all its ladder apparatus from Station 2 and all of its engine apparatus from Station 1. This deployment strategy limits coverage for ladder apparatus at 2.5 miles and limits engine apparatus coverage at 1.5 miles. Alternatives that CPSM has suggested will improve this category if implemented under the proposed two- or three-station deployment strategy.

Item 5.71: Credit for Company Personnel: 4.38/15 Credits

This section contemplates the average number of on-duty personnel available to respond to fire calls, and links to deployment of companies for the built-upon areas of the city (1.5 miles for engines and 2.5 miles for ladders). Automatic aid is credited in this section. The FSRS recognizes 0.00 on-duty personnel and 21 on-call (volunteer) personnel based on their evaluation of response records.

According to the city's FSRS report:

*On-call members are credited on the basis of the average number staffing apparatus on first alarms. For personnel not normally at the fire station, the number of responding firefighters and company officers is divided by 3 to reflect the time needed to assemble at the fire scene and the reduced ability to act as a team due to the various arrival times at the fire location when compared to the personnel on-duty at the fire station during the receipt of an alarm.*

CPSM will provide a more focused review of this in a later section of this analysis. It should be noted that this item can be improved by implementing response protocols where personnel respond to the station, assemble a crew of 2 to 3 on an apparatus, and then respond to the scene, which links to members responding and arriving at various times to the scene. Additionally, the TCFD can implement 1 to 2 duty crews of 2 to 3 personnel each during the weekday overnight hours and on weekend days and nights to staff one engine and one ladder apparatus more routinely to respond to incidents. Again, this links with members responding and arriving at various times to the scene.

Item 581: Training 2.48/9.0 Credits. Areas of significant concern are the following:

Section A-Facilities and Use: For maximum credit, each firefighter should receive 18 hours of training per year in structure fire-related subjects as outlined in NFPA 1001 at a training facility where props and fire simulation buildings can be used. The TCFD is not meeting this section to its fullest potential. 6.82/35 Credits

Section B-Company Training: For maximum credit, each firefighter should receive 16 hours of training per month in structure fire-related subjects as outlined in NFPA 1001. The TCFD is not meeting this section to its fullest potential. 3.75/25 Credits

Section D-New Driver and Operator Training: For maximum credit, each new driver and operator should receive 60 hours of driver/operator training per year in accordance with NFPA 1002 and NFPA 1451. 2.5/5 Credits

Section H-Pre-Fire Planning Inspection: For maximum credit, company members should annually make pre-fire planning inspections of each commercial, industrial, institutional, and other similar type building. Records of inspections should include up-to-date notes and sketches. TCFD is not completing pre-fire plans on targeted hazard buildings that are commercial, industrial, institutional, and other similar types. 0/12 Credits

CPSM addressed several training issues in an earlier section in this analysis. This is an area in which the TCFD has many weaknesses as previously discussed and as highlighted in the ISO-FSRS report.

Of concern is the record keeping, adoption and management of guidelines that address training certifications and on-going incumbent training, and maintenance of required training by the department.

Of significance as well is that the department does not conduct, or if it does has no record of conducting, pre-fire planning inspections. Pre-fire planning inspections are company-level walk-throughs of commercial, industrial, institutional, hotels/motels, and larger footprint buildings to become familiar with floorplans, hose connections, means of egress, concentrations of population, hazardous materials storage, and the like. Typically, fire departments have templates they fill in while conducting these pre-fire plan inspections; these templates include pertinent owner/occupant information, sketched floor plans, hydrant locations, fire department connections, elevator locations, hazardous storage, or process locations in the building, etc. A very important purpose of a pre-fire plan is to have it available when an actual incident is occurring at the target hazard site or building. The pre-fire plan can provide the incident commander with vital information that he/she can reference when making incident decisions. The Industrial Depot with its variety of buildings, processes, commodities and commodity storage, and rail facilities is an example of where pre-fire planning would be beneficial to all members of the TCFD.

### *Water Supply Category*

Item 630-Credit for Inspection and Flow Testing: 2.4/7.0 Credits

This item contemplates fire hydrant inspection and flow-testing frequency in the city, and the completeness of the inspections, to include documentation. This section is completed by the city's Public Works Department.

Frequency of Inspections: The City received 0.00/7.0 credits for this section. This means fire hydrants have not been inspected in five years or more.

Frequency of Flow Testing: The City received 2.40/7.0 credits for this section. This means the hydrants have not been flow tested for nine to ten years.

### *Community Risk Reduction Category*

Item 1025-Fire Prevention Staffing: 1.46/8.0 credits

This item evaluates adequate staff for fire prevention activities. As noted in this analysis, there are nearly 800 occupancies that have a Business License in Tooele City and which require fire inspections either annually by state statute, or on a temporal schedule where each occupancy receives an inspection on a bi-annual or tri-annual basis as outlined in a fire inspection plan.

Item 1025-Fire Prevention Training and Certification: 0.00/6.0 credits

This item evaluates the training and certification of fire prevention personnel. This is addressed in other sections of the analysis; here it is noted again the TCFD does not have adequately certified and trained fire inspectors.

### *Recommendation:*

- CPSM recommends the city and the TCFD develop a joint plan to address deficiencies in the current ISO Fire Service Rating Schedule review that was effective June 2020 and as outlined here regarding Fire Department Deployment Analysis, Company Personnel, Training (Facilities and Use, Company Training, New Driver and Operator Training, Pre-Fire Planning Inspection), and Water Supply (Inspection and Flow Testing).



## COMMUNITY LOSS AND SAVE INFORMATION

---

Fire loss is an estimation of the total loss from a fire to the structure and contents in terms of replacement. Fire loss includes contents damaged by fire, smoke, water, and overhaul. Fire loss does not include indirect loss, such as business interruption.

In a 2019 report published by the National Fire Protection Association on trends and patterns of U.S. fire losses, it was determined that home fires still cause the majority of all civilian fire deaths, civilian injuries, and property loss due to fire. Key findings from this report include:<sup>25</sup>

- Public fire departments responded to 1,318,500 fires in 2018, virtually the same as the previous year.
- Every 24 seconds, a fire department in the United States responds to a fire somewhere in the nation. A fire occurs in a structure at the rate of one every 63 seconds, and a home fire occurs every 87 seconds.
- Seventy-four percent of all fire deaths occurred in the home.
- Home fires were responsible for 11,200 civilian injuries, or 74 percent of all civilian injuries, in 2018.
- An estimated \$25.6 billion in property damage occurred as a result of fire in 2018, a significant increase, as this number includes a \$12 billion loss in wildfires in Northern California.
- An estimated 25,500 structure fires were intentionally set in 2018, an increase of 13 percent over the year before.

The TCFD did not report or provide community loss information as recorded from incidents the department responded to for a five-year period for which CPSM requested information. Additionally, the TCFD did not report any fire or non-fire related injuries or fatalities during this same five-year period. That said, the TCFD did respond to 992 fire/service/hazardous type calls for service during 2019, 2020, and 2021. Typically fire departments across the nation record community loss in terms of property loss dollars of some type for these types of incidents, specifically for structural, vehicle, and outside fires. Over a five-year period there typically is some level of property/community save information as well. This information, when available, should be analyzed internally and applied to training, building and hazard recognition, as well equipment and apparatus decisions.

### Fire Incident Demand

The fire and EMS risk in terms of numbers and types of incidents is important when analyzing a community's risk, as outlined above. Analyzing where the fire and EMS incidents occur, and the demand density of fire and EMS incidents, helps to determine adequate fire management zone resource assignment and deployment. For the TCFD, although there are two fire stations, the entire city serves as the fire management zone.

The following figures illustrate fire demand in the TCFD fire management zone. Figure 4-12 illustrates all fire calls; Figure 4-13 illustrates structural and outside fires; Figure 4-14 illustrates other types of fire-related incidents such as good intent and public service calls, which are calls for

---

25. <https://www.nfpa.org/News-and-Research/Data-research-and-tools/US-Fire-Problem/Fire-loss-in-the-United-States>

service such as smoke scares (no fire), wires down, lock outs, water leaks, etc.; Figure 4-15 illustrates the call density of false alarms, which typically are fire alarm.

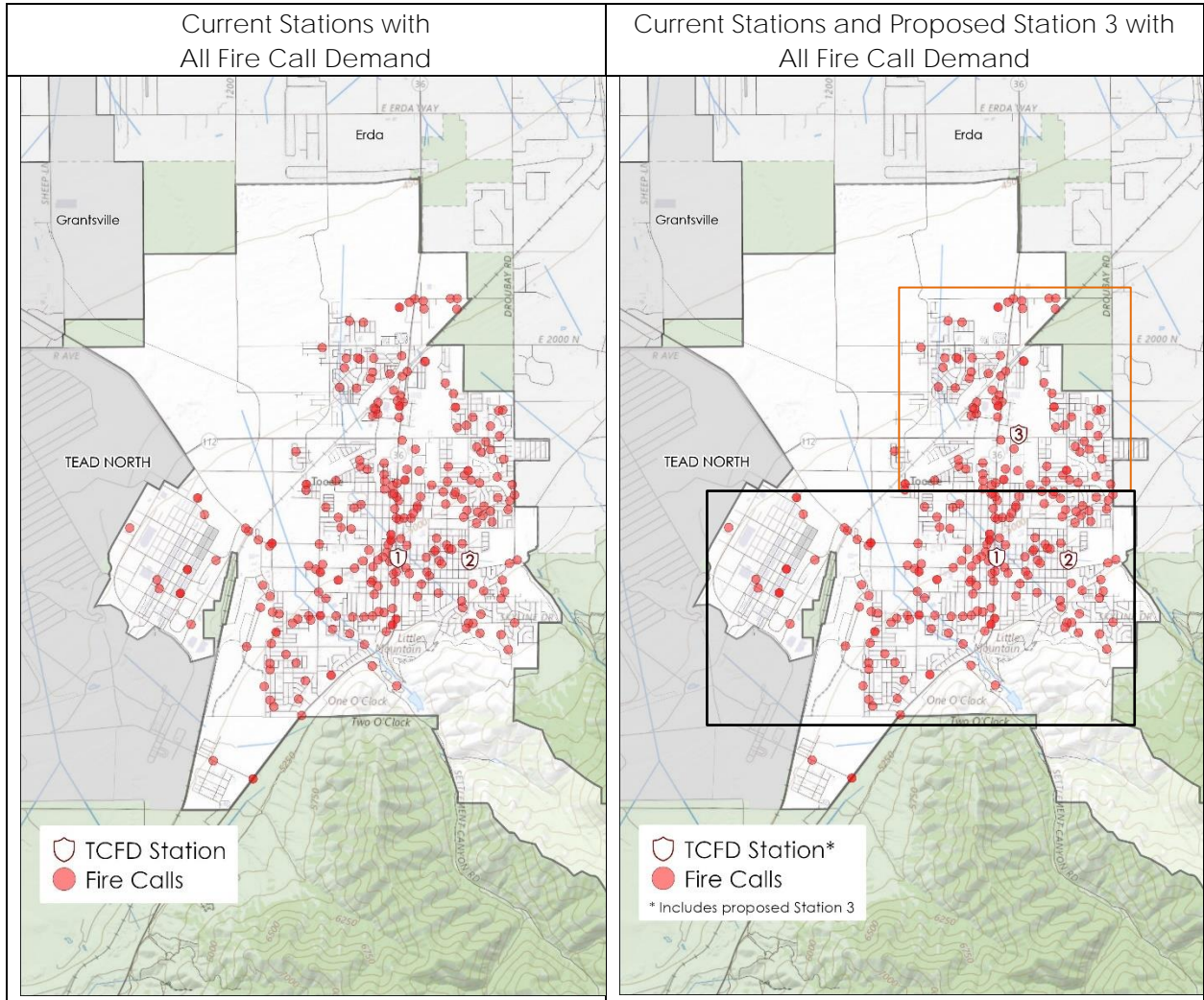
*For planning purposes, the maps in these figures show incidents in relation **to the TCFD's current** two-station alignment and in relation to a three-station alignment with the addition of Station 3.*

The following four demand maps tell us that:

- Fire calls are concentrated in the central built-upon area of the city. There is demand north and east of the proposed Station 3, which provides further justification for this station. The call demand also shows the limited service area by demand for Station 2.
- Structure/outside fire-related and EMS incident demand is concentrated in two areas, the north and south areas of the city, with a slightly higher demand just south and east of the proposed Station 3.
- Other non-fire call types such as good intent and public service calls, which are calls for service such as smoke scares (no fire), wires down, lock outs, water leaks, etc., are concentrated along Main Street in the central built-upon area of the city and north and east of Station 1 and the proposed Station 3.
- Fire/false alarm demand is concentrated in three areas of the city and includes the middle portion of the city, southwest, and north and east of the proposed Station 3.

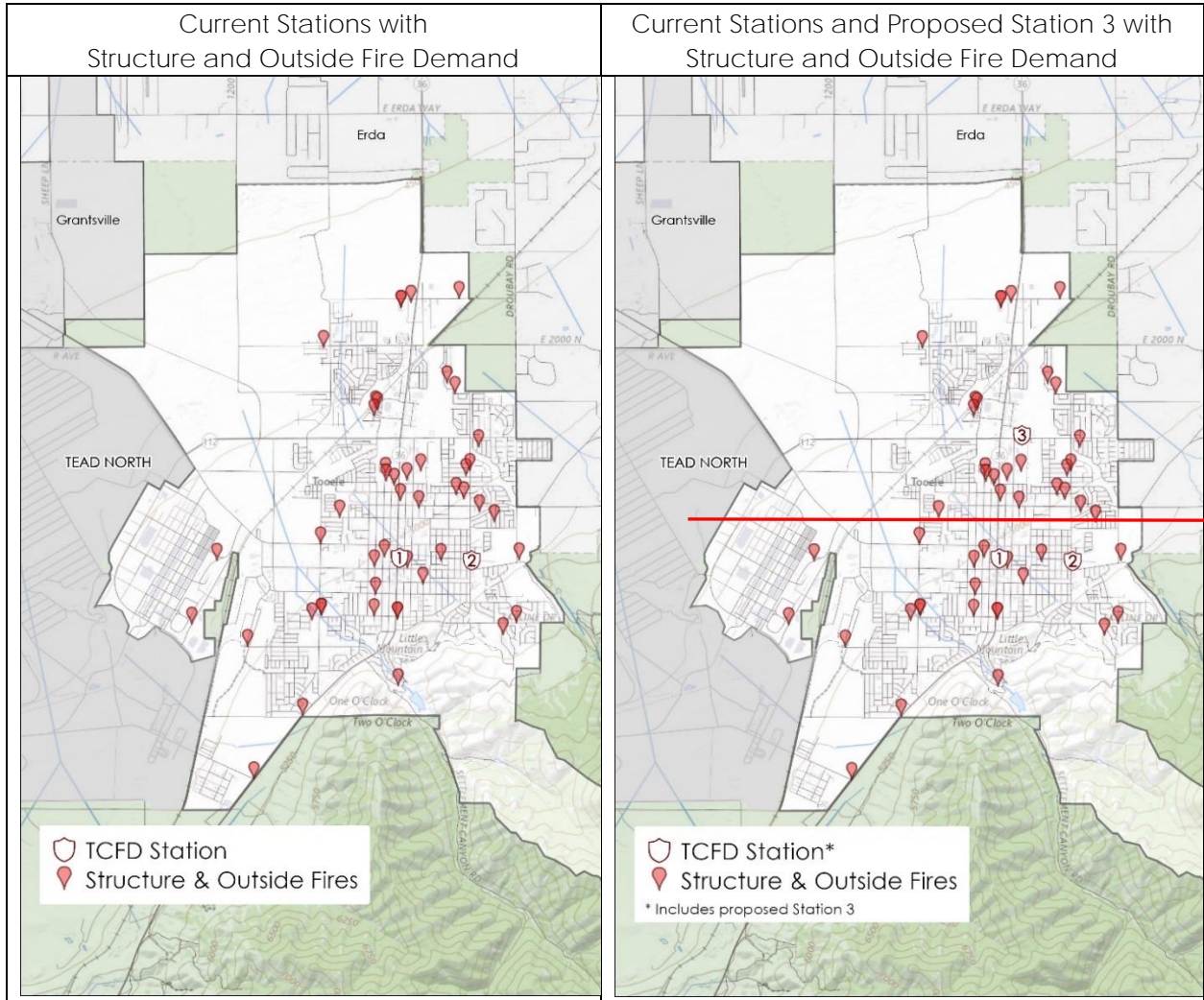
§ § §

FIGURE 4-12: Fire Incident Demand Density (All Fire Calls)



§ § §

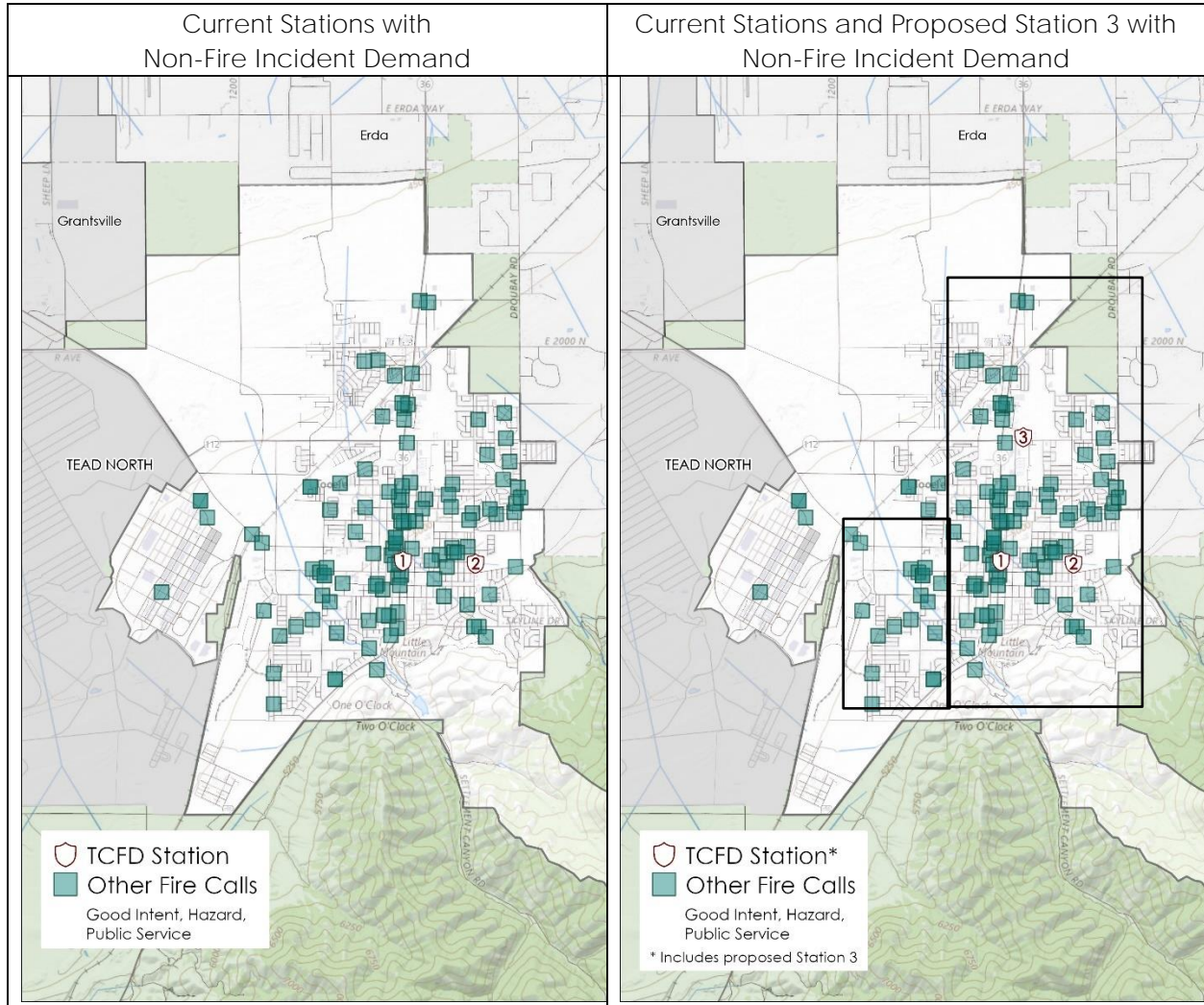
FIGURE 4-13: Fire Incident Demand Density (Structure and Outside Fires)



§ § §

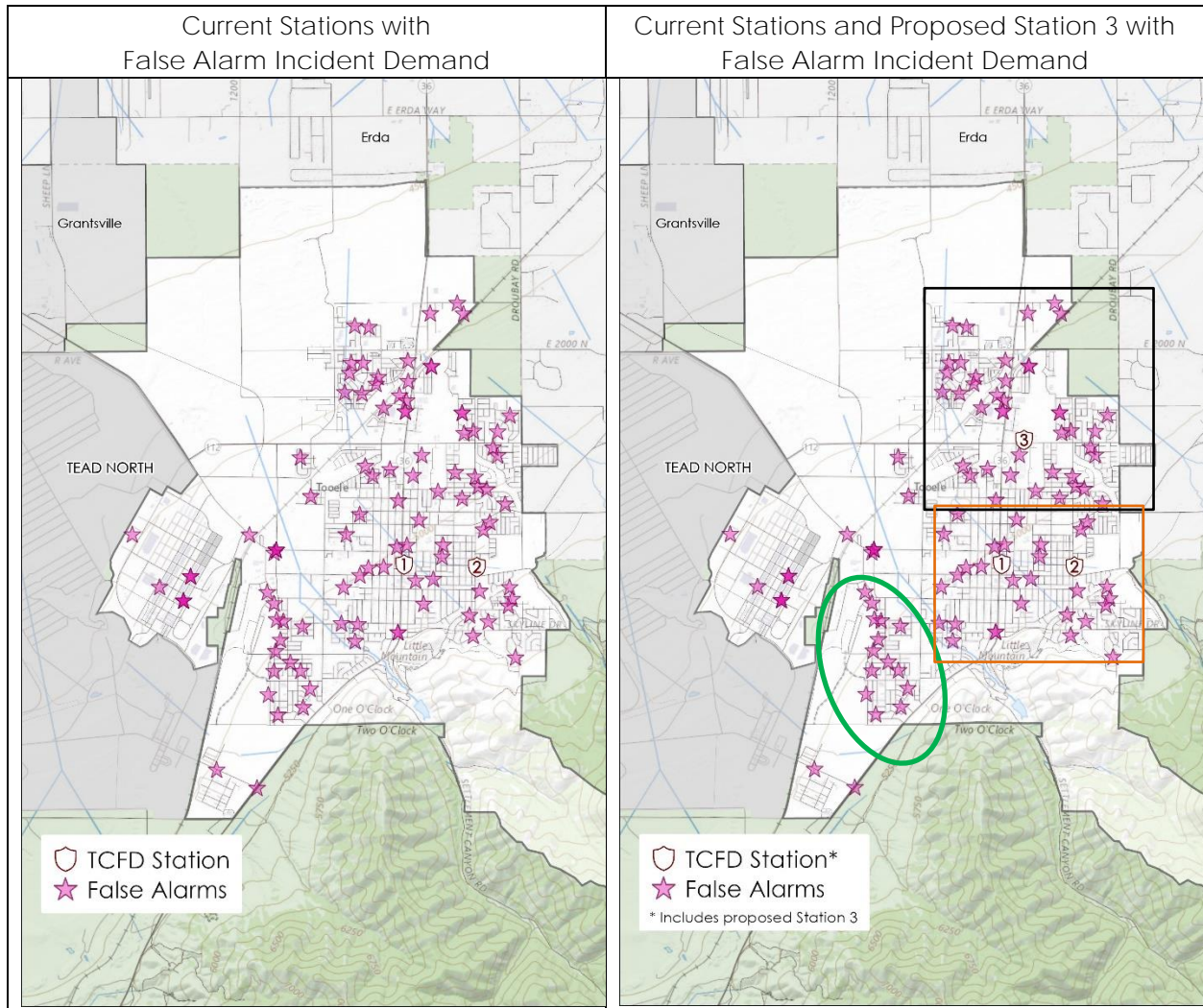


FIGURE 4-14: Other Fire-Related Incident Demand Density



§ § §

FIGURE 4-15: False Alarm Incident Demand Density



## RESILIENCY

Resiliency as defined by the Center for Public Safety Excellence (CPSE) in the FESSAM 9th edition as “an organization’s ability to quickly recover from an incident or events, or to adjust easily to changing needs or requirements.” Greater resiliency can be achieved by constant review and analysis of the response system and focuses on three key components:

- Resistance: The ability to deploy only resources necessary to safely and effectively control an incident and bring it to termination, which is achieved through the development and implementation of critical tasking and its application to the establishment of an effective response force for all types of incidents.
- Absorption: The ability of the agency to quickly add or duplicate resources necessary to maintain service levels during heavy call volume or incidents of high resource demand.
- Restoration: The agency’s ability to quickly return to a state of normalcy.

Resistance is controlled by the TCFD through staffing and response protocol, and with TCFD resources dependent on the level of available volunteer members and units available at the time of the alarm.

Absorption is accomplished through available TCFD units and volunteer members ready respond as simultaneous calls occur.

Restoration is managed by TCFD unit availability, recall of volunteers to staff fire units during campaign events when warranted, and efficient work on incidents for a quick return to service.

Regarding resiliency, the following four tables analyze TCFD availability to respond to calls, and the frequency by number of hours that units are dedicated to a single or multiple incidents.

TABLE 4-4: All Call Types and Duration of Calls

Call Type	Less than 30 Minutes	30 Minutes to One Hour	One to Two Hours	More Than Two Hours	Total
False alarm	58	30	14	1	103
Good intent	12	9	2	1	24
Hazard	35	24	13	7	79
Outside fire	10	9	6	4	29
Public service	3	3	1	0	7
Structure fire	5	8	3	2	18
Fire total	123	83	39	15	260
EMS total	5	2	2	0	9
Canceled	86	15	8	1	110
Mutual aid	2	5	4	2	13
Total	217	105	52	18	392

TABLE 4-5: Top 10 Hours with the Most Calls Received

Hour	Number of Calls	Number of Runs	Total Deployed Hours
2/14/2019, 6:00 p.m. to 7:00 p.m.	3	9	1.8
7/11/2019, 6:00 p.m. to 7:00 p.m.	2	17	16.5
8/4/2019, 9:00 p.m. to 10:00 p.m.	2	11	6.4
9/25/2019, 6:00 p.m. to 7:00 p.m.	2	7	4.1
4/19/2019, 5:00 p.m. to 6:00 p.m.	2	7	2.4
6/15/2019, 4:00 p.m. to 5:00 p.m.	2	7	2.4
2/17/2019, 10:00 a.m. to 11:00 a.m.	2	6	4.0
1/1/2019, 1:00 a.m. to 2:00 a.m.	2	5	5.2
10/26/2019, 7:00 p.m. to 8:00 p.m.	2	5	1.9
5/1/2019, 8:00 p.m. to 9:00 p.m.	2	4	2.7



TABLE 4-6: Run Workload by Station and Unit

Station	Unit	Unit Type	Deployed Minutes per Run	Total Hours	Total Pct.	Deployed Minutes per Day	Total Runs	Runs per Day
1	BR217	Brush	55.4	57.2	7.3	9.4	62	0.2
	BR219	Brush	49.9	10.8	1.4	1.8	13	0.0
	EN214	Engine	56.8	2.8	0.4	0.5	3	0.0
	EN220	Engine	49.8	60.6	7.8	10.0	73	0.2
	EN221	Engine	35.0	152.1	19.5	25.0	261	0.7
	Total			41.3	283.6	36.4	46.6	412
2	BR215	Brush	25.6	2.1	0.3	0.4	5	0.0
	BR216	Brush	68.0	10.2	1.3	1.7	9	0.0
	BR223	Brush	56.7	42.5	5.5	7.0	45	0.1
	LAD222	Ladder	42.0	31.5	4.0	5.2	45	0.1
	LAD224	Ladder	72.2	15.6	2.0	2.6	13	0.0
	Total			52.3	102.0	13.1	16.8	117

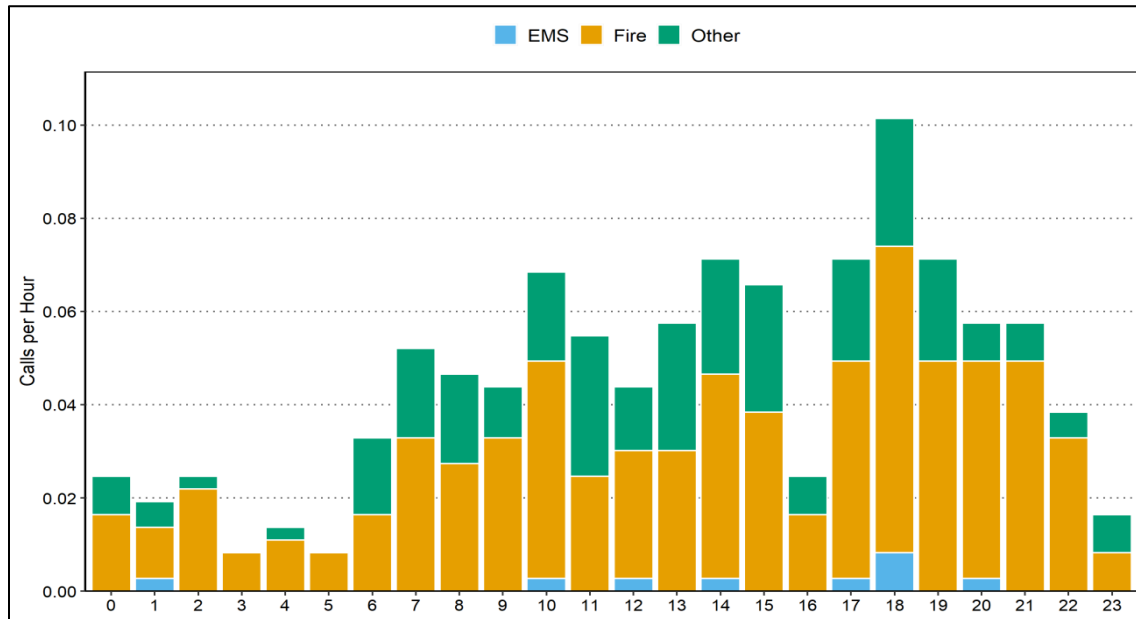
TABLE 4-7: Frequency of Overlapping Calls

Scenario	Number of Calls	Percent of All Calls	Total Hours
No overlapped call	348	97.2	240.4
Overlapped with one call	10	2.8	2.6

TABLE 4-8: Calls by Call Type and Number of Arriving Fire Suppression Units

Call Type	Number of Units				Total Calls
	One	Two	Three	Four or More	
False alarm	69	9	0	1	79
Good intent	13	7	1	1	22
Hazard	46	21	1	0	68
Outside fire	5	12	8	2	27
Public service	2	1	2	0	5
Structure fire	5	3	5	5	18
Fire Total	140	53	17	9	219
EMS Total	0	5	0	0	5
Canceled	16	1	1	0	18
Mutual aid	6	2	2	0	10
Total	162	61	20	9	252
Percentage	64.3	24.2	7.9	3.6	100.0

FIGURE 4-16: Calls by Hour of Day



Regarding the TCFD's resiliency to respond to calls, analysis of these tables and figure tells us:

- On average the TCFD made 1.4 runs per day from both stations. A run involves more than one unit, and each unit is counted for the call. A call is a single count.
- The average deployed time for EMS runs was 42.7 minutes. The average deployed time for fire runs was 46.1 minutes (Table 7-4).
- On a station level, Station 1 made the most runs (412 runs, an average of 1.1 runs per day). Station 1 also had the highest total annual deployed time (284 hours, or an average of 47 minutes per day). Station 1 houses the primary engine companies, which carry the majority of the workload for the TCFD.
- On a unit level, Engine 221 made the most runs (261, or an average of just under one run per day) and had the highest total annual deployed time (152 hours, or an average of 25 minutes per day).
- 97 percent of the time the TCFD was deployed on a call, there was no call overlap.
- 3 percent of the time the TCFD was deployed on a call, another call occurred.
- For 64 percent of the calls received, the TCFD only responded one unit.
- For 24 percent of the calls received, the TCFD responded two units to a call for service.
- Hourly deployed time was highest during the day from 6:00 p.m. to 7:00 p.m.
- Peak call time for the TCFD varies. Calls are more likely to occur, however, between 7:00 a.m. and 10:00 p.m.

We conclude that, based on the overall workload of the TCFD, that 97 percent of the time there are no overlapping calls for service, that the highest percentage of calls answered last less than 30 minutes, and that 88 percent of the time the TCFD responds two apparatus to a call for service, the TCFD has resiliency in its deployment of resources.

## RISK CATEGORIZATION

A comprehensive risk assessment is a critical aspect of creating standards of cover and can assist the TCFD in quantifying the risks that it faces. Once those risks are known, the department is better equipped to determine if the current response resources are sufficiently staffed, equipped, trained, and positioned. In this component, the factors that drive the service needs are examined and then link directly to discussions regarding the assembling of an effective response force (ERF) and when contemplating the response capabilities needed to adequately address the existing risks, which encompasses the component of critical tasking. Both of these elements are discussed later in the report.

Risk is often categorized in three ways: the probability the event will occur in the community, consequence of the event on the community, and the impact on the fire department. The following three tables look at the probability of the event occurring (Table 4-9) which ranges from unlikely to frequent; consequence to the community (Table 4-10), which is categorized as ranging from insignificant to catastrophic; and the impact on the organization (Table 4-11), which ranges from insignificant to catastrophic.

TABLE 4-9: Event Probability

Probability	Chance of Occurrence	Description	Risk Score
Unlikely	2%-25%	■ Event may occur only in exceptional circumstances.	2
Possible	26%-50%	■ Event could occur at some time and/or no recorded incidents. Little opportunity, reason, or means to occur.	4
Probable	51%-75%	■ Event should occur at some time and/or few, infrequent, random recorded incidents, or little anecdotal evidence. Some opportunity, reason, or means to occur; may occur.	6
Highly Probable	76%-90%	■ Event will probably occur and/or regular recorded incidents and strong anecdotal evidence. Considerable opportunity, means, reason to occur.	8
Frequent	90%-100%	■ Event is expected to occur. High level of recorded incidents and/or very strong anecdotal evidence.	10

§ § §

TABLE 4-10: Consequence to Community Matrix

Impact	Impact Categories	Description	Risk Score
Insignificant	Life Safety	<ul style="list-style-type: none"> <li>1 or 2 people affected, minor injuries, minor property damage, and no environmental impact.</li> </ul>	2
Minor	Life Safety	<ul style="list-style-type: none"> <li>Small number of people affected, no fatalities, and small number of minor injuries with first aid treatment. Minor displacement of people for &lt;6 hours and minor personal support required.</li> <li>Minor localized disruption to community services or infrastructure for &lt;6 hours. Minor impact on environment with no lasting effects.</li> </ul>	4
	Economic and Infrastructure		
	Environmental		
Moderate	Life Safety	<ul style="list-style-type: none"> <li>Limited number of people affected (11 to 25), no fatalities, but some hospitalization and medical treatment required. Localized displacement of small number of people for 6 to 24 hours. Personal support satisfied through local arrangements. Localized damage is rectified by routine arrangements.</li> <li>Normal community functioning with some inconvenience.</li> <li>Some impact on environment with short-term effects or small impact on environment with long-term effects.</li> </ul>	6
	Economic and Infrastructure		
	Environmental		
Significant	Life Safety	<ul style="list-style-type: none"> <li>Substantial number of people (&gt;25) in affected area impacted with multiple fatalities, multiple serious or extensive injuries, and significant hospitalization.</li> <li>Enormous number of people displaced for 6 to 24 hours or possibly beyond. External resources required for personal support. Grave damage that requires external resources. Community only partially functioning, some services unavailable.</li> <li>Significant impact on environment with medium- to long-term effects.</li> </ul>	8
	Economic and Infrastructure		
	Environmental		
Catastrophic	Life Safety	<ul style="list-style-type: none"> <li>Very large number of people in affected area(s) impacted with significant numbers of fatalities, large number of people requiring hospitalization; serious injuries with long-term effects. General and widespread displacement for prolonged duration; extensive personal support required. Extensive damage to properties in affected area requiring major demolition.</li> </ul>	10
	Economic and Infrastructure		
	Environmental		

Impact	Impact Categories	Description	Risk Score
		<ul style="list-style-type: none"> <li>■ Serious damage to infrastructure. Significant disruption to, or loss of, key services for prolonged period.</li> <li>■ Community unable to function without significant support.</li> <li>■ Significant long-term impact on environment and/or permanent damage.</li> </ul>	

TABLE 4-11: Impact on TCFD

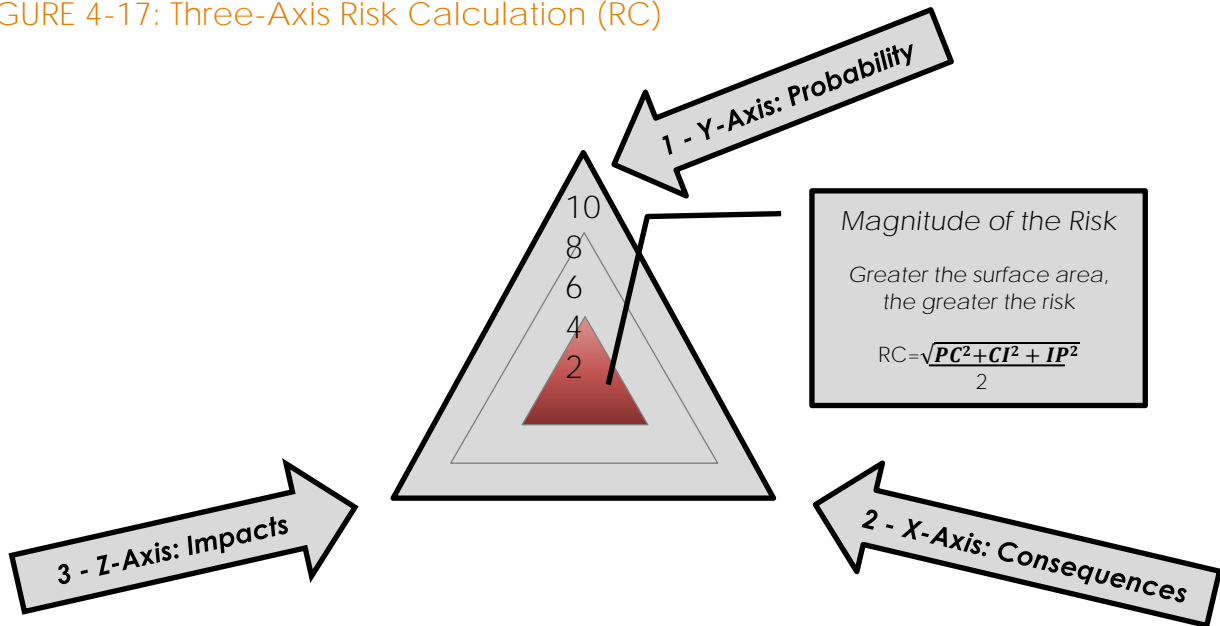
Impact	Impact Categories	Description	Risk Score
Insignificant	Personnel and Resources	<ul style="list-style-type: none"> <li>■ One apparatus out of service for period not to exceed one hour.</li> </ul>	2
Minor	Personnel and Resources	<ul style="list-style-type: none"> <li>■ More than one but not more than two apparatus out of service for a period not to exceed one hour.</li> </ul>	4
Moderate	Personnel and Resources	<ul style="list-style-type: none"> <li>■ More than 50 percent of available resources committed to incident for over 30 minutes.</li> </ul>	6
Significant	Personnel and Resources	<ul style="list-style-type: none"> <li>■ More than 75 percent of available resources committed to an incident for over 30 minutes.</li> </ul>	8
Catastrophic	Personnel, Resources, and Facilities	<ul style="list-style-type: none"> <li>■ More than 90 percent of available resources committed to incident for more than two hours or event which limits the ability of resources to respond.</li> </ul>	10

§ § §

This section also contains an analysis of the various risks considered in the city. In this analysis, information presented and reviewed in this section have been considered. Risk is categorized as Low, Moderate, High, or Special.

Prior risk analysis has only attempted to evaluate two factors of risk: probability and consequence. Contemporary risk analysis considers the impact of each risk to the organization, thus creating a three-axis approach to evaluating risk as depicted in the following figure. A contemporary risk analysis now includes probability, consequences to the community, and impact on the organization, in this case the TCFD.

FIGURE 4-17: Three-Axis Risk Calculation (RC)



The following factors/hazards were identified and considered:

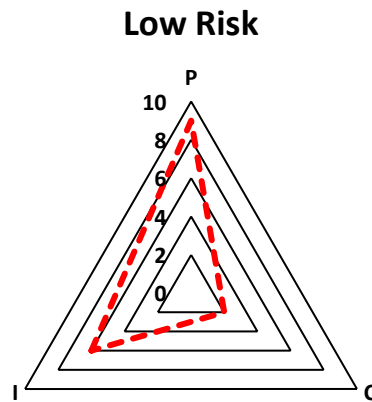
- Demographic factors such as age, socio-economic, vulnerability.
- Natural hazards such as flooding, snow and ice events, wind events, wild land fires.
- Manufactured hazards such as rail lines, roads and intersections, target hazards.
- Structural/building risks.
- Fire and EMS incident responses and demand density.

The assessment of each factor and hazard as listed below took into consideration the likelihood of the event, the impact on the city itself, and the impact on TCFD's ability to deliver emergency services, which includes time of day, department resiliency, and mutual aid capabilities as well. The list is not all inclusive but includes categories most common or that may present to the city and the TCFD.

### Low Risk

- Automatic fire/false alarms.
- Low-risk environmental event.
- Motor vehicle accident (MVA) with small spill and low hazards.
- Good intent/hazard/public service fire incidents with no life-safety exposure.
- Outside fires such as grass, rubbish, dumpster, vehicle with no structural/life-safety exposure.

FIGURE 4-18: Low Risk



§ § §





§ § §

*Moderate Risk*

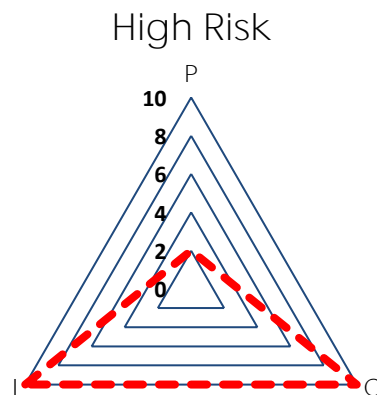
- Fire incident in a single-family dwelling where fire and smoke or smoke is visible, indicating a working fire.
- Suspicious substance investigation involving multiple fire companies and law enforcement agencies.
- MVA with entrapment of passengers.
- Grass/brush fire with structural endangerment/exposure.
- Low angle rescue involving ropes and rope rescue equipment and resources.
- Surface water rescue.
- Good intent/hazard/public service fire incidents with life-safety exposure.
- Rail event with no release of product or fire, and no threat to life safety.

FIGURE 4-19: Moderate Risk

## High Risk

- Working fire in a target hazard.
- Wild Land-Urban Interface fire with structural involvement.
- Mass casualty incident of more than 10 patients but fewer than 25 patients.
- Confined space rescue.
- Structural collapse involving life-safety exposure.
- High-angle rescue involving ropes and rope rescue equipment.
- Trench rescue.
- Suspicious substance incident with multiple injuries.
- Industrial leak of hazardous materials that causes exposure to persons or threatens life safety.
- Weather event that creates widespread flooding, heavy snow, heavy winds, building damage, and/or life-safety exposure.

FIGURE 4-20: High Risk

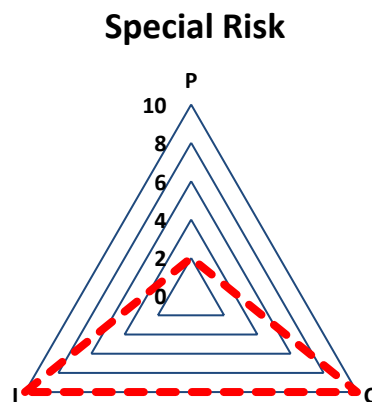


§ § §

## Special Risk

- Working fire in a structure of more than three floors.
- Fire at an industrial building or complex with hazardous materials.
- Fire in an occupied targeted hazard with special life-safety risks such as age, medical condition, or other identified vulnerabilities.
- Mass casualty incident of more than 25 patients.
- Rail or transportation incident that causes life-safety exposure or threatens life safety through the release of hazardous smoke or materials and evacuation of residential and business occupancies.
- Explosion in a building that causes exposure to persons or threatens life safety or outside of a building that creates exposure to occupied buildings or threatens life safety.
- Massive flooding, fire in a correctional or medical institution, high-impact environmental event, pandemic.
- Mass gathering with threat of fire and threat to life safety or other civil unrest, weapons of mass destruction release.

FIGURE 4-21: Special Risk



§ § §

# SECTION 5. EMERGENCY DEPLOYMENT AND PERFORMANCE

---

## FIRE OPERATIONS OVERVIEW

---

Fire and technical rescue incidents, and the fire department's ability to respond to, manage, and mitigate them effectively, efficiently, and safely, are mission-critical components of the emergency services delivery system. In fact, fire, and rescue, and in many fire departments its EMS operations, provide the primary, and certainly most important, basis for the very existence of the fire department.

Nationwide, fire departments are responding to more non-fire calls, and fewer calls that result in active firefighting operations by responders. This is well documented in both national statistical data as well as in CPSM fire studies. Nationally, improved building construction, code enforcement, automatic sprinkler systems, and aggressive public education programs have contributed to a decrease in serious fires and, more importantly, fire deaths among civilians.

These trends and improvements in the overall fire protection system notwithstanding, fires still do occur, and the largest percentage of those occur in residential occupancies, where they place the civilian population at risk. Although they occur with less frequency than they did several decades ago, when they occur today, they grow much quicker and burn more intensely than they did in the past due to building construction features, more flammable interior finishes and furniture, and in some cases in older buildings with multiple renovations that have led to hidden voids and spaces that act as channels for fire and smoke. As will be discussed later in this section, *it is imperative that the fire department, even a volunteer fire department, is able to assemble an Effective Response Force (ERF) within a reasonable time period in order to successfully mitigate these incidents with the least amount of loss possible and with a focus on life and firefighter safety.*

Fire and rescue work are task-oriented and labor intensive, performed by personnel wearing heavy, bulky personal protective equipment (PPE). Many critical fireground tasks require the skillful operation and maneuvering of heavy equipment.

The speed, efficiency, and safety of fireground operations are dependent upon the number of firefighters performing the tasks. If fewer firefighters are available to complete critical fireground tasks, those tasks will require more time to complete. This increased time is associated with elevated risk to both firefighters and civilians who may still be trapped in a structure.

To ensure civilian and firefighter safety, fireground tasks must be coordinated and performed in rapid sequence. Assembling an Effective Response Force (ERF) is essential to accomplish on-scene goals and objectives safely and efficiently. Without adequate resources to control the fire, the structure and its contents continue to burn. This increases the likelihood of a sudden change in fire conditions, and thus the potential for failure of structural components leading to collapse. **An inadequate ERF limits firefighters' ability to successfully perform a search and potential rescue of any occupants.**

As a fire grows and leaves the room and then floor of origin, or extends beyond the building of origin, it is most probable that additional personnel and equipment will be needed, as initial response personnel will be taxed beyond their available resources. From this perspective it is critical that the TCFD and mutual aid units respond quickly and initiate extinguishment efforts as

rapidly as possible after notification of an incident. It is, however, difficult to determine in every case the effectiveness of the initial response in limiting the fire spread and fire damage. Many variables will impact these outcomes, including:

- The time of detection, notification, and response of fire units.
- The age and type of construction of the structure.
- The presence of any built-in protection (automatic fire sprinklers) or fire detection systems.
- The contents stored in the structure and its flammability.
- The presence of any flammable liquids, explosives, or compressed gas canisters.
- Weather conditions and the availability of water for extinguishment.

Subsequently, in those situations in which there are extended delays in the extinguishment effort, or the fire has progressed sufficiently upon arrival of fire units, there is actually very little that can be done to limit the extent of damage to the entire structure and its contents. In these situations, suppression efforts may need to focus on the protection of nearby or adjacent structures (exterior exposures) with the goal being to limit the spread of the fire beyond the building of origin, and sometimes the exposed building. This is often termed *protecting exposures*. When the scope of damage is extensive, and the building becomes unstable, firefighting tactics typically move to what is called a *defensive attack*, or one in which hose lines and more importantly personnel are on the outside of the structure and their focus is to merely discharge large volumes of water until the fire goes out. In these situations, the ability to enter the building is extremely limited and if victims are trapped in the structure, there are very few safe options for making entry.

Today's fire service is actively debating the options of interior firefighting vs. exterior firefighting. These terms are self-descriptive in that an *interior fire attack* is one in which firefighters enter a burning building in an attempt to find the seat of the fire and from this interior position extinguish the fire with limited amounts of water. An *exterior fire attack*, also sometimes referred to as a *transitional attack*, is a tactic in which firefighters initially discharge water from the exterior of the building, either through a window or door and knock down the fire before entry in the building is made. The concept is to introduce larger volumes of water initially from the outside of the building, cool the interior temperatures, and reduce the intensity of the fire before firefighters enter the building.

A transitional attack is most applicable in smaller structures, typically single-family, one-story detached units that are smaller than 2,500 square feet in total floor area. For fires in larger structures, the defensive-type, exterior attacks involve the use of master streams, typically from an elevated aerial device, and capable of delivering large volumes of water for an extended period of time.

The exterior attack limits the firefighter from making entry into those super-heated structures that may be susceptible to collapse. From CPSM's perspective, there is the probability, dependent on the time of day, a TCFD response crew of a limited number of personnel on the initial response will encounter a significant and rapidly developing fire situation. *It is prudent, therefore, that TCFD build at least a component of its training and operating procedures around the tactical concept of this occurring.*

Critical tasks are those activities that must be conducted in a timely manner by responders at emergency incidents to control the situation and stop loss. Critical tasking for fire operations is

the minimum number of personnel needed to perform the tasks required to effectively control and mitigate a fire or other emergency.

To be effective, critical tasking must assign enough personnel so that all identified functions can be performed simultaneously. However, it is important to note that initial response personnel may handle secondary support functions once they have completed their primary assignment. Thus, while an incident may end up requiring a greater commitment of resources or a specialized response, a properly executed critical tasking assignment will provide adequate resources to immediately begin bringing the incident under control.

## NFPA 1720

National Fire Protection Association (NFPA) standards are consensus standards and not the law. Many cities and counties strive to achieve these standards to the extent possible without placing an undue financial burden on the community. A local jurisdiction must decide on the level of service it can deliver based on several factors as discussed herein to include budgetary considerations. Questions of legal responsibilities are often discussed in terms of compliance with NFPA standards. Again, these are national consensus standards, representing best practices and applied science and research.

NFPA 1720, *Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations and Special Operations to the Public by Volunteer Fire Departments*, 2020 edition (National Fire Protection Association, Quincy, Mass.), outlines organization and deployment of operations by volunteer and combination (a fire department having emergency service personnel comprising less than 85 percent majority of either volunteer or career membership) fire and rescue organizations.<sup>26</sup> It serves as a benchmark to measure staffing and deployment of resources to certain fire incidents and emergencies.

According to NFPA 1720, fire departments should base their specific role on a formal community risk management plan, as discussed earlier in this analysis, and taking into consideration:<sup>27</sup>

- Life hazard to the population protected. The number and type of units assigned to respond to a reported incident shall be determined by risk analysis and/or pre-fire planning.
- Fire suppression operations shall be organized to ensure that the fire department's fire suppression capability includes personnel, equipment, and other resources to deploy fire suppression resources in such a manner that the needs of the organization are met.
- The Authority Having Jurisdiction shall promulgate the fire department's organizational, operational, and deployment procedures by issuing written administrative regulations, standard operating procedures, and departmental orders.
- The number of members that are available to operate on an incident is sufficient and able to meet the needs of the department.
- Provisions for safe and effective firefighting performance conditions for the firefighters.
- Personnel responding to fires and other emergencies shall be organized into company units or response teams and have the required apparatus and equipment to respond.

---

26. NFPA 1720 is a nationally recognized standard, but it has not been adopted as a mandatory regulation by the federal government or the State of Utah. It is a valuable resource for establishing and measuring performance objectives for Tooele City but should not be the only determining factor when making local decisions about the county's fire and EMS services.

27. NFPA 1710, 5.2.1.1, 5.2.2.2

- Initial firefighting operations shall be organized to ensure that at least four members are assembled before interior fire suppression operations are initiated in a hazardous area.
- The capability to sustain operations shall include the personnel, equipment, and resources to conduct incident specific operations.

It is understood that volunteers typically respond to incidents from home or work, so for a minimum-level Effective Response Force to begin fire suppression efforts, NFPA 1720 establishes the minimum response staffing for a predominately volunteer department for low-hazard structural firefighting incidents (to include out buildings and up to a 2,000 square-foot, one- to two-story, single-family dwelling without a basement and no exposures) for specific demand zones as shown in the following table.

Each demand zone takes into consideration certain risk elements such as population density, exposed occupied buildings (more predominant in urban and suburban demand zones), water supply, and proximity to responding apparatus and members (incident and fire station).

TABLE 5-1: NFPA 1720 Staffing for Effective Response Force, Residential Structure

Demand Zone	Demographics	Minimum Staff to Respond to Scene*	Response Time Standard
Urban Area	>1000 people/mi <sup>2</sup>	15	Within 9 minutes 90 percent of the time
Suburban Area	500-1000 people/mi <sup>2</sup>	10	Within 10 minutes 80 percent of the time
Rural Area	<500 people/mi <sup>2</sup>	6	Within 14 minutes 80 percent of the time
Remote Area	Travel Distance ≥8 miles	4	Directly dependent on travel distance, determined by AHJ, 90 percent of the time

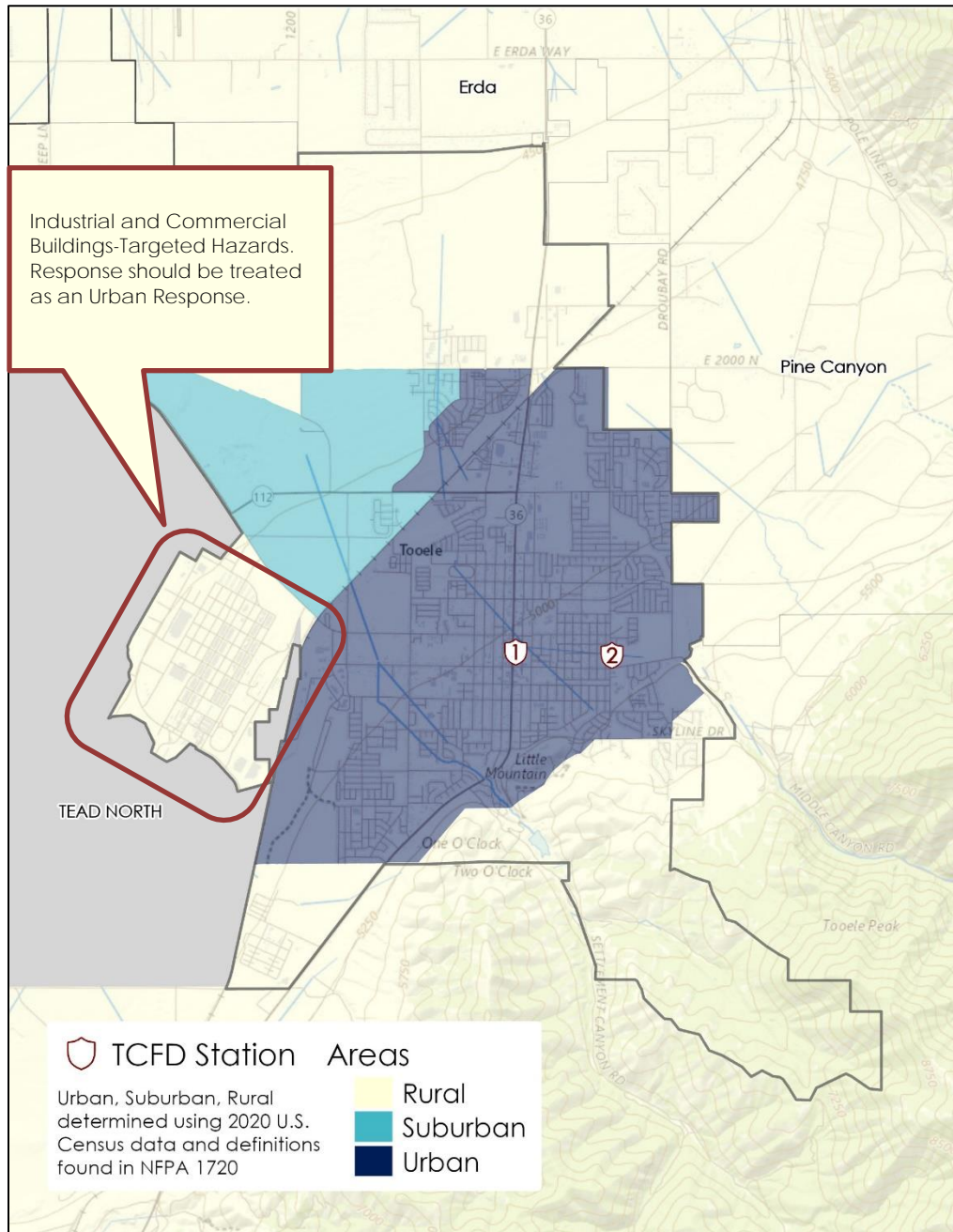
Note: \*Minimum staff responding includes automatic and mutual aid. Minimum staff responding to scene by apparatus and personal owned vehicle.

The next figure shows the areas of Tooele City that are urban, suburban, and rural as benchmarked against the NFPA 1720 demographics. The purpose of this map is to identify where the NFPA 1720 demand zones exist in the city and how this links to the Effective Response Force for each zone the TCFD should strive to meet for building fires. The largest built-upon land area of the city meets the NFPA 1720 urban demand zone minimum staff to respond benchmark, that is, 15 personnel.

§ § §



FIGURE 5-1: Tooele City NFPA 1720 Demand Zones



The variables of how and where personnel and companies are located, and how quickly they can arrive on scene, play major roles in controlling and mitigating emergencies. *The reality is that TCFD relies on volunteer response from home or work to make up the teams and crews of the Effective Response Force.* TCFD's volunteer availability at any time of the day may have an impact on assembling enough personnel and resources on the scene. This factor has to be considered at all times by those responding to the scene, those responding to the station to pick up apparatus, and command officers responding who must manage and coordinate available responding and on-scene resources.

The next three tables provide examples of operational critical tasking utilizing the NFPA 1720 minimum staffing criteria. As discussed above, the urban demand zone stipulates the largest minimum staffing and more closely aligns with the NFPA 1710 Effective Response Force. In the urban demand zone, when the minimum staffing assembles, critical tasks are completed simultaneously. *TCFD has urban demand zones in its response district as defined by NFPA 1720.*

In the suburban, rural, and remote demand zones, critical tasks are combined more frequently than in the urban demand zone, creating circumstances where these critical tasks are completed in sequence, rather than simultaneously. *TCFD has suburban demand zones in its response district as defined in NFPA 1720.*

The rural and remote demand zone minimum staffing can place one attack line in service, and then combine two-person crews (two for rural; one for remote) to handle one or two other critical tasks until additional crew members arrive on scene. Achieving completion of the basic fireground critical tasks as outlined in the suburban demand zone is less than optimal in the rural and remote demand zones. *The TCFD has rural demand zones in its response district as defined in NFPA 1720.*

**TABLE 5-2: Critical Tasking in an Urban Demand Zone, Single-Family Dwelling**

Critical Task	# of Responders Assigned to Task
Attack Line (2-In)	2
Backup/Second Line	2
Ventilation	2
Search and Rescue	2
Rapid Intervention (2-out)	2
Attack Engine Pump Operator	1
Water Source Engine Pump Operator	1
Outside Crew for: utility control, hose management, potential exposure line or additional fire suppression line	2
Incident Commander	1
Total Minimum Response for Urban Demand Zone	15

**TABLE 5-3: Critical Tasking in a Suburban Demand Zone, Single-Family Dwelling**

Critical Task	# of Responders Assigned to Task
Attack Line/Search and Rescue (2-In)	2
Backup/Second Line	2
Attack Engine Pump Operator	1
Water Source Engine Pump Operator	1
Outside crew for: rapid intervention crew ventilation, utility control, hose management, potential exposure line or additional fire suppression line	3
Incident Commander	1
Total Minimum Response for Suburban Demand Zone	10

TABLE 5-4: Critical Tasking in a Rural Demand Zone, Single-Family Dwelling

Critical Task	# of Responders Assigned to Task
Attack Line/Search and Rescue (2-In)	2
Backup/Second Line	2
Outside crew for: initial engine pump operator (sets pump then assists with outside tasks), ventilation, utility control, hose management, potential exposure line or additional fire suppression line. One member may take on incident command function coordinating with interior crew(s) until additional crew members/command officers arrive on scene.	2
Total Minimum Response for Rural Demand Zone	6

### NFPA 1500, and Two-In/Two-Out

Another consideration, and one that links to critical tasking and assembling an Effective Response Force, is that of two-in/two-out. Prior to initiating any fire attack in an immediately dangerous to life and health (IDLH) environment (and with no confirmed rescue in progress), the initial two-person entry team shall ensure that there are sufficient resources on-scene to establish a two-person initial rapid intervention team (IRIT) located outside of the building.

One standard that addresses this is NFPA 1500, *Standard on Fire Department Occupational Health, Safety, and Wellness*, 2018 Edition. NFPA 1500 addresses the issue of two-in/two-out by stating during the initial stages of the incident where only one crew is operating in the hazardous area of a working structural fire. By this standard, a minimum of four individuals shall be required consisting of two members working as a crew in the hazardous area and two standby members present outside this hazard area available for assistance or rescue at emergency operations where entry into the danger area is required.<sup>28</sup>

NFPA 1500 also speaks to the utilization of the two-out personnel in the context of the health and safety of the firefighters working at the incident. *The assignment of any personnel including the incident commander, the safety officer, or operations of fire apparatus, shall not be permitted as standby personnel if by abandoning their critical task(s) to assist, or if necessary, perform rescue, the clearly jeopardize the safety and health of any firefighter working at the incident.*<sup>29</sup>

As is common with many volunteer/combination fire departments, TCFD does not respond to structural fires with a pre-determined staffing regimen or a guaranteed command officer on the initial alarm dispatch. Under this response model, TCFD may or may not have the minimum number of firefighters on the initial response in order to comply with CFR 1910.134(g)(4), regarding two-in/two-out rules and initial rapid intervention team (IRIT). Responding members must be mindful of who and what apparatus is on scene and the Two-In/Two-Out concept.

In order to meet the intent of NFPA 1500, TCFD must utilize two personnel to commit to interior fire attack while two firefighters remain out of the hazardous area or immediately dangerous to life

28. NFPA 1500, 2018, 8.8.2.  
29. NFPA 1500, 2018, 8.8.2.5.

and health (IDLH) area to form the IRIT, while attack lines are charged, and a continuous water supply is established.

NFPA 1500 does allow for fewer than four personnel under specific circumstances. It states, Initial attack operations shall be organized to ensure that if on arrival at the emergency scene, initial attack personnel find an imminent life-threatening situation where immediate action could prevent the loss of life or serious injury, such action shall be permitted with fewer than four personnel.<sup>30</sup>

In the end, the ability to assemble adequate personnel, along with appropriate apparatus to the scene of a structure fire, is critical to operational success and firefighter safety. NFPA 1720 addresses this through the minimum staff to respond matrix this standard promulgates.

FIGURE 5-2: Two-In/Two-Out Interior Firefighting Model\*



Note: \*Four-person staffing, with single engine arrive at scene, or Two 2-person staffed units (engine/engine; engine/ambulance) arrive at scene.

30. NFPA 1500, 2018 8.8.2.10.

## TCFD Response Times

Response times for fire incidents are based on the concept of “flashover.” A flashover is the near-simultaneous ignition of most of the directly exposed combustible material in an enclosed area. When certain organic materials are heated, they undergo thermal decomposition and release of flammable gases. Flashover occurs when the majority of the exposed surfaces in a space are heated to their auto ignition temperature and emit flammable gases. “Flashover is the transition phase in the development of a contained fire in which surfaces exposed to thermal radiation, from fire gases in excess of 600 degrees Celsius, reach ignition temperature more or less simultaneously and fire spreads rapidly throughout the space.”<sup>31</sup>

Flashover is not time-dependent. Flashover can occur within three minutes from ignition; it may also take longer. Flashover times are more dependent on the size of the compartment, the fuel load within the compartment, and the construction elements of the compartment. Again, these variables cannot be seen from outside the structure, so the interior firefighters and officers must be constantly aware of them.<sup>32</sup>

When the fire does reach this extremely hazardous state, initial firefighting forces are often overwhelmed, a larger and more destructive fire occurs, the fire escapes the room and even the building of origin, and significantly more resources are required to affect fire control and extinguishment.

To illustrate how a fire grows over a brief period of time, the next figure shows the time progression of a fire from inception (event initiation) through flashover. The time-versus-products of combustion curve shows activation times and effectiveness of residential sprinklers (approximately one minute), commercial sprinklers (four minutes), flashover (eight to ten minutes), and firefighters applying first water to the fire after notification, dispatch, response, and set-up (ten minutes).

§ § §

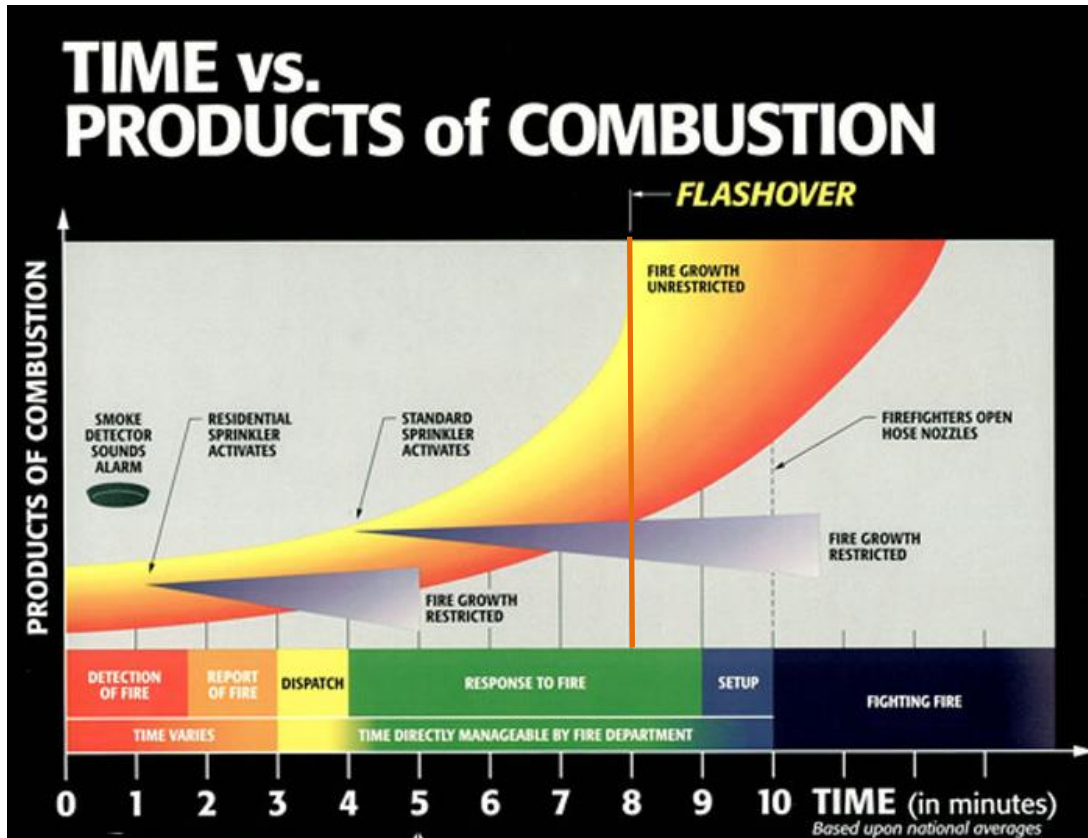
---

<sup>31</sup> National Institute of Standards and Technology, Definition of Flashover.

<sup>32</sup> Fire Engineering, June 2010, “Understanding Flashover.”

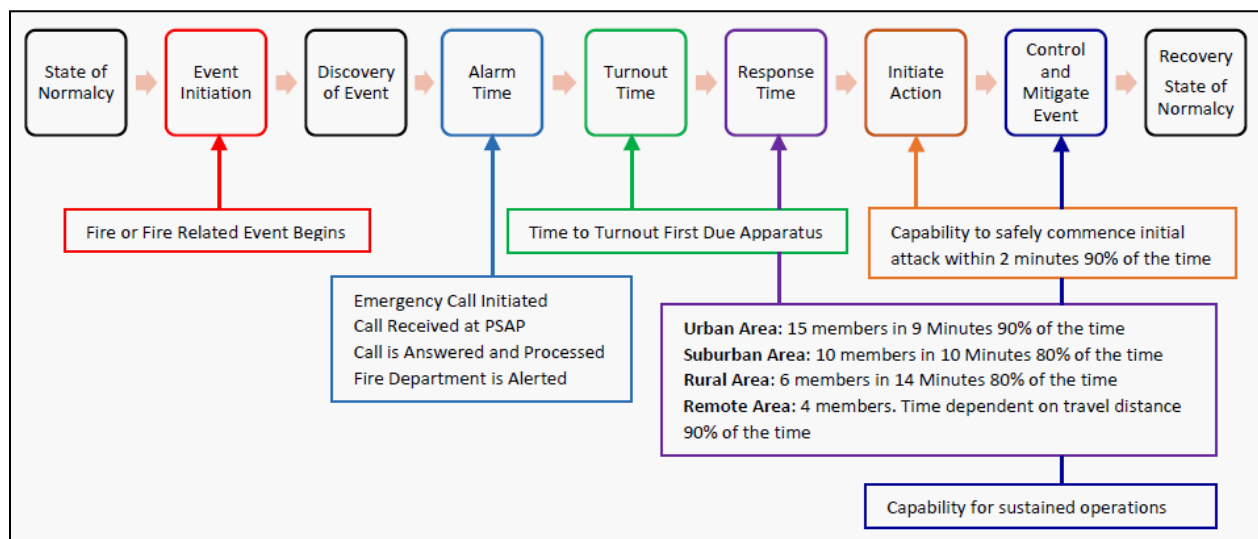


FIGURE 5-3: Fire Growth from Inception to Flashover<sup>33</sup>



The next figure illustrates the overview of response time performance for fire response under NFPA 1720.

FIGURE 5-4: NFPA 1720 Response Time Performance Elements



33. Source: Home Fire Sprinkler Coalition.

The next table illustrates TCFD's **response times** in 2019 for fire incident types at the 80th and 90th percentile in terms of response with the first arriving apparatus to any urban, suburban, or rural area.

*Dispatch time* is the difference between the time a call is received and the earliest time an agency is dispatched. Dispatch time includes call processing time, which is the time required to determine the nature of the emergency and the types of resources to dispatch.

*Turnout time* is the difference between the earliest dispatch time and the earliest time an agency's unit is en route to a call's location.

*Travel time* is the difference between the earliest en route time and the earliest arrival time.

*Response time* is the total time elapsed between receiving a call to arriving on scene. In the data analysis, we included all calls within the primary service areas of TCFD to which at least one unit responded.

Canceled and mutual aid calls were excluded. In addition, calls with a total response time of more than 30 minutes or missing response time information were excluded.

**TABLE 5-5: 80th and 90th Percentile Response Time of First Arriving Unit**

Call Type	80 <sup>th</sup> Percentile Response Time, Min.				90 <sup>th</sup> Percentile Response Time, Min.				Number of Calls
	Dispatch	Turnout	Travel	Total	Dispatch	Turnout	Travel	Total	
False alarm	3.3	5.4	7.2	13.1	4.6	6.1	8.3	16.2	64
Good intent	2.9	4.9	4.7	11.1	4.0	5.6	5.5	15.8	17
Hazard	3.3	3.9	4.6	11.5	4.3	4.9	6.2	14.8	45
Outside fire	2.6	2.8	5.3	11.3	3.4	4.0	8.1	12.9	17
Public service	3.6	4.0	8.4	14.8	3.8	4.3	9.6	15.2	6
Structure fire	3.0	4.2	4.4	10.5	3.3	5.0	6.8	11.3	9
Fire Total	3.3	4.3	5.8	12.1	4.0	5.5	7.3	15.2	158
EMS Total	6.7	2.4	3.0	12.2	6.7	2.4	3.0	12.2	3
Total	3.3	4.3	5.8	12.1	4.0	5.5	7.3	15.2	161

This table tells us:

- The 80th percentile dispatch time was 3.3 minutes
- The 80th percentile turnout time for fire calls was 4.3 minutes.
- The 80th percentile travel time for fire calls was 5.8 minutes.
  - The 80th percentile turnout plus travel time for fire calls was 10 minutes.
- The 80th percentile total response time for fire calls was 12 minutes.
- The 80th percentile response time was 11.3 minutes for outside fires and 10.5 minutes for structure fires.
  - The 80th percentile turnout plus travel time for outside fires was 8.1 minutes and for structure fires was 8.6 minutes.
- The 90th percentile dispatch time for fire calls was 4.0 minutes



- The 90th percentile turnout time for fire calls was 5.5 minutes.
- The 90th percentile travel time for fire calls was 7.3 minutes.
  - The 90th percentile for turnout plus travel time was 12.8 minutes.
- The 90th percentile total response time for fire calls was 15.2 minutes.
- The 90th percentile response time was 12.9 minutes for outside fires and 11.3 minutes for structure fires.
  - The 90th percentile turnout plus travel time for outside fires was 12.1 minutes and for structure fires was 11.8 minutes.

Response times are directly related to fire station location(s) in the community, road conditions, the road network, and the staffing model utilized by fire departments.

## TCFD STAFFING MODEL

---

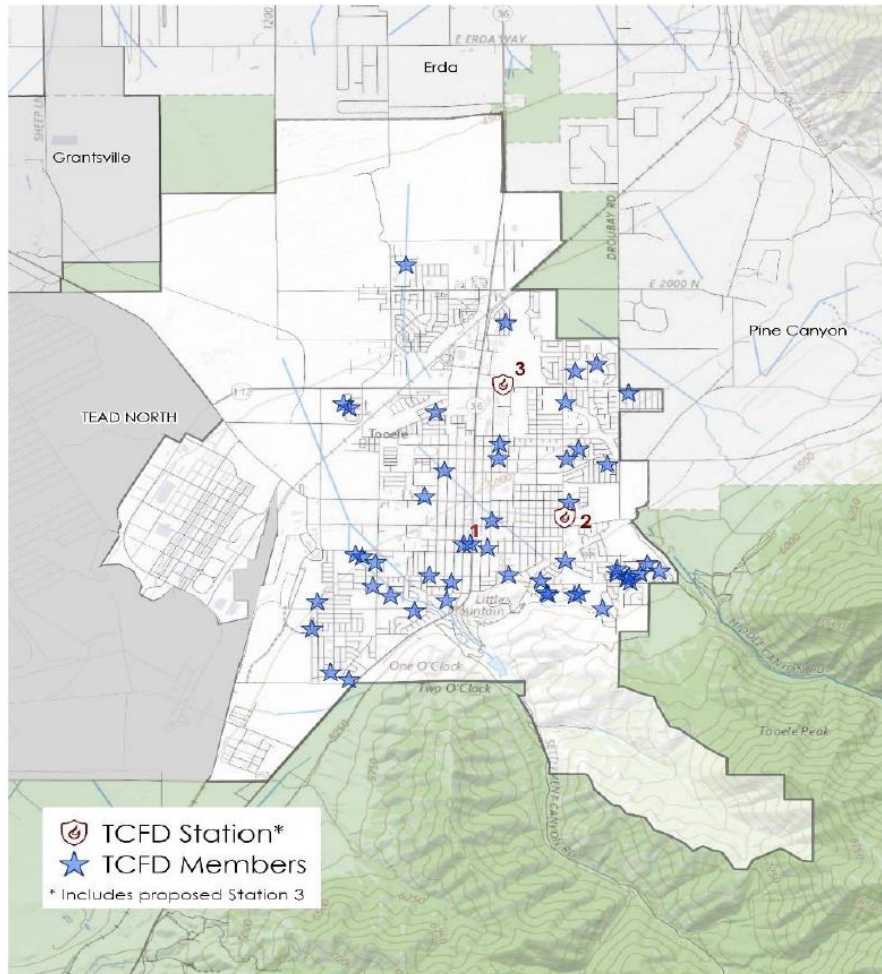
The TCFD does not have a standardized staffing model for apparatus, meaning an apparatus does not respond with a minimum number of qualified members. When the TCFD is toned out for an incident members respond to the scene and/or to a station to staff and respond the appropriate apparatus. The TCFD has an SOG (Responding in Privately Owned Vehicles) that states *if responding firefighters pass by a fire station, they are responsible to stop and pick up a fire engine or ladder truck. It is not acceptable to pass a station and not pick up a fire engine or ladder truck unless other circumstances prohibit it.*

During stakeholder meetings with TCFD staff, it was stressed by the members that the current response system works well, which is some members responding to the scene and some members responding to the station. When prompted by CPSM, stakeholders also communicated that when apparatus rolls on an incident response, the typical staffing is one to two members, sometimes three if a member is visualized as walking in to or pulling up to the station prior to the apparatus leaving the station. TCFD members also communicated that the apparatus driver typically waits one to two minutes for other members responding to the station prior to responding. It was communicated as well that sometimes apparatus responds with driver only.

The next figure illustrates how the response system functions with current members marked on a map of the city in relationship to fire station locations, to include the proposed new Station 3.

§ § §

FIGURE 5-5: Location of Current TCFD Members with Fire Stations



There are several factors in any volunteer fire department staffing and deployment model, or for that matter, any fire department career or volunteer that must be considered to ensure effective use of resources and the safety of the public and firefighters. These include:

- Accountability of responding and on-scene resources, and in the case of firefighters responding in personal vehicles, their ability to arrive safe and function safely prior to the initial arriving fire apparatus. In the case of responding apparatus with a single driver, the ability to arrive and position the apparatus (forward and reverse) effectively and safely.
- Meeting the intent of NFPA 1720 standards, in particular ensuring personnel responding to fires and other emergencies are organized into company units or response teams consisting of a team of at least two.
- The avoidance of freelancing on the fireground, particularly early arriving volunteer firefighters to an incident in personal vehicles.
- Organizing initial firefighting operations, ensuring that at least four members are assembled before interior fire suppression operations are initiated in a hazardous area.

- It is of the highest importance that firefighters are trained and disciplined not to freelance or enter a hazardous area or building on fire without the proper equipment beyond their issued personal protective clothing if they arrive to an emergency scene prior to responding fire apparatus.
- Ensuring assembled personnel have radio communication with Incident Command at all times so that they may transmit urgent messages, critical task progress, incident updates, their and **their team's location, accountability** of their actions, and receive from Incident Command and/or other teams operating at the scene urgent messages, updates, critical task progress, other team locations, and receive new assignments.
  - While meeting with TCFD stakeholders CPSM learned that firefighters responding in personal owned vehicles do not have portable radios and cannot communicate with responding command officers or apparatus until communication device resources arrive. When CPSM asked how they communicate incident size-up or urgent messages, stakeholders answered this is done through a responding Tooele City police officer, if on scene, who is equipped with a portable radio.

TCFD utilizes Active911, a software app that links responding apparatus and responding volunteers to the CAD system, which alerts responding members, apparatus, and command officers who and what apparatus are responding to an incident or the station to respond with apparatus. The features of this software include:

- Members can receive call notifications through the communications system (CAD) to their smartphone.
- When a member utilizes the response functions, the member can alert command officers and apparatus driver/operators they are responding to the scene or the station. Active911 is linked to the apparatus mobile data computer.
- The Active911 App provides a map display of the incident location, directions to the scene, and the live location of responding members and apparatus (as long as members and apparatus are using the system). Through this system, command officers have an initial accountability of responding members and where they are responding to (scene or station).
- When members are responding to the station their live locations are displayed, which alerts command officers and apparatus driver/operators where they are, assisting driver/operators in determining whether to wait on a member prior to rolling apparatus.

NFPA 1720 calls attention to additional staffing/response requirements worth noting here:

- *The fire department shall identify minimum staffing requirements to ensure that the number of members that are available to operate are able to meet the needs of the department.*
  - For the volunteer component this can include scheduled staffing at predetermined stations or pre-determined staff responding to stations to assemble and response apparatus.
- *Where staffed stations are provided, when determined by the authority having jurisdiction, they shall have a turnout time of 90 seconds for fire and special operations and 60 seconds for EMS incidents, 90 percent of the time.*
  - This should be measured at staffed stations.

- *Upon assembling the necessary resources at the emergency scene, the fire department shall have the capability to safely commence an initial attack within 2 minutes 90 percent of the time.*
  - This should be announced by the incident commander over the radio and measured through the computer-aided dispatch (CAD) system after the arrival of the initial arriving members, companies, and response teams.
- *Personnel responding to fires and other emergencies shall be organized into company units or response teams and have the required apparatus and equipment.*
  - This avoids freelancing by personnel before and after the arrival of the fire suppression units; enables the incident commander to size-up available on-scene resources, ensures fireground accountability, and ensures a coordinated assignment of critical tasks.

CPSM learned during the officers' stakeholder meeting that the TCFD does not consistently deploy an emergency scene accountability system utilizing tracking mechanisms that account for individual members by name and where they are operating (interior, exterior, roof, extrication, hose line, hazard control etc.) and who they are operating with (interior crew, extrication crew, attack hose line crew, search and rescue crew, ventilation crew etc.).

The TCFD does have guidelines that addresses incident scene Personnel Accountability Report or PAR, which occurs at various intervals of an emergency incident, or at critical incident junctures such as a building collapse, flashover, equipment failure, or hose line or fire pump issues. A PAR check is made with crews or groups that have radio contact with Incident Command. Matching names with crews and groups is a critical link to account for every member on the emergency scene at all times.

The 2021 edition of NFPA 1500 standard on *Fire Department Occupational Safety, Health, and Wellness Program* is clear on this critical emergency scene function. Additionally, the 2020 edition of NFPA 1561 *Emergency Services Incident Management System and Command Safety* more specifically addresses emergency scene accountability. These standards include the following language as outlined in the following table.

§ § §

TABLE 5-6: Emergency Scene Accountability—NFPA 1500 and NFPA 1561

NFPA 1500	NFPA 1561
8.5.1: The fire department shall establish written standard operating procedures for a personnel accountability system; this is in accordance with NFPA 1561.	4.6.1: The ESO shall develop and routinely use a system to maintain accountability for all resources assigned to the incident with special emphasis on the accountability of personnel.
8.5.3: It shall be the responsibility of all members operating at the emergency incident to actively participate in the personnel accountability system.	4.6.2: The system shall maintain accountability for the location and status condition of each organizational element at the scene of the incident.
8.5.4: The incident commander shall maintain an awareness of the location and function of all companies or crews at the scene of the incident.	4.6.3: The system shall include a specific means to identify and keep track of responders entering and leaving hazardous areas, especially where special protective equipment is required.
8.5.8: Members shall be responsible for following personnel accountability system procedures.	4.6.5: Responder accountability shall be maintained and communicated within the incident management system when responders in any configuration are relocated at an incident.
8.5.9: The personnel accountability system shall be used at all incidents.	4.6.6: Supervisors shall maintain accountability of resources assigned within <b>the supervisor's geographical or functional area of responsibility.</b>
8.5.10: The fire department shall develop, implement, and utilize the system components required to make the personnel accountability system effective.	4.6.10: Responders who arrive at an incident in or on marked apparatus shall be identified by a system that provides an accurate accounting of the responders on each apparatus.
	4.6.11: Responders who arrive at the scene of an incident by other means other than emergency response vehicles shall be identified by a system that accounts for their presence and their assignment at the incident scene.
	4.6.14: The system shall also provide a process for the rapid accounting of all responders at the emergency scene.

Accountability systems include tracking systems where responding apparatus crews or individuals deliver accountability tags to Incident Command for use when command assigns members and companies, and forms crews and groups (interior, roof, hazard control etc.). The Incident Commander places the accountability tags on a board or other tracking instrument that he/she can constantly visualize, move when crews are reassigned, and maintain accountability awareness.

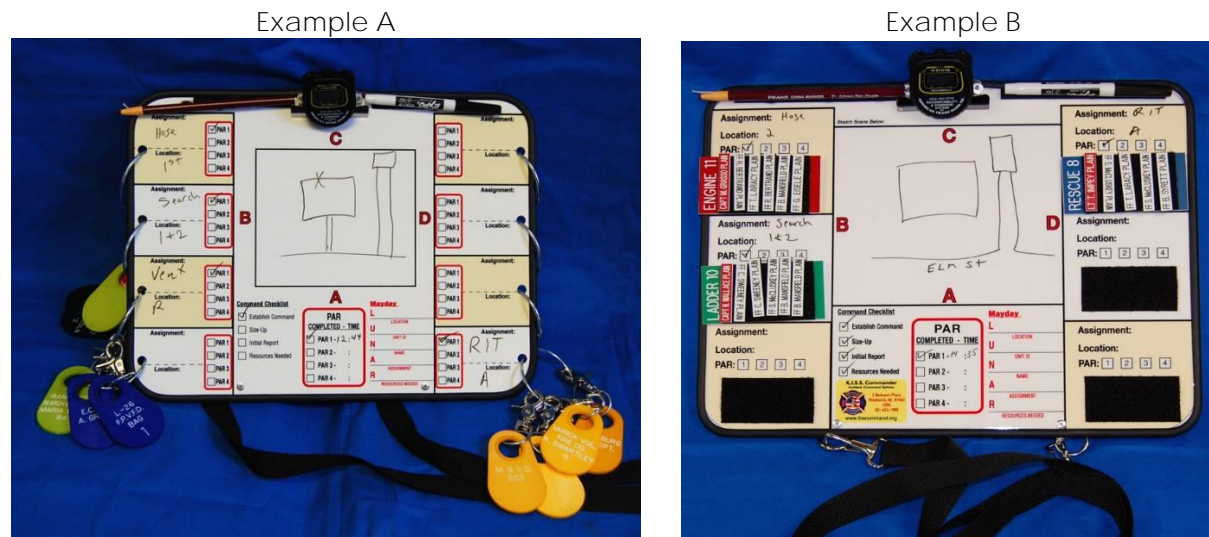
Other accountability systems include tracking mechanisms in self-contained breathing apparatus (SCBA) worn by responders that links back to incident command mobile computer devices that show air supply of individuals utilizing these systems. This system links with the



accountability board identifying individual crew members by apparatus and/or names as assigned to incident locations or tasks. The TCFD has this feature built into its new SCBA but has not yet implemented the system as it is awaiting software updates.

The next figure illustrates accountability boards used by fire department incident commanders.

FIGURE 5-6: Accountability Boards



Example A shows a simple system of tags clipped to an accountability board by assignment of task and crew. In this system individual members are issued tags that they clip to their turnout coat. When they are riding on the engine or ladder, they clip an individual tag to the engine or ladder tag. If they respond in their POV, on arrival they would report to command and provide the Incident Commander with their tag. The Incident Commander will then clip either the apparatus tag with individual tags of firefighters arriving on the engine or ladder or of the firefighter arriving via POV in the appropriate assignment area/crew once the engine or ladder crew and individual firefighter is assigned.

Example B is the same system using engraved tags that have Velcro backs. In this system, firefighters are issued accountability tags with their name engraved. They then attach these tags to the underside of their helmets. They place/distribute the tags in the same manner as described in Example A. The firefighter attaches the individual tag to the main apparatus tag or provides it to the Incident Commander when arriving on the scene in their POV.

When developing guidelines for an incident accountability tag system, the TCFD should script how tags are collected prior to the arrival of a command officer, specifically for initial arriving firefighters in POVs prior to apparatus.

There are several methods a volunteer fire department can consider and implement to ensure safe and effective response, while maintaining efficient service to the citizens. Tooele City, with a present population of almost 36,000 and projected substantial growth over the next ten years should begin now to plan for a more contemporary volunteer staffing model before growth and demand overtake the present system. Examples of different volunteer staffing models include:

- Apparatus-only response (minimally staffed apparatus with no or limited personal vehicles to scene response).

- Initial response of members to station, assemble a crew of at least three personnel (Driver/Operator, Officer or designated crew leader, firefighter); apparatus responds. Under this model many volunteer departments establish individual companies by the apparatus they deploy (engines and ladders), assign members and officers who then maintain and staff the apparatus, and then train together to increase their effectiveness on the emergency scene.
- Hybrid response (minimally staffed apparatus and personal vehicle to scene response)
  - For nights and weekends when volunteer members are typically more readily available, assign a crew of three to one engine and one other apparatus (ladder or engine) who respond from home to the station to assemble and respond the apparatus. All other members respond to the scene. Typical crew assignment commitment times are 6:00 p.m. to 6:00 a.m.
- Hybrid response with in-station crews when Station 3 is built.
  - For nights and weekends when volunteer members are able to commit, assign a crew of three to one engine to immediately respond the engine apparatus. Assign a crew of three to one ladder or another engine who respond from home to a station to assemble and respond the apparatus. All other members respond to the scene. *CPSM acknowledges the time away from home for this staffing model and recommends if implemented, duty crew members who stay at the station receive a stipend for each night/weekend day they are assigned to station standby.* Typical crew assignment commitment times are 6:00 a.m. to 6:00 p.m. and 6:00 p.m. to 6:00 a.m.
- Daytime Response
  - Members should register through Active911 that they are available and if qualified, that they will respond to the station and deploy the apparatus. This ensures accountability to the overall system of available responding members and how an Effective Response Force can be assembled during those hours when volunteer members are not as readily available.

## Recommendations:

- CPSM recommends the TCFD adopt one or more of the response models outlined herein to ensure the most effective and immediate use of response resources and the safety of the public and firefighters. CPSM also recommends the TCFD develop a guideline that outlines the use of the Active911 wireless phone platform and make this system mandatory for all responders who have access to a wireless phone to ensure accountability of all responders. CPSM also recommends the TCFD migrates to a response model where apparatus responds with a minimum of three personnel, namely, a qualified driver/operator, an officer, and a qualified/certified firefighter.
- CPSM recommends the TCFD immediately develop a personnel accountability guideline that incorporates individual and apparatus accountability tags as well as accountability boards in all apparatus and command vehicles. The personnel accountability guideline should incorporate language from NFPA standards 1720, 1500, and 1561.
- CPSM strongly recommends the TCFD develop a communications guideline that establishes no member may operate on the fireground alone, and all members must operate in a crew of at least two, of which one crew member must have a portable radio that is operating on the assigned tactical channel and is contact with the Incident Commander. It is further recommended each TCFD command vehicle have a bank of portable radios in addition to radios assigned to fire apparatus of sufficient numbers and that can be made available to responding volunteer members in POVs to augment this communications guideline.



## MUTUAL AID

Tooele City has reciprocal mutual aid agreements with Tooele County and Tooele Army Depot. The following table outlines these agreements.

**TABLE 5-7: Tooele City Mutual Aid Agreements**

Entity	Agreement date	Agreement Components
Tooele County	April 1990	Tooele City provides fire services within a 15-mile radius of the city in the unincorporated area for an established fee. Maintain at least two personnel to serve on the county-wide Haz-Mat Team for an established fee.
Tooele Army Depot	November 2021	Reciprocal agreement to provide fire equipment and personnel when requested if equipment and personnel are available.
Tooele County-Wildland	December 2019	Fire Department accepts custody of certain equipment purchased by the county and maintains said equipment and responds to wildland fires as requested.

The next two tables depict mutual aid the TCFD provided and mutual aid TCFD received in 2019

**TABLE 5-8: Mutual Aid Provided**

Call ID	Date	Receiving Agency	Call Type	Incident City
819027	2019-01-01	RVFD	Structure fire	TC unincorporated
824489	2019-01-25	RVFD	Structure fire	Rush Valley
828012	2019-02-10	NTFD	Outside fire	Pine Canyon
828333	2019-02-12	NTFD	Canceled	Erda
834017	2019-03-09	NTFD	Canceled	Erda
847499	2019-05-01	NTFD	Canceled	Erda
858721	2019-06-13	NTFD	Hazard	Erda
862421	2019-06-28	NTFD	Outside fire	Erda
867304	2019-07-17	SCFD	Outside fire	TC unincorporated
867632	2019-07-18	SCFD	Canceled	TC unincorporated
867787	2019-07-19	NTFD	EMS Assist	Erda
869144	2019-07-25	NTFD	Outside fire	Grantsville
871544	2019-08-03	GCFD	Structure fire	Grantsville
871794	2019-08-04	NTFD	Public service	Pine Canyon
873084	2019-08-10	NTFD	Canceled	Erda
874219	2019-08-15	NTFD	Outside fire	Erda
876325	2019-08-24	NTFD	Canceled	Erda

Call ID	Date	Receiving Agency	Call Type	Incident City
876725	2019-08-26	NTFD	Outside fire	Erda
882080	2019-09-17	TAFD	Canceled	TC unincorporated
883510	2019-09-23	NTFD	Public service	TC unincorporated
897369	2019-11-22	TRFD	Canceled	TC unincorporated

TABLE 5-9: Mutual Aid Received

Call ID	Date	Responding Agency	Call Type
821488	2019-01-11	NTFD	Good intent
821505	2019-01-11	NTFD	Hazard
824396	2019-01-24	TAFD	Structure fire
824424	2019-01-25	TAFD	Structure fire
827162	2019-02-06	TAFD, IBFD	False alarm
828459	2019-02-12	NTFD	Structure fire
830629	2019-02-22	NTFD	Structure fire
832022	2019-02-28	NTFD	Outside fire
836632	2019-03-21	NTFD	Canceled
840426	2019-04-05	TAFD	Outside fire
842229	2019-04-12	NTFD	Good intent
848265	2019-05-04	TAFD	Structure fire
848459	2019-05-05	TAFD	Canceled
850598	2019-05-13	TAFD	Good intent
853286	2019-05-23	TAFD	Hazard
854546	2019-05-28	TAFD	Structure fire
857729	2019-06-10	GCFD, TAFD	Structure fire
858732	2019-06-13	TAFD	False alarm
859236	2019-06-15	NTFD	Good intent
859373	2019-06-16	TAFD	Good intent
863840	2019-07-03	NTFD	Good intent
863863	2019-07-03	NTFD	Outside fire
863954	2019-07-04	TAFD	Good intent
864336	2019-07-05	TAFD	Canceled
865219	2019-07-09	TAFD	Outside fire
868141	2019-07-21	NTFD	Outside fire
869799	2019-07-27	NTFD	Outside fire
870372	2019-07-30	NTFD	Outside fire
870485	2019-07-30	NTFD, NTFD	Outside fire
873371	2019-08-11	TAFD	Outside fire
874808	2019-08-17	TAFD, SCFD, TRFD, RVFD	Outside fire
877386	2019-08-28	NTFD, GCFD	Structure fire
883590	2019-09-24	NTFD	Hazard
890331	2019-10-23	TAFD	Good intent

Call ID	Date	Responding Agency	Call Type
891795	2019-10-30	NTFD	Structure fire
892696	2019-11-03	TAFD	Outside fire
895503	2019-11-15	TAFD	Good intent

As one can see in these tables, the TCFD received more mutual aid than they provided. It is also noted that the TCFD provides and/or receives mutual aid to the following agencies without a formal mutual aid agreement:

- Rush Valley Volunteer Fire Department.
- Stockton Volunteer Fire Department.
- North Tooele Fire District.
- Grantsville City Fire Department.

### Recommendation:

- CPSM recommends Tooele City conduct a comprehensive review of all fire protection service agreements. This review should include the development of new agreements with municipal and special district fire departments that the city currently provides or receives mutual aid to and from where a mutual aid agreement does not exist. The new agreements should define service level response outside of a fire department's respective area and reciprocal equipment, or services for these fire protection responses and services the city will provide. CPSM further recommends that each agreement have a sunset date that will trigger review and updating to address changes in fire protection services in Tooele City and those municipalities and special districts the city has an agreement with.

§ § §

## SECTION 6. CONCLUSION

---

This analysis contains illustrative and descriptive material, specific operational and administrative findings, and recommendations regarding the delivery of fire protective and community risk reduction services by the Tooele City Fire Department. Included in this analysis are several components that create the foundation of effective fire protection and community risk reduction services to include governance and administrative oversight and accountability; training and education; community risk; laws, policies, and guidelines; infrastructure such as fleet, facilities, and equipment; city allotted funds to operate; and fire department performance and benchmarking against national standards.

During the course of this analysis the CPSM project team met with public officials and officers and members of the TCFD. A site visit was conducted in late January 2022 to obtain a better understanding of the community risk, service demands, and observe the infrastructure the TCFD operates in and with. The project team operated independently at all times to maintain an unbiased approach to the project's content and recommendations.

The project team worked from the scope of work prepared for the city in the initial proposal, which was to **conduct an operational and administrative analysis of the city's fire department**, analyzing each discrete function of the department and subsequently provide findings and recommendations for improvement. The project team conducted the analysis without any preconceived concepts or bias. This analysis contains a number of findings and recommendations that CPSM believes will achieve greater operating efficiencies and effectiveness of overall fire protective and community risk reduction services in the city.

CPSM found the TCFD to be open and transparent about its operations. Officers and members with whom the project team interacted were passionate about their volunteer service to the community. In fact, CPSM did not encounter a single member who was not passionate about what they do with regards to the TCFD and the community. All TCFD members are to be commended for their volunteer service and their commitment to the citizens of their community.

Although many of the findings of this analysis may be viewed as costly and something other than positive, they should not be considered as such. Rather, they should be viewed as opportunities to make the TCFD stronger, more efficient, and more effective in how it provides fire protective and community risk reduction services in the city. To some degree, officers and members, past and present, may not have been aware of the many NFPA standards, city ordinances, and state statutes that have an impact on leading, managing, and operating in a contemporary fire department, and if aware, may not have effectively articulated how the TCFD benchmarked against these standards and what was needed to achieve compliance.

Whether volunteer or career, fire protective and community risk reduction services operate under national standards, local government ordinances, and state statutes. It is imperative that department leadership understand and stay abreast of these standards and act accordingly to implement processes, guidelines, funding plans, training, and education of their members, and deploy overall organizational management of contemporary fire services concepts.

Firefighter injuries and deaths are devastating to families, fellow responders, local governments, and the community. The National Institute for Occupational Safety and Health (NIOSH) has studied firefighter fatality root causes, and found five key factors, which are commonly referred to as the NIOSH 5:

- Lack of fireground firefighter accountability.

- Lack of fireground communication methods.
- Lack of standard operating procedures related to response and fireground operations.
- Lack of incident management/command.
- Lack of appropriate risk assessment of the incident as whole, the building, the emergency scene, and basic fireground knowledge to understand the risk.

These five fireground factors should be etched in every firefighter's brain. A fire department training regimen, equipment, guidelines, and culture should center on these five factors. A lack of understanding of these five factors leads to sloppy, ineffective, and unsafe fireground operations. *They should be taken seriously.*

To the credit of the current Mayor and City Council, this body wanted to understand more about how contemporary fire departments operate, and what was needed to ensure the TCFD was operating efficiently and effectively, has the right equipment and infrastructure to provide services to a city of 35,000 residents and growing, and understand more about what was needed to position the TCFD to provide contemporary fire services.

The principal findings of the study that have the most profound effect on fire protective and community risk reduction services, and that include significant recommendations herein are focused on:

- A need for the TCFD to strengthen administrative, operational, training, and program related guidelines.
- A need to complete and review required recordkeeping such as fire reports and training records. CPSM was not able to complete a full analysis of response and workload data during our data analysis because fire reports were not complete and entered into the records management system for 2020 and 2021.
- TCFD facilities, optimum facility locations, and what resources are deployed from each facility.
- The aging TCFD fleet.
- Not all TCFD firefighters, fire officers, fire inspectors, and fire investigators hold state certifications commensurate with their level or assignment in the organization. CPSM learned members did attend state certification classes, but time lapsed for eligibility to test for the certification.
- The inconsistent manner in which the TCFD performs fire code inspections from year to year.
- Deficiencies in the 2020 ISO–Public Protection Classification report; the ISO report aligns with findings in the CPSM analysis.
- How the department assembles an Effective Response Force to perform critical tasks on the fireground as benchmarked against a national standard.
- The lack of formal, policy driven, emergency scene accountability through a coordinated effort led by the Incident Commander and in accordance with national standards.
- The need to strengthen the ability for all on-scene personnel to communicate or be with a crew who can communicate with the dispatch center, incoming units, and Incident Command.

Earlier in this analysis CPSM recommended the city hire a full-time Fire Marshal, thereby highlighting the importance of this position and the Community Risk Reduction program in the city. With almost 800 occupancies that require fire code inspections, some with elevated risk and high life-safety risk, it is imperative this function be managed day-to-day by a subject matter expert.

## CONTEMPORARY FIRE SERVICE LEADERSHIP

---

Leading and managing a fire department, in a growing city of 35,000, with the community risks Tooele has, requires a well-versed and experienced person. The role includes program oversight such as training and education of members, fleet maintenance and replacement, facility maintenance, understanding the ISO report and devising a plan to correct deficiencies, personnel management to include member relations and recruitment and retention, emergency operational response, logistical support, and other functions.

The role of today's fire chief is complex and multifaceted. It is no longer simply about organizing and commanding a reactionary force to suppress fires. Today's Fire Chief must fill these many roles:

- **Community Ambassador.** Community ambassadors work with their community. They begin by getting to know the community and the community knowing them. They represent fire and emergency services to the community, serve as spokespersons, share information, and are the symbolic leader to represent the department in the community.
- **Futurist.** Futurists have their eyes on the horizon. They anticipate policy and political issues and keep abreast of industry innovations, NFPA standards, and industry best practices in the fire service. They anticipate change and plan for it.
- **Strategist.** Strategists work with appointed and elected officials, and community leaders. They move the department to a strategic deployment and operation level rather than a reactionary service. Strategists can articulate the needs of the department based on facts and not emotion.
- **Negotiator.** The contemporary chief negotiates and represents the department with other agencies, within the jurisdictional entities, and with members. Negotiators must be willing and able to be a part of a negotiating team, articulate and argue a point of view, seek a middle ground, and sell agreement to others, particularly their members. Negotiators are not everyone's friends but rather they are their leader.
- **Lobbyist.** A contemporary chief must be as a lobbyist with their local government, state, and various other entities that affect the department. Examples may be the through State Chief's Associations, International Association of Fire Chiefs, National Fire Protection Agency, the National Volunteer Fire Council, accrediting bodies, and funding organizations such as the Federal Emergency Management Agency.
- **Navigator.** Navigators first help others focus on the end results and desired outcomes and then guide the organization through obstacles at the department level, community level, chief administrative officer level, and the elected body level. Navigators get out ahead of issues and develop plans in advance rather than last minute.
- **Champion.** Champions are boosters of the fire and emergency services. They look at ways to get others to believe in the department and inspire others to act in support of its mission. They make the department desirable for new membership and retaining current members.

## Recommendations:

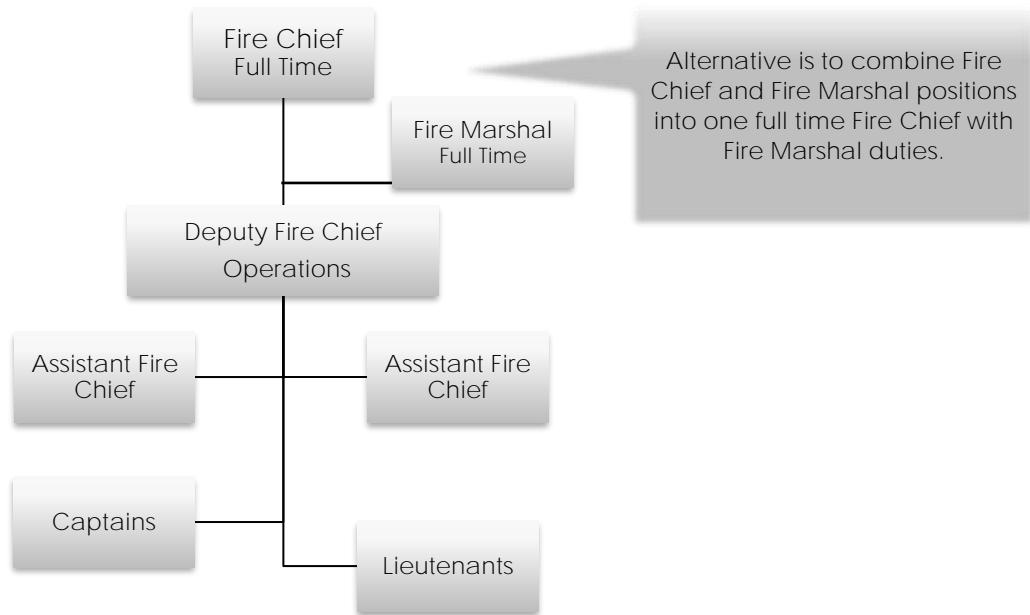
- Based on the findings in this analysis, that the city is a desirable place to live and will continue to grow with future residential and commercial development, and that the expected growth will increase response demand and bring new building and density risks to the city, and as the Tooele City Code codifies the TCFD as an administrative department of the city, and the Fire Chief position as a department head within the city government, and that the Mayor has direct supervision and responsibility over operations in the Fire Department, CPSM recommends the city consider hiring a full-time Fire Chief to lead and manage the TCFD.
- In addition to formal education requirements deemed appropriate by the city's Human Resources Director commensurate with the position, the Fire Chief candidate should have at minimum the following Utah Fire and Rescue Academy state certifications when hired:
  - Haz-Mat Awareness and Haz-Mat Operations.
  - Firefighter I and II.
  - Wildland Firefighter I and II.
  - Emergency Vehicle Operator Course.
  - Fire Officer I and II.
- CPSM does not recommend the minimization or deletion of the current succession of elected volunteer senior level officers (Fire Chief, Assistant Fire Chiefs) as these positions are needed to facilitate a contemporary fire department. What CPSM does recommend is the current Volunteer Fire Chief position be reclassified as the Deputy Fire Chief (Operations Chief) and the two Assistant Fire Chief positions remain intact. CPSM further recommends the full-time Fire Chief work with the Human Resources Director and develop job descriptions for these positions and all other officer and program positions the full time Fire Chief deems necessary while utilizing the certification recommendations already discussed in this analysis.
- CPSM also recommends if the city chooses to move forward this recommendation and the recommendation to hire a full-time Fire Marshal that the full-time Fire Marshal and his/her staff be included in the fire department and report to the full-time Fire Chief.
  - An alternative to hiring two full time positions (Fire Marshal and Fire Chief) is to combine the two positions into one. Under this alternative, The Fire Chief will also act as the City's Fire Marshal carrying out those job duties as well. The candidate should have the minimum education and Utah Fire and Rescue Academy state certifications for each position as outlined herein.

The next figure illustrates the operational organizational chart with a full time Fire Chief position.

§ § §



FIGURE 6-1: TCFD Organizational Chart with Full-Time Fire Chief



## Moving Forward

CPSM recommends the City and the TCFD strongly consider the recommendations presented in this analysis, remembering the TCFD's strength comes from its volunteer membership and their continuous commitment to serve their community.

The ability to function on the emergency scene at a consistent elevated level, recruitment, retention, training, and adequate facilities and equipment are essential elements to keeping the citizenry and properties of a growing city safe. This analysis focuses on the big picture of fire protective and community risk reduction services in the city. Using this analysis, the City and the TCFD have succinct planning strategies and budget objectives to move forward more clearly.

The following section offers a suggested order of priority of the recommendations outlined in this analysis. CPSM recommends the City and TCFD should consider this suggested order of priority when developing a plan to move forward.

TABLE 6-1: Recommendations In Order Of Priority

Recommendation	Recommendation Action Items
<p>Address the aging and aged-out apparatus fleet.</p> <p>Apparatus components requiring annualized testing either fixed or portable such as fire pumps, aerial ladder and aerial ladder assemblies, ground ladders, self-contained breathing apparatus to include personnel fit-testing, and fire hose should be tested in accordance with manufacturer and industry specifications and standards, and proper records maintained at the department and city, and with the vendor.</p>	<ul style="list-style-type: none"> <li>■ The TCFD and the City should develop, over a one-year period, a fire apparatus replacement plan that includes age recommendations in accordance with NFPA 1901, <i>Standard for Automotive Fire Apparatus</i>.</li> <li>■ Review CPSM planning objectives regarding apparatus years of service.</li> <li>■ Strongly consider recommendations made for refurbishment, replacement, and removal from service.</li> <li>■ Strongly recommend the City and TCFD follow the fleet replacement plan as provided in Table 3-4.</li> <li>■ Develop a funding strategy to address aging fleet/apparatus equipment issues.</li> </ul>
<p>Address facility recommendations.</p> <p>The city must choose a strategy for optimizing response coverage through either a two-station model (Current Station 1 and proposed Station 3) or three-station model (relocated Station 1, current Station 2, proposed Station 3) as presented in this analysis.</p>	<ul style="list-style-type: none"> <li>■ The city should construct Station 3 in its entirety through planned Phase III as a full project.</li> <li>■ The city needs to consider future fire facility planning and funding that potentially relocates Station 1 to the south and west of its current location so as to provide deployment coverage to these areas of the city.</li> </ul>
<p>Immediately address the lack of emergency scene firefighter accountability.</p>	<ul style="list-style-type: none"> <li>■ CPSM recommends the TCFD immediately develop a personnel accountability guideline that incorporates individual and apparatus accountability tags as well as accountability boards in all apparatus and command vehicles. The personnel accountability guideline should incorporate language from NFPA standards 1720, 1500, and 1561.</li> </ul>

(Table continued on next page)

Recommendation	Recommendation Action Items
<p>Immediately strengthen the ability for all on-scene personnel to communicate or be with a crew who can communicate with the dispatch center, incoming units, and Incident Command.</p>	<ul style="list-style-type: none"> <li>■ CPSM strongly recommends the TCFD develop a communications guideline that establishes that no member may operate on the fireground alone, and all members must operate in a crew of at least two, of which one crew member must have a portable radio that is operating on the assigned tactical channel and is in contact with the Incident Commander. It is further recommended each TCFD command vehicle have a bank of portable radios in addition to radios assigned to fire apparatus of sufficient numbers and which can be made available to responding volunteer members on arrival in POVs to augment this communications guideline.</li> </ul>
<p>Address the deficiencies in training and state certifications for all levels of the fire department.</p>	<ul style="list-style-type: none"> <li>■ CPSM recommends the TCFD Fire Chief work with the city Human Resources Director and draft and implement, over an immediate six-month period, formal Standard Operating Guidelines for training that includes the following positions: combat firefighters, apparatus driver/operators, lieutenants, captains, chief officers, instructors, fire inspectors, fire investigators, and those involved in technical rescue response.</li> </ul>

(Table continued on next page)

Recommendation	Recommendation Action Items
<p data-bbox="207 191 753 254">Consider funding and hiring a full-time Fire Marshal.</p> <p data-bbox="207 296 779 716">Community Risk Reduction is a city-wide public safety effort that includes fire prevention inspections and fire code enforcement, public safety education, and investigation of fires. The current fire inspection program has certain state and city legislated requirements, and the current fire prevention inspection and fire code enforcement functions are not backed by a plan to meet the growing fire inspection demands and are not consistently administered and managed, as outlined in this analysis.</p>	<ul style="list-style-type: none"> <li data-bbox="824 191 1416 254">■ Develop a job description as outlined in the CPSM recommendation.</li> <li data-bbox="824 281 1383 443">■ Assign the Fire Marshal position to the Community Development Department in the near term and until other recommendations in this analysis are evaluated and implemented.</li> <li data-bbox="824 470 1393 730">■ In conjunction with the hiring of a full-time Fire Marshal, CPSM recommends the city develop a fire prevention occupancy inspection plan in accordance with Chapter 5-1-8(2) of the City Code that specifies, by occupancy type and occupancy address, the frequency of fire inspections.</li> <li data-bbox="824 758 1419 1150">■ Maintain the current cadre of part-time certified Fire Inspectors to assist the Fire Marshal in carrying out the fire inspection plan. It is also recommended the part-time fire inspector cadre be expanded to four positions and that at least two of these inspectors be certified by the Utah Fire and Rescue Academy as Fire Investigators so that trained and certified fire investigators are available to respond to TCFD fire incidents to determine the cause and origin of fires.</li> </ul>

(Table continued on next page)

Recommendation	Recommendation Action Items
<p>Consider funding and hiring a full-time Fire Chief.</p> <p>Based on the findings in this analysis, namely that Tooele is a desirable place to live and will continue to grow with future residential and commercial development, and that the expected growth will increase response demand and bring new building and density risks to the city, and as the Tooele City Code codifies the TCFD as an administrative department of the city and the Fire Chief position as a department head within the city government, and that the Mayor has direct supervision and responsibility over operations in the Fire Department, CPSM recommends the city consider hiring a full-time Fire Chief to lead and manage the TCFD.</p> <p>An alternative approach is to combine the Fire Chief and Fire Marshall positions into one full time fire administrator responsible for fire administrative and operational components as well as Community Risk Reduction.</p>	<ul style="list-style-type: none"> <li>■ Develop a job description as outlined in the CPSM recommendation.</li> <li>■ CPSM does not recommend the minimization or deletion of the current succession of elected volunteer senior level officers (Fire Chief, Assistant Fire Chiefs) as these positions are needed to facilitate a contemporary fire department. What CPSM does recommend is the current Volunteer Fire Chief position be reclassified as the Deputy Fire Chief (Operations Chief) and the two Assistant Fire Chief positions remain intact.</li> <li>■ CPSM further recommends the full-time Fire Chief work with the Human Resources Director and develop job descriptions for these positions and all other officer and program positions the full-time Fire Chief deems necessary while utilizing the certification recommendations already discussed in this analysis.</li> </ul>
<p>Recommend revising the current response model to address how the department assembles an Effective Response Force to perform critical tasks on the fireground as benchmarked against the NFPA 1720 national standard.</p>	<ul style="list-style-type: none"> <li>■ CPSM recommends the TCFD adopt one or more of the response models outlined herein to ensure the most effective and immediate use of response resources and the safety of the public and firefighters.</li> <li>■ CPSM also recommends the TCFD develop a guideline that outlines the use of the Active911 wireless phone platform and make this system mandatory for all responders who have access to a wireless phone to ensure accountability of all responders.</li> <li>■ CPSM also recommends the TCFD migrate to a response model where apparatus responds with a minimum of three personnel, that is, a qualified driver/operator, an officer, and a qualified/certified firefighter.</li> </ul>

(Table continued on next page)

Recommendation	Recommendation Action Items
<p>Address the deficiencies in the current ISO-PPC report to the extent the city and TCFD are able to.</p> <p><i>Many deficiencies will improve immediately when other recommendations listed herein are addressed.</i></p>	<ul style="list-style-type: none"> <li>■ CPSM recommends the city and the TCFD develop a joint plan to address deficiencies in the current ISO Fire Service Rating Schedule review that was effective June 2020 and as outlined in this analysis regarding Fire Department Deployment Analysis, Company Personnel, Training (Facilities and Use, Company Training, New Driver and Operator Training, Pre-Fire Planning Inspection), and Water Supply (Inspection and Flow Testing).</li> </ul>
<p>CPSM recommends the City conduct a comprehensive review of all fire protection service agreements.</p>	<ul style="list-style-type: none"> <li>■ This review should include the development of new agreements with municipal and special district fire departments that the city currently provides or receives mutual aid to and from where a mutual aid agreement <u>does not</u> exist.</li> <li>■ The new agreements should define service level response outside of a fire department's respective area and reciprocal equipment, or services for these fire protection responses and services the city will provide and receive.</li> <li>■ CPSM further recommends that each agreement have a sunset date that will trigger review and updating to address changes in fire protection services in Tooele City and those municipalities and special districts the city has an agreement with.</li> </ul>

(Table continued on next page)

Recommendation	Recommendation Action Items
Review and revise TCFD Standard Operating Guidelines.	<ul style="list-style-type: none"> <li>■ The TCFD should label each SOG as follows: <ul style="list-style-type: none"> <li>□ Date approved/implemented.</li> <li>□ Date revised.</li> <li>□ Fire Chief Signature.</li> <li>□ Label Operational SOGs as "O" with a corresponding SOG number (O-1, O-2, etc.).</li> <li>□ Label Administrative SOGs as "A" with a corresponding SOG number (A-1, A-2, etc.).</li> </ul> </li> <li>■ The TCFD should incorporate where applicable City Code of Ordinances in references.</li> <li>■ The TCFD should work with the city's Human Resources Director, Finance Director, and other city departments as appropriate and incorporate city human resources, fiscal policies, risk management, purchasing, and other guidelines as applicable into TCFD SOGs.</li> </ul>

CPSM prepares these analyses for cities, towns, and counties with the goal that they offer substantive information and recommendations for the client and remain active for continuous organizational improvement. This analysis with its recommendations is also meant to be a roadmap to ensure the TCFD provides continuous, efficient, and effective services.

In closing, CPSM thanks the members of the TCFD for their input, discussion, and transparency. CPSM also extends a thank-you to the Mayor and her immediate staff for assisting the project team in the gathering of information from so many sources in and around the city. This made the project a success.

END



# SECTION 7. DATA ANALYSIS

---

This data analysis was prepared as a key component of the study of the Tooele City Volunteer Fire Department (TCFD). This analysis examines all calls for service between January 1, 2019, and December 31, 2019, as recorded in Tooele County's computer-aided dispatch (CAD) system, and the public released National Fire Incident Reporting System (NFIRS).

This analysis is made up of four parts. The first part focuses on call types and dispatches. The second part explores the time spent and the workload of individual units. The third part presents an analysis of the busiest hours in the year studied. The fourth and final part provides a response time analysis of the studied agency's units.

During the year covered by this study, the TCFD provided fire and rescue services to an area with an approximate population of 36,000 and which covers an area of 24 square miles. The TCFD operates out of two fire stations. The frontline apparatus includes five brush trucks, four engines, and two ladder trucks.

In 2019, the TCFD responded to 392 calls, of which 67 percent were fire calls. The total workload in 2019 was 779.8 hours. The average response time was 9.3 minutes, the 80th percentile response time was 12.1 minutes, and the 90th percentile response time was 15.2 minutes.

## METHODOLOGY

---

In this report, CPSM analyzes calls and runs. A call is an emergency service request or incident. A run is a dispatch of a unit (i.e., a unit responding to a call). Thus, a call may include multiple runs.

We received CAD data from the Tooele County Sheriff's Communications Center. We also received NFIRS data from the annual NFIRS public data release (PDR), the Utah State Fire Marshal's Office, and the fire department's Emergency Reporting records management system. We classified the calls in a series of steps. We used the NFIRS incident type to identify canceled calls and to assign EMS, motor vehicle accident (MVA), and fire category call types. All calls that occurred outside of the fire zone of the TCFD were assigned as mutual aid.

## AGGREGATE CALL TOTALS AND RUNS

---

In 2019, the TCFD responded to 392 calls. Of these, 18 were structure fire calls and 29 were outside fire calls.

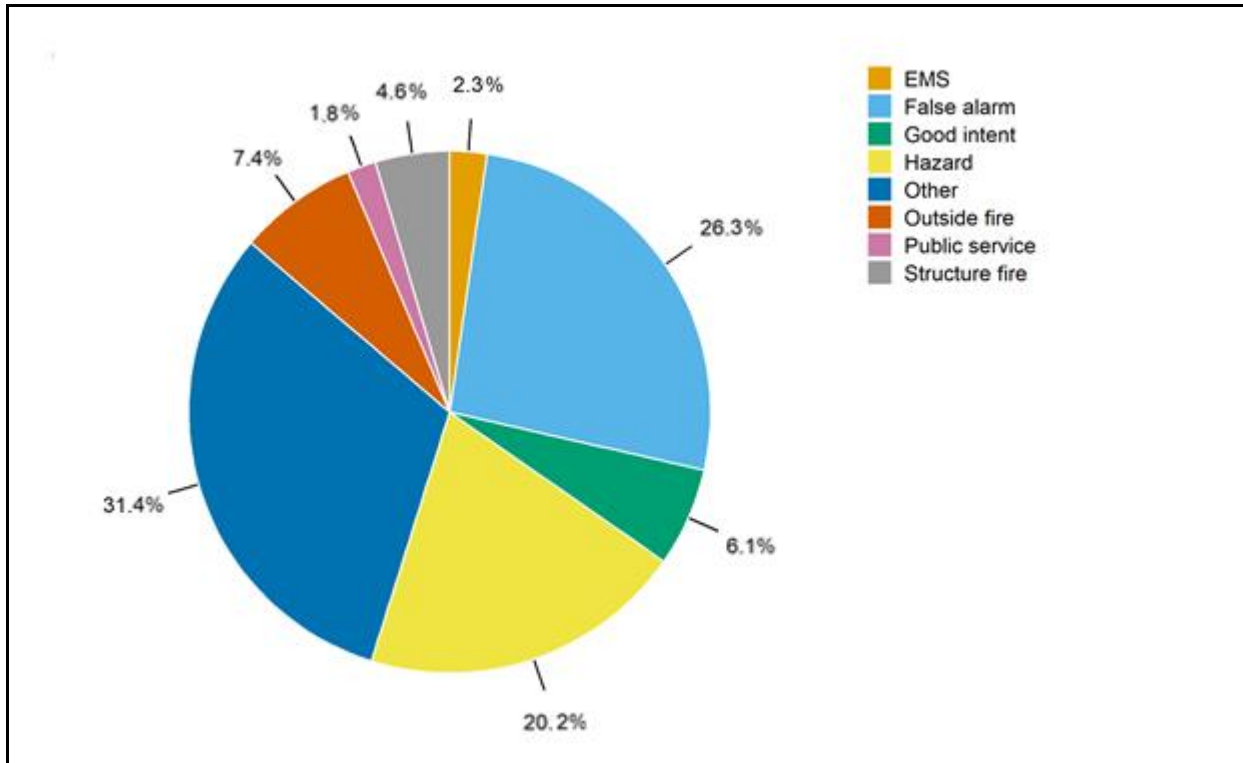
### Calls by Type

The following table and figure show the number of calls by call type, average calls per day, and the percentage of calls that fall into each call type category for the 12 months studied.

TABLE 7-1: Call Types

Call Type	Number of Calls	Calls per Day	Call Percentage
False alarm	103	0.3	26.3
Good intent	24	0.1	6.1
Hazard	79	0.2	20.2
Outside fire	29	0.1	7.4
Public service	7	0.0	1.8
Structure fire	18	0.0	4.6
Fire Total	260	0.7	66.3
EMS Total	9	0.0	2.3
Canceled	110	0.3	28.1
Fire mutual aid	13	0.0	3.3
Total	392	1.1	100.0

FIGURE 7-1: Calls by Type



### Observations:

- In 2019, TCFD responded to an average of 1.1 calls per day, including 0.3 canceled calls per day.
- EMS calls for the year totaled 9 (2 percent of all calls), an average of fewer than 0.2 calls per week.
- Fire calls for the year totaled 260 (66 percent of all calls), or an average of 0.7 calls per day.
- Other calls (including mutual aid and canceled) for the year totaled 123 (31 percent of all calls), or an average of 0.3 calls per day.
  - 8 canceled calls were also outside the city.
  - The 13 mutual aid calls included: a hazard call, a motor vehicle accident call, 6 outside fire calls, 2 public service calls, and 3 structure fire calls.
- False alarm calls were the largest category of fire calls at 26 percent of total calls (39 percent of fire calls), an average of 0.3 calls per day.
- Structure and outside fire calls combined made up 12 percent of total calls (18 percent of fire calls), or an average of 0.1 calls per day, or one call every eight days.

## Calls by Type and Duration

The following table shows the duration of calls by type using four duration categories: less than 30 minutes, 30 minutes to one hour, one to two hours, and more than two hours.

TABLE 7-2: Calls by Type and Duration

Call Type	Less than 30 Minutes	30 Minutes to One Hour	One to Two Hours	More Than Two Hours	Total
False alarm	58	30	14	1	103
Good intent	12	9	2	1	24
Hazard	35	24	13	7	79
Outside fire	10	9	6	4	29
Public service	3	3	1	0	7
Structure fire	5	8	3	2	18
Fire Total	123	83	39	15	260
EMS Total	5	2	2	0	9
Canceled	86	15	8	1	110
Mutual aid	2	5	4	2	13
Total	217	105	52	18	392

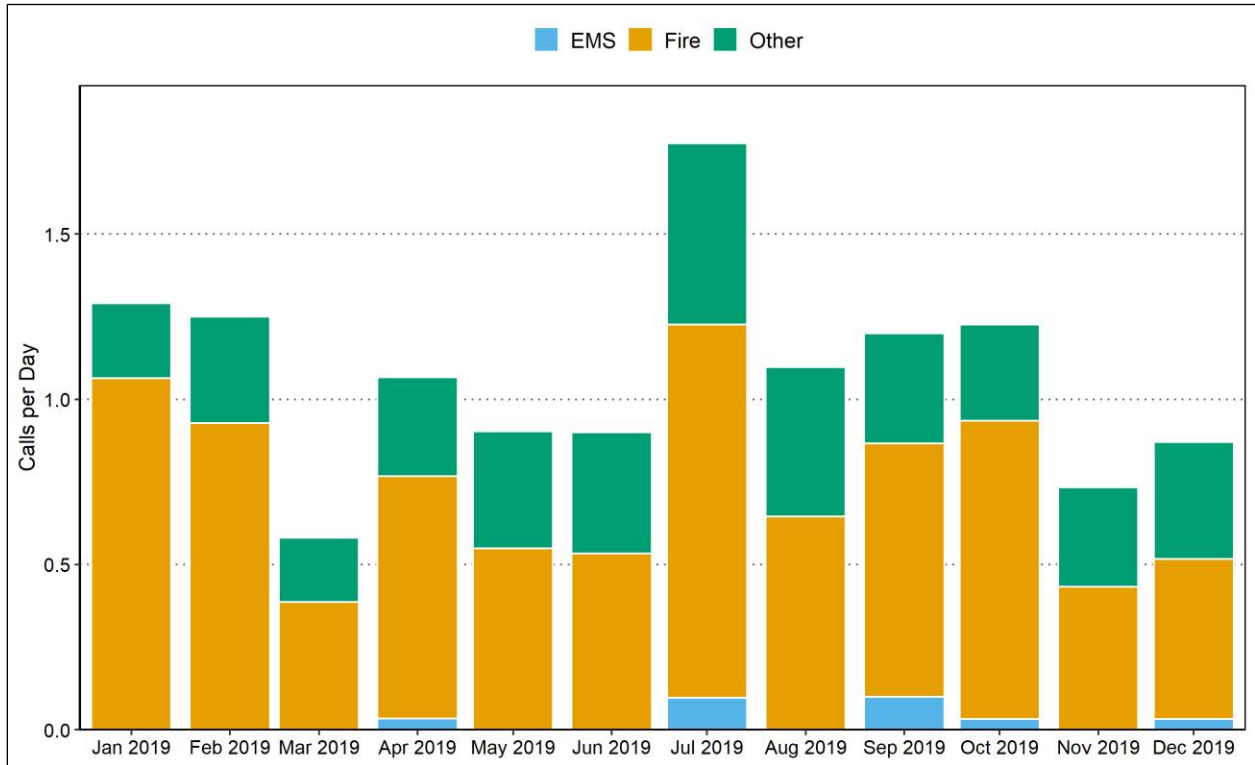
### Observations:

- A total of 206 fire calls (79 percent) lasted less than one hour, 39 fire calls (15 percent) lasted one to two hours, and 15 fire calls (6 percent) lasted two or more hours.
- A total of 88 false alarm calls (85 percent) lasted less than one hour, 14 false alarm calls (14 percent) lasted one to two hours, and 1 false alarm call (1 percent) lasted two or more hours.
- A total of 19 outside fire calls (66 percent) lasted less than one hour, 6 outside fire calls (21 percent) lasted one to two hours, and 4 outside fire calls (14 percent) lasted two or more hours.
- A total of 13 structure fire calls (72 percent) lasted less than one hour, 3 structure fire calls (17 percent) lasted one to two hours, and 2 structure fire calls (11 percent) lasted two or more hours.
- TCFD responded to 54 fire calls that lasted more than one hour. This was approximately 0.1 calls per day or one call every 7 days.

## Average Calls by Month and Hour of Day

The following figure shows the monthly variation in the average daily number of calls handled by TCFD in 2019. Similarly, the subsequent figure illustrates the average number of calls received each hour of the day over the year.

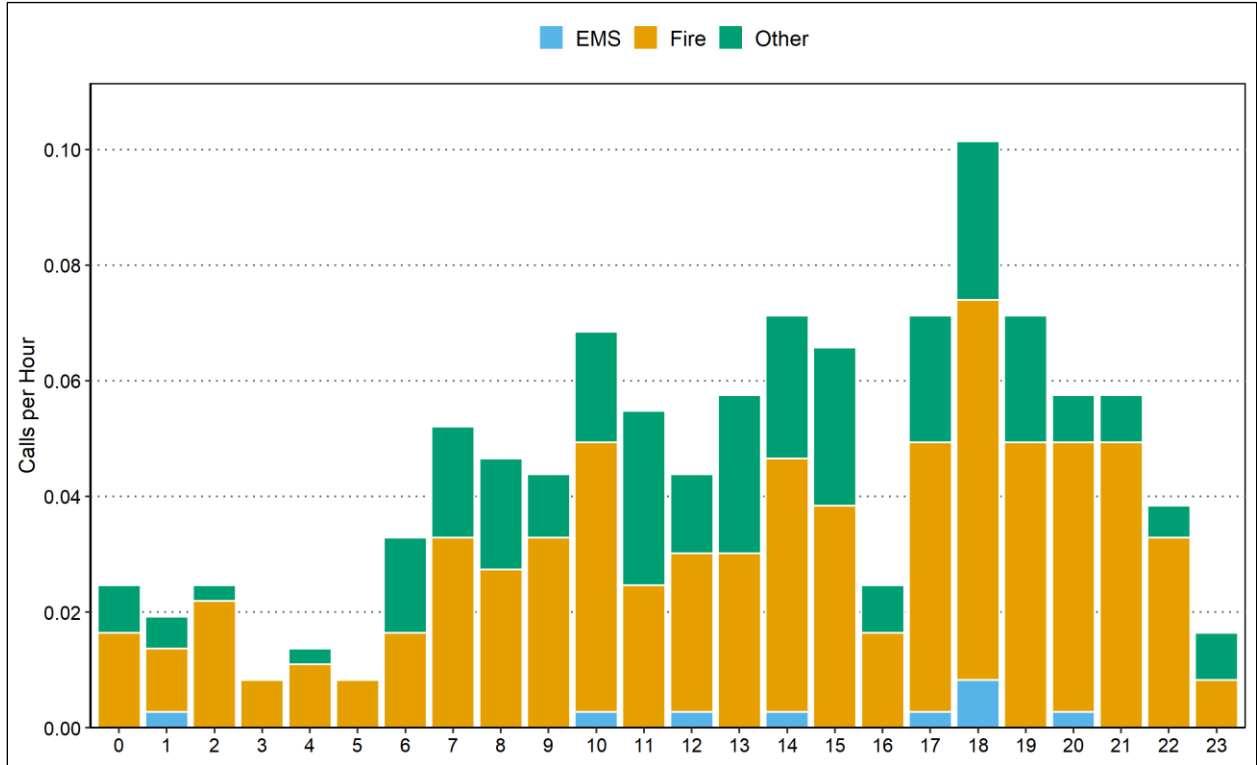
FIGURE 7-2: Average Calls by Month



### Observations:

- Average fire calls per day ranged from 0.4 in March 2019 to 1.1 in July 2019.
- Average EMS and other calls combined per day ranged from 0.2 in both January and March 2019 to 0.6 in July 2019.
- Average calls per day overall ranged from 0.6 in March 2019 to 1.8 in July 2019.

FIGURE 7-3: Calls by Hour of Day



Observations:

- Average calls per hour overall ranged from fewer than 0.01 between 3:00 a.m. and 4:00 a.m. and between 5:00 a.m. and 6:00 a.m. to 0.1 between 6:00 p.m. and 7:00 p.m.

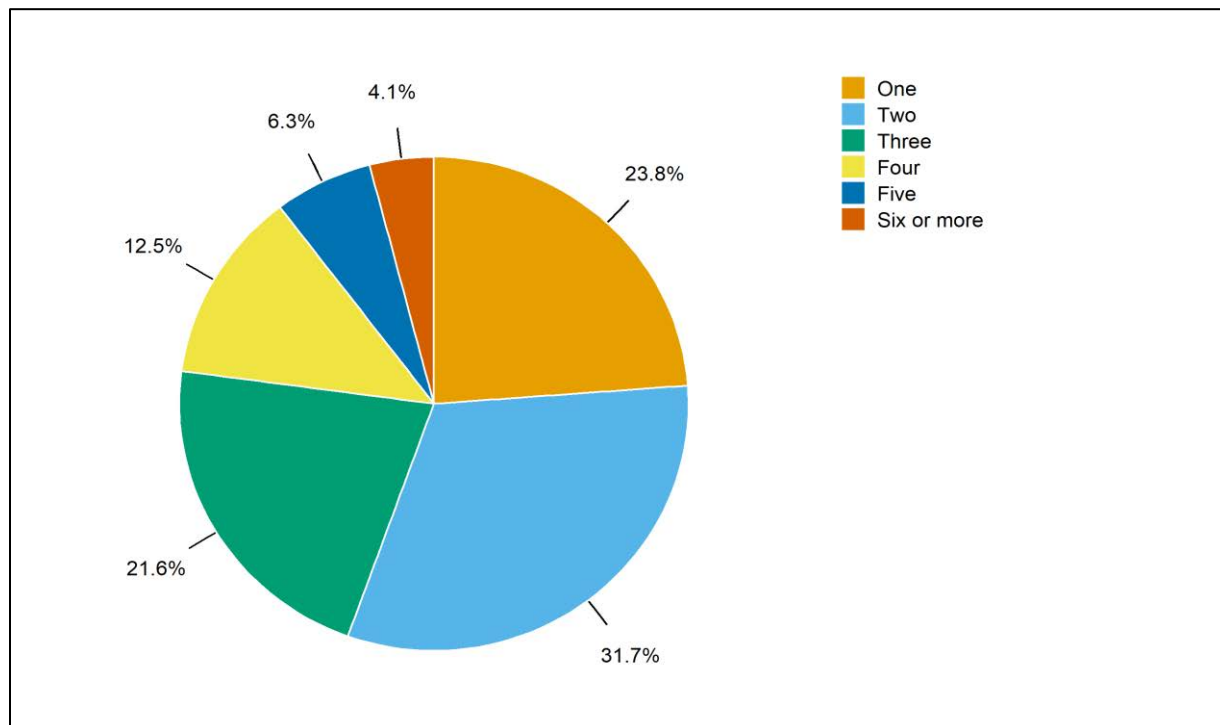
## Units Arriving at Calls

The following table and figure detail the number of calls with one, two, three, four, five, and six or more units arriving at a call, broken down by call type. In this section, we limit ourselves to calls where a unit arrives. There were no arriving units for 71 canceled and 2 false alarm calls. A similar analysis focusing on arriving fire suppression units is included in Attachment II.

TABLE 7-3: Calls by Call Type and Number of Arriving Units

Call Type	Number of Units						Total Calls
	One	Two	Three	Four	Five	Six or More	
False alarm	26	45	19	6	3	1	100
Good intent	4	8	5	5	0	2	24
Hazard	11	31	24	8	4	1	79
Outside fire	2	3	7	8	7	2	29
Public service	1	1	2	3	0	0	7
Structure fire	0	2	3	4	4	5	18
Fire Total	44	90	60	34	18	11	257
EMS Total	3	1	2	2	1	0	9
Canceled	24	8	6	2	0	1	41
Mutual aid	5	2	1	2	1	1	12
Total	76	101	69	40	20	13	319
Percentage	23.8	31.7	21.6	12.5	6.3	4.1	100.0

FIGURE 7-4: Calls by Number of Arriving Units





## Observations:

### Overall

- On average, 2.6 units arrived at all calls; for 24 percent of calls, only one unit arrived.
- Overall, three or more units arrived at 45 percent of calls.

### EMS

- On average, 2.7 units arrived per EMS call.
- For EMS calls, one unit arrived 33 percent of the time, two units arrived 11 percent of the time, and three or more units arrived 56 percent of the time.

### Fire

- On average, 2.8 units arrived per fire call.
- For fire calls, one unit arrived 17 percent of the time, two units arrived 35 percent of the time, and three or more units arrived 48 percent of the time.
- For outside fire calls, three or more units arrived 83 percent of the time.
- For structure fire calls, three or more units arrived 89 percent of the time.

## WORKLOAD: RUNS AND TOTAL TIME SPENT

The workload of each unit is measured in two ways: runs and deployed time. The deployed time of a run is measured from the time a unit is dispatched through the time the unit is cleared. Because multiple units respond to some calls, there are more runs than calls and the average deployed time per run varies from the total duration of calls.

### Runs and Deployed Time – All Units

Deployed time, also referred to as deployed hours, is the total deployed time for all units deployed on all runs. Table 7-4 shows the total deployed time, both overall and broken down by type of run, for all TCFD units in 2019. Table 7-5 and Figure 7-5 present the average deployed minutes by hour of day.

TABLE 7-4: Annual Runs and Deployed Time by Run Type

Call Type	Deployed Minutes per Run	Annual Hours	Percent of Total Hours	Deployed Minutes per Day	Annual Runs	Runs per Day
False alarm	32.7	146.4	18.8	24.1	269	0.7
Good intent	33.0	47.8	6.1	7.9	87	0.2
Hazard	48.5	181.0	23.2	29.8	224	0.6
Outside fire	57.1	130.3	16.7	21.4	137	0.4
Public service	30.1	11.0	1.4	1.8	22	0.1
Structure fire	76.6	128.9	16.5	21.2	101	0.3
Fire Total	46.1	645.5	82.8	106.1	840	2.3
EMS Total	42.7	19.2	2.5	3.2	27	0.1
Canceled	25.2	71.3	9.1	11.7	170	0.5
Mutual aid	67.3	43.8	5.6	7.2	39	0.1
Other Total	33.0	115.1	14.8	18.9	209	0.6
Total	43.5	779.8	100.0	128.2	1,076	2.9

## Observations:

### Overall

- The total deployed time for the year was 779.8 hours. The daily average was 128.2 minutes for all units combined.
- There were 1,076 runs, including 170 runs dispatched for canceled calls and 39 runs dispatched for mutual aid calls. The daily average was 2.9 runs.

### EMS

- EMS runs accounted for 2 percent of the total workload (3 percent of total runs).
- The average deployed time for EMS runs was 42.7 minutes. The deployed time for all EMS runs averaged 3.2 minutes per day.

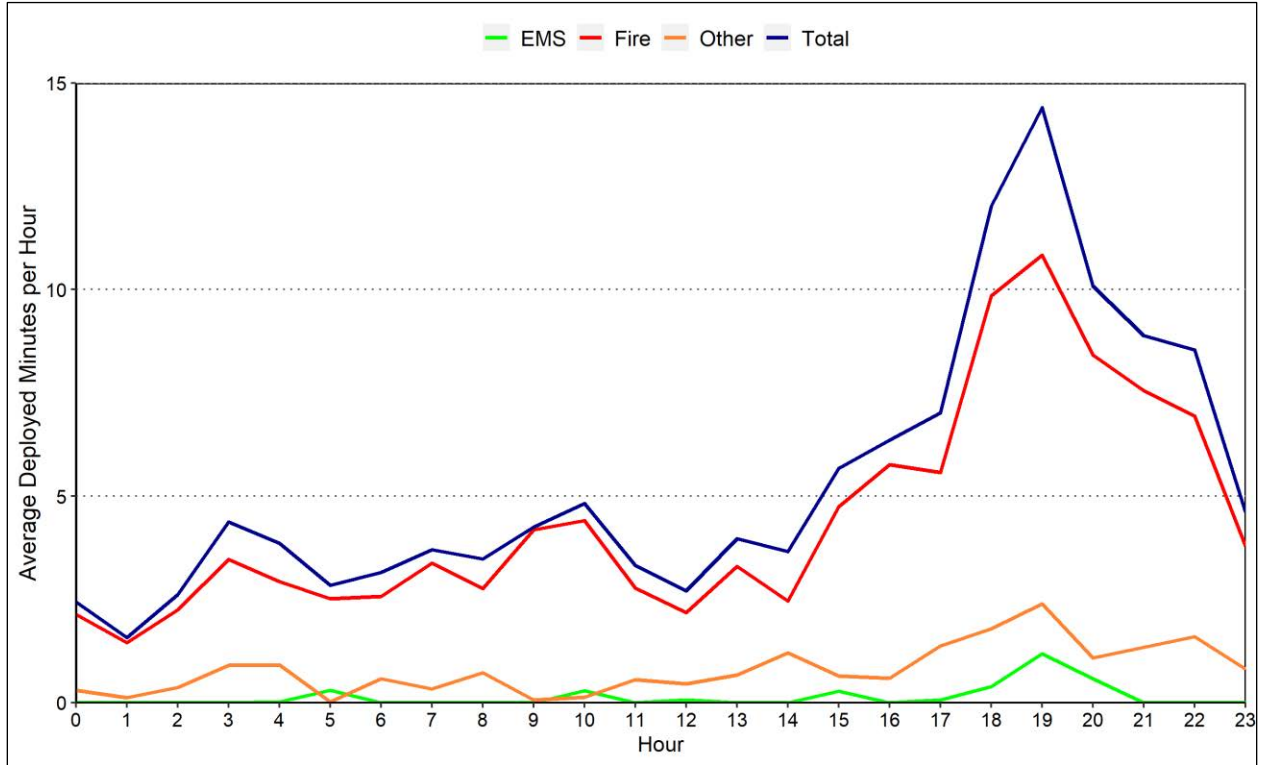
### Fire

- Fire runs accounted for 83 percent of the total workload.
- The average deployed time for fire runs was 46.1 minutes. The deployed time for all fire runs averaged 106.1 minutes per day.
- There were 238 runs for structure and outside fire calls combined (22 percent of total runs), with a total workload of 259.2 hours. This accounted for 33 percent of the total workload.
- The average deployed time for outside fire runs was 57.1 minutes per run, and the average deployed time for structure fire runs was 76.6 minutes per run.

TABLE 7-5: Average Deployed Minutes by Hour of Day

Hour	EMS	Fire	Other	Total
0	0.0	2.1	0.3	2.4
1	0.0	1.4	0.1	1.6
2	0.0	2.2	0.4	2.6
3	0.0	3.5	0.9	4.4
4	0.0	2.9	0.9	3.9
5	0.3	2.5	0.0	2.8
6	0.0	2.6	0.6	3.2
7	0.0	3.4	0.3	3.7
8	0.0	2.8	0.7	3.5
9	0.0	4.2	0.1	4.3
10	0.3	4.4	0.1	4.8
11	0.0	2.8	0.6	3.3
12	0.1	2.2	0.5	2.7
13	0.0	3.3	0.7	4.0
14	0.0	2.5	1.2	3.7
15	0.3	4.7	0.6	5.7
16	0.0	5.8	0.6	6.4
17	0.1	5.6	1.4	7.0
18	0.4	9.8	1.8	12.0
19	1.2	10.8	2.4	14.4
20	0.6	8.4	1.1	10.1
21	0.0	7.5	1.3	8.9
22	0.0	6.9	1.6	8.5
23	0.0	3.8	0.8	4.6
Daily Avg.	3.2	106.1	18.9	128.2

FIGURE 7-5: Average Deployed Minutes by Hour of Day



### Observations:

- Average deployed time peaked between 7:00 p.m. and 8:00 p.m., averaging 14.4 minutes.
- Average deployed time was lowest between 1:00 a.m. and 2:00 a.m., averaging 1.6 minutes.

## Workload by Location

Table 7-6 breaks down the workload of TCFD by the location of the call. Table 7-7 provides further detail on the workload associated with structure and outside fires calls, also broken down by location. Table 7-7 includes structure and outside fires that are grouped under mutual aid in previous tables.

TABLE 7-6: Annual Workload by Location

Location	Calls	Pct. Annual Calls	Runs	Runs Per Day	Deployed Minutes Per Run	Annual Hours	Pct. Annual Work	Deployed Minutes Per Day
Tooele	371	94.6	1,029	2.8	42.8	733.8	94.1	120.6
Erda	10	2.6	23	0.1	50.0	19.2	2.5	3.2
Tooele County	6	1.5	8	0.0	111.4	14.8	1.9	2.4
Other	5	1.3	16	0.0	44.8	11.9	1.5	2.0
Total	392	100.0	1,076	2.9	43.5	779.8	100.0	128.2

TABLE 7-7: Structure and Outside Fire Runs by Location

Location	Structure Fire Runs	Structure Fires Deployed Min. per Run	Outside Fire Runs	Outside Fires Deployed Min. per Run	Hours for Structure and Outside Fires	Pct. of Structure and Outside Fire Workload
Tooele	101	76.6	137	57.1	259.2	88.2
Erda	0	NA	10	90.9	15.2	5.2
Tooele County	2	95.4	2	290.1	12.9	4.4
Other	3	68.2	6	31.5	6.6	2.2
Total	106	76.7	155	61.3	293.9	100.0

## Observations:

### *Tooele City*

- Total deployed time for the year was 733.8 hours or 94.1 percent of the total annual workload. The daily average was 120.6 minutes for all units combined.
- There were 1,029 runs, including 162 runs dispatched for canceled calls. The daily average was 2.8 runs.

### *Erda*

- Total deployed time for the year was 19.2 hours or 2.5 percent of the total annual workload. The daily average was 3.2 minutes for all units combined.
- There were 23 runs, including 6 and 17 runs dispatched for canceled and mutual aid calls, respectively.

### *Tooele County (Unincorporated)*

- Total deployed time for the year was 14.8 hours or 1.9 percent of the total annual workload. The daily average was 2.4 minutes for all units combined.
- There were 8 runs, including 2 and 6 runs dispatched for canceled and mutual aid calls, respectively.

### *Other*

- Total deployed time for the year was 11.9 hours or 1.5 percent of the total annual workload. The daily average was 2.0 minutes for all units combined.
- There were 16 runs dispatched for mutual aid calls.



## Workload by Unit

Table 7-8 provides a summary of each unit's workload overall. Tables 7-9 and 7-10 provide a more detailed view of workload, showing each unit's runs broken out by run type (Table 7-9) and the resulting daily average deployed time broken out by run type (Table 7-10).

TABLE 7-8: Call Workload by Unit

Station	Unit	Unit Type	Deployed Minutes per Run	Total Hours	Total Pct.	Deployed Minutes per Day	Total Runs	Runs per Day
1	BR217	Brush	55.4	57.2	7.3	9.4	62	0.2
	BR219	Brush	49.9	10.8	1.4	1.8	13	0.0
	EN214	Engine	56.8	2.8	0.4	0.5	3	0.0
	EN220	Engine	49.8	60.6	7.8	10.0	73	0.2
	EN221	Engine	35.0	152.1	19.5	25.0	261	0.7
	Total			41.3	283.6	36.4	46.6	412
2	BR215	Brush	25.6	2.1	0.3	0.4	5	0.0
	BR216	Brush	68.0	10.2	1.3	1.7	9	0.0
	BR223	Brush	56.7	42.5	5.5	7.0	45	0.1
	LAD222	Ladder	42.0	31.5	4.0	5.2	45	0.1
	LAD224	Ladder	72.2	15.6	2.0	2.6	13	0.0
	Total			52.3	102.0	13.1	16.8	117
Other	CPT204	Captain	49.5	33.0	4.2	5.4	40	0.1
	CPT205	Captain	45.9	28.3	3.6	4.7	37	0.1
	CPT206	Captain	31.2	4.2	0.5	0.7	8	0.0
	CPT207	Captain	37.9	31.6	4.1	5.2	50	0.1
	CPT208	Captain	66.9	16.7	2.1	2.7	15	0.0
	EN210	Res. Engine	8.3	0.1	0.0	0.0	1	0.0
	FC201	Chief	44.1	120.5	15.4	19.8	164	0.4
	FC202	Asst. Chief	42.4	64.3	8.2	10.6	91	0.2
	FC203	Asst. Chief	42.0	64.5	8.3	10.6	92	0.3
	LT210	Lieutenant	39.4	27.6	3.5	4.5	42	0.1
	LT211	Lieutenant	44.9	0.7	0.1	0.1	1	0.0
	LT212	Lieutenant	18.6	0.6	0.1	0.1	2	0.0
	LT213	Lieutenant	32.8	2.2	0.3	0.4	4	0.0
	Total			43.2	394.2	50.6	64.8	547
Total			43.5	779.8	100.0	128.2	1,076	2.9

TABLE 7-9: Annual Runs by Run Type and Unit

Station	Unit	False Alarm	Good Intent	Hazard	Outside Fire	Public Service	Structure Fire	EMS	Cancel	Mutual Aid	Total
1	BR217	1	6	12	21	3	7	0	5	7	62
	BR219	0	1	1	7	1	0	0	2	1	13
	EN214	0	0	0	2	0	1	0	0	0	3
	EN220	12	6	14	6	2	11	4	12	6	73
	EN221	91	20	66	17	4	15	6	40	2	261
	Total	104	33	93	53	10	34	10	59	16	412
2	BR215	1	0	2	0	0	0	0	1	1	5
	BR216	1	2	0	6	0	0	0	0	0	9
	BR223	2	6	2	19	1	7	0	4	4	45
	LAD222	10	2	9	2	0	12	2	7	1	45
	LAD224	3	1	0	1	0	7	0	1	0	13
	Total	17	11	13	28	1	26	2	13	6	117
Other	CPT204	6	6	11	4	2	2	1	8	0	40
	CPT205	12	3	10	4	0	2	0	6	0	37
	CPT206	2	1	2	0	1	0	0	2	0	8
	CPT207	18	3	13	2	1	3	1	7	2	50
	CPT208	5	0	4	1	0	3	0	2	0	15
	EN210	1	0	0	0	0	0	0	0	0	1
	FC201	52	13	28	16	3	11	5	28	8	164
	FC202	15	5	24	10	3	7	4	21	2	91
	FC203	22	7	20	11	1	9	3	16	3	92
	LT210	14	3	4	8	0	2	1	8	2	42
	LT211	0	0	0	0	0	1	0	0	0	1
	LT212	1	1	0	0	0	0	0	0	0	2
	LT213	0	1	2	0	0	1	0	0	0	4
	Total	148	43	118	56	11	41	15	98	17	547
Total		269	87	224	137	22	101	27	170	39	1,076

TABLE 7-10: Average Deployed Minutes by Run Type and Unit

Station	Unit	False Alarm	Good Intent	Hazard	Outside Fire	Public Service	Structure Fire	EMS	Cancel	Mutual Aid	Total
1	BR217	0.0	0.5	1.2	2.9	0.2	2.1	0.0	0.5	2.0	9.4
	BR219	0.0	0.1	0.1	1.1	0.0	0.0	0.0	0.3	0.1	1.8
	EN214	0.0	0.0	0.0	0.1	0.0	0.4	0.0	0.0	0.0	0.5
	EN220	1.2	0.8	2.1	1.4	0.2	2.0	0.4	0.8	1.3	10.0
	EN221	7.9	1.5	8.0	2.0	0.3	2.4	0.6	2.2	0.1	25.0
	Total	9.1	2.9	11.4	7.5	0.7	6.9	1.1	3.7	3.5	46.6
2	BR215	0.2	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.4
	BR216	0.1	0.2	0.0	1.4	0.0	0.0	0.0	0.0	0.0	1.7
	BR223	0.3	0.3	0.3	3.4	0.0	1.3	0.0	0.4	0.9	7.0
	LAD222	0.5	0.2	0.7	0.5	0.0	2.6	0.2	0.3	0.1	5.2
	LAD224	0.2	0.2	0.0	0.1	0.0	2.1	0.0	0.0	0.0	2.6
	Total	1.4	0.8	1.1	5.3	0.0	6.0	0.2	0.8	1.1	16.8
Other	CPT204	0.5	0.6	1.7	1.0	0.2	0.9	0.2	0.3	0.0	5.4
	CPT205	0.9	0.5	1.9	0.6	0.0	0.3	0.0	0.5	0.0	4.7
	CPT206	0.1	0.0	0.2	0.0	0.1	0.0	0.0	0.2	0.0	0.7
	CPT207	1.8	0.4	1.2	0.2	0.2	0.4	0.1	0.7	0.2	5.2
	CPT208	0.3	0.0	1.1	0.0	0.0	1.0	0.0	0.4	0.0	2.7
	EN210	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	FC201	4.9	1.0	4.5	3.0	0.2	3.0	0.6	1.5	1.1	19.8
	FC202	1.6	0.4	3.3	1.4	0.2	1.0	0.4	1.7	0.6	10.6
	FC203	2.1	0.6	2.8	1.6	0.2	1.4	0.4	1.2	0.3	10.6
	LT210	1.3	0.3	0.4	0.8	0.0	0.3	0.2	0.8	0.5	4.5
	LT211	0.0	0.0	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.1
	LT212	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1
	LT213	0.0	0.2	0.1	0.0	0.0	0.1	0.0	0.0	0.0	0.4
	Total	13.6	4.2	17.3	8.6	1.1	8.4	1.8	7.3	2.6	64.8
Total		24.1	7.9	29.8	21.4	1.8	21.2	3.1	11.7	7.2	128.2

## Observations:

- Station 1 made 412 total runs (1.1 runs per day) and 283.6 total annual deployed hours (46.6 minutes per day).
- Station 2 made 117 total runs (0.3 runs per day) and 102.0 total annual deployed hours (16.8 minutes per day).
- EN221 made the most runs (261 or an average of 0.7 runs per day) and had the highest total annual deployed time (152.1 hours or an average of 25.0 minutes per day).
  - Structure and outside fire calls accounted for 12 percent of runs and 18 percent of total deployed time.
- FC201 made the second most runs (164 or an average of 0.5 runs per day) and had the second-highest total annual deployed time (120.5 hours or an average of 19.8 minutes per day).
  - Structure and outside fire calls accounted for 16 percent of runs and 30 percent of total deployed time.

## ANALYSIS OF BUSIEST HOURS

There is significant variability in the number of calls from hour to hour. One special concern relates to the resources available for hours with the heaviest workload. We tabulated the data for each of the 8,760 hours in the year. Table 7-11 shows the number of hours in the year in which there were zero to three or more calls during the hour. Table 7-12 shows the 10 one-hour intervals which had the most calls during the year. Table 7-13 examines the number of times a call overlapped with another call within the service areas of TCFD.

TABLE 7-11: Frequency Distribution of the Number of Calls

Calls in an Hour	Frequency	Percentage
0	8,382	95.7
1	365	4.2
2+	13	0.1
Total	8,760	100.0

TABLE 7-12: Top 10 Hours with the Most Calls Received

Hour	Number of Calls	Number of Runs	Total Deployed Hours
2/14/2019, 6:00 p.m. to 7:00 p.m.	3	9	1.8
7/11/2019, 6:00 p.m. to 7:00 p.m.	2	17	16.5
8/4/2019, 9:00 p.m. to 10:00 p.m.	2	11	6.4
9/25/2019, 6:00 p.m. to 7:00 p.m.	2	7	4.1
4/19/2019, 5:00 p.m. to 6:00 p.m.	2	7	2.4
6/15/2019, 4:00 p.m. to 5:00 p.m.	2	7	2.4
2/17/2019, 10:00 a.m. to 11:00 a.m.	2	6	4.0
1/1/2019, 1:00 a.m. to 2:00 a.m.	2	5	5.2
10/26/2019, 7:00 p.m. to 8:00 p.m.	2	5	1.9
5/1/2019, 8:00 p.m. to 9:00 p.m.	2	4	2.7

Note: Total deployed hours is a measure of the total time spent responding to calls received in the hour. The deployed time from these calls may extend into the next hour or hours. The number of runs and deployed hours includes all units from the studied agencies.

TABLE 7-13: Frequency of Overlapping Calls

Scenario	Number of Calls	Percent of All Calls	Total Hours
No overlapped call	348	97.2	240.4
Overlapped with one call	10	2.8	2.6

## Observations:

- During 13 hours (0.1 percent of all hours), two or more calls occurred; in other words, the department responded to two or more calls in an hour roughly once every 28 days.
  - The highest number of calls to occur in an hour was three, which happened once.
- The hour with the most calls was 6:00 p.m. to 7:00 p.m. on February 14, 2019.
  - The hour's 3 calls involved 9 individual dispatches resulting in 1.8 hours of deployed time. These 3 calls included two hazard calls and one false alarm call.
- TCFD never had more than 4 calls in a single day in 2019. There were 4 calls in a day on 8 days during the year.

## RESPONSE TIME

---

In this part of the analysis, we present response time statistics for different call types. We separate response time into its identifiable components. *Dispatch time* is the difference between the time a call is received and the earliest time an agency is dispatched. Dispatch time includes call processing time, which is the time required to determine the nature of the emergency and the types of resources to dispatch. *Turnout time* is the difference between the earliest dispatch time and the earliest time an **agency's** unit is en route **to a call's location**. *Travel time* is the difference between the earliest en route time and the earliest arrival time. *Response time* is the total time elapsed between receiving a call to arriving on scene. For fire calls, we only considered the turnout and travel times, and their summation counts to the total response time.

In this analysis, we included all calls within the primary service areas of TCFD to which at least one unit responded. Canceled and mutual aid calls were excluded. In addition, calls with a total response time of more than 30 minutes were excluded. Finally, we focused on units that had complete time stamps, that is, units with all components recorded, so that we could calculate each segment of response time.

Based on the methodology above, we excluded 13 mutual aid calls, 110 canceled calls, 2 calls where no units recorded a valid on-scene time, 8 calls where the first arriving unit's response time was greater than 30 minutes, and 98 calls where one or more segments of the first arriving unit's response time could not be calculated due to missing or faulty data. As a result, the analysis in this section included 161 calls.



## Response Time by Type of Call

Tables 7-14 and 7-15 break down the average, 80th percentile, and 90th percentile response times by call type for all calls in TCFD's jurisdictions. TCFD follows the NFPA 1720 standard that benchmarks both 80th and 90th percentile response times. Figure 7-6 illustrates the components of the average response time by call type. Table 7-16 examines the average, 80th, and 90th response times of the first arriving TCFD units by the time of day (in four-hour intervals).

TABLE 7-14: Average Response Time of First Arriving Unit, by Call Type

Call Type	Dispatch	Average Response Time, Min.			Number of Calls
		Turnout	Travel	Total	
False alarm	2.3	3.4	4.6	10.3	64
Good intent	2.0	3.2	2.9	8.1	17
Hazard	2.8	2.6	3.5	8.9	45
Outside fire	2.1	2.3	4.3	8.7	17
Public service	2.5	2.4	5.6	10.5	6
Structure fire	2.1	2.2	3.1	7.4	9
Fire Total	2.4	2.9	4.0	9.3	158
EMS Total	4.3	1.8	2.2	8.3	3
Total	2.4	2.9	4.0	9.3	161

TABLE 7-15: 80th and 90th Percentile Response Times of First Arriving Unit, by Call Type

Call Type	80th Percentile Response Time, Min.				90th Percentile Response Time, Min.				Number of Calls
	Dispatch	Turnout	Travel	Total	Dispatch	Turnout	Travel	Total	
False alarm	3.3	5.4	7.2	13.1	4.6	6.1	8.3	16.2	64
Good intent	2.9	4.9	4.7	11.1	4.0	5.6	5.5	15.8	17
Hazard	3.3	3.9	4.6	11.5	4.3	4.9	6.2	14.8	45
Outside fire	2.6	2.8	5.3	11.3	3.4	4.0	8.1	12.9	17
Public service	3.6	4.0	8.4	14.8	3.8	4.3	9.6	15.2	6
Structure fire	3.0	4.2	4.4	10.5	3.3	5.0	6.8	11.3	9
Fire Total	3.3	4.3	5.8	12.1	4.0	5.5	7.3	15.2	158
EMS Total	6.7	2.4	3.0	12.2	6.7	2.4	3.0	12.2	3
Total	3.3	4.3	5.8	12.1	4.0	5.5	7.3	15.2	161

FIGURE 7-6: Average Response Time of First Arriving Unit, by Call Type

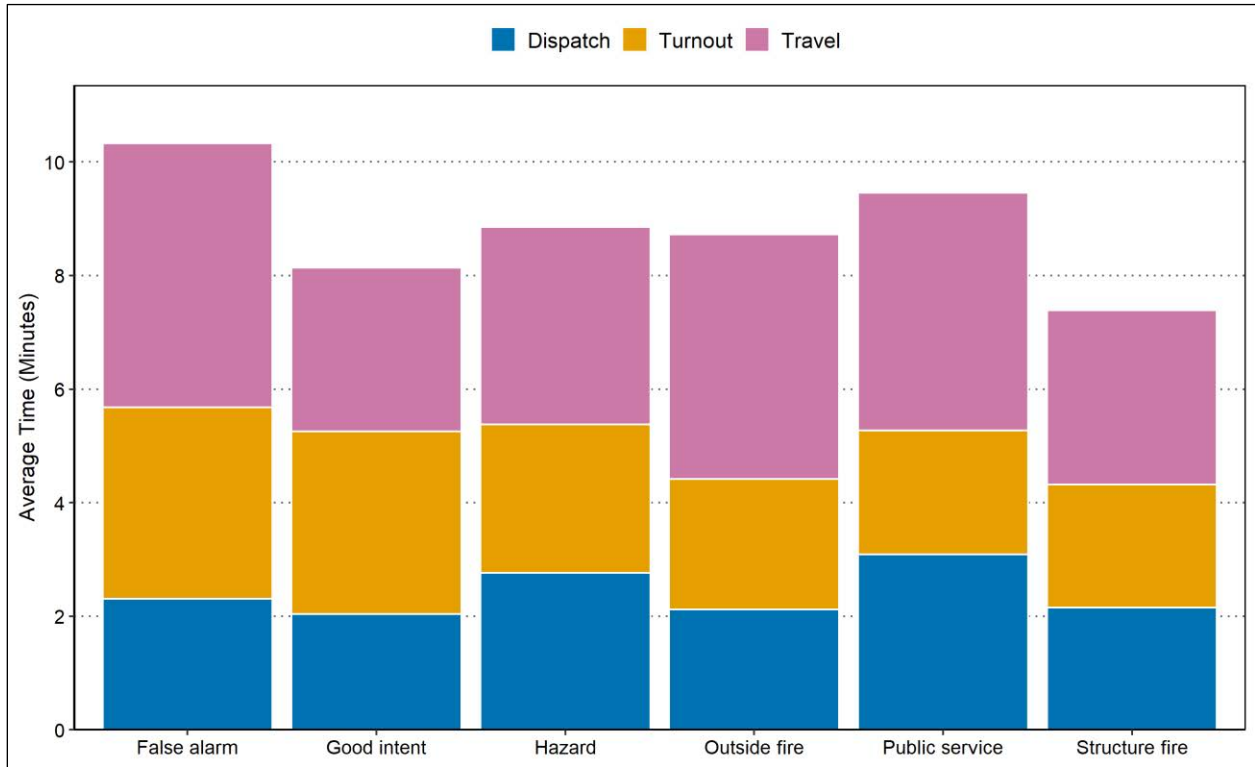


TABLE 7-16: Average, 80th, and 90th Percentile Response Time of First Arriving Unit, by Time of Day

Time of Day	Time in Minutes						Number of Calls
	Dispatch	Turnout	Travel	Response Time	80th Percentile Response Time	90th Percentile Response Time	
0:00 - 3:59	3.0	4.7	5.2	12.8	16.8	18.9	13
4:00 - 7:59	3.0	4.5	4.5	12.1	18.4	19.6	14
8:00 - 11:59	2.3	2.6	3.5	8.5	10.8	12.1	31
12:00 - 15:59	2.7	2.4	3.8	9.0	12.4	15.8	27
16:00-19:59	2.2	2.2	3.8	8.2	10.7	11.8	41
20:00-23:59	2.1	3.0	4.1	9.2	11.8	14.8	35
Total	2.4	2.9	4.0	9.3	12.1	15.2	161

### Observations:

- The average dispatch time for fire calls was 2.4 minutes
- The average turnout time for fire calls was 2.9 minutes.
- The average travel time for fire calls was 4.0 minutes.
- The average total fire response time for fire calls was 9.3 minutes.
- The average response time was 8.7 minutes for outside fires and 7.4 minutes for structure fires.
- The 80th percentile dispatch time was 3.3 minutes
- The 80th percentile turnout time for fire calls was 4.3 minutes.
- The 80th percentile travel time for fire calls was 5.8 minutes.
- The 80th percentile total response time for fire calls was 12.1 minutes.
- The 80th percentile response time was 11.3 minutes for outside fires and 10.5 minutes for structure fires.
- The 90th percentile dispatch time for fire calls was 4.0 minutes
- The 90th percentile turnout time for fire calls was 5.5 minutes.
- The 90th percentile travel time for fire calls was 7.3 minutes.
- The 90th percentile total response time for fire calls was 15.2 minutes.
- The 90th percentile response time was 12.9 minutes for outside fires and 11.3 minutes for structure fires.

## Response Time Distribution

Here, we present a more detailed look at how response times to calls are distributed. The cumulative distribution of total response time for the first arriving TCFD unit to structure and outside fire calls is shown in Figure 7-8 and Table 7-18.

The cumulative percentages here are read in the same way as a percentile. In Figure 7-7, the 80th percentile of 10.7 minutes means that 80 percent of structure and outside fire calls had a response time of 10.7 minutes or less, and the 90th percentile of 12.9 minutes means that 90 percent of structure and outside fire calls had a response time of 12.9 minutes or less. In Table 7-17, the cumulative percentage of 53.8 represents that 53.8 percent of structure and outside fire calls had a response time under 8 minutes.

FIGURE 7-7: Cumulative Distribution of Response Time – First Arriving Unit – Outside and Structure Fires

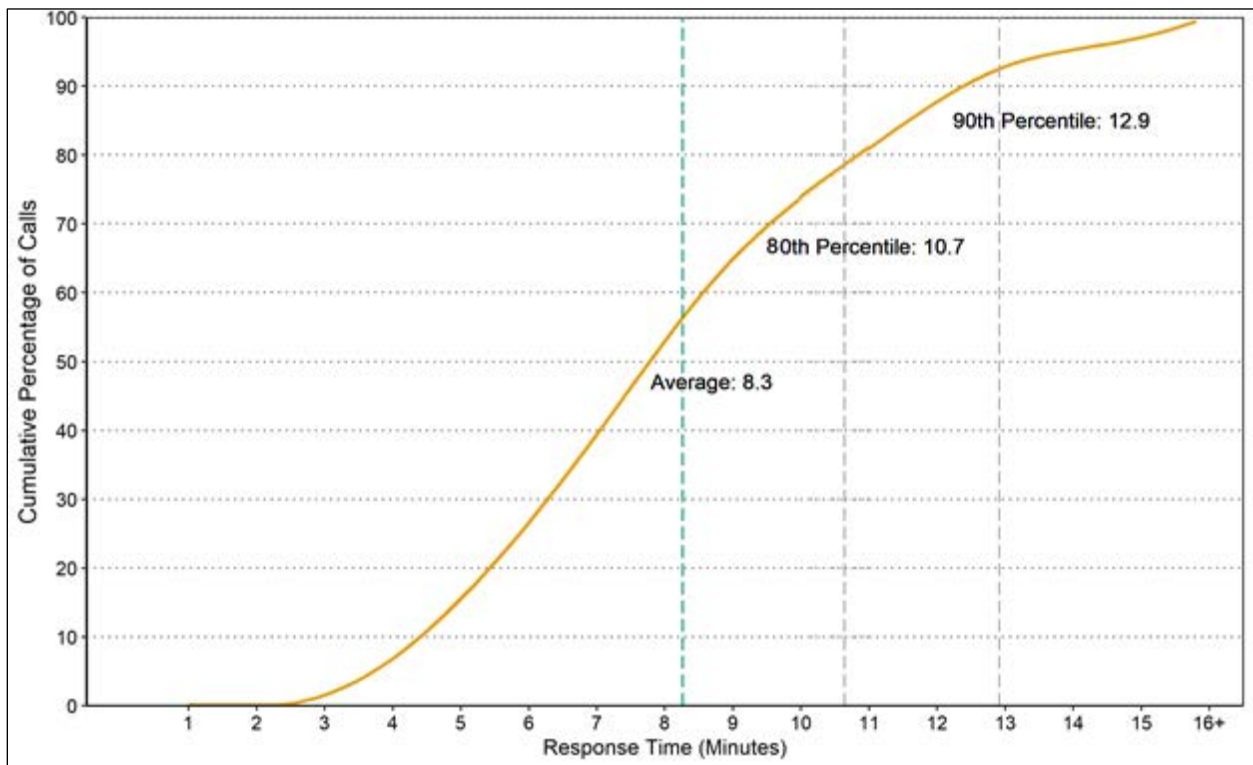


TABLE 7-17: Cumulative Distribution of Response Time – First Arriving Unit – Outside and Structure Fires

Response Time (minute)	Frequency	Cumulative Percentage
1	0	0.0
2	0	0.0
3	0	0.0
4	2	7.7
5	2	15.4
6	3	26.9
7	3	38.5
8	4	53.8
9	3	65.4
10	2	73.1
11	2	80.8
12	2	88.5
13	2	96.2
14	0	96.2
15	0	96.2
16+	1	100.0

### Observations:

- For 54 percent of structure and outside fire calls, the response time of the first arriving TCFD unit was less than 8 minutes.

## ATTACHMENT I: ACTIONS TAKEN

---

TABLE 7-18: Actions Taken Analysis for Structure and Outside Fire Calls

Action Taken	Number of Calls	
	Outside Fire	Structure Fire
Extinguishment by fire service personnel	9	0
Fire control or extinguishment, other	14	11
Information, investigation & enforcement, other	1	0
Investigate	0	2
Investigate fire out on arrival	5	4
Salvage & overhaul	0	1
Total	29	18

### Observations:

- Out of 29 outside fires, 9 were extinguished by fire service personnel, which accounted for 31 percent of outside fires.

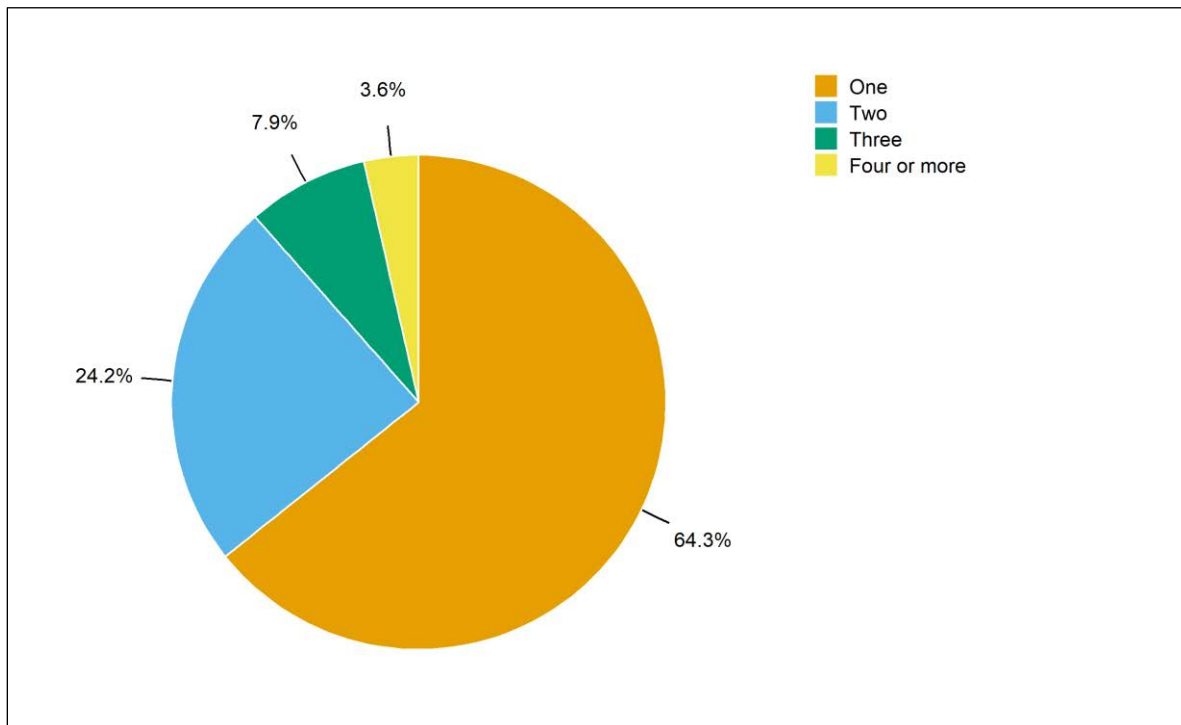
## ATTACHMENT II: FIRE SUPPRESSION UNITS ARRIVING AT CALLS

This section repeats the calculations of Table 3 and Figure 4 if only fire suppression units were included.

TABLE 7-19: Calls by Call Type and Number of Arriving Fire Suppression Units

Call Type	Number of Units				Total Calls
	One	Two	Three	Four or More	
False alarm	69	9	0	1	79
Good intent	13	7	1	1	22
Hazard	46	21	1	0	68
Outside fire	5	12	8	2	27
Public service	2	1	2	0	5
Structure fire	5	3	5	5	18
Fire Total	140	53	17	9	219
EMS Total	0	5	0	0	5
Canceled	16	1	1	0	18
Mutual aid	6	2	2	0	10
Total	162	61	20	9	252
Percentage	64.3	24.2	7.9	3.6	100.0

FIGURE 7-8: Calls by Number of Arriving Fire Suppression Units





## ATTACHMENT III: FIRE MUTUAL AID

Table 7-20 details the total calls that were aid given by TCFD to other agencies in 2019. All canceled calls were included.

TABLE 7-20: Mutual Aid Given

Call ID	Date	Receiving Agency	Call Type	Incident City
819027	2019-01-01	RVFD	Structure fire	TC unincorporated
824489	2019-01-25	RVFD	Structure fire	Rush Valley
828012	2019-02-10	NTFD	Outside fire	Pine Canyon
828333	2019-02-12	NTFD	Canceled	Erda
834017	2019-03-09	NTFD	Canceled	Erda
847499	2019-05-01	NTFD	Canceled	Erda
858721	2019-06-13	NTFD	Hazard	Erda
862421	2019-06-28	NTFD	Outside fire	Erda
867304	2019-07-17	SCFD	Outside fire	TC unincorporated
867632	2019-07-18	SCFD	Canceled	TC unincorporated
867787	2019-07-19	NTFD	EMS Assist	Erda
869144	2019-07-25	NTFD	Outside fire	Grantsville
871544	2019-08-03	GCFD	Structure fire	Grantsville
871794	2019-08-04	NTFD	Public service	Pine Canyon
873084	2019-08-10	NTFD	Canceled	Erda
874219	2019-08-15	NTFD	Outside fire	Erda
876325	2019-08-24	NTFD	Canceled	Erda
876725	2019-08-26	NTFD	Outside fire	Erda
882080	2019-09-17	TDFD	Canceled	TC unincorporated
883510	2019-09-23	NTFD	Public service	TC unincorporated
897369	2019-11-22	TRFD	Canceled	TC unincorporated

For calls that occurred in Tooele City in 2019, Table 7-21 shows the number and type of calls where TCFD received aid from other agencies. Here we list all responding agencies based on the CAD data, including both FD and non-FD agencies. The table includes a total of 37 calls and 44 runs (or 44 responses from other agencies).

TABLE 7-21: Mutual Aid Received

Call ID	Date	Responding Agency	Call Type
821488	2019-01-11	NTFD	Good intent
821505	2019-01-11	NTFD	Hazard
824396	2019-01-24	TDFD	Structure fire
824424	2019-01-25	TDFD	Structure fire
827162	2019-02-06	TDFD, IBFD	False alarm
828459	2019-02-12	NTFD	Structure fire
830629	2019-02-22	NTFD	Structure fire
832022	2019-02-28	NTFD	Outside fire
836632	2019-03-21	NTFD	Canceled
840426	2019-04-05	TDFD	Outside fire
842229	2019-04-12	NTFD	Good intent
848265	2019-05-04	TDFD	Structure fire
848459	2019-05-05	TDFD	Canceled
850598	2019-05-13	TDFD	Good intent
853286	2019-05-23	TDFD	Hazard
854546	2019-05-28	TDFD	Structure fire
857729	2019-06-10	GCFD, TDFD	Structure fire
858732	2019-06-13	TDFD	False alarm
859236	2019-06-15	NTFD	Good intent
859373	2019-06-16	TDFD	Good intent
863840	2019-07-03	NTFD	Good intent
863863	2019-07-03	NTFD	Outside fire
863954	2019-07-04	TDFD	Good intent
864336	2019-07-05	TDFD	Canceled
865219	2019-07-09	TDFD	Outside fire
868141	2019-07-21	NTFD	Outside fire
869799	2019-07-27	NTFD	Outside fire
870372	2019-07-30	NTFD	Outside fire
870485	2019-07-30	NTFD, NTFD	Outside fire
873371	2019-08-11	TDFD	Outside fire
874808	2019-08-17	TDFD, SCFD, TRFD, RVFD	Outside fire
877386	2019-08-28	NTFD, GCFD	Structure fire
883590	2019-09-24	NTFD	Hazard
890331	2019-10-23	TDFD	Good intent
891795	2019-10-30	NTFD	Structure fire
892696	2019-11-03	TDFD	Outside fire
895503	2019-11-15	TDFD	Good intent

## ATTACHMENT IV: 2019 & 2020 COMPARISON

In this analysis, we examine the historical trends of fire responses based on two years of data for 2019 and 2020 for the Tooele City Fire Department. We present calls by month, unit workload, response time components, and workload by the time of day for both years.

TABLE 7-22: Number of Calls by Month and Year

Month	Number of Calls	
	2019	2020
1	40	30
2	35	37
3	18	45
4	32	31
5	28	33
6	27	47
7	55	64
8	34	46
9	36	47
10	38	41
11	22	40
12	27	37
Total	392	498

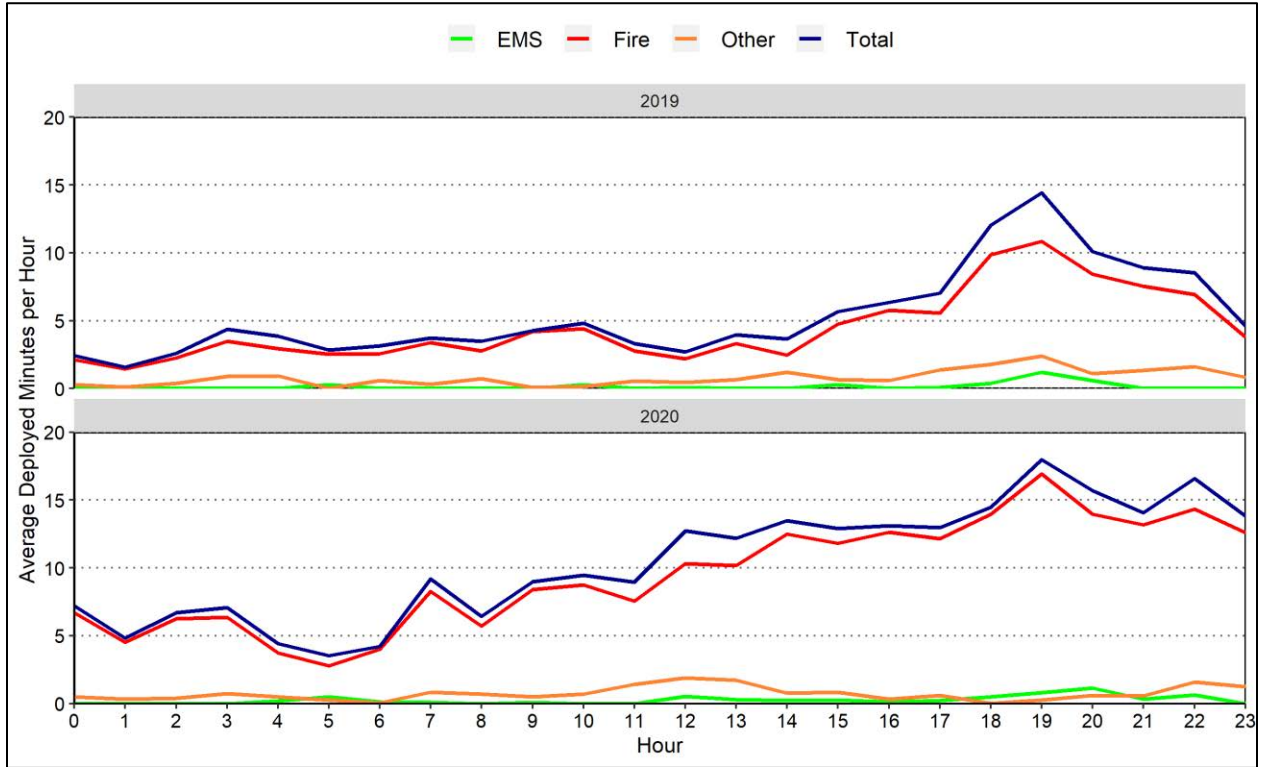
TABLE 7-23: Response Time Components (in Minutes) by Month and Year

Item	2019			2020		
	Average	80th Percentile	90th Percentile	Average	80th Percentile	90th Percentile
Dispatch	2.4	3.3	4.0	3.0	3.8	5.8
Turnout	2.9	4.3	5.5	2.2	3.4	4.7
Travel	4.0	5.8	7.3	3.9	5.9	6.8
Total	9.3	12.1	15.2	9.1	11.6	13.6
Number of Calls	161			279		

TABLE 7-24: Unit Runs and Workload by Year

Station	Unit	Unit Type	2019		2020	
			Hours	Runs	Hours	Runs
1	BR217	Brush	57.2	62	88.2	111
	BR219	Brush	10.8	13	8.4	8
	EN214	Engine	2.8	3	1.4	1
	EN220	Engine	60.6	73	4.3	3
	EN221	Engine	152.1	261	102.6	96
	Total		283.6	412	406.0	510
2	BR215	Brush	2.1	5	8.0	12
	BR216	Brush	10.2	9	34.7	34
	BR223	Brush	42.5	45	76.0	83
	LAD222	Ladder	31.5	45	54.6	71
	LAD224	Ladder	15.6	13	59.1	50
	Total		102.0	117	232.4	250
Other	CPT204	Captain	33.0	40	35.9	21
	CPT205	Captain	28.3	37	62.4	49
	CPT206	Captain	4.2	8	64.9	66
	CPT207	Captain	31.6	50	9.8	9
	CPT208	Captain	16.7	15	13.2	14
	CPT209	Captain	0.0	0	19.3	22
	EN210	Res. Engine	0.1	1	0.0	0
	FC201	Chief	120.5	164	243.1	268
	FC202	Asst. Chief	64.3	91	199.4	213
	FC203	Asst. Chief	64.5	92	214.7	241
	LT210	Lieutenant	27.6	42	0.5	1
	LT211	Lieutenant	0.7	1	0.0	0
	LT212	Lieutenant	0.6	2	3.2	4
	LT213	Lieutenant	2.2	4	14.3	17
Total		394.2	547	880.7	925	
Total			779.8	1,076	1,519.1	1,685

FIGURE 7-9: Average Deployed Minutes by Hour of Day and Year



- END -

## Tooele City Council Work Meeting Minutes

**Date:** Wednesday, April 6, 2022

**Time:** 5:30 p.m.

**Place:** Tooele City Hall, Council Chambers  
90 North Main Street, Tooele, Utah

### **City Council Members Present:**

Ed Hansen

Justin Brady

Maresa Manzione

David McCall

Tony Graf

### **Planning Commission Members Present:**

Chris Sloan

### **City Employees Present:**

Mayor Debbie Winn

Adrian Day, Police Department Chief

Roger Baker, City Attorney

Shannon Wimmer, Finance Director

Michelle Pitt, City Recorder

Jared Stewart, Economic Development Director

Jamie Grandpre, Public Works Director

Jim Bolser, Community Development Director

Paul Hansen, City Engineer

Holly Potter, Deputy City Recorder

Darwin Cook, Parks and Recreation Director

Minutes prepared by Katherin Yei

### **1. Open City Council Meeting**

Chairman Brady called the meeting to order at 5:30 p.m.

### **2. Roll Call**

Ed Hansen, Present

Justin Brady, Present

Maresa Manzione, Present

David McCall, Present

Tony Graf, Present at 5:35

### **3. Center for Public Safety Management Fire Study Report**

*Presented by Joseph Pozzo, Senior Manager for Fire & EMS*

Joseph Pozzo presented the Tooele City Fire Department Analysis done by Center for Public Safety Management. The report looked at multiple areas including forensic data analysis of response times, workload, calls, and agency resiliency, training and community risk reduction program, community's current insurance services office, public protection classification report, and operational service delivery models. The report addresses community risk TCFD should prepare for in multiple areas, number of incidents and calls the department responds to, EMS demand, and the TCFS and NFPA 1720 standards for how volunteer fire departments should respond and deploy with specific and critical tasking.

The principle analysis findings with a recommendation to prioritize as follows: the aging or aged out fleet and all components that has age on it to meet the NFPA standards, the facility recommendations with the optimum facility locations and what resources are deployed from each facility, the lack of emergency scene firefighter accountability, on scene communications and personnel, the deficiencies of recordkeeping, fire reports and training records in the records management system, the need to hire a full time Fire Marshall and Fire Chief, how the department assembles an effective response force to perform critical tasks on the fireground and the response forces to perform critical tasks, look at fire service agreements with all entities and standard operating guidelines.

The City Council shared their appreciation for the recommendations and frame work. They shared interest in hearing from TCFD in the future.

Mr. Pozzo addressed the City Council. He is available for additional help and recommendations to help the City move forward in the process to improve the TCFD.

Mayor Winn shared her appreciation of Mr. Pozzo.

**Chairman Brady recessed the meeting at 6:56pm.**

**The meeting was reconvened at 7:02pm.**

### **4. Ordinance 2022-11 An Ordinance of Tooele City Enacting a Temporary Zoning Ordinance Regarding Garage Parking in Multi-Family Residential Developments**

*Presented by Roger Baker, City Attorney*

This item was skipped and presented during the business meeting.

### **5. Closed Meeting - Litigation, Property Acquisition, and/or Personnel**

There was no closed meeting.

### **6. Adjourn**

**Chairman Brady adjourned the meeting at 7:02 pm**



*The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.*

Approved this \_\_\_\_ day of April, 2022

---

Justin Brady, City Council Chair

## Tooele City Council Business Meeting Minutes

**Date:** Wednesday, April 6, 2022

**Time:** 7:00 p.m.

**Place:** Tooele City Hall, Council Chambers  
90 North Main Street, Tooele, Utah

### **City Council Members Present:**

Ed Hansen

Justin Brady

Maresa Manzione

Tony Graf

Dave McCall

### **City Employees Present:**

Mayor Debbie Winn

Adrian Day, Police Department Chief

Roger Baker, City Attorney

Shannon Wimmer, Finance Director

Michelle Pitt, City Recorder

Jared Stewart, Economic Development Coordinator

Jamie Grandpre, Public Works Director

Kami Perkins, HR Director

Jim Bolser, Community Development Director

Paul Hansen, City Engineer

Darwin Cook, Parks and Recreation Director

Holly Potter, Deputy City Recorder

Minutes prepared by Katherin Yei

Chairman Brady called the meeting to order at 7:02 p.m.

### **1. Pledge of Allegiance**

The Pledge of Allegiance was led by Chairman Brady.

### **2. Roll Call**

Tony Graf, Present

Ed Hansen, Present

Justin Brady, Present

Maresa Manzione, Present

Dave McCall, Present

### **3. Mayor's Youth Recognition Awards**

*Presented by Debbie Winn, Mayor & Stacy Smart, Communities That Care Supervisor*

Mayor Winn, Stacy Smart, and Chief Day presented the Mayor's Youth Recognition Awards to the following students:

Jaidelyn Woodruff  
Valerie Maldanodo Perez  
Siale Peacock  
Maya Frank

#### **4. Second Step 6th Grade Drug and Alcohol Prevention Unit Project Winner**

*Presented by Sandy Medina, School Prevention Programs Coordinator*

Ms. Medina presented the Second Step 6th Grade Drug and Alcohol Prevention Unit Project Winner to the following student:

Malin Clegg

Ms. Clegg shared her winning poem.

#### **5. Tooele Technical College Student of the Year**

*Presented by President Paul Hacking*

Mr. Hacking gave an update on the CDL, nursing, and the new police program, national accreditation, and the grant for expansion. The Tooele Technical College Student of the Year was presented to Amy Rasmussen.

Ms. Rasmussen addressed the City Council regarding her journey to becoming a medical assistant.

#### **6. Public Comment Period**

Nikki Mathis shared her disappointment for the entire road of Deer Hollow not being completed when the entrance of that area is being done. She asked for a timeline.

Mayor Winn addressed Ms. Mathis concerns. The budget presentation is for HR only tonight, with the tentative budget being presented in May. The roads are being funded from the Road C funds. There are many needs within the City and they are not able to fund everything at once.

#### **7. Resolution 2022-25 A Resolution of the Tooele City Council Consenting to Mayor Winn's Appointment of Berna Sloan and Kristalle Ford and the Reappointment of Sarah Lawrence-Brunsvik to the Library**

*Board of Directors Presented by Jami Carter, Library Director*

Ms. Carter presented the reappointment of Sarah Lawrence-Brunsvik and the appointment of Berna Sloan and Kristalle Ford to the Library Board of Directors. The Library board is an

advisory body with varying perspectives and reflects the broad diversity they see. A single term is three years.

The City Council shared their excitement to see the board being filled.

**Council Member Graf motioned to approve Resolution 2022-25, Resolution of the Tooele City Council Consenting to Mayor Winn's Appointment of Berna Sloan and Kristalle Ford and the Reappointment of Sarah Lawrence-Brunsvik to the Library of Directors.** Council Member Manzione seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member McCall, "Aye," Council Member Manzione, "Aye," Chairman Brady, "Aye." The motion passed.

**8. Public Hearing & Motion on Ordinance 2022-10 An Ordinance of Tooele City Amending Tooele City Code Chapter 7-24 Regarding Annexation**

*Presented by Roger Baker, City Attorney*

Mr. Baker presented an ordinance of Tooele City Amending the City Code Chapter 7-24 regarding annexation. This amendment provides clarification on the process and procedures. Currently the City Code requires a super majority, but some of the Council showed interest in changing that to a simple majority. The Planning Commission had a discussion and it was included in the Council packet.

The City Council shared their questions and concerns. In paragraph D, the wording at the end of the requested studies, says "among others." Are there other studies that need to be listed? Are there other issues that require a super majority? Do they have to vote on the Planning Commission's recommendation?

Mr. Baker addressed the Council. The studies listed are the standard studies, but there may be a particular annexation that may trigger something that is not a standard study. There are not many things that require a super majority. The Council can choose to make a motion on what they want and can include the Planning Commission's recommendations.

Council Member Graf and Council Member McCall are not in favor of changing the vote to simple majority because it is a major process that needs to benefit the community and City.

Council Member Manzione and Council Member Brady are in favor of changing the vote to simple majority because the application goes through thorough vetting and requires a lot of information.

Chairman Brady opened the public hearing.

Kim Barka encouraged the Council to stay a super-majority.

Chairman Brady closed the public hearing.

**Council Member Manzione motioned to approve Ordinance 2022-10, An Ordinance of Tooele City Amending Tooele City Code Chapter 7-24 Regarding Annexation with a simple majority, rather than a super-majority.** Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, “Aye,” Council Member Graf, “Naye,” Council Member McCall, “Naye,” Council Member Manzione, “Aye,” Chairman Brady, “Aye.” The motion passed.

**9. Public Hearing & Motion on Ordinance 2022-12 An Ordinance of the Tooele City Council Adopting a Culinary Water Facilities “Impact Fee Facilities Plan” and “Impact Fee Analysis”, Amending Tooele City Code Chapter 4-15, and Enacting an Amended Culinary Water Impact Fee**

*Presented by Jamie Grandpre, Public Works Director*

Mr. Grandpre presented an update to City Code Chapter 4-15, Culinary Water Facilities,” Impact Fee Facilities Plan,” based on the 2021 culinary water plan. In the updated plan, they focused on adding new culinary tanks. The Impact fee puts the cost on the new growth, with the proposed amount for a single-family unit being \$7,805. The current fee was \$4,609.

The Council shared their support for the updated fee and asked how often updates should be happening.

Mr. Grandpre addressed the Council. There is a general rule of thumb, it is updated every five years.

Mr. Baker recommended reexamining costs every year. The standard practice is to review the facility plan every 5 years. Have a two-step approach by reviewing the costs and adjusting accordingly. State law requires they don't exceed what was calculated.

Council Member McCall made a recommendation to look at it every December and have numbers for the initial budget discussion in January.

Chairman Brady opened the public hearing. No one came forward. The public hearing was closed.

**Council Member Hansen motioned to approve on Ordinance 2022-12 An Ordinance of the Tooele City Council Adopting a Culinary Water Facilities “Impact Fee Facilities Plan” and “Impact Fee Analysis”, Amending Tooele City Code Chapter 4-15, and Enacting an Amended Culinary Water Impact Fee and raise it to the maximum fee.** Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, “Aye,” Council Member Graf, “Aye,” Council Member McCall, “Aye,” Council Member Manzione, “Aye,” Chairman Brady, “Aye.” The motion passed.

Mr. Baker addressed the public. This ordinance will not take effect until July 5 because there is a 90-day waiting period before enacting a new fee.

**10. Public Hearing & Motion on Ordinance 2022-13 An Ordinance of the Tooele City Council Reassigning the Zoning Classification to the R1-7 Residential Zoning District and Removing the Sensitive Area Overlay for Approximately 38 Acres of Property Located at Approximately 900 South Main Street**

*Presented by Jim Bolser, Community Development Director*

Mr. Bolser presented the reassigning the zoning classification for the property located near 900 South Main Street. The property is currently zoned RR-1 Residential, requiring one-acre lots, and bares the Medium Density Residential land use designation. The applicant is asking for a rezone to the R1-7 zone the Sensitive Area Overlay to be removed from the development area of the property. A concept plan had been presented and shows it is possible to develop between 90 and 130 residential lots. The Planning Commission tabled the review and requested studies of the site, including potential hazards, traffic, geotechnical, and rock fall studies. All studies have been provided by the applicant, including a letter from Rocky Mountain Power regarding the power lines. The Planning Commission forwarded a positive recommendation with additional conditions that the recommendations listed in the various studies and the walking path be required.

Chairman Brady opened the public hearing. No one came forward. The public hearing was closed.

Mr. Johnson addressed the Council. They are seeking a rezone. The rezone needs to be done because UDOT will not allow access on the road to individual lots.

The City Council shared their concerns regarding the development with available water, who maintains the trail, traffic, speed limit, and a light on SR-36. As well as a fence between the highway and homes to provide as safety and a sound barrier.

Mr. Johnson spoke to the Council's questions. This particular property worked with Tooele City to build the well and gave a specific water credits with access credits. The developer would like to work with the City to maintain the trail area. There is a potential light identified at Settlement Canyon Road. They will add a fence between the houses and the highway and would be happy to abide by what the Council wants. They would like to divert walking traffic to the interior roads, but will work with UDOT to meet the proper requirements.

Mr. Bolser addressed the Council. Whatever is required to be improved is a UDOT standard for the SR-36 right-of-way.

Mr. Baker reminded the Council rezoning is a legislative decision. A fair amount of discretion in imposing requirements should be used. This is the Council's opportunity to make the recommendations in the studies provided be included.

The City Council spoke about the conditions that should be included in the vote. They found, the studies are only good if they adopt all of the recommendations. Trail and a masonry fence should also be included.

**Council Member Manzione motioned to approve Ordinance 2022-13, An Ordinance of the Tooele City Council Reassigning the Zoning Classification to the R1-7 Residential Zoning District and Removing the Sensitive Area Overlay for Approximately 38 Acres of Property Located at Approximately 900 South Main Street, including the recommendations of the Planning Commission and studies in the packet. As well as implementing trail and a buffering fence between the highway and residential area with a masonry fence with sound and safety.** Council Member Graf seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member McCall, "Aye," Council Member Manzione, "Aye," Chairman Brady, "Aye." The motion passed.

**11. Public Hearing & Motion on Ordinance 2022-14 An Ordinance of Tooele City Amending Table 2 of Chapter 7-16 Regarding Setback Requirements in Nonresidential Zoning Districts**

*Presented by Jim Bolser, Community Development Director*

Mr. Bolser presented an amendment request to the Tooele City Code Chapter 7-16, Table 2, amending the nonresidential zoning district setbacks. The City addressed a zoning text amendment regarding the Industrial zone setbacks from 30 feet to 15 feet, enabling the existing buildings in the Industrial Depot to be subdivided without violating setbacks. The setbacks for the Light Industrial, Industrial Service, and Research and Development zones were increased to the same 15 feet for side yards and 20 feet for rear yards to be uniform. They have received applications that have found the setbacks to be cumbersome or prohibiting. The proposed text amendment, reduces the side yard to five feet and rear yards to ten feet for maintenance and water drainage. Previous to the amendment, the setbacks are allowed to be as little as zero feet. The notes below the tables will also be clarified. The Planning Commission has heard this item and forwarded a unanimous positive recommendation.

Chairman Brady opened the public hearing. No one came forward. The public hearing was closed.

**Council Member Hansen motioned to approve Ordinance 2022-14.** Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member McCall, "Aye," Council Member Manzione, "Aye," Chairman Brady, "Aye." The motion passed.

**12. Public Hearing & Motion on Ordinance 2022-15 An Ordinance of the Tooele City Council Vacating a Dedicated Public Utility Easement on Lot 4 of the Tooele Estates Subdivision, phase 1**

*Presented by Jim Bolser, Community Development Director*



Mr. Bolser presented information on vacating a portion of utility easements on property located in the Tooele Estates Subdivision. There are established easements at line properties for certain utilities. The request is to remove two utility easements at the rear and North side. A site plan drawing was provided. The home owners want to construct an accessory garage that would interfere with the easements. Notices have been sent and property owner have been notified.

Chairman Brady opened the public hearing.

Donald Torrey, home owner, addressed the Council regarding the addition to his property.

**Council Member Manzione motioned to approve Ordinance 2022-15 An Ordinance of the Tooele City Council Vacating a Dedicated Public Utility Easement on Lot 4 of the Tooele Estates Subdivision, phase 1.** Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member McCall, "Aye," Council Member Manzione, "Aye," Chairman Brady, "Aye." The motion passed.

### **13. Human Resource Benefit Package and Budget Update**

*Presented by Kami Perkins, Human Resources Director*

Ms. Perkins presented an update on labor costs. Health insurance continues to escalate; insurance renewal was anticipating at 7.5% but came in at 12.5%. With the tentative change to the Salary Schedule, general increase, and slight adjustments on police salary administration has stayed in the \$1.4 million range the Council asked them to stay in with adjustments to salaries and benefits. The Utah Retirement System is a large expensive that has stayed stable. The employee contribution for Tier 2 Public Safety has changed and will be brought back as a resolution to increase the "Pick-up Election."

There is a 12.5% renewal rate, discontinue guardian coverage but grandfather in those currently covered on our plan, and PEHP is making changing to IVF and gender dysphoria. Dental is at a 1% renewal. Utah HB 23, First Responder Mental Health Services requires that we provide mental health services access to mental health services for our firefighters and this is included in the labor cost projections at this point. The recent legislative session also required that we include in our bereavement leave policy, eligibility for miscarriage or still born child. Utah also added Juneteenth as a State holiday.

### **14. Public Works Project Update**

*Presented by Paul Hansen, City Engineer*

Mr. Hansen presented updates on the following Public Work Projects:

Seventh Street, adjacent to England Acres, is waiting for a covert box.

Currently out for bid on the roads projects is Sunset, Oaks Hill, and Deer Hollow. They require water replacement. Bids were received and need to be reviewed.

They are developing water source near the Barra property with the consideration of a well house and water reservoir. The Red Del Papa project will be extended another week.

There has been a cost escalation in supplies and parts. The well houses will need deep motors and booster pumps. It is \$194,927 for the pump motor and installation. That price has a 14 day hold period and then will go up another 5%.

The Barra project is not as deep. It will cost \$147,000 for that motor. It is in the best interest of the City to require those now.

The pavement management projects will be put out for bid. Public Works is working on that list for improvements.

No formal action is being asked, other than to purchase pumps and bring back for ratifications.

The City Council shared their approval to move forward.

**15. Resolution 2022-21 A Resolution of the Tooele City Council Approving an Amendment to the 2019 Cell Tower Lease Agreement with Eco-Site II, LLC**

*Presented by Roger Baker, City Attorney*

Mr. Baker presented Resolution 2022-21 to renew the cell tower lease agreement. The agreement has expired and they are asking for another year. If they build, there is a potential of \$1250 per month fee the City will receive.

**Council Member Graf motioned to approve Ordinance 2022-21.** Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member McCall, "Aye," Council Member Manzione, "Aye," Chairman Brady, "Aye." The motion passed.

**16. Resolution 2022-22 A Resolution of the Tooele City Council Approving a Modification to the Third-Party Public Improvement Inspection Requirement for Overlake 2A Phase 2**

*Presented by Roger Baker, City Attorney*

Mr. Baker presented a modification to the settlement agreement with Overlake developers. They have predicted it would take longer and be more expensive through a third party. The amendment will allow the City to inspect public improvements with a 4% inspection fee.

**Council Member Manzione motioned to approve Ordinance 2022-22 Approving a Modification to the Third-Party Public Improvement Inspection Requirement for Overlake 2A Phase 2.** Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, "Aye," Council Member Graf, "Aye," Council Member McCall, "Aye," Council Member Manzione, "Aye," Chairman Brady, "Aye." The motion passed.

**17. Resolution 2022-23 A Resolution of the Tooele City Council Authorizing the Tooele City Purchasing Agent to Dispose of Surplus Personal Property**

*Presented by Michelle Pitt, City Recorder*

Ms. Pitt presented three vehicles as surplus items. Two police vehicles and one Parks vehicle are no longer needed for the City. They ask these vehicles be declared surplus and dispose of them through live auction.

**Council Member Graf motioned to approve Ordinance 2022-23.** Council Member McCall seconded the motion. The vote was as follows: Council Member Hansen, “Aye,” Council Member Graf, “Aye,” Council Member McCall, “Aye,” Council Member Manzione, “Aye,” Chairman Brady, “Aye.” The motion passed.

**18. Resolution 2022-24 A Resolution of the Tooele City Council Declaring Surplus Certain Technology-Related Equipment, and Authorizing Disposal**

*Presented by Michelle Pitt, City Recorder*

Ms. Pitt presented surplus IT items. The policy is to keep items for a number of time and have met the time period. They are unable to use any of the parts. They ask the items be declared surplus and be disposed through a recycling facility to minimize waste and environmental effects.

**Council Member McCall motioned to approve Ordinance 2022-24.** Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, “Aye,” Council Member Graf, “Aye,” Council Member McCall, “Aye,” Council Member Manzione, “Aye,” Chairman Brady, “Aye.” The motion passed.

**19. Resolution 2022-26 A Resolution of the Tooele City Council Approving an Agreement with Elite Grounds L.C. for Landscaping Maintenance at City Buildings and Parks**

*Presented by Darwin Cook, Parks & Recreation Director*

Mr. Cook presented an agreement with Elite Grounds L.C. for landscaping at City Buildings and Parks. The contract is in place for three years. They recently sent it out to bid and received 4 bids back. Elite Grounds was \$69,640.22. References were called and they have favorable relationships with previous work. They met with the company and resolved any concerns.

**Council Member Manzione motioned to approve Ordinance 2022-26.** Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, “Aye,” Council Member Graf, “Aye,” Council Member McCall, “Aye,” Council Member Manzione, “Aye,” Chairman Brady, “Aye.” The motion passed.

**20. Resolution 2022-27 A Resolution of the Tooele City Council Approving a First Amendment to the Development Agreement for Copper Canyon PUD Between Tooele City and Phoenix of Copper Canyon, LLC**

*Presented by Roger Baker, City Attorney*

Mr. Baker presented an amendment to a development agreement for Copper Canyon PUD. The agreement has been in place since 2012. The project has moved at a slower pace and is not close to finishing development. The development agreement is about to expire. They are working diligently to negotiate a new development agreement or extension. They are asking for a six-month extension to the agreement.

**Council Member Hansen motioned to approve Resolution 2022-27.** Council Member Manzione seconded the motion. The vote was as follows: Council Member Hansen, “Aye,” Council Member Graf, “Aye,” Council Member McCall, “Aye,” Council Member Manzione, “Aye,” Chairman Brady, “Aye.” The motion passed.

**21. Ordinance 2022-11 An Ordinance of Tooele City Enacting a Temporary Zoning Ordinance Regarding Garage Parking in Multi-Family Residential Developments**

*Presented by Roger Baker, City Attorney*

Mr. Baker presented a temporary ordinance regarding garage parking in multi-family residential developments. Once a temporary zoning ordinance is put in place, all developments have to follow the it until it ends at six months or a new rule takes effect. If there is an important enough reason, compelling and countervailing, the City Council can impose a temporary zoning ordinance without the Planning Commission's recommendation and public hearings. This is to help prevent a rush of applications to vest in the current regulations while new regulations are being formulated and are going through the regular process for enacting new land use ordinances. The requirement is to create two parking spaces in the driveway without including garage space. Some town homes don't have a driveway and count the garage as off-street parking. The ordinance suggests they cannot safely plow or operate those streets with the cars parked on the street. They plan to bring proposals through regular process as quick as possible.

The Council shared their concerns regarding the following:

This Ordinance is in response to an application and not being a corrective measure.

When a developer adds a garage, it is not counted as parking. Is a carport counted?

It is difficult in trying to solve the problem because developers are looking to develop and not maintain.

Safety concerns for having cars parked on the road creating a one-way road.

Mr. Baker addressed the Council Concerns. The City has learned lessons through experience. Parking that was agreed was not sufficient, which forces residents to park on the street. They put the temporary in place to avoid any harm. The hard part is finding the balance between private property rights and public interest. The garage aspect will encourage developers to get creative. There is a six-month clock when notices get posted. That clock has begun already. They are looking at every dwelling type including two car garages with proper dimensions.

**Council Member Graf motioned to approve Ordinance 2022-11, An Ordinance of Tooele City Enacting a Temporary Zoning Ordinance Regarding Garage Parking in Multi-Family Residential Developments.** Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, “Aye,” Council Member Graf, “Aye,” Council Member McCall, “Aye,” Council Member Manzione, “Aye,” Chairman Brady, “Aye.” The motion passed.

## **22. Minutes**

*~March 9, 2022 City Council Special Budget Meeting*

*~March 16, 2022 City Council Work Meeting*

*~March 16, 2022 City Council Business Meeting*

*~March 30, 2022 City Council Special Water Meeting*

There are no changes to the minutes.

**Council Member McCall motioned to approve Minutes.** Council Member Hansen seconded the motion. The vote was as follows: Council Member Hansen, “Aye,” Council Member Graf, “Aye,” Council Member McCall, “Aye,” Council Member Manzione, “Aye,” Chairman Brady, “Aye.” The motion passed.

## **23. Invoices**

There are no invoices to approve.

## **24. Adjourn**

Chairman Brady adjourned the meeting at 9:33pm.

*The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.*

Approved this \_\_\_ day of April, 2022

---

Justin Brady, City Council Chair

TOOELE CITY CORPORATION  
FISCAL NOTE TO PROPOSED EXPENDITURE

04/25/22

DESCRIPTION OF EXPENDITURE:

VENDOR: KEN GARFF WEST VALLEY V# '09566  
FORD

2022 f15k 4X4 SUPERCREW FORD

REVENUE LINE ITEM:	ACCOUNT NUMBER	CURRENT BUDGET	RECEIPTS TO DATE	ADDITIONAL FUNDING	TOTAL FUNDING
					0.00

EXPENDITURE LINE ITEM	ACCOUNT NUMBER	ADJUSTED BUDGET	Y. T. D. EXPENSES	PROPOSED EXPENSE	BUDGET BALANCE
AUTOS & TRUCKS	51 5120 748000	45,000.00	41,310.00	24,663.60	(20,973.60)
AUTOS & TRUCKS	52 5220 748000	0.00	0.00	16,442.40	(16,442.40)
<b>TOTAL:</b>				41,106.00	

\*Will need line item adjustments from 252000 to cover expenses

REQUESTED H. Jaime Grandpre  
DEPARTMENT HEAD

REVIEWED Sharon Wimmer  
FINANCE DIRECTOR

APPROVED \_\_\_\_\_  
MAYOR

APPROVED \_\_\_\_\_  
COUNCIL CHAIRMAN





REQUEST FOR PURCHASE ORDER  
PUBLIC WORKS DEPARTMENT

DIVISION: PW

Vendor: Ken Barff West Valley Ford Vendor #: 09566  
51.5100.252000 \$24,000.00 748000  
Account #: 52.5200.252000 \$16,442.40 Date: 4/21/22  
Amount: \$ 41,106.00 Signature: [Signature]

Item(s) Description: PW vehicle F150 4x4 (white)

Reason for Purchase: New PW employee vehicle

Approval:

Signature \_\_\_\_\_ PO#: \_\_\_\_\_

WHEN APPROVED PLEASE FORWARD THE APPROVAL TO:

NOTES:

4/21/22 Michelle will take to council 5/4/22  
& enter into Tyler.



Ken  
Garff West Valley Ford

(801) 973-7030 56B 024  
DEALER

F15K 4X4 SUPERCREW - 145 <sup>Suggested R</sup>

2022 MODEL YEAR

YZ OXFORD WHITE  
GB BLACK SPORT CLOTH40/20/40

INCLUDED ON THIS VEHICLE  
EQUIPMENT GROUP 101A  
XL SERIES  
XL POWER EQUIPMENT GROUP  
CRUISE CONTROL  
REVERSE SENSING SYSTEM

OPTIONAL EQUIPMENT/OTHER

- 99P 2.7L V6 ECOBOOST
- 44G ELEC TEN-SPEED AUTO W/TOW MODE
- T2P 275/60R20 BSW ALL-TERRAIN
- XL9 3.55 ELECTRONIC LOCK RR AXLE  
6600# GVWR PACKAGE
- 153 FRONT LICENSE PLATE BRACKET
- 17T TOW TECHNOLOGY PACKAGE  
.INTEGRATED TRAILER BRAKE CONT  
.360-DEGREE CAMERA PACKAGE
- 19S STX APPEARANCE PACKAGE  
.SYNC 4 W/ENHANCED VOICE RECOG  
.REAR-WINDOW DEFROSTER  
.SIRIUS XM W/ 360L  
.PRIVACY GLASS
- 425 50 STATE EMISSIONS
- 43A FORD CO-PILOT 360 2.0
- 53B CLASS IV TRAILER HITCH
- 54R MIRROR MAN FOLD W/POWER GLASS
- 595 FOG LAMPS
- 642 20" 6-SPOKE MAGNETIC PKT WHLS
- 655 EXTENDED RANGE 36GAL FUEL TANK
- 68L BED UTILITY PACKAGE  
.BOXLINK  
.TAILGATE STEP  
.LED BOX LIGHTING
- G STX SPORT CLOTH 40/20/40

Ken Garff Fleet Price: \$41,106.00

~~718000~~  
51-5100-~~252000~~ \$ 24,663.60  
~~748000~~  
52-5200-~~252000~~ \$ 16,442.40

VENDOR # 09566  
P.O. # \_\_\_\_\_  
DEPT. # \_\_\_\_\_  
DATE 3/22/2022  
AMOUNT \$ 41,106.00  
SIGNATURE Jammi [signature]

TOOELE CITY CORPORATION  
FISCAL NOTE TO PROPOSED EXPENDITURE

04/27/22

DESCRIPTION OF EXPENDITURE:

VENDOR: WHEELER MACHINERY

V# '00805

CAT GENERATOR FOR BERRA WELL

REVENUE LINE ITEM:	ACCOUNT NUMBER	CURRENT BUDGET	RECEIPTS TO DATE	ADDITIONAL FUNDING	TOTAL FUNDING
					0.00

EXPENDITURE LINE ITEM	ACCOUNT NUMBER	ADJUSTED BUDGET	Y. T. D. EXPENSES	PROPOSED EXPENSE	BUDGET BALANCE
BERRA WELL	51 5120 731127			207,508.52	(207,508.52)
					0.00
<b>TOTAL:</b>				207,508.52	

\*This will be paid in FY23 need approval to order only

REQUESTED Jamie Grandjean  
DEPARTMENT HEAD

REVIEWED Sharon Wimmer  
FINANCE DIRECTOR

APPROVED \_\_\_\_\_  
MAYOR

APPROVED \_\_\_\_\_  
COUNCIL CHAIRMAN



REQUEST FOR PURCHASE ORDER  
PUBLIC WORKS DEPARTMENT

DIVISION: Public Works

Vendor: Wheeler Machinery Co Vendor #: 00805

Account #: 51-5120-731127 Date: 4/22/22

Amount: \$ 207,508.52 Signature: Jamie Wilson

Item(s) Description: New Cat generator for the Berra Well site.

Reason for Purchase: Add a generator to a new well house

Approval:

Signature \_\_\_\_\_ PO#: \_\_\_\_\_

WHEN APPROVED PLEASE FORWARD THE APPROVAL TO:

\_\_\_\_\_

NOTES:

State Contract Vendor  
and Sourcewell Contract # 120617-CAT

**Sourcewell Quote**

**Customer Name:** Tooele City ( Berra Wellhouse 800KW Level 2 Sound Enclosure)  
**Customer Sourcewell Number:** 123476  
 Sourcewell Contract #120617-CAT  
 From focus program letter OIL2019 (See Discounts Below)  
 Last Update 4/13/2022

**Total Quote \$ 207,508.52**

Cat Generator	C15GCABR
Generator List Price	\$ 261,146
SW Member Discount %	31%
SW Member Discount \$	\$ 80,955
<b>Generator Total</b>	<b>\$ 180,190</b>

*CAT ATS 1	
List Price	\$ 15,863
SW Member Discount (20%)	\$ 3,173
<b>Total</b>	<b>\$ 12,690</b>

*CAT ATS 2	
List Price	\$ -
SW Member Discount (20%)	\$ -
<b>Total</b>	<b>\$ -</b>

Services / Source Goods	
Freight	\$ 8,421
Start Up	\$ 4,102
Local Freight	\$ 601
ATS Freight	\$ 601
Load Bank Usage	\$ 1,203
UL Listing	\$ 469
0	\$ -
0	\$ -
0	\$ -
0	\$ -
0	\$ -
0	\$ -
0	\$ -
0	\$ -
0	\$ -
0	\$ -

VENDOR # 00805  
 P.O. # \_\_\_\_\_  
 DEPT. # 91-5120-73127  
 DATE 4/22/22  
 AMOUNT \$ 207,508.52  
 SIGNATURE [Signature]

<b>Sub Total</b>	<b>\$ 15,398</b>
SW Member Discount	5%
SW Member Discount	\$ 770
<b>Services Total</b>	<b>\$ 14,628</b>





4/13/2022

**Attn:**

Jamie Grandpre, M.P.A.  
 Public Works Director  
 Email: jamieg@tooelecivity.org  
 Phone: 435.843.2148  
 90 N Main St. Tooele, Utah 84074

**Quote: 310568284**

**Re: Tooele Berra Wellhouse**

We are pleased to submit this quotation for the following quality equipment:

**\*1200 AMP ATS**

Model: ATSGABN  
 Quantity: 1  
 Certification: U.S. EPA Stationary Emergency Use Only  
 Excitation: IE  
 Frequency: 60 Hz  
 Duty: STANDBY

**The following features will be included:**

Quantity	Characteristic Name	Feature Code	Feature Description
1	ATS CONTROLLER	TRU01CG_I	TRUONE CG CONTROLLER
1	ATS TRANSITION TYPE	DELATRA_I	DELAYED TRANSITION
1	ATS OPERATION TYPE	STANBYP_I	STANDARD - NO BYPASS
1	ATS ENCLOSURE	N3R8012_I	NEMA 3R 800A - 1200A
1	ATS AMPERAGE RATING	1200AMP_I	1200 AMPS
1	MECHANICAL LUGS	ATSMLS0_I	MECHANICAL LUGS - STANDARD
1	ATS VOLTAGE	208T408_I	208 - 480V; 50/60Hz
1	PHASE	THREEPH_I	THREE PHASE
1	NEUTRAL	SWNEUTR_I	SWITCHED NEUTRAL (4 POLE)
1	ATS MECHANISM TYPE	CONTACT_I	CONTACTOR
1	PRICING - TRUONE	CGDP3SX32	PRICING - TRUONE
1	GROUND BUS	TRU0GB4_I	TRUONE 12-#6-250M CABLES
1	EKIP MODULES	EKIP0R2_I	MODBUS RTU + 2 IO
1	AUXILLARY POSITION CONTACTS	POSCONB_I	2 NO and 2 NC
1	HEATER/THERMOSTAT	TRHTRH7_I	TRUONE HEATER/T-STAT - 480V

**\*800KW Diesel Generator W/Sound Enclosure**

Model: V12 GCAG  
 Quantity: 1  
 Rating: 800  
 Frequency: 60 Hz

**The following features will be included:**

Quantity	Characteristic Name	Feature Code	Feature Description
1	APPLICATION INDICATOR	STANDBY_I	STANDBY POWER
1	PGS EMISSION CERTIFICATION	CERTESE_I	EPA STATIONARY EMERGENCY
1	UL LISTING	ULLIST_I	UL 2200 LISTED PACKAGE GEN SET
1	VOLTAGE OPTION	60H0480_I	60HZ 480 VOLT (WYE)
1	ENGINE RATING	KW00800_I	60 Hz, 800 EKW W/FAN
1	CONFIGURATION	C27DRA6_I	D800 GC (C27 800KW) TIER 2
1	ALTERNATOR TEMPERATURE RISE	GENT105_I	105C TEMP RISE OVER 40C AMB
1	ALTERNATOR	OGAR459_I	E3835L4/1B-2/3-RW-IE 459

1	CONTROL PANEL MODEL	GCCP12_I	GCCP1.2 CONTROL PANEL
1	DECAL LANGUAGE	LANENGO_I	ENGLISH INSTRUCTION LANGUAGE
1	MARKET SEGMENT CODES	MSEPGGN_I	GENERAL EPG
1	CUSTOMER SEGMENT	MSCEC77_I	PUBLIC OR CIVIL SERVICES
1	MARKET WORK CODE	MWCODEF_I	STANDBY POWER
1	PANEL MOUNTED AUDIBLE ALARM	PAA1_I	PANEL MOUNTED AUDIBLE ALARM
1	GROUND FAULT RELAY	GFR001_I	GROUND FAULT RELAY INDICATION
1	GEN RUNNING & FAULT RELAY	EMCCAS5_I	GEN RUNNING & FAULT RELAY
1	NEUTRAL GROUNDING CONNECTIONS	NGRDC03_I	NEUTRAL GROUND CONNECTION 03
1	LOAD CENTER	LDC100A_I	100A LOAD CENTER
1	GFCI AC RECEPTACLE & WIRING	GFCICS1_I	20A GFCI (CONTROLS SIDE)
0	REMOTE ANNUNCIATOR	ANNR01_S	REMOTE ANNUNCIATOR
1	TELEMATICS HARDWARE CERTIFIED	TCVNO_I	DECLINE / NOTAPPLICABLE
1	1ST CIRCUIT BREAKER	PMG1DSR_I	P 1200A LSIG 3P UL MO
1	POWER CONNECTION CABLES-RIGHT	PCONR01_I	P FRAME CONN 1200-1600A RHS 01
1	BASE TYPE (MOUNTING OPTION)	BSIFT01_I	BASE - INTEGRAL FUEL TANK 01
1	LUBE OIL DRAIN	LUBOD20_I	LUBE OIL DRAIN 20
1	ENCLOSURE	ENCSCAC1_I	ENCLOSURE SOUND ATTENUATED 01
1	MANIFOLD AND TURBO GUARDS	GRD0008_I	GUARD AND SHIELD SYSTEM 08
1	AIR CLEANER (ENGINE)	ACL0088_I	STANDARD AIR CLEANER 88
1	STARTERS	STDSTR_I	STANDARD STARTING MOTOR
1	SPACE (ALT) HEATER KITS	SHK0038_I	SPACE HEATER 38
1	PACKAGE SHORE POWER	SHO220V_I	220 VOLT SHORE POWER, 50HZ
1	BATTERY OPTIONS	BAT2402_I	BATT SET 24V WET 1125CCA 02
1	BATTERY CHARGERS	BTC20A2_S	BATT CHARGER 20A NFPA
1	JACKET WATER HEATER	JWH0241_I	JW HEATER - SINGLE W/PUMP 60HZ
1	JACKET WATER HEATER WIRING	WIRJW40_I	WIRING GP-JW HEATER 40
1	STD ENGINE TEST CHARGE	TRSENG1_S	STD. ENGINE TEST CHARGE
1	AUTHORIZED APPROVAL NUMBER	WELL	AUTHORIZED APPROVAL NUMBER

**Total Price: USD 207,508.53**

#### Notes,

- Genset and ATS commissioning is included.
- 2-hour load testing for the genset at the time of startup and commissioning is included.
- Training and demonstration of the Generator and ATS's will be provided.
- Provides Caterpillar standard warranty, 2 years on standby units. With additional 3 year Extended Coverage
- Coordination, Examination, and Installation of the Generator's and ATS's, and all associated electrical and mechanical systems related to installation will be done by others.
- Infrared imaging if needed will be provided by others.
- Fuel is not included.
- Offloading of equipment at F.O.B. point is the responsibility of others.
- Force Majeure - WPS will not be held liable for events beyond their control. That may delay their delivery, such as Acts of God, fire, strikes, floods, accidents,



TOOELE CITY CORPORATION  
FISCAL NOTE TO PROPOSED EXPENDITURE

04/27/22

DESCRIPTION OF EXPENDITURE:

VENDOR: WHEELER MACHINERY

V# '00805

CAT GENERATOR FOR RED DEL PAPA WELL

REVENUE LINE ITEM:	ACCOUNT NUMBER	CURRENT BUDGET	RECEIPTS TO DATE	ADDITIONAL FUNDING	TOTAL FUNDING
					0.00

EXPENDITURE LINE ITEM	ACCOUNT NUMBER	ADJUSTED BUDGET	Y. T. D. EXPENSES	PROPOSED EXPENSE	BUDGET BALANCE
RED DEL PAPA WELL	51 5120 731126			107,479.00	(107,479.00)
					0.00
<b>TOTAL:</b>				107,479.00	

\*This will be paid in FY23 need approval to order only

REQUESTED Stamie Grandpiz  
DEPARTMENT HEAD

REVIEWED Sharon Wilmer  
FINANCE DIRECTOR

APPROVED \_\_\_\_\_  
MAYOR

APPROVED \_\_\_\_\_  
COUNCIL CHAIRMAN





REQUEST FOR PURCHASE ORDER  
PUBLIC WORKS DEPARTMENT

DIVISION: Public Works

Vendor: Wheeler Machinery Co Vendor #: 00805  
Account #: 51-5120-731126 Date: 4/22/22  
Amount: \$ 107,479.00 Signature: [Signature]

Item(s) Description: New CAT generator for the Red Pei Papa  
Well house

Reason for Purchase: Add a generator to a new well house

Approval:

Signature \_\_\_\_\_ PO#: \_\_\_\_\_

WHEN APPROVED PLEASE FORWARD THE APPROVAL TO:  
\_\_\_\_\_

NOTES:

State Contract Vendor  
and SourceWell Contract #120617-CAT

# Sourcewell Quote

Customer Name: Tooele City (Red Dell Papa)  
 Customer Sourcewell Number: 172971  
 Sourcewell Contract #120617-CAT  
 From focus program letter OIL2019 (See Discounts Below)  
 Last Update 4/13/2022

**Total Quote \$ 107,479**

Cat Generator	C15GCABR
Generator List Price	\$ 128,510
SW Member Discount %	31%
SW Member Discount \$	\$ 39,838
<b>Generator Total</b>	<b>\$ 88,672</b>

*CAT ATS 1	
List Price	\$ 8,927
SW Member Discount (20%)	\$ 1,785
<b>Total</b>	<b>\$ 7,142</b>

*CAT ATS 2	
List Price	\$ -
SW Member Discount (20%)	\$ -
<b>Total</b>	<b>\$ -</b>

Services / Source Goods	
Freight	\$ 5,413
Start Up	\$ 4,400
Local Freight	\$ 601
ATS Freight	\$ 782
Load Bank Usage	\$ 1,083
	0 \$ -
	0 \$ -
	0 \$ -
	0 \$ -
	0 \$ -
	0 \$ -
	0 \$ -
	0 \$ -
	0 \$ -
	0 \$ -
	0 \$ -
	0 \$ -

VENDOR # 00805  
 P.O. # \_\_\_\_\_  
 DEPT. # 51-5120-731124  
 DATE 4/22/22  
 AMOUNT \$ 107,479.00  
 SIGNATURE *[Signature]*

<b>Sub Total</b>	<b>\$ 12,279</b>
SW Member Discount	5%
SW Member Discount	\$ 614
<b>Services Total</b>	<b>\$ 11,665</b>



4/13/2022

## Tooele City

Attn: Jamie Grandpre  
 jamieg@tooelecitey.org  
 435-843-2148

Quote: 31056829

We are pleased to submit this quotation for the following quality equipment:

### \*500KW Diesel Generator

Model: C15 GCABR  
 Quantity: 1  
 Rating: 500  
 Certification: U.S. EPA Stationary Emergency Use Only  
 Excitation: PM  
 Frequency: 60 Hz  
 Duty: STANDBY

The following features will be included:

Quantity	Characteristic Name	Feature Code	Feature Description
1	PGS EMISSION CERTIFICATION	CERTESE_I	EPA STATIONARY EMERGENCY
1	VOLTAGE OPTION	60H0480_I	60HZ 480 VOLT (WYE)
1	APPLICATION INDICATOR	STANDBY_I	STANDBY POWER
1	ENGINE RATING	KW00500_I	500ekW, 60Hz, 1800rpm
1	CONFIGURATION	C15DEQB_I	C15 D500GC PGS PSB
1	UL LISTING	ULLIST_I	UL 2200 LISTED PACKAGE GEN SET
1	DECAL LANGUAGE	LANENGO_I	ENGLISH INSTRUCTION LANGUAGE
1	GOVERNOR TYPE	ADEMA4_I	ADEM A4 GOVERNOR
1	MARKET SEGMENT CODES	MSEPGGN_I	GENERAL EPG
1	CUSTOMER SEGMENT	MSCEC77_I	PUBLIC OR CIVIL SERVICES
1	MARKET WORK CODE	MWCODEF_I	STANDBY POWER
1	AUTHORIZED APPROVAL NUMBER	WELL	AUTHORIZED APPROVAL NUMBER
1	PERMANENT MAGNET	PMEXCI3_I	PERMANENT MAGNET GENERATOR
1	SPACE (ALT) HEATER KITS	SHK0012_I	SPACE HEATER 12
1	ALTERNATOR	OGNSEDR_I	ALT M3154L4 SE DR
1	ALT POWER	FULLPWR_I	FULL POWER
1	BASE TYPE (MOUNTING OPTION)	FTDW037_I	C15 INTEGRAL TANK (24HR)UL142
1	FUEL TANK OPTIONS	FFLCK_I	FUEL TANK FILL PIPE & LOCK CAP
1	LOW FUEL LEVEL ALARM	FAHL90_I	AUDIO & FUEL ALARM (90% LEVEL)
1	ENCLOSURE	ENCSAR5_I	C15 SA LVL2 (WHITE) w/MUFFLER
1	NFPA110 BUNDLE	NFPA01_I	NFPA BUNDLE
1	GEN RUNNING & FAULT RELAY	EMCCAS5_I	GEN RUNNING & FAULT RELAY
1	PANEL MOUNTED AUDIBLE ALARM	PAA1_I	PANEL MOUNTED AUDIBLE ALARM
0	GROUND FAULT RELAY	GFR001_I	GROUND FAULT RELAY INDICATION
1	LOAD CENTER	LDC100A_I	100A LOAD CENTER
1	GFCI AC RECEPTACLE & WIRING	GFCICS1_I	20A GFCI (CONTROLS SIDE)
1	EMERGENCY STOP	CSB2_I	EXTERNAL EMERGENCY STOP



1	BATTERY OPTIONS	BAT2462_I	1000CCA WET BAT 90A/HR INSTAL
1	BATTERY CHARGERS	BTC1028_I	BATTERY CHARGER 10 AMP
1	JACKET WATER HEATER	WHHH01_I	JACKET WATER HTR (PUMP STYLE)
1	CURRENT TRANSFORMER	CT1005A_I	1000:5 CT RATIO
1	1ST CIRCUIT BREAKER	CBK0602_I	800A SINGLE MANUAL CB LS/I
1	CIRCUIT BREAKER AUX CONTACTS	CBAUX1_I	1ST BREAKER AUXILIARY CONTACTS
1	NEUTRAL BARS	NTS800_I	NEUTRAL BAR 800A
1	RADIATOR	STDRAD_I	STANDARD RADIATOR
0	REMOTE ANNUNCIATOR	ANNR01_S	REMOTE ANNUNCIATOR
1	TELEMATICS HARDWARE	PL444_I	PRODUCT LINK 4G LTE TELEMATICS
1	CELLULAR BAND	AM_I	AMERICAS BAND
1	TELEMATICS HARDWARE CERTIFIED	TCVYES_I	ACCEPT - REVIEW LINK IN DESC
1	TESTING - GENERATOR SET	STDTEST_I	STD TEST - PKG GEN SET 0.8 PF

### \*800AMP Transfer Switch

Model: ATSGABN

Quantity: 1

Frequency: 60 Hz

The following features will be included:

Quantity	Characteristic Name	Feature Code	Feature Description
1	ATS CONTROLLER	TRU01CG_I	TRUONE CG CONTROLLER
1	ATS TRANSITION TYPE	DELATRA_I	DELAYED TRANSITION
1	ATS OPERATION TYPE	STANBYP_I	STANDARD - NO BYPASS
1	ATS ENCLOSURE	N3R8012_I	NEMA 3R 800A - 1200A
1	ATS AMPERAGE RATING	0800AMP_I	800 AMPS
1	MECHANICAL LUGS	ATSMLS0_I	MECHANICAL LUGS - STANDARD
1	ATS VOLTAGE	208T408_I	208 - 480V; 50/60Hz
1	PHASE	THREEPH_I	THREE PHASE
1	NEUTRAL	SN08120_I	SOLID NEUTRAL (3 POLE)
1	ATS MECHANISM TYPE	CONTACT_I	CONTACTOR
1	PRICING - TRUONE	CGDM3SX32	PRICING - TRUONE
1	GROUND BUS	TRU0GB1_I	TRUONE 3-#8-1/0 CABLES
1	EKIP MODULES	EKIP0XR_I	COMM - MODBUS RTU
1	AUXILLARY POSITION CONTACTS	POSCONA_I	2 NO CONTACTS
1	HEATER/THERMOSTAT	TRHTRH7_I	TRUONE HEATER/T-STAT - 480V

**Total Price: 107,479.00**

#### Availability & Lead Times:

Please allow approximately 2-3 weeks for submittal drawings. Lead-time will be estimated when order is placed and is currently about 39 - 44 weeks