

AGREEMENT

THIS AGREEMENT, made and entered into the 10th day of July, 2015, by and between LANDMARK DESIGN, INC., a Utah Corporation, hereinafter referred to as "Consultant" and **Tooele County** hereinafter referred to as "Client."

WITNESSETH

WHEREAS, the Client desires to engage Consultant to provide professional and technical services to complete the **Tooele County General Plan Update 2015**, and

WHEREAS, the Consultant has the resources, expertise and the desire to perform such services for and on behalf of the Client.

NOW, THEREFORE, in consideration of the mutual covenants herein set forth and for other good and valuable consideration, the parties agree as follows:

1. Agreement: The Client agrees to engage the Consultant as an independent contractor, and the consultant agrees to provide its professional and technical services as hereinafter provided.

2. Scope of Services: The Client and the Consultant agree that the work shall consist of the tasks shown in the Scope of Work attached hereto and incorporated herein. All work must be performed and completed to the satisfaction of the Consultant and the Client.

3. Commencement of Work: Work shall begin on the date of this agreement and will be completed **March 31, 2016** (hereinafter referred to as "Completion Date") or earlier, unless extended by mutual agreement of the Client and the Consultant.

4. Compensation: As total compensation and expenses, the Consultant shall be paid for services under this Agreement a sum of **\$43,750 (Forty Three Thousand Seven Hundred Fifty Dollars)** as shown in the Scope of Work, to be paid monthly for work completed to date. Client agrees to make payment within 30 days of receipt of invoice.

5. Amendments: This Agreement can only be modified or amended in writing. Any change in this Agreement, including any increase or decrease in the amount of Consultant's compensation, shall be mutually agreed upon by the Client and the Consultant and shall be set forth only in written amendments to this Agreement.

6. Independent Contractor Relationship: The legal relationship of the Client to the Consultant with respect to the services required under this Agreement shall be that of an independent contractor and not that of an agent or employee.

7. Representations and Notices: The following are designated as representatives of parties to this Agreement:

(a) The Consultant designates Mark Vlastic, President of Landmark Design, Inc., as its representative in all matters under this agreement and all notices given to Consultant shall be by regular U.S. mail to:

Landmark Design Inc.
850 West 400 South, Studio
Salt Lake City, Utah 84101
Attention: Mark Vlastic

(b) The Client designates as its representative in all matters under this Agreement and all notices given to Consultant shall be by regular U.S. mail to the above designated representative at:

Tooele County
47 South Main
Tooele, Utah 84074
Attention: Jerry Houghton or Blaine Gehring

8. Indemnification: The Consultant agrees and covenants to hold harmless and indemnify the Client from claims, losses, injury, expenses and attorneys' fees proximately caused by any negligent conduct or omissions that constitute a form of tortious behavior on the part of the Consultant, its officers, employees, or agents in the execution of the work performed in accordance with this Agreement, or which constitutes a breach of this Agreement.

9. Successors: The Consultant agrees that the provisions of this Agreement shall be binding on heirs, permitted assigns and successors, subcontractors and agents.

10. Termination: Either party to this Contract has the right to terminate the agreement on 15 days notice. In the event such termination occurs, regardless of who initiates the termination, Consultant shall be paid for the work completed to date of termination. In such event, all unfinished work shall, at the option of the Consultant, become its property.

11. Entire Agreement: This Agreement including **Scope of Work** contains the complete agreement and understanding of the parties hereto and supersedes any previous understandings, commitments, proposals, or agreements whether oral or

written, and may only be modified or amended in writing or executed by authorized individuals of Consultant and Client.


12. Jurisdiction: This agreement shall be governed by the laws of the State of Utah.

IN WITNESS THEREFORE, the Consultant and the Client have hereunto executed this Agreement the day and year first above written.

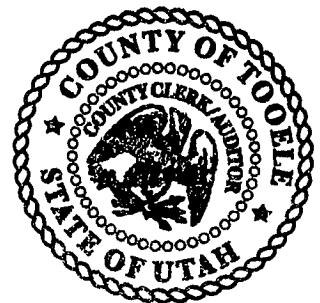
LANDMARK DESIGN, INC.

By 
Mark Vlasic, President

TOOELE COUNTY

By 
JERRY M HOUGHTON
TOOELE COUNTY RECORDER/SURVEYOR

Attest: 
Marilyn K Gillette, Clerk/Auditor



SCOPE OF WORK

C. STRATEGY & IMPLEMENTATION PLAN

The following is a detailed outline of our proposed process and the specific deliverables you can expect upon completion. Our approach is comprehensive, providing the range of inputs required for a complete Updated General Plan, while focusing on the needs of Tooele Valley. Our process also incorporates the efforts of the Transportation Plan Update, which will be led by InterPlan. We would like to stress that Landmark Design and InterPlan are frequent collaborators, and have a clear understanding of the importance that the transportation plan is coordinated with the general plan. As such we will be full partners throughout the process, and will be full participants in the public participation process. We believe this is an essential distinction, as our experience clearly illustrates the benefits and improved results when transportation and land use planning are coordinated.

TASK 1: PUBLIC INVOLVEMENT, MEETINGS & PRESENTATIONS

We believe that a thoughtful, organized, and innovative approach to public involvement can yield the very best results, and propose a five-pronged approach including utilizing (1) a **General Plan Steering Committee**; (2) a **Tooele General Plan Update Web Page** including online survey and social media opportunities; (3) **three Public Meetings/Workshops** held at key stages of the planning process; and (4) **briefings with the Tooele County Planning Commission and Board of Commissioners** at key stages.

We will also meet frequently with county staff to review progress on the plan. The meetings will be face-to-face when needed, complemented with regular communications via telephone and email throughout the process.

A. General Plan Steering Committee

We propose the assembly of a **General Plan Steering Committee** that will actively work with our team to provide representative input and guidance during the planning process. The committee will be confirmed at the beginning of the process and will meet three times at key stages (Scoping/Plan Alternatives/Draft Plan). Committee composition will be determined at the beginning of the process, but is likely to include key county staff, representatives from the Planning Commission and Board of Commissioners, key landowners, representatives of the school district, UDOT and other agencies, and citizens with personal interest in planning issues.

The General Plan Steering Committee will help identify preliminary planning issues as well as to provide advice on alternative planning concepts, alternative planning ideas and draft/ final plan recommendations. Landmark Design will work closely with County staff in the assembly and scheduling of this group.

B. Establishing a Project Web Page/Social Media Participation & Information Exchange

With increasing use of the internet in recent years, project web pages have become a cornerstone of our planning projects. The internet not only facilitates quick exchange of information and ideas between planners and members of the public, it increases public knowledge and interest in these projects, helping us reach people who may otherwise choose not to participate. We invite you to visit the ongoing project webs pages and websites created and hosted by Landmark Design at www.lidi-ut.com as an example of what you can expect. In addition to establishing and maintaining a dedicated web page for this project, we also propose linking with the **Tooele County Website**, and utilizing **on-line Surveys, Twitter** and similar social media tools. Landmark Design has had recent success utilizing on-line surveys, which have helped identify project issues and visions. For example, we used a simple on-line tool as part of the recent *Rawlins, Wyoming Comprehensive Master Plan* project which was adopted in 2014. The survey was a highly-effective tool that provided additional layers of public input and review by members of the public who were unable or unwilling to participate during face-to-face meetings and workshops. The input received from the surveys provided a much different perspective than the face-to-face meetings, expanding the range of ideas, ultimately helping formulate a more representative plan.

C. Public Meetings and Workshop

The third element of our public involvement approach involves getting direct feedback from Tooele County residents and stakeholders. We understand that Tooele County is an expansive area with distinct differences from one end to the other, and the desire to conduct multiple meetings throughout the region to receive a truly representative picture of the issues and needs. However, we assume that all public meetings and events will be held at Tooele Valley locations, since this is the focus area of the project, and in deference to the resources that are available for completing the project.

As detailed below, our process consists of three face-to-face input opportunities.

PUBLIC SCOPING MEETING

The purpose of this meeting is to receive input from members of the community regarding their concerns, and to identify issues related to growth and development. A scoping meeting is proposed at the beginning of the process, which will include a range of opportunities to provide input (comment forms, flip charts, one-to-one discussions, email and internet links, for example), although the main focus will be facilitated small-group discussions where the public lets us know their ideas, concerns and issues, and we listen and document what we hear. Once the meeting is over, the results will be analyzed and later disseminated for review and response by county staff and members of our steering committee.

ALTERNATIVE FUTURES PUBLIC WORKSHOP

The workshop will provide an opportunity for property owners, residents and community stakeholders to review maps and existing conditions, identify opportunities and constraints to future growth, and help develop ideas and concepts for the future. The workshop will be highly interactive, utilizing hands-on mapping and design sessions, review sessions, and opportunities to follow up on subsequent refinement of ideas.

Effective communication tools such as concept diagrams, image boards, maps and similar tools will be used to help participants communicate their ideas. It should be stressed that we believe that there are no right or wrong answers or good or bad comments during these events, and that all perspectives and ideas will be heard equally and fairly. All thoughts and ideas received at this workshop will be recorded for review by the Plan Advisory Committee.

PUBLIC OPEN HOUSE MEETING TO REVIEW THE DRAFT GENERAL PLAN

Based on the input and direction received from our steering committee regarding the preferred planning direction, a Draft General Plan will be developed. A public open house meeting will be held at this stage to allow members of the public to review the plan and provide additional public input prior to finalization and adoption. This event will consist of presentation boards that summarize key aspects of the plan, and members of the planning team will be available to explain, listen to and document the ideas of information provided. The Plan and presentation materials will be posted to the website at this stage, for review and comment by members of the public.

D. County Leadership Briefings

Landmark Design will brief members of the Planning Commission, County Commission, Council of Government and others as desired on two occasions. We will provide a summary of input received from members of the public, and an overview of emerging planning issues and ideas. We assume that we will meet with these groups jointly, for a total of two meetings.

Deliverables:

- Establish project web page and on-line/social media tools
- Initiate General Plan Steering Committee, Public Meetings, Workshop, and briefings

TASK 2: REVIEW EXISTING PLANS & RELATED DOCUMENTATION/ KICK-OFF

This task is designed to get the Landmark Design Team "up to speed" with current and past planning processes, documentation, and existing conditions. In order to ensure that a clear avenue of communication is established between the Planning Team and Tooele County, and to maximize the efficient use of time and the sharing of ideas and knowledge, we propose a Kickoff Meeting with our team members, county staff and other interested parties during the earliest stages of the planning process. The kick-off/scoping meeting provides a good opportunity to clarify schedule and process issues, to establish the steering committee composition, and to begin our process of familiarization. The kickoff meeting will include a scoping session during which time key issues and concerns will be identified, and will conclude with a site visit and tour to be conducted and organized by county staff. It is assumed that copies of all plans and other data relevant to the planning process will be provided to team members at this stage.

We understand that Tooele County has excellent GIS and mapping capabilities. We will work closely with GIS staff to develop our base map and begin the important process of geographic/spatial documentation. This will begin with preparation of an accurate existing land use map, which will serve as the basis for other mapping and planning activities. Concurrent

with these activities, we will conduct our initial steering committee in first public meeting, both of which will focus on scoping.

Deliverables:

- Kickoff Meeting with Staff to establish project parameters and schedules
- Review data and mapping
- Prepare base map
- Confirm the project schedule
- Review existing plans and documents
- General Plan Steering Committee Meeting #1: scoping
- Public Meeting #1: Scoping Meeting
- Staff progress meetings

TASK 3: RESEARCH AND ANALYSIS

The Landmark Design Team will analyze existing information and issues in order to frame discussions and begin the process of identify key planning needs. We will blend the information obtained from the initial Steering Committee meeting with our analysis of existing plans, documents and site conditions, creating an *Existing Conditions Analysis Report* in the process. This will enable planning team members, county staff, the General Plan Steering Committee and other interested parties to understand what exists, what is desired, and what is needed in the future.

Deliverables:

- Prepare and disseminate Existing Conditions Analysis and Summary Report

TASK 4: DEVELOP PLAN ALTERNATIVES

Once existing conditions have been documented and analyzed, the planning team will develop alternative planning concepts for review and input by the General Plan Steering Committee and members of the public. Since this is an update to an existing plan that was prepared long ago, we assume that there may be a need to explore several two to three concepts.

Deliverables:

- Prepare 2-3 plan alternatives
- General Plan Steering Committee Meeting #2: Alternatives Plan/Concepts Review
- Staff Progress Meetings
- Public Meeting #2: Alternatives Workshop

TASK 5: DRAFT PLAN

A. Executive Summary

A brief and concise summary of the Tooele County General Plan Update document will be prepared once the planning process is approaching completion. The Executive Summary will set the stage for the ensuing elements or chapters, providing a synopsis of the vision, outlining the

broad goals and objectives, and will include relevant graphics. If desired, the Executive Summary can stand alone, or it can be incorporated into the final document as an overview and introduction to the document.

B. Background & Introduction

This element “sets the stage” for the updated plan, providing background information and addressing the need for the update. This chapter (element) will provide a link between the original 1995 General Plan, recent updates, and the Updated General Plan.

The Landmark Design Team will work with the Steering Committee, city staff, residents, and Tooele County leadership to craft a vision that will guide the Updated Plan. We will build upon what we hear and what we discover through existing documents and studies. Once finished, the vision statement will provide the focus on which all goals, objectives and implementation strategies hinge.

The element will also include a history of the planning process, and a historical background of Tooele County. Demographic characteristics will be addressed at this stage, including population growth, age structure, household size, employment and income levels, each of which play an important role in the formation of the General Plan. In order to establish a solid baseline, the consultant team will perform the following tasks:

- Review data available through the County Assessor’s database, building permits, Census 2010 and the American Community Survey data for existing population data, historic population growth and growth trends, and household characteristics. Our research always includes the most recent data available in order to give our clients the most reliable results in their studies;
- Provide trend data for Tooele County and surrounding areas in order to show shifts in housing preferences and demographic characteristics;
- Provide demographic comparative statistics for surrounding counties; and
- Use our GIS experts to create visual maps of demographic characteristics that will help the County to visually assess household characteristics within Tooele County, as well as Tooele County’s “identity” within the County.

C. Land Use

We understand that this element is one of the most critical components, particularly in light of recent growth and development in the Tooele Valley. We assume that a new Land Use Plan is required, reflecting current planning ideas, directions and visions. We anticipate that the most significant changes will be related to the areas of recent and future growth. Landmark Design is recognized for their ability to formulate responsive and visionary Land Use Plans that reflect community needs while meeting technical needs and the requirements of Utah Planning Code/LUDMA.

The final results will include a precise and expressive General Plan Map, in addition to text descriptions, guidelines and other implementation tools. The General Plan Map will be carefully reviewed and updated to reflect the information received during the public meetings. Limited

field and extensive on-line verification will be undertaken to confirm the existing land use situation provided by the County. Other key steps include the following:

- Updating existing electronic land use mapping, focusing on areas of known change.
- Determining any recommended changes to the land use map, zoning map, and ordinances to accomplish new goals. These might include special overlay districts, preservation overlays, buffers and transitions, and designated open space districts, if appropriate.
- Incorporating the sensitive lands/undevelopable sections of the existing plan.
- Developing population estimates and demographic projections as part of developing realistic projections for future land use needs.
- Preparing goals and policies for transition zones and protection of residential neighborhoods.
- Including strategies for the development of new neighborhoods in the downtown area.

D. Housing

Housing will be analyzed according to Utah State Code requirements for affordability and will also assess housing needs for long-term planning for all demographic groups, focusing on the Tooele Valley including Erda, Stockton and other key settlements. . Housing goals and objectives will be based on a solid understanding of current housing market conditions, including existing inventory, demand for housing of varying price ranges, and demographic characteristics. The housing analysis will seek to assure that housing is available for all stages of the lifecycle and will meet the needs of various populations, including young families, elderly, special needs groups, etc. The housing analysis will also assess general affordability conditions in the County and regional area, as well as the percentage of housing stock that is available to low-and moderate income families as established by HUD guidelines.

Maps will be created showing various characteristics, such as housing densities, price per unit, per-acre price, housing types, and affordable units. The intent of the visual analysis is to assist the County in determining future opportunities for housing, densities and product mix.

Finally, the housing assessment will consider opportunities to capitalize on transit, recreational opportunities and neighborhoods, and will discuss product mix to meet all stages of the lifecycle.

E. Transportation Element

The Transportation Element is being prepared by InterPlan Co. as a concurrent but separate contract. Landmark Design will coordinate with those efforts as part of creating a Comprehensive General Plan Update.

F. Plan Implementation Element

The Landmark Design Team understands that without implementation, **time, energy, and resources** are wasted in the plan preparation process. To help ensure the plan is easy to implement, we will develop a set of clear and concise goals, objectives, policies and strategies, focusing on modifications to the existing zoning ordinance and other development control

tools. Recommendations for detailed studies may also be made, depending on specific results. We will also develop an action plan identifying future activities, responsible parties, implementation timelines and priorities.

G. Finalizing the Draft Amended General Plan

Once each of the elements described above have been prepared and coordinated, the information will be presented to the General Plan Steering Committee and County Staff for their input and direction. The plan will then be presented to the Planning Commission and County Council as part of a joint briefing session, and revised according to the comments received. The plan will be unveiled at a Public Open House meeting, where public comments will be sought, documented and summarized for consideration by decision makers. With the approval of County Staff, the Draft Plan will be uploaded to the project web page at this stage for an additional layer of public input and scrutiny.

Deliverables:

- Staff Progress Meetings
- General Plan Steering Committee Meeting #3: Review *Preliminary Draft Amended General Plan*
- Public Meeting #3: Public Open House to review *Preliminary Draft Amended General Plan*
- One (1) PDF copy of the *Preliminary Draft Amended General Plan* for further distribution to County Staff, leadership and administration, General Plan Steering Committee members, and members of the public
- Upload PDF version of Draft Plan to the project web page and Tooele County website

TASK 6: DRAFT FINAL MASTER PLAN

Once the Open House meeting has been held and adequate time provided to receive additional online comments, the input will be summarized and submitted to county staff and members of the Plan Advisory Committee. Final comments will then be incorporated into the final plan. The Draft Plan will be revised accordingly, and resubmitted as the *Draft Tooele County General Plan*.

Deliverables:

- One (1) PDF copy of the Draft Final Tooele County General Plan Update for distribution to County Staff, members of the Planning Commission and County Council, General Plan Steering Committee members and members of the public.
- One (1) Photo-ready copy of the Bound copies of the Draft Final Tooele County General Plan Update.
- Illustrative drawings and a PowerPoint slide presentation suitable for Planning Commission and County Council approval meetings.

TASK 7: APPROVAL PROCESS/FINAL TOOEELE COUNTY GENERAL PLAN UPDATE

The *Draft Final Tooele County General Plan Update* will be presented to the Planning Commission and County Council as part of the approval process. Once approved, final plan

modifications will be made and final deliverables provided. A senior member of Landmark Design will make a single presentation to each group as part of this process.

Deliverables:

- Staff Progress Meeting
- Attend one (1) Planning Commission and one (1) County Council meeting to make presentations and facilitate the plan adoption process.
- One (1) CD or jump drive containing the Adopted *Tooele County General Plan Update* in PDF and MS Word/InDesign formats.
- One (1) Photo-ready copy of the Adopted *Tooele County General Plan Update*.
- Copies of large format (24" x 36") maps and illustrative drawings.
- One (1) PowerPoint slide presentation of the Adopted *Tooele County General Plan*.

PROJECT SCHEDULE

As illustrated in the project schedule on the following page, the Landmark Design Team proposes a seven-month plan development schedule to complete the proposed tasks, with adoption to take place immediately afterwards. Based on our experience, this provides adequate time to complete the tasks required and maintain project impetus in the process.

Proposed Schedule

Planning Process		1	2	3	4	5	6	7	8 onward
1	Public Involvement, Meetings & Presentations								
	A. Plan Advisory Committee		★		★			★	
	B. Establish and Maintain Web Page/Social Media/ Etc.								
	C. Staff Progress Meetings	1	2	3	4	5	6	7	
	D. Public Meetings and Workshop								
	<i>Public Scoping Meeting</i>		☐						
	<i>Alternative Futures Public Workshop</i>				☐				
	<i>Draft Plan Public Open House Meeting</i>							☐	
	E. Focus Interviews								
	F. City Leadership Briefings			1				2	
2	Review Existing Plans and Related Documentation								
3	Research and Analysis								
4	Develop Plan Alternatives								
5	Draft Plan								
	A. Executive Summary								
	B. Background and Introduction								
	C. Land Use								
	D. Transportation Element								
	E. Housing								
	F. Implementation Element								
6	Draft Final Master Plan								
7	Approval Process/Final Tooele County General Plan Update								
	☐ Public Meeting/Workshop								
	★ Kickoff/Advisory Committee Meetings								