

Midway City Council  
18 June 2019  
Regular Meeting

Resolution 2019-16 /  
Open Lands Interlocal Agreement

## Brad Wilson

---

**From:** Corbin Gordon <cgordon@gordonlawgroup.uta.com>  
**Sent:** Friday, June 14, 2019 4:56 PM  
**To:** Brad Wilson  
**Subject:** Fwd: Links for New County Open Space Ordinance - Titles 2 & 3 - Please Review

----- Forwarded message -----

From: **Heidi Franco** <[hfranco@heberut.gov](mailto:hfranco@heberut.gov)>  
Date: Wed, Apr 17, 2019 at 9:56 AM  
Subject: Links for New County Open Space Ordinance - Titles 2 & 3 - Please Review  
To: Corbin Gordon <[cgordon@gordonlawgroup.uta.com](mailto:cgordon@gordonlawgroup.uta.com)>

Hello Corbin,

Here are some links for the new County Open Lands Board ordinances. Please review these for the Midway Council's information on the updated Interlocal Open Space Agreement.

This link lists the new ordinances: (County Ordinance 19-01.)

[https://heber-ut.granicus.com/MetaViewer.php?view\\_id=1&clip\\_id=655&meta\\_id=60246](https://heber-ut.granicus.com/MetaViewer.php?view_id=1&clip_id=655&meta_id=60246)

(These are *not* listed on the online County Code yet.)

Section 3.06.04 of it explains the criteria generally for Open Space bond money applications.

Particularly Section 3.06.04.A(5)(i) explains additional criteria for municipalities to follow when applying for bond funds.

This next link is the Heber City Council staff report I prepared on the updated Interlocal Open Space Agreement:

[https://heber-ut.granicus.com/MetaViewer.php?view\\_id=1&clip\\_id=655&meta\\_id=60244](https://heber-ut.granicus.com/MetaViewer.php?view_id=1&clip_id=655&meta_id=60244)

Here is the link to the actual Updated Interlocal Open Space Agreement:

[https://heber-ut.granicus.com/MetaViewer.php?view\\_id=1&clip\\_id=655&meta\\_id=60245](https://heber-ut.granicus.com/MetaViewer.php?view_id=1&clip_id=655&meta_id=60245)

The Heber City Council approved this updated Interlocal Agreement on April 2, 2019.

Please let me know if you have any questions.

*Say 'hi' to Heather for me.*

Thank you,  
Heidi Franco  
Chair, WOLB

--

**Corbin B. Gordon**

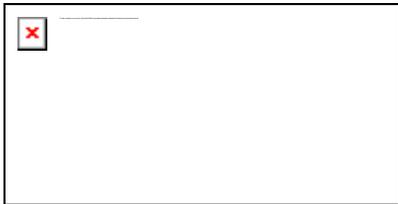
**Attorney-At-Law**

322 E Gateway Drive, Suite 201

Heber City, UT 84032

Phone: 435.657.0984

Fax: 435.657.0984



**NOTICES:** This message, including attachments, is confidential and may contain information protected by the attorney-client privilege or work product doctrine. If you are not the addressee, any disclosure, copying, distribution, or use of the contents of this message are prohibited. If you have received this email in error, please destroy it and notify me immediately. Any tax advice contained in this message is not intended or written to be used, and cannot be used, for the purpose of (1) avoiding penalties under the internal revenue code or (2) promoting, marketing, or recommending to others any tax-related matter(s) addressed here.

## Brad Wilson

---

**From:** Corbin Gordon <cgordon@gordonlawgroup.uta.edu>  
**Sent:** Friday, June 14, 2019 4:58 PM  
**To:** Brad Wilson  
**Subject:** Fwd: Update on Wasatch Co. Open Space meeting

----- Forwarded message -----

From: **Corbin Gordon** <[cgordon@gordonlawgroup.uta.edu](mailto:cgordon@gordonlawgroup.uta.edu)>  
Date: Wed, May 15, 2019 at 4:56 PM  
Subject: Re: Update on Wasatch Co. Open Space meeting  
To: Celeste Johnson <[cjohnson@midwaycityut.org](mailto:cjohnson@midwaycityut.org)>  
Cc: Courtland Nelson <[nelson.courtland@gmail.com](mailto:nelson.courtland@gmail.com)>, Michael Henke <[mhenke@midwaycityut.org](mailto:mhenke@midwaycityut.org)>

Here is what I propose:

This Interlocal Agreement contemplates that Heber City and Midway City will benefit from the 2018 bond revenue in proportion with the taxable value derived from the properties in Heber City and Midway City, relative to the taxable value derived from all properties in Wasatch County. The parties agree that priority will be given to proposals from either Heber City or Midway City that are within their municipal boundaries or contiguous thereto, if the proposals request a portion of the bond that is equal to or less than the proportional share represented by Heber City's and Midway City's tax base.

Let me know your thoughts.

Thanks,

Corbin

On Tue, May 14, 2019 at 9:57 PM Celeste Johnson <[cjohnson@midwaycityut.org](mailto:cjohnson@midwaycityut.org)> wrote:

Thanks for the update. Corbin...did you defat that new sentence for the Interlocal agreement? I don't think the county will agree to change it, but i would like to try

Sent from my iPhone

On May 14, 2019, at 8:42 AM, Courtland Nelson <[nelson.courtland@gmail.com](mailto:nelson.courtland@gmail.com)> wrote:

Mayor and Michael, a quick update regarding last night's meeting and the Inter-Local Agreement.

I had a opportunity to talk about Midway's efforts but the primary area of interest was the ILA and the looming deadline for City signature. I started out with some positive comments about our interest in working with the County, then mentioned the opportunities to deal with securing open lands on Midway Lane, #113 from Charleston, River Road, Snake Creek and other shared lands. With Midway's efforts to move forward on our own bond, we are in a strong position to be a partner.

However, the questions quickly switched to the ILA. It was discussed that if Midway doesn't sign on, the agreement will be redone without Midway as a partner. I did not take that as a threat of any kind, just a matter of fact statement. Heidi confirmed with me that the draft docs. had been sent last month

to you and Corbin for review. All mentioned that they want Midway on board and look forward to planning the Co. landowner open house later this summer.

*I do not think that there will be much benefit from any action other than signing the ILA.* As we have talked about, we are not in a very good negotiating position. Mayor, I think that you will get a call from Heidi Franco about the timing of City action on the ILA. Steve Ferrell was going to call Corbin also. Let me know if I can add any insight.

Courtland

--

**Corbin B. Gordon**

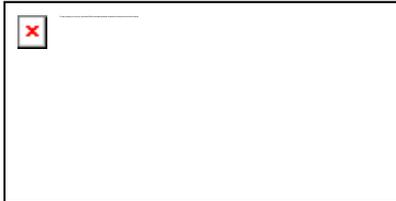
Attorney-At-Law

345 W 600 S Suite 108

Heber City, UT 84032

Phone: 435.657.0984

Fax #: 888.251.3609



**NOTICES:** This message, including attachments, is confidential and may contain information protected by the attorney-client privilege or work product doctrine. If you are not the addressee, any disclosure, copying, distribution, or use of the contents of this message are prohibited. If you have received this email in error, please destroy it and notify me immediately. Any tax advice contained in this message is not intended or written to be used, and cannot be used, for the purpose of (1) avoiding penalties under the internal revenue code or (2) promoting, marketing, or recommending to others any tax-related matter(s) addressed here.

--

**Corbin B. Gordon**

Attorney-At-Law

322 E Gateway Drive, Suite 201

Heber City, UT 84032

Phone: 435.657.0984

Fax: 435.657.0984



**NOTICES:** This message, including attachments, is confidential and may contain information protected by the attorney-client privilege or work product doctrine. If you are not the addressee, any disclosure, copying, distribution, or use of the contents of this message are prohibited. If you have received this email in error, please destroy it and notify me immediately. Any tax advice contained in this message is not intended or written to be used, and cannot be used, for the purpose of (1) avoiding penalties under the internal revenue code or (2) promoting, marketing, or recommending to others any tax-related matter(s) addressed here.