

**SANTA CLARA CITY COUNCIL COMBINED WITH PLANNING COMMISSION WORK
MEETING
WEDNESDAY, AUGUST 4, 2021
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Work Meeting on Wednesday, August 4, 2021 at 5:00 p.m. in the City Council Chambers of the Town Hall at 2603 Santa Clara Drive, Santa Clara, Utah.

Notice of the time, place and agenda of the meeting was provided to the Spectrum and to each member of the governing body by emailing a copy of the Notice and Agenda to the Spectrum and also, along with any packet information, to the mayor and each council member, at least two days before the meeting. **The Meeting will be available to view live stream on the YouTube link: http://www.youtube.com/channel/UCxLBLm30_XLqM1AEmhpcMA.** Council Chambers will be available to residents, but we will have limited availability and follow Covid-19 guidelines.

Present: Mayor Rick Rosenberg
Council Members: Jarett Waite, Wendell Gubler, Ben Shakespeare, Denny Drake and Leina Mathis
City Manager: Brock Jacobsen
City Recorder: Chris Shelley

Others Present: Scott Bannon, Asst. City Manager; Brad Hays, Parks & Trails Director; Gary Hall, Power Director; Kristelle Hill, Admin. Assistant; Bob Nicholson, City Planner; Randy Hancey, Fire Chief; Mark Hendrickson, Planning Commission; Marv Wilson, Planning Commission; James Call, Planning Commission; Shelly Harris, Planning Commission; Brenda Cody, TDS Market Manager; Drew Petersen, TDS Senior Vice President; Mayor Chris Hart, Ivins City Mayor; Dale Coulam, Ivins City Manager; Mark Barber, TDS; Tyler Hunsaker, TDS; Nathan Johnson, TDS; Tim Weese, TDS; Monic R.

1. **Call to Order:** Mayor Rosenberg called the meeting to order at 5:01 p.m. He welcomed everyone in the audience especially Mayor Chris Hart from Ivins City, Dale Coulam the Ivins City Manager, and the Santa Clara Planning Commission.

2. **Working Agenda:**

A. General Business:

1. TDS/Internet Services Presentation. Presented by Brock Jacobsen, City Manager.
 - Brock Jacobsen said the TDS representative have a power point presentation for the City Council.
 - Drew Petersen, Senior Vice President of Corporate Affairs for TDS Telecom, said they are headquartered in Madison, Wisconsin and have a significant presence within St. George. He stated that they acquired Baja Broadband in 2013. They offer services to the community and invest in the community. They have more than 1.2 million

connections in more than 30 states and 3,000 employees nationwide. He said they are offering the fastest Internet speeds available – 1Gig for residential customers, up to 10Gig connections for businesses and they are bringing faster broadband Internet to rural, suburban, and growing communities across America. They are extending fiber deeper into their network and leveraging industry-leading technologies to offer the highest quality products and more reliable services (e.g., vectoring, copper bonding, DOCSIS 3.1, FTTH, FTTN). He talked about the local awards they have won for best broadband provider in Southern Utah and Iron County and partnerships that they have with local charities and accolades they have received from around the Country. They are a Fortune 1,000 Company. He listed the benefits of Partnering with TDS: They invest in Fiber in all new subdivisions, Market Coverage -they serve the entire city/franchise area, They are a local employer with over 100 employees and growing in the Utah area, they offer tailored Customer Care, they have state of the art video platform, they eliminate risk – they pay franchise fees vs requiring city to pay based on penetration rates, they continue to generate increased property tax revenues from ongoing network expansion, and they have a commitment to consistent and continued investments. He said that other benefits of partnering with TDS are: Existing network with fiber backbone, they have established service in the provider marketplace, a successful track record of city-wide deployments and partnerships, they generate no city debt/no city bond, they have UETN, State and County contracts and 100% city-wide coverage. He said there were many times before they acquired Baja that the community was isolated and not able to transmit or receive traffic. He said they have made investments to cure that. He stated that investing in their infrastructure is vital to their continued success. Since acquiring the market in 2013 TDS has: Added diverse internet transport into the network, updated core internet backbone and routing capacity, are expanding local network capacity to alleviate congestion, have upgraded to an all-digital video distribution to improve video quality and provide additional bandwidth for higher data speeds, have upgraded the coaxial network to DOCSIS 3.1 to deliver 1 Gbps speeds, initiated FTTH in new developments, invested more than \$100 million since 2013 - \$30 million in new IPTV platform, launched in 2021 - \$86 million in network capital including success-based investments. He said their Network reliability is over 99.99% including battery and generator backup. The St. George area and surrounding communities are a strategic network area, which is prioritized in their upgrade and technology evolution projects. He talked about network reliability and said the key is to understand capacity. TDS has diverse and redundant connections to our core Internet sites from separate buildings in St. George providing full failover to our customers, 200G (2 – 100G links) from St George HE to Denver core site, 15% at peak, 200G (2 – 100G links) from St. George Hub to Los Angeles core site, 45% at peak, they deploy high performance, Carrier-Grade Cisco routers for high availability and scalability for their Core Network and in St. George, Local CDN/Caching appliances from Netflix in St. George to maximize customer experience, Local peering in St. George including the Utah Education network. At core sites TDS peers with 370 different Internet providers to deliver all content as quickly as possible to customers (fewer hops and constraints) with the most efficient data transfer rates. They deliver data speeds of 1 Gbps, voice and a new robust video platform. He said they refer to themselves as the biggest small company in the Country. He stated that their networks

and appliances are constantly adapting to new technologies and demand usage requiring constant monitoring & investment. In the last 10 years: Coax Networks: DOCSIS 2.0-3.0-3.1-4.0, Fiber: RFoG-BPON-EPON/GPON-XGSPON/NGPON2, WiFi Routers: Four technology evolutions from: single channel 2.4 GHz/54Mbps throughput to - Dual Channel 2.4+5.0 GHz / 900 Mbps. He said that 12% of homes are FTTH today. Most new build is FTTH and there have been no capacity issues since 2019 and also capacity expansion projects are initiated when utilization exceeds 50%. He stated that every new subdivision and every new commercial address that generates in Santa Clara is getting full fiber to the home from TDS today and that will continue in the future. He said they have every expectation that all new investments that they make going forward are fiber. He talked about all the things they do across Southern Utah. They are a large supporter of all local Chambers, Southern Utah Home Builders Association, Washington County Board of Realtor Association, Economic Development Summit and Dixie State Athletics as well as a supporter of local community festivals such as the Street fest, Cotton Days, Ivins Heritage Days & Diamond Sponsor of Swiss Days 2021. They have \$250,000+ invested annually to support community partnerships, including a sample of 2020 donations: \$10,000 Utah Food Bank, \$6,000 St. George Children's Museum, and \$1,500 Essential worker daycare program. They are a supporter of: United Way, Habitat for Humanity, Toys for Tots, Root for Kids, Assistance League, Switch Point, Neighborhood Connection, Kayenta Arts, Children's Justice Center, SUPIC, Love Where you Live, Huntsman World Senior Games, Attainable Housing initiative and more...Their employees participate in quarterly community volunteer projects in Washington County. He stated that their residential penetration rate has grown from 39% to 53% since TDS acquired Baja and their customer growth is 2 times the household growth. He said they focus their attention on how they can better service customers, grow those penetration rates and deliver the services that businesses and residents need. Broadband has been pivotal throughout the pandemic, and he said they believe that will change people's behavior in the future and because of that having a resilient broadband network along with video and voice is a strategic benefit that Santa Clara maintains. He talked about their products and services. They include: TDSTV+, universal search of subscribed line-up and OTT programming (such as Netflix or HBO Max), cloud DVR – Record specific shows or series of shows to watch on all supported devices, video On Demand Library, 3 Day Lookback (Watch shows that have aired in the past 72 hours regardless of whether you recorded it), TVE App Integration (with even more Video On Demand options), 4K capable Android set top box supports app integration (makes any TV smart), support via phone and local field technicians, wireless set-top boxes, more than 190 channels and 100+ in HD Premium channels. They have Internet: 300Mbps starting at \$29.95/mo. when bundled, 300Mbps Data-Only starting at \$39.95/mo., 1Gig starting at \$59.95/mo. when bundled and TV packages starting at \$25.00/mo. They also offer Voice starting at \$20.00/mo. and Unlimited Long Distance only \$5.00/mo. more. He said they have seen a lot as it relates to government run networks. He said they own several of them. He stated that dozens of local municipalities have attempted to enter the broadband business over the years. Only a handful have succeeded in these endeavors. Local Utah political leaders recognize this and have commented on the failed attempts and expressed their caution to local municipal leaders. Rep. John Curtis sold his system in Provo when he was

Mayor. He believes there is a multitude of civic services that cities provide, and, in his view, broadband is not one of them.

TDS has been a large network and community investor and a strong competitor in Utah – and their track record of maintaining penetration rates in markets is well documented. When pressed with significant competition, they win – on product/speed/pricing/service. Communities in Utah that have 1-Gig broadband available today from private providers should be cautious at exposing taxpayers to the high cost of issuing revenue bonds or indirectly guaranteeing the debt by other entities to build networks. TDS has acquired several municipal broadband systems in their communications portfolio. In each instance, the community ran out of capital, found the business to be overly complex and did not have a sustainable customer base. He stated that what they have seen in both instances is the community really built the enthusiasm for a robust broadband system but with all of the competing priorities that cities have today broadband becomes an extremely expensive proposition. He said it is one thing to build a network, which is about 1/3 of the cost, then you need to maintain the people, the technology, the technicians, the equipment and ultimately be able to meet the growth that is happening significantly in this community. He said they are very focused on being a strong community partner.

- Mayor Rosenberg asked if there were questions for the TDS representatives. He recognized Mayor Hart and Dale Coulam from Ivins City and told them to ask any questions they may have.

- Jarett Waite talked about the Internet survey that was done 18 months ago. He said it was pretty clear from our citizens that we need to make sure we are providing really good Internet service to the community. The survey gave service to Santa Clara a negative 47% net promoter score, which is not very good at all. That is why we talked to Utopia and to TDS so we can provide the best Internet available to our residents. He said in the same survey when it was asked if the city should be looking into other options 85% of the respondents said yes. He said there are a couple pockets in the city where he has heard the service isn't great. He asked how TDS responds when someone calls with this concern.

- Drew Petersen said he is glad that they are having this conversation with the Council. He said it is pivotally important to appreciate the kind of investments that TDS has made to turn that corner. He said reputations take an awfully long time to build and almost no time to erode. He said they will be the last provider that people remember because TDS has been in business for 50 years. He said they acquire, they are operators, they build for the future. He said they are focusing their efforts on trying to improve the network, grow it for the future and ensure that it is reliable and resilient. He said the questions the community needs to ask is how to pay for this, how to maintain this, how to get the penetration rates that don't require us to cover the stub on the back end. They have 53% penetration today and it is growing. He said when people have a good experience, they don't take the time to do a review or respond to a survey. When something goes wrong people communicate that and they tell others. He explained that some devices aren't prepared to run 1 gig. Customers don't care if it is fiber, they want to know how fast it is.

- Jarett Waite asked Drew Petersen's opinion how long will the infrastructure that is in the ground now hold up to the customer's needs. He said we are trying to be future proof understanding that copper does have limitations.

- Drew Petersen said they own cooper in their portfolio of companies. He said they have no cooper in Southern Utah. They have co-ax. He said the majority of what they have is fiber to the neighborhoods and then co-ax into the homes. As growth continues, they keep getting closer to the subdivisions. What they have is very, very durable. He said at a certain point they will flip over and do fiber direct.
- Jarett Waite asked about older neighborhoods eventually getting fiber.
- Drew Petersen said TDS owns a bunch of wire line companies, cable companies. They are delivering broadband, video and voice. On the cable-side they have not gone in and overbuilt that was HFC because so far that product has been able to deliver every product, service, and fee the customers were looking for. He said they will do it one day when the node sizes get down to 50 homes per node. The day that there is a need in the community that they can't fulfill with the technology that is being deployed that is the day they will run fiber all the way there.
- Jarett Waite said fiber sounds like the future. He asked what some of the struggles are in the fiber network. He said he has been told that fiber really does deliver what it promises. Is that true?
- Drew Petersen said they very much believe that fiber delivers. He said there are the same challenges in the fiber market, so a lot of customer education has to go into that. He said that fiber is remarkable expensive and the payback on that takes a long period of time. They make all of their decisions based on economics and capabilities of the network. He said they want to go in that direction in all of the markets. It takes time. He stated that they try to invest all of the capital that makes sense, so the customer experience improves.
- Jarett Waite wanted to clarify that fiber would be in the future plans for Santa Clara but it is based off of needs and the number of homes on the nodes.
- Drew Petersen said that for every new subdivision when the trench is opened, they are running fiber through it, and they have been doing that for years. They are doing that in a very incremental fashion, and they feel they work well with city planners to know what is coming next. It will be part of the future going forward. This really depends on consumer usage patterns, and they have exploded. The pandemic accelerated that. He said they want to be the market leader in the products and services they deliver here.
- Jarett Waite said the city has been given a quote on what it would cost to put fiber in our streets, and it seems like an astronomical number to ask any ISP to do that. It was over \$7 million and that is why it is an over 25-year bond to pay that off. He asked if that is too big of a risk to ask for any ISP and would it take a municipality to get it done if we don't want to wait for that node process to work its way through.
- Drew Petersen said that communities need to deliver on services for their constituents. There are many communities in this Country that cannot say they are delivering as it relates to reliable broadband, sophisticated video, or reliable voice communications in their market. He said in those limited communities' municipal broadband could make some sense with support from government. He said that is not Santa Clara but a very small rural hamlet. He said that none of the billions of dollars coming from Washington to put toward broadband is coming to communities that have broadband in them today. He said that municipalities that have robust, reliable broadband in them today should be putting pressure on those private providers to make sure that they are good corporate citizens, and they are making investments. He said

they believe they are making the best investments for the communities that customers appreciate and value. He said this business is extremely complicated. When they bring fiber to a community, they bring that community to its knees. They seek permitting and go down every street and every subdivision and every back yard. He said they have been in this business for 50 years and are in every line of this business. They are very focused on what is in the best interest of the consumer. They are wire line, cable, and fiber. That is what they do. They care about net promoter scores and customer satisfaction, and they invest in the customer experience. The need for reliability has never been stronger and they have the data to suggest that they are delivering on that.

- Ben Shakespeare said the Utopia plan is to put the fiber in and all the carriers have the option to jump on. He asked that if fiber is brought in does TDS have the right to jump in there and provide their service just the same or does that become complicated.

- Drew Petersen said it would be the City's determination if a fiber provider was allowed to come into the market. He said they would not utilize an open access network because they have a very expensive network here that they are continually investing in today. He said they have seen open access networks take place across the Country, but they have never participated in one. He said they are looking to acquire one now. It is probably a matter of time. He said they run sensitive, proprietary cyber security that customers care deeply about and to share that kind of an experience with an open access provider has never worked in their view as a private sector provider. He said they will continue to make investments right alongside the community.

- Mayor Rosenberg said thank you to the TDS representatives and said he appreciates their presentation. It has been a good education for the Council.

- Mayor Rosenberg said that last Thursday night the Princess Pageant was held. We have a new Miss Santa Clara and 1st and 2nd Attendant. Miss Santa Clara is Sarah Blodgett and is the daughter of Ernie & Lisa Blodgett. The 1st Attendant is Addie Ashton and is the daughter of Adam & Annie Ashton. The 2nd Attendant is Sophie Jaster and is the daughter of Mike & Crystal Jaster. He said Miss Santa Clara Spirit is Laine Leavitt who is the daughter of Greg and Makayla Leavitt. He said he attended the pageant, and they did a great job. He said the princesses have bonded already. They will do a great job! He looks forward to working with them. He thanked Monica Bracken who is the chair of the pageant. She does a great job.

2. Discussion regarding a Zoning Ordinance Amendment to allow increased density in a PDR zone for affordable housing projects. Presented by Bob Nicholson, City Planner.

- Mayor Rosenberg said he appreciates the Planning Commission being at the meeting and the wants them to participate in this discussion. This is something that is facing the city. We have a multitude of issues regarding affordable housing and the lack of it in the community. People are unable to rent homes or purchase homes because of the pricing, so it is a real issue in Washington County. Council has discussed this at past meetings and felt like this was something we wanted to bring the Planning Commission in and get your thoughts on and have a discussion on making some modifications within the PD ordinance that maybe could help address some of that. We have had some presentations lately from Robert Smith who is looking at a piece of

property west of Arcadia on 400 E. about wanting to pursue some tax credits for affordable housing within his proposed project. Right now, it probably wouldn't be allowed under the current ordinance with the limitation of 30 units and so we are talking about either removing that or include affordable housing as a component to where that can increase.

- Bob Nicholson, City Planner, said that in Santa Clara multi-family housing is only allowed in the PD zone (Chapter 68 Zoning Code). He said in the PD Zone, Section 68.050 a Density Bonus Criteria, which goes from a base of 8 up to a possible maximum of 12 units per acre if they meet those criteria. He said in this section there is Paragraph C. It says, "C. An apartment project is limited to thirty (30) dwelling units per project unless the proposed project is a senior housing project with half or more of the units designed for single occupancy." He said that when Robert Smith came to Council one of the options that came up was to put in a provision for affordable housing as a way to exempt that 30-unit limitation. He said for option 1 they simply added another sentence to that paragraph. It says, "or is an affordable housing project meeting the criteria for federal tax credits, or similar State affordable housing criteria." He talked about the low-income housing tax credit. It is the Federal Government's main incentive to promote affordable housing. He read from a report that the State puts out, "Federal Housing Tax Credit: Low-income housing tax credit supports the majority (approximately 90%) of all affordable rental housing in the United States." He said there is a cap set nationally and they allocate to each State based on population. Utah's Low-Income Tax Credit is managed by the Utah Housing Corporation. On their website they have information on this program. The next round of applications are due in September. Robert Smith indicated that he was trying to meet that September deadline. They get more requests for projects than they have money to allocate. They have a point system where they rate projects and how much affordable housing they get. The project, if it is awarded, has to be rent restricted for a minimum of 15 years. He said typically in a project it is not all rent restricted. They have 3 criteria. It states, "To participate in the program the project must dedicate (set aside) at least: 1. No less than 20% of the project units must be set-aside for tenants whose incomes are 50% or less than the area median income. 2. Or no less than 40% of the project units must be set-aside for tenants whose incomes are 60% or less of the AMI. 3. 40% of the project units must be both rent restricted and occupied by tenants whose average income limit in the project is 60% or less." He said the rest of the units will often be market rate units. He said Option 1 to promote the affordable housing is to exempt affordable housing that meet the criteria for the Federal tax credits. He said they put in there to "meet the criteria" instead of "approved by" because the project may meet the criteria and be a very worthy project, but the State may not have enough money to allocate tax credit for them. He said there is another option and that is simply to delete the 30-unit limit all together. He said the reasoning on that is it is a PD Zone, and the PD Zone gives the Planning Commission and Council great flexibility to deny or ask for modification of a project so the 30-unit limit in reality may not be needed. He said the first option has the incentive. In order for them to get more than the 30 units they would have to do an affordable housing element.

- Denny Drake said if someone were to present a project to be an affordable housing project, they have to have a 20% minimum and we can increase according to quality from 8-12 units per acre. He said he doesn't know why we need Paragraph C in there.

Under our guideline we have the densities so we don't need to change the densities and with the State mandate to be qualified as an affordable housing project they have to meet those criteria and the State will actually determine that or they won't give them any money.

- James Call, PC, said he thinks Paragraph C is in there to avoid the chance of someone buying a lot of acreage and building a great big building.

- Denny Drake said we can limit the numbers by the size of the project but at the same time if it is a PD Zone density the greatest is 8 units unless they do meet the numbers and then it can go to 12 units but in that process the State reviews and then gives them their credit.

- Mayor Rosenberg said the 30-dwelling unit cap was put in the ordinance when the affordable housing wasn't really an issue. It was put in more to disperse the apartment projects across the city, so they weren't all in one location. The General Plan has medium density residential spread throughout some of the undeveloped areas of the city. He said he thinks the intent of the Council was to not impact any one neighborhood with all of the units and disperse them throughout the city. What we found though is we get a tremendous amount of push back from the residents when we try to do one. The areas that don't seem to get the push back are the really large, expansive undeveloped areas like north of Harmon's and that is where the projects are being dreamed up in those areas. He said apartment builders tell him there is a scale of the number of units where it becomes feasible to do it and that scales seems to be above 30. He said we could eliminate the cap. He stated that he likes option 1 because of the incentive. If we just eliminate the cap, there is no incentive to make them affordable. They could do a large project at market rate, and we would have to approve it. If they present the right architecture and site planning and the quality, they could probably get it through. He said he is intrigued with the incentive of producing some actual affordable units mixed in with market rate. He said he thinks it would keep it from dropping off in the quality and provide the opportunity for some of these single moms and seniors and families to have housing. He said we hired a new City Planner and as we hire new people, we have to either sweeten the deal to get them or they can't move down. He said that all we are producing is fat-cat retirement homes. If that is all we provide housing for, who is going to take care of us when we get a little older. Who is going to bag our groceries or respond to a fire or when we need an EMT? We need these people in our community so we need places where they can live. Our AMI now is \$65,000. There are a lot of people that don't make that a year. He said this would provide some of that housing and the rent control for 15 years and if the project is done in stages that could be extended out. He said we need some housing here. He likes the incentive of option 1.

- Bob Nicholson said the only way Robert Smith could get 80 apartment units is if he spreads the density out at a much greater area where 2/3 of the project is single detached units.

- Mayor Rosenberg said in Santa Clara the maximum you can get is 12 units and a person has to apply some cost to get to 12 in the project. The land cost per unit is already higher out here. So, these are only going to come in on bigger area projects. We still have potential for 3 or 4 of these types of projects.

- Jarett Waite asked if they could come in and not ask for the density bonus and still do affordable housing or do they have to get the bonus to also be able to do more than 30.

Are we requiring the density bonus to get above 30?

- Bob Nicholson said that the projects that have a density of 8 is going to be tough to be an affordable housing project and 12 on its own doesn't make it. It only makes it when you spread 12 units per acre over lots of acreage.

- Mayor Rosenberg said we could eliminate Paragraph C and try and provide incentive some other way.

- Bob Nicholson said that density is still the issue. That is the only way you are going to be able to make it affordable if they can get a subsidy from the State and you create two tiers of density: one if it is 20% and one if it is 40% and increase the amount of density determined by the percentage. The density is the incentive.

- Ben Shakespeare said he doesn't see it working except on a big project. We either need to figure this out or it will be figured out for us. If we sit back and not do anything we will be told what to do. He said he would rather address it now. He talked about how important the upgrades are when it comes to ac units and insulation rather than a look such as shiplap and tile roof. These are the balances we need to look at.

- Denny Drake said they do actually have that. Through the Five County Association Governments you can apply to get that money to do the upgrades. The money is already set aside with the Housing & Urban Development so if someone wants to do the upgrades to conserve power and water and all that there is an application now for that.

- James Call said he thinks that is a great idea about rewarding those types of things. What else do we need to be aware of to make more affordable housing?

- Ben Shakespeare said it is education for one. We ought to talk about affordable energy as much as affordable housing because energy will drive every cost we've got. To get affordable housing we are not going to be able to do it at 12 an acre. He said he has always felt we should mandate a certain percentage per acre that has to go into townhomes or apartments, so these get spread across entire communities. If we are going to tackle this, we need to look at how we are going to address the density and increase that number and yet make it to where it is acceptable as we build out into these communities. Are we allowing maybe a little higher elevation and keeping a little more open space?

- Mayor Rosenberg said that could happen. Right now, we give them an incentive if they do the building design and materials and site design and landscaping. It is a valid point that that list ought to include the electrical efficiency and also the water wise criteria. If they develop the EPA water wise and build that into the house give them a little bit of an incentive even in the form of density.

- Denny Drake said the density issues can change according to the affordable housing numbers.

- Mayor Rosenberg said we could have a scale.

- James Call said that when you change the ordinance you are going to incentivize those builders to do it.

- Ben Shakespeare said we want them to be aesthetically pleasing. We could go a little more vertical and keep some more of that open space. Most apartments are 4 stories and that is the ideal cost of construction to build them at. But 4 is going to exceed our height maximum.

- Mayor Rosenberg said you could probably do 3 stories and change that maximum to

40 ft.

- Denny Drake asked if we are trying to reinvent the wheel. Does the State, in order for a builder to qualify, have design standards that they would require or is it strictly the price of the unit's affordability based on 50% of the current rate in your town.

- Bob Nicholson said to his knowledge they do not have any design criteria. The State simply uses the IRC and those codes that are adopted. They allow developers to bring applications to them and then they evaluate them based on how much affordable housing they actually produce, and they award incentives based on that.

- Denny Drake said we just need to build some incentives in. The only way we are going to get affordable housing is density levels and we incentivize the builders so they can build affordable housing within this project. He likes what the State has done saying it can't be 100% affordable housing, but it can be 40% so it is intermixed with other quality.

- Bob Nicholson said those are minimums. If someone comes in with 40-50% it looks more attractive. There is a lot of flexibility build into the program.

- Denny Drake said one of the other things we need to do is reevaluate our five-year plan and specify areas where we could put those units with their densities on a regular basis, so we are not having to look at every developer that has an acre of ground wanting to come in and put affordable housing in there.

- James Call said as a City Council you have to handle the constituents of the city because nobody wants affordable housing. Do you know who lives in affordable housing? It is people like you and me when you were young marrieds and starving students.

- Denny Drake said that is exactly right and that is why there was a 30 unit maximum, and nobody wanted it in Santa Clara. But the thing that is going to happen is Federally they are going to mandate it if we don't don something and then we don't have any options.

- Mayor Rosenberg said we have an opportunity right now with the projects that are just starting to get on the table. Robert Smith is exploring options and Mayor is impressed with what he has looked at on his piece. The Black Desert project has an apartment component in it. That development agreement will be on Council's agenda next Wednesday. They are going to be coming in with project plans. He talked about other projects that may be coming in. They are big building and significant holding that can provide some of this housing if we get this thing done quick enough to provide some incentive they can work into these projects. The charge is really to the city, to the Planning Commission, to the Staff to take this and tweak it and come up with something that works and bring it back to Council as timely as you can. It would be great if we had something in place by that September deadline. If we don't, we will have it there for next year. He said he likes that energy wise and water wise as an incentive. He said to not be afraid to have different levels of density. He said he doesn't know how Council feels about a maximum number. Are they okay going with 22 like the neighboring cities or are they okay with 18?

- Ben Shakespeare said on a development side/cost side 18 is that magic number. 22 is a bonus that these other cities have taken in and is specific to certain areas.

- Mayor Rosenberg said he would probably look at 18 as the top number if they do everything and incremental that down to the 8.

- Denny Drake said our zoning ordinance has 4 separate and all we would have to do is

tweak those a little bit and add a couple.

- Jarett Waite said his concern is if someone goes through all these processes and then doesn't get the Federal tax credit and doesn't actually make it affordable. How do we avoid that uncertainty for developers? Maybe they want to do it, but they are not going to know until the PD goes through if they would even get that extra bonus, but they don't have the credits until they have put their application in. It seems like we put them in a rough, vicarious position in that particular part of it.

- James Call said that in some communities they will actually put a deed restriction that a certain percentage will have to have these types of rent.

- Mayor Rosenberg said if they did that, the tax credit is on their side of the table, they come up with a commitment to deliver 20%-50% of the AMI and we have the deed restriction in place and all that language is part of their approval and we would have to verify that. St. George City has a housing authority, and they administer those under the CBDG program who's eligible to fill those units.

- Denny Drake said the income qualifications are left to the Housing Authority and even the Five County.

- Mayor Rosenberg said we can do some research on that. That is going to be part of the new City Planner's role. He would help facilitate those units. The developers could move forward with their project without the money from the State.

- Leina Mathis said you have to change the verbiage. It can't just be that they meet the tax credits. It has to tie to the affordable housing. Then we become responsible if they don't.

- Mayor Rosenberg said the deed restriction is probably going to be a requirement.

- Marv Wilson, PC, asked if that deed restriction is a requirement to get the tax credits up front.

- Bob Nicholson said their deed restriction or their land use restriction comes at the end after they have met the criteria and before they get the money.

- Marv Wilson said we could get someone that says they don't feel comfortable doing this until they know they can get the tax credits.

- Bob Nicholson said that may be part of the critical financing package and if they don't get the credits perhaps the project is not feasible.

- Mayor Rosenberg said the deed restriction would be contingent of their final approval. That deed restriction would have to be recorded.

- Leina Mathis said if you increase the density enough you might incentivize some builders to go ahead and do their project even without tax credits.

- Ben Shakespeare said there is some language we could put in. There is probably a consultant that we could have as a third party to verify they are meeting all the requirements.

- Mayor Rosenberg said we could have Matt Ence do some research and have Bob check into a couple of things as to what they are doing in other communities. He said he has a hunch that with the State mandate cities are already well down this road.

- Ben Shakespeare said this location actually works fairly well for this. We don't have a lot of land left.

- Marv Wilson asked if there is something we could give to Mr. Smith that gives him the go ahead.

- Leina Mathis said as of right now he wouldn't meet the ordinance so they would just be on hold because they can't meet the ordinance.

- Bob Nicholson said Mr. Smith got concerned when he was told that this issue is on the agenda for a week from tomorrow at Planning Commission. He said if this is going to get delayed, he will be put back a year.
- Mayor Rosenberg said if the pot gets sweet, he may not have to wait for the tax credits to where he could still come forward with something.
- Denny Drake said he would be getting a real benefit with density. He would be getting 6 more units than he planned on.
- Mayor Rosenberg said he wouldn't worry about the September deadline as a hard deadline. We want this to be done right and take the time necessary but don't put it on the back burner. Let's work to get something done. We will try and provide the assistance to the Planning Commission that you need from the Staff, and we can reach out to the HAC, and they may have some ideas that we could work into it and start the process.
- Brock Jacobsen, City Manager, asked about adjusting the height.
- Fire Chief Randy Hancey said they have done the impact fee facilities plan for both Santa Clara and Ivins on the public safety. A ladder truck is in both, and Black Desert said they have a place where there can be a fire station. He said we can approve a 3-story building up to 35 ft right now.
- Brock Jacobsen said that in the zoning code the 35 ft in the PD zone is a soft cap it is not a hard cap. There is a provision that says that Council can modify the heights.
- Mayor Rosenberg asked if that 35 ft doesn't exist how high can we go from public safety/fire perspective.
- Chief Hancey said that is a tough question because the need for an aerial apparatus increases but anything above 3-stories would have to have fire sprinklers as well as 3-story buildings themselves.
- Mayor Rosenberg asked if a developer came in and wanted to do a 4-story and agreed to sprinkle it what would the fire chief tell him.
- Chief Hancey said that puts a lot of demand on our services when it goes higher. When it goes higher you have to have other things involved: sprinklers, hand pipes, a good safety plan, and access for apparatus to reach that.
- Mayor Rosenberg said those are all doable. There is nothing there that is not a solvable issue.
- Chief Hancey said we would just refer to the fire code and make sure they meet those requirements of the fire code.
- Mayor Rosenberg said he is not promoting this he just wants to know if we open that door what is going to hit us.
- Ben Shakespeare said in an apartment building there are certain industry standards, and they have to meet certain fire codes. That is all going to be there. He said that height-wise you are probably going to be on a minimum of 42 ft for 4-story.
- Mayor Rosenberg said that is 42 ft versus 35 ft. That is not very much considering they just went from a single-family residential to a 4-story apartment building.
- Ben Shakespeare said it comes into the open space discussion. Would we rather see a little bit more vertical and some more landscape? He said he thinks so.
- Mayor Rosenberg said he thinks from what he is hearing we need to change the ordinance to go that way. If they do a good enough job on their site plan and their grading that could happen under the existing ordinance. He asked the Planning Commission to take this back and go to work. He asked about the Planning

Commission attendance.

- Marv Wilson said it is better than the combined attendance. He said they had to postpone one meeting this summer but last meeting they had a quorum.
- Mayor Rosenberg said he wants to make sure the Commission isn't postponing meetings, and they have good representative discussions. He asked about using the alternates.
- James Call said summer was a little hard on the Commission but he doesn't think they have had any other issues.
- Mayor Rosenberg said he will look at the list and if there is not an alternate, we will get one.
- Marv Wilson said he thinks we ought to get one. Someone might step down.
- James Call said Mark Weston and Mark Hendrickson bring a lot of experience and of course Marv does too.
- Wendell Gubler said he thinks we need to increase the amount we allow, and we need to move towards affordable housing. We have people in these categories that need the housing.
- James Call said he thinks there is a huge buy in that needs to happen for the whole community. Anything that the City Council can do as they talk to the community can help. We all have kids, and we have all been in this same situation. People just don't want it in their backyard.
- Mayor Rosenberg said the sites we have right now they are not really in anyone's backyard if we do them quickly.
- Leina Mathis said residents have called her and told her they want something affordable here because they want their kids to come back here. There are a lot of people who would support it.
- Mayor Rosenberg said we may get some clamor, but we just need to have the political will and buck up and see through the clamor. He thanked the Planning Commission and asked them to go to work.
- Bob Nicholson said we have a couple of ordinance amendments, and this was one of them for next Thursday at Planning Commission. It sounds like we will hold off on that.
- Mayor Rosenberg said to at least put it on the agenda for discussion.
- Bob Nicholson said we will have a discussion and recap what we talked about but not have a public hearing on it. He will have Selena just list it as a discussion item.
- Ben Shakespeare said he has to leave. On the two upcoming agenda items he is in support of both of those. He said the only thing he asks on the left turn lane (Item 4) is we going to have a deceleration lane coming eastbound. Are we going to have a way for cars turning right onto Gates Lane there?
- Brock Jacobsen said he doesn't believe so. He would have to talk to Dustin Mouritsen.
- Mayor Rosenberg said we could have a deceleration lane though.
- Ben Shakespeare said we probably could and if there is room it would be good to get that traffic off there.
- Mayor Rosenberg said we would have to tweak it a little bit but if we change the stripe, it will increase the cost with the striping removal and painting but if we reconfigured it, we could do it.
- Denny Drake asked if we are talking about putting a light in at the same time.

- Mayor Rosenberg said the light is not warranted yet but we are getting the left turn lanes in. He said we can ask the warrant study for the light.
- Ben Shakespeare said that having that left turn lane will do a lot right there. He asked to be excused from the rest of the meeting.
- Mayor Rosenberg said he thinks there is a signal in the traffic capital facilities plan.
- Brock Jacobsen said he believes there is one in there.
- Mayor Rosenberg said that as soon as it is warranted, we could probably move down that road we just have to wait until it meets warrant.

3. Increase Carbon Free Power Sales Contract discussion. Presented by Gary Hall, Power Director.

- Gary Hall stated that we currently have a subscription of 3 MW of the CFPP. Looking at our load forecast for the next 10 years, UAMPS has suggested the purchase of 2 more MW of CFPP. He said he talked with Jack Taylor and Kelton Anderson from UAMPS, and we talked about adding 3 MW but the projection for the growth of the city is not quite warranting 3 more but maybe 2 MW at the most. He showed Council a graph of the Santa Clara Forecasted Load and Resources. In the winter months if we were to have too much power for very long, we are breaking right at even. The graphs show our load in ten years from now.
- Leina Mathis asked if the graphs account for growth.
- Gary Hall said yes this is a 3 1/2% growth rate.
- Mayor Rosenberg asked if we are losing any of those base loads.
- Gary Hall said this graph takes into account the loss of San Juan and Hunter. He said he and Jack and Kelton are suggesting that with our low growth of 3 1/2 % a total of 5 MW. That is what our suggestion is right now. He said he doesn't think there is a need to go more than that right now.
- Denny Drake said it would be interesting to see the cost of the market verses the cost of what we are projecting with the carbon-free. There could be tremendous difference in the market verses carbon-free. He said this is load usage, but it isn't dollars and cents and if we don't, we are going to buy on the market.
- Gary Hall said this is buying 2 more MW of the nuclear and it is capped at \$58 per MW plus transmission. He is not sure yet of the transmission costs. He said he is struggling with feeling like that is all we are going to need is 2 MG more. We should need more than that in 10 years, but it is hard to predict.
- Brock Jacobsen said the growth is 3% but does that factor commercial and the loads they are going to require. He said apartment energy demands are going to be less. He said we don't know where gas is going to be. It is so hard to know.
- Denny Drake said if we run our generators, it is around \$.14 a kilowatt verses \$.058 so is we can get some more of this carbon-free we are guaranteed to get out if we need to get out. He said he feels we should purchase the 2 more MW and five years down the road we may realize we need some more.
- Gary Hall said he doesn't know the dynamics of purchasing later on whether it is all sold, it could be. They will give the members the first right of refusal and the members of UAMPS so there is a possibility of purchasing more later on down the road.
- Denny Drake said that in the plan that was presented they could actually increase the amount of production in some of the cells depending on the demand need too. He said

we made a mistake a few years ago when we bought Enron banking on the future and Enron manipulating the market and we paid \$.19 for the future and were paying \$.045 to bank on that, and we ended up paying back \$10 million. This way we are hedging a whole lot better with the Federal Government supporting it and everything going forward it is a lot better.

- Brock Jacobsen said he thinks that in the future there will be opportunities to get more. It may not be at the current price but there could be more opportunities.

- Jarett Waite asked what happens to the surplus. Where does that power actually go? Do we have to pay someone to take it? How does that work?

- Gary Hall said it is just there. It goes back and goes on the market. There is a possibility to sell it.

- Denny Drake said if we had excess, we could make money on the excess.

- Brock Jacobsen said that when we go on to buy power there is a rate. If it is in the low load hours, it is really cheap because it is usually someone trying to sell it back. We could put a price on it and sell it ourselves or have UAMPS sell it for us.

- Gary Hall said it most likely would be a loss but it would be something. The recommendation is to buy 2 MW more. This will come back to Council next week as an action item.

- Jarett Waite said it would be nice to know, just a rough estimate, of what we would lose in that surplus compared to what we make up in not having to buy so much peak power during the summer. He said his inclination is we would come out ahead through that whole process because it is so expensive during those high peaks.

- Gary Hall said some years it is really expensive but the last couple of years it hasn't been too bad that is why we only have 5,000 hours on our generators because the market has been cheaper than it is to generator. But this year it was expensive. It is hard to say what the market will be.

- Jarett Waite said he likes Denny's idea of a hedge and who's not to say we get to this point and our growth hasn't been where it needs to be and there is some energy efficiency, could we just sell 2 of those MW hours to someone that is going to want it.

- Gary Hall said he is pretty sure we could sell it.

- Jarett Waite said he thinks it is a pretty smart hedge to go to 5 MW.

- Gary Hall said he will probably have it on the agenda next week to ask for approval of that.

4. Santa Clara Drive and Gates Lane intersection expansion discussion. Presented by Brock Jacobsen, City Manager.

- Brock Jacobsen said we are trying to improve traffic flow on Santa Clara Drive. He said one way of doing that is to insert turn lanes. This first one is a turn lane at Gates Lane and Santa Clara Drive on the west end. To do that we have to take out the planter boxes that were installed in the streetscape. They would be moving those 8 planter boxes and there are 2 more just to the west of the picture that we would move those as well. (He showed the picture to the Council.) The left turn lane is heading west on Santa Clara Drive to turn left onto Gates Lane. The proposed cost is \$10,880. The work would be done in house. The Staff, between Public Works, Parks and Power would be doing their particular jobs on this. They are ready to get started and do this as it will take a little bit of time.

- Denny Drake asked if they cap the waterlines what are they going to do with the other planters going out around the turn. How will they get water?
- Brock Jacobsen said they are going to cap from behind the curb.
- Wendell Gubler asked if they are going to do anything coming east.
- Mayor Rosenberg said there will be an eastbound turn lane too.
- Leina Mathis asked if there is enough space to do both.
- Mayor Rosenberg said he thinks we can. The tricky part is getting that bike lane through there. He thinks there is enough width to make it happen. We just have to squeeze the striping to the north. If we take advantage of that parking that we are losing on the north as part of the westbound through and the whole thing will have to be restriped. We want to do it so we can be ready for the signal.
- Jarett Waite asked about the southeast corner where that may be commercial at some point. Are we impacting that property by taking away street parking from it?
- Mayor Rosenberg said they don't get to count street parking as part of their project. They could pull the sidewalk and curb back and put it back as part of the project. The right of way is right behind the sidewalk. The streetlights are probably in the easement. He asked Brad Hays if he is going to relocate the trees that are in the medians.
- Brad Hays, Parks & Trails Director, said a lot of those trees have been there a long time and so we may not be able to save them when we take them out.
- Mayor Rosenberg asked if Brad wants to replace them on the outside of the sidewalk on the private side if we have easements.
- Brad Hays said we have trees along there now behind the planter boxes that run all the way down. We don't need to supplement any trees.
- Denny Drake said for visibility it would be good to have those gone anyway.
- Jarett Waite asked if there is a need for a turn lane to go north onto Gates Lane. Does it ever back up there?
- Mayor Rosenberg said the problem there is an offset on the lanes on the east side and you have to get people into the right place when they get to the intersection, so you have to break it apart anyway. We probably don't need the amount of stacking that is on the other direction so it could probably be shorter, but we still want to do it, so they are lined up when they get to the intersection. If we don't have the medians, we don't want the parking along the curb.
- Brock Jacobsen said this will be on the agenda next week to approve. He will work with Kristelle to get those drawings to show the turn lane on the other side and the decell lane eastbound turning south onto Gates Lane. He said they will get that on the picture for next week.

3. Staff Reports:

Fire Chief Randy Hancey

- July was a busy month for calls. There were over 140 calls. It was mostly normal response calls. Even though we have been in extreme drought we haven't had a lot of wildfires in our particular area.
- They had a good summer social last week. They handed out awards for: Fire Fighter of the Year-Emma Pauling, Rookie of the Year-Christopher Clifford (Wild Land Fire Fighter), EMT of the Year-Jessica Harward (she has been with Ivins/Santa Clara for about

15 years), and Medic of the Year-Devin Hill (Full-time Fire Fighter/Paramedic).

- They are ready to order the replacement engine for Engine 33. That is the wild land engine. They just got the specs finalized and they are reviewing those, and they have the quote finalized. He said that getting the chassis is the lengthy part. It is about 10 months out.

- Denny Drake asked if the Chief was able to get with Jason Whipple.

- Chief Hancey said he had a conversation with him. He said they are in the process of getting a meeting set up and he will let him know when that is. He will let Denny know.

- Jarett Waite asked how the remodel is going at the Rachel Drive Station.

- Chief Hancey said it is just about there. They have some furniture moved in and they are just waiting for the communications part of it and then they are ready to get moved in over there.

- Mayor Rosenberg said that he and the Council are going to come see it. He suggested meeting and going there at 4:00 next week before the City Council Meeting. Do we need more than a week to advertise?

- Brock Jacobsen said no just 24 hours to advertise a meeting. Do we want it as a special meeting or just do a regular meeting and start there and end up here?

- Mayor Rosenberg said however we want to do it just so it meets legal requirements.

- Brock Jacobsen said we will plan on it at 4:00.

- Wendell Gubler said he can't be there at 4:00. He can be at the meeting at 5:00 though.

- Mayor Rosenberg asked if we want to wait and do it in a couple of weeks. He asked if the rest of the Council is okay with next week. They all agreed so the Mayor said the Council will meet at 4:00 at Town Hall and drive up to the Fire Station. He asked Brock if he would take care of the advertising.

- Jarett Waite said he will just meet the Council there.

- Mayor Rosenberg said the car wash grand opening was today. He said the stacking coming out of it is minimal. They will get it tuned up. They had free slushy's today.

Kristelle Hill

- She posted the Adopt a Waterway information online. There was a little bit of interest.

- There are some issues with the City website. It has been slow lately so we are thinking about upgrading the server or switching over to something that would be quicker. She is looking into that.

- She has had lots of meetings with the Water District. They are working on the Landscaping Ordinance. They sent over a list of recommended ordinance actions that we should take, and they are wanting the Council members to look at it and go through the items and see which ones would work for Santa Clara. They want us to discuss this at a Work Meeting. If we have more specific items, we want to discuss they are wanting us to do that. She said they are meeting tomorrow to discuss more on the Landscaping Ordinance.

- Jarett Waite asked about the website. He said he noticed that the links on the main page all open a new tab but everything in the menu stays in the same tab. Is that a purposeful thing? He said he doesn't like it when it opens another tab and another tab when you click on a link.

- Kristelle Hill said she can easily fix things. She will look at that. She thanked Jarett for the feedback.

Gary Hall

- He got the intent to issue the approval order notice and he signed it and sent it back and it will start the 30-day public comment time for that approval order for our air quality permit. It is pretty much done. It required us to test our new engines every three years instead of every five years like our old engines. He said when he sent it back to them, he commented on there that we will be requesting a change order on that approval order in three years if the emissions come back as low as projected by Caterpillar. The reason the testing period is now three years is because they are brand new engines and Caterpillar does not have a certificate from the Division of Air Quality. After we do our initial test and in three years, we test them again and those numbers are lower than our original engines we are going to request that they change the testing times. That will save us a lot of money in testing frequency.

- We are fully staffed now. The new hire is starting next week and Dan Callahan, who used to work here as a journeyman will be starting on Aug. 23.

- Jarett Waite said he had a resident with solar reach out to him concerned that her bill showed a much lower number than it usually does for her solar. He told her to contact Sherry. Was that the right advice to go over her bill and make sure that is correct?

- Gary Hall said yes Sherry can answer questions on her billing.

Scott Bannon

- They are getting a few more pool building permits. He said he hopes one day there will be a discussion about mandating pool covers because of the evaporation of the water. It is probably something we should look at.

- Mayor Rosenberg said that is one of the conservation measures that they are recommending is covers for pools. That is something we could move on sooner than later. He asked if that is a land use thing that goes to Planning Commission or is that just a policy.

- Brock Jacobsen said that is probably something that should go back through the land use and put it in the ordinance.

- Mayor Rosenberg asked if the pool permit is covered in the subdivision ordinance or the development codes. Where is it at, the requirements for it?

- Scott Bannon said it is in the building code.

- Mayor Rosenberg said if it is in the building code, we may not have to take that through a land use change. He told Brock to check with Matt Ence and see. He told Council this is going to be something that is high on the recommendation for water conservation measures. It is something we can probably implement with Council's discretion. He said whatever it takes; let's move on it.

- Scott Bannon said they are developing a Policy Advisory Committee. It has been a long time since our policies and procedures have been gone through. He said he will get a member from each area of the City to sit on it and once a month or every other month we can meet and update it and if we do need to make a policy change, we could tell Brock about it and then once it is up to date we would only need to meet once a year so it wouldn't be a burden to all members who sit on it. This would be a good thing for the City to make sure that our policies and procedures are up to date in case we have any issues.

- He is trying to put together a fleet with all of our vehicles and all of our assets and things. It is a number system to remind people that it is time to change the oil and rotate the tires

and make sure we are getting our bang for our buck when we go to sell them.

- Storm Water is going good. There are no complaints. They are busy.

Brad Hays

- The cemetery is on secondary water now. The Public Works and the Parks crews worked together and installed a new control panel on it. Everything seems to be working well. That is the last of the large recreational grass areas that was on culinary. Everything we have except for the Fire Department, Heritage Square and Boomer Park are all on irrigation water now.

- Starting tomorrow BA Robinson is contracted to come and start trimming all of the dead wood out of the trees in a couple of areas where the sycamore trees are leaning over and onto the houses. They will start at the Woof Dog Center and work down to the mercantile and do that line of trees there. They are also going to do the one on the corner of Victor Street and the one by Heritage Square. They will be working Thursday and Friday. He has talked to the residents.

- He gave a suggestion to Council about how to conserve some water and make the Little League fields more usable. He talked to Brock about taking out the infield grass and making it like Gubler Park and using the portable mounds. It would make it easier for Parks to maintain it and also make it available for more tournaments. He said he could run Girls Softball Tournaments in there. That would bring us up to six fields for girls' fast pitch, which would bring more revenue to the city. He wants to know what Council thinks about this. He is not sure how Little League would feel about this. He thinks it would make a better park and safer for the players too.

- Denny Drake said the dirt for the infield needs to be maintained or there is going to be problems.

- Brad Hays said they have a groomer, called an Abbie Groomer, that does a really good job, and it makes it difficult to use with the grass in the middle.

- Denny Drake said with the conservation issues we have; he doesn't think that is going to be a problem. He suggested Brad might want to talk to Ben and the Little League and let them know but we are trying to save on water and grass.

- Brad Hays said he thinks it will make it a better playing surface too and the portable mounds are always consistent.

- He asked the Council for guidance on the shooting range. Do we want to go ahead and start the RP&P on that? If we want to move forward what he would like to do is bring a resolution to the Council to approve so he can get started. If there is reservation on that then it probably is not a wise investment. His question is with the information we got do we want to continue to go ahead with the RP&P and the resolution.

- Denny Drake said one of the issues he has is still the environmental issues that they are making us do the studies on. They have the experts. He said the cost of doing that road, and he is not sure the County is willing to participate, is a huge price. But he would like to see us tell the BLM that they can have it back and de-annex the portions that we can. We have our adventure park that we can exclude from de-annexing but de-annex the rest and give them the responsibility of policing rather than the Santa Clara City being the liability portion of all that shooting going on. He said he wishes it were an easier project and wouldn't take 10 years to do it.

- Mayor Rosenberg said we would be de-annexing probably everything south of that line. Pretty much along the drainage of Cove Wash.

- Denny Drake said that getting it as an RP&P he doesn't see it happening for a minimum of 3-4 years anyway.
- Brad Hays said that is very true and maybe even more.
- Denny Drake said they want us to do that other study at our expense, which is another \$25,000 minimum without the guarantee that we are going to get it.
- Brad Hays talked about all the other things that go into the RP&P. It would probably cost another \$50,000.
- Scott Bannon said the Trust said to run the other way. He said he doesn't know why the City would take on the liability of all of that.
- Mayor Rosenberg said it is up to Council. We can petition to de-annex and what he would recommend is if we decide to do that is to start enforcing the "no shooting" within the city limits. The ordinance is already in place we just haven't been enforcing it.
- Brock Jacobsen said our ordinance is based off of the State ordinance of "no shooting within 600 ft". We don't have the ordinance of specifically not within the city limits.
- Mayor Rosenberg said we could tweak it so that it says, "no shooting within the city limits" and then give the instructions to the officers to enforce it and put out educational signs and stuff that way so that we would be enforcing what you could see from this side and everything over the rise would be BLM, Washington County. It would be open shooting out there. That is where all the trails are. BLM can't enforce shooting because of a mandate.
- Leina Mathis said so it would allow all the shooting out there.
- Mayor Rosenberg said yes but it would be their responsibility to enforce. It is something we need to get back with Keith and the Washington County Commission and let them know that is what we are planning on doing.
- Leina Mathis said her opinion is if we are not going to continue with the shooting range then we should de-annex it so that residents still have a place to go.
- Mayor Rosenberg said they can still go out on the BLM just not within the city and we will enforce it close to the city.
- Leina Mathis said we will just have to put up some signage so that people know where that City limit is because there is no way you would know that.
- Denny Drake said there is a lot of detail in the shooting sports park that if we were to continue, we would have to work those issues out. There is a whole bunch of costs and if we didn't have an organization to take care of those costs it would have to come out of the City's General Fund and it is excessive for us.
- Mayor Rosenberg said we shouldn't have to run a shooting park for the whole west county and paying all the costs too. Maybe the County will step back in and pick it up and run with it.
- Jarett Waite said we could still keep the RP&P on the back burner.
- Brad Hays asked if he should bring some proposals forward for where the de-annexation line might be so we can review it in the next work meeting.
- Mayor Rosenberg said yes. Then we can take it to the BLM and the County and let them know.
- Brad Hays said the Canyon View parking lot Tourism Grant was submitted and we are waiting on them to review it and get back with us to see if we can get the Canyon View side done. The other parking lot is moving along. We should have everything by the end of next week.
- There is some graffiti on the bridge on the south side underneath and where the park is

going. It is on the concrete and the steel. He got ahold of Officer Nick Tobler, and he is working on it.

- Mayor Rosenberg said it makes him feel bad that it is on the steel. Steel is not easy to clean.
- Brad Hays said they don't want to paint it. They will try some paint remover and see what happens.
- Brock Jacobsen said that Brad mentioned about maybe getting some cameras we can put along down there.
- Mayor Rosenberg suggested a 360 camera on the orchard.
- Brock Jacobsen said when we get the new building done in the orchard, we could put a camera there and get something that is going that way too.
- Brad Hays said it would be easy to get the Internet there because of the straight view to the water tank.
- Mayor Rosenberg told Brad to look at it if this is going to be an issue.
- Brad Hays said it is an issue. It is a gathering place.

Brock Jacobsen

- The new City Planner, Jim McNulty will be starting September 13. We are excited to have him. He will be over plans and planning reviews and helping the Planning Commission. He has a lot of experience that will help guide our Planning Commission along. He is currently working with the Greater Salt Lake Municipal Service District, and he has been with Sandy City, Murray City, and Saratoga City. His parents live here in Southern Utah. He has been fire tested. It will be good.
- This afternoon he accepted the resignation of Corey Bundy.
- Mayor Rosenberg said Corey gave two weeks' notice in his resignation but Staff is going to accelerate that with consent of Council.
- Leina Mathis asked if we are looking to replace that position.
- Brock Jacobsen said that is in discussion of how to.
- Mayor Rosenberg said that Fred Fage has his certifications so were not left in a void and Cody from Ivins City can help us. His resignation just happened five minutes before this meeting so Staff will talk about it. He said he doesn't know if Selena has her Certified Flood Plain Manager yet. There will obviously be a disbursement of duties. The City Planner can take some and Fred can step up and over some more. We will evaluate and go the direction we need to.
- Scott Bannon said he thinks some of it can be handled with some management tools of caseload for Fred and things like that. We might have to tweak a little bit in the Building Department until we figure things out.
- Brock Jacobsen talked about UAMPS: He and Kristelle and Gary will get all the plans put together. Jarett and Denny are driving, and he has their vouchers done up.
- Denny Drake said he may be flying instead with the Council.
- Jarett Waite asked if we are going to do an event around Swiss Days on the new bridge for officially opening it. We talked about a dance on it and having the school kids come to the opening.
- Brock Jacobsen said with all those events the one that would work and be the easiest and best is to do something on Thursday or Friday and having the elementary kids down there and have a ribbon cutting and ice cream and thanking the kids with helping with the name.
- Leina Mathis said they get out early on Fridays. She likes the idea of having it on a

Friday on their early out days. If we did it on an early out Friday, we could notify all the parents and have them have their children at the event. She thinks the parents would support this.

- Mayor Rosenberg suggested talking to the community and maybe the schools and see if there is any conflict with their calendars. He asked what grade those kids would be in now.
- Brock Jacobsen said they were third grade so they would be going into fifth grade now.
- Mayor Rosenberg said to see if it will work out logistically with the school kids and then take it to the committee.
- Jarett Waite said he likes the idea of a dance.
- Mayor Rosenberg suggested doing that later that month. We would have to get a band and all the joys that go with that.
- Jarett Waite said there is power down there. It is a really cool bridge. We need to celebrate it. We can wait until it is cooler, but we should keep it in mind.
- Leina Mathis reminded Council that Tuesday is our free swim day at the SHAC. It is open swim all day for our residents. The hours are from 1:00-5:30 and 6:00-9:30.
- Brock Jacobsen asked if this information was on the city website.
- Kristelle Hill said it is.

4. **Adjournment:**

Meeting Adjourned at 7:57 p.m.

Chris Shelley – City Recorder

Date Approved: _____