



CITY COUNCIL MEETING AGENDA



THURSDAY, JUNE 15, 2023
AGENDA

ATTACHMENTS

2023.06.15 AMENDED AGENDA PACKET



NOTICE OF REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF ST. GEORGE,
WASHINGTON COUNTY, UTAH

Public Notice

Public notice is hereby given that the City Council of the City of St. George, Washington County, Utah, will hold a regular meeting in the City Council Chambers at the St. George City Offices located at 175 East 200 North, St. George, Utah, on Thursday, June 15, 2023, commencing at 5:00 p.m.

The agenda for the meeting is as follows:

Call to Order

Invocation

Flag Salute

1. **Mayor's recognitions and updates.**
2. **Read a proclamation proclaiming June 19-25, 2023 as Amateur Radio Week.**
3. **Read a proclamation proclaiming June 26-July 4, 2023 as Liberty Week.**

4. CONSENT CALENDAR.

A. CONSIDER APPROVAL OF A CHANGE ORDER TO A CONTRACT WITH AUTOMATION 'N' CONTROLS FOR
ADDITIONAL SERVICES AT THE WASTEWATER TREATMENT PLANT.

BACKGROUND AND RECOMMENDATION: THE WATER SERVICES DEPARTMENT HAS A PROFESSIONAL SERVICES
AGREEMENT WITH AUTOMATION 'N' CONTROLS FOR SERVICES RENDERED AT THE WASTEWATER TREATMENT
PLANT. THESE SERVICES INCLUDE THE DESIGN AND IMPLEMENTATION OF A NEW AUTOMATION AND

CONTROLS SYSTEM FOR THE UPGRADED WASTEWATER TREATMENT PLANT, AS WELL AS SOME TROUBLESHOOTING, MAINTENANCE, AND REPLACEMENT OF EXISTING SCADA COMPONENTS IN THE OLDER PORTION OF THE PLANT. THE PSA IS FOR WORK TO BE COMPLETED IN FY23. ADDITIONAL SERVICES WERE REQUIRED TO MAINTAIN AND REPLACE EXISTING SCADA COMPONENTS. STAFF RECOMMENDS APPROVAL.

- B. CONSIDER APPROVAL OF A CONSTRUCTION CONTRACT FOR THE INSTALLATION OF IRRIGATION LINES ON AND NEAR 1450 SOUTH AND THE CONSTRUCTION OF A REPLACEMENT IRRIGATION TANK FOR THE EXISTING HIDDEN VALLEY TANK.**

BACKGROUND AND RECOMMENDATION: THE IRRIGATION LINES TO BE INSTALLED ON 1450 SOUTH AND 2780 EAST IS THE FINAL CONNECTION NEEDED TO CONNECT THE SANDBERG POND IRRIGATION ZONE TO THE IRRIGATION LINE IN 3000 EAST. THIS WILL ALLOW IRRIGATION WATER TO BE SERVED SOUTH ALONG 3000 EAST TO 2450 SOUTH. THE EXISTING HIDDEN VALLEY STEEL TANK IS UNDERSIZED FOR AND IS A STEEL TANK THAT REQUIRES EXTENSIVE MAINTENANCE. STAFF PROPOSES BUILDING A NEW LARGER CONCRETE TANK THAT WILL BE HIDDEN BEHIND THE BAT TANK. STAFF RECOMMENDS APPROVAL.

- C. CONSIDER THE APPROVAL OF THE FOURTH AMENDMENT TO THE ENGINEERING AGREEMENT WITH JVIATION DATED SEPTEMBER 23, 2021 FOR THE SOUTH TAXIWAY AND APRON PROJECT CONSTRUCTION.**

BACKGROUND AND RECOMMENDATION: THIS PROJECT IS FOR THE SOUTH APRON AND TAXIWAY CONNECTOR PROJECT CONSTRUCTION PHASE. STAFF RECOMMENDS APPROVAL.

- D. CONSIDER APPROVAL OF THE FIFTH AMENDMENT TO THE ENGINEERING AGREEMENT WITH JVIATION DATED SEPTEMBER 23, 2021 FOR RECONSTRUCTION AND EXPAND TERMINAL APRON PROJECT.**

BACKGROUND AND RECOMMENDATION: AIP-45 RECONSTRUCT AND EXPAND TERMINAL APRON PROJECT - CONSTRUCTION PHASE - GRANT WAS APPLIED FOR AND APPROVED BY MAYOR RANDALL ON MARCH 6, 2023.

HOWEVER, THE CITY HAS NOT YET RECEIVED THE GRANT AWARD. THIS PROJECT WILL BE FOR THE RECONSTRUCTION AND EXPANDING THE TERMINAL APRON. STAFF RECOMMENDS APPROVAL.

- E. CONSIDER APPROVAL OF THE MINUTES FROM THE MEETINGS HELD ON MAY 2, 2023; MAY 4, 2023 WORK MEETING; MAY 4, 2023 REGULAR MEETING; MAY 11, 2023 WORK MEETING; MAY 11, 2023 REGULAR MEETING; MAY 18, 2023; MAY 25, 2023 JOINT RDA MEETING; MAY 25, 2023; JUNE 1, 2023; JUNE 8, 2023 JOINT RDA MEETING; AND JUNE 8, 2023.

5. PUBLIC HEARING TO REVIEW AND TAKE PUBLIC COMMENT REGARDING NON-RECIPROCAL TRANSFERS FOR UNBILLED UTILITY SERVICES FROM THE ELECTRIC, WATER, AND SEWER FUNDS TO OTHER CITY FUNDS.

BACKGROUND AND RECOMMENDATION: THE CITY OF ST. GEORGE HAS FUNDS THAT OPERATE AS BUSINESS-TYPE FUNDS, PROVIDING WATER, ENERGY, AND SEWER COLLECTION AND TREATMENT SERVICES TO CUSTOMERS AND CHARGING FEES BASED UPON CONSUMPTION (USAGE) AT RATES ESTABLISHED BY THE ST. GEORGE CITY COUNCIL. MOST CITY-OWNED FACILITIES ARE CHARGED FOR THESE SERVICES, BUT SOME SERVICES ARE PROVIDED AT NO COST TO THE CITY. NO ACTION IS REQUIRED.

6. PUBLIC HEARING TO REVIEW AND TAKE PUBLIC COMMENT REGARDING THE PROPOSED TRANSFERS FROM ENTERPRISE (BUSINESS-TYPE) FUNDS TO OTHER FUNDS INCLUDED IN THE RECOMMENDED FISCAL YEAR 2023-2024 BUDGET.

BACKGROUND AND RECOMMENDATION: THE GENERAL FUND PROVIDES ADMINISTRATIVE AND OVERHEAD SUPPORT TO THE ENTERPRISE (BUSINESS-TYPE) FUNDS. THESE SERVICES INCLUDE UTILITY BILLING, PAYMENT COLLECTION, AND CUSTOMER SERVICE FUNCTIONS, AS WELL AS INDIRECT COSTS FOR HUMAN RESOURCES, LEGAL, TECHNOLOGY, FLEET MAINTENANCE, AND OTHER ADMINISTRATIVE SERVICES. IF THESE FUNCTIONS WERE NOT PROVIDED BY THE GENERAL FUND, THE ENTERPRISE FUNDS WOULD NEED TO HIRE ADDITIONAL EMPLOYEES AND PAY THE DIRECT PERSONNEL, MATERIALS AND SUPPLIES, AND EQUIPMENT COSTS AND/OR HIRE CONSULTANTS AND PAY THEIR FEES. NO ACTION IS REQUIRED.

7. **CONSIDER APPROVAL OF A RESOLUTION AMENDING AND ADOPTING FEES FOR VARIOUS SERVICES AND RECREATIONAL ACTIVITIES.**

BACKGROUND AND RECOMMENDATION: EACH YEAR THE CITY REVIEWS ITS SERVICES AND FEES ASSOCIATED TO ENSURE SUFFICIENCY OF FEE COVERAGE. THE CITY HAS RECOGNIZED SOME AREAS WHERE FEE INCREASES ARE NECESSARY TO COVER RELATED COSTS. INCREASED FEES WILL BECOME EFFECTIVE ON JULY 1, 2023. STAFF RECOMMENDS APPROVAL OF THE RESOLUTION.

8. **PUBLIC HEARING TO RECEIVE INPUT ON THE FISCAL YEAR 2023-2024 BUDGET AND CONSIDERATION OF A RESOLUTION TO FORMALLY ADOPT THE FINAL FY 2023-2024 BUDGET.**

BACKGROUND AND RECOMMENDATION: THE PRELIMINARY FISCAL YEAR 2023-2024 CITY MANAGER RECOMMENDED BUDGET WAS PRESENTED DURING THE MAY 4TH CITY COUNCIL MEETING AND HAS BEEN AVAILABLE ON THE CITY'S WEBSITE AND IN THE CITY RECORDER'S OFFICE. STATE LAW REQUIRES AT LEAST ONE PUBLIC HEARING TO RECEIVE CITIZEN INPUT BEFORE FORMALLY ADOPTING THE CITY'S FINAL ANNUAL BUDGET, AND ALSO REQUIRES THE BUDGET BE ADOPTED ON OR BEFORE JUNE 30TH. THIS YEAR THE CITY WILL HOLD TWO PUBLIC HEARINGS TO TAKE CITIZEN INPUT. THE FIRST HEARING WAS HELD ON JUNE 1, 2023 AND THIS HEARING WILL BE THE SECOND PUBLIC HEARING. THIS YEAR THE CITY COUNCIL HELD MULTIPLE FULL DAY WORK MEETINGS ON THE FY 2023-2024 BUDGET BEGINNING WITH THE GOALS AND BUDGET RETREATS ON FEBRUARY 9TH AND 23RD AND ENDING WITH REVIEW OF THE PRELIMINARY FISCAL YEAR 2023-2024 CITY MANAGER RECOMMENDED BUDGET ON MAY 18TH. TONIGHT'S ITEM ALSO INCLUDES CONSIDERATION OF AMENDMENTS TO THE PRELIMINARY BUDGET WHICH IF APPROVED WILL BE INCORPORATED INTO THE FINAL FISCAL YEAR 2023-2024 BUDGET. STAFF RECOMMENDS OPENING A PUBLIC HEARING TO RECEIVE INPUT ON THE PROPOSED FISCAL YEAR 2023-2024 BUDGET AND APPROVAL OF THE RESOLUTION TO ADOPT THE FINAL FISCAL YEAR 2023-2024 BUDGET, INCLUDING AMENDMENTS DISCUSSED AND AGREED TO BY THE MAYOR AND CITY COUNCIL DURING TONIGHT'S MEETING.

9. CONSIDER APPROVAL OF A RESOLUTION ADOPTING THE TAX RATE FOR THE 2023 TAX YEAR (2024 FISCAL YEAR) AND LEVYING TAXES UPON ALL REAL AND PERSONAL PROPERTY WITHIN THE CITY OF ST. GEORGE.

BACKGROUND AND RECOMMENDATION: STATE LAW REQUIRES THAT THE CITY ADOPT THE CERTIFIED TAX RATE (CTR) ON OR BEFORE JUNE 22ND OF EACH YEAR. THE CERTIFIED TAX RATE IS THE PROPERTY TAX RATE THAT IF ADOPTED WOULD RAISE THE SAME AMOUNT OF PROPERTY TAX REVENUE AS WAS BUDGETED FOR THE CITY IN THE PRIOR FISCAL YEAR FROM EXISTING RESIDENTS. THE CERTIFIED TAX RATE IS DEPOSITED INTO THE CITY'S GENERAL FUND AND IS USED TO FUND CORE CITY SERVICES PROVIDED TO OUR RESIDENTS INCLUDING POLICE, FIRE, 911 DISPATCH, STREET AND TRAFFIC SIGNAL MAINTENANCE, PARKS AND TRAILS MAINTENANCE AND GENERAL ADMINISTRATION AND SUPPORT. THE CERTIFIED TAX RATE IS CALCULATED BY THE STATE PROPERTY TAX COMMISSION AND WASHINGTON COUNTY CLERK AUDITOR'S OFFICE AND IS PROVIDED TO THE CITY EACH YEAR IN EARLY JUNE. FOR TY 2023 (FY 2024) THE CERTIFIED TAX RATE IS 0.000670, WHICH IS A DECREASE OF -2.05% FROM THE TY 2022 (FY 2023) ADOPTED TAX RATE. STAFF RECOMMENDS APPROVAL OF THE RESOLUTION ADOPTING THE TY 2023 (FY 2024) CERTIFIED TAX RATE. STAFF RECOMMENDS APPROVAL OF THE RESOLUTION ADOPTING THE TY 2023 (FY 2024) CERTIFIED TAX RATE.

10. PUBLIC HEARING AND CONSIDERATION OF A RESOLUTION TO REVIEW AND APPROVE AMENDMENTS TO THE FISCAL YEAR 2022-23 BUDGET.

BACKGROUND AND RECOMMENDATION: STATE STATUTE REQUIRES A PUBLIC HEARING WHEN CHANGES ARE REQUESTED TO THE CITY'S BUDGET. STAFF TYPICALLY BRING BUDGET OPENINGS FORWARD TO THE CITY COUNCIL FOR CONSIDERATION ON A QUARTERLY BASIS BASED ON CHANGES THAT OCCUR DURING THE FISCAL YEAR. STAFF RECOMMENDS TAKING PUBLIC COMMENT AND APPROVAL OF THE RESOLUTION.

11. CONSIDER APPROVAL OF A RESOLUTION NAMING BRIAN JEPSON AS THE REPRESENTATIVE AND BRYAN DIAL AS THE ALTERNATE REPRESENTATIVE FOR UAMPS.

BACKGROUND AND RECOMMENDATION: LAURIE MANGUM IS CURRENTLY THE REPRESENTATIVE AND BRIAN JEPPSON IS CURRENTLY THE ALTERNATE REPRESENTATIVE. SINCE MS. MANGUM IS RETIRING, STAFF RECOMMENDS NAMING BRIAN JEPPSON TO REPLACE HER AS THE REPRESENTATIVE AND BRYAN DIAL AS THE ALTERNATE REPRESENTATIVE. STAFF RECOMMENDS APPROVAL OF THE RESOLUTION.

12. CONSIDER APPROVAL OF AN ORDINANCE TO CHANGE THE ZONE FROM R-1-12 (SINGLE FAMILY RESIDENTIAL MINIMUM 12,000 SQ. FT. LOTS) TO PD-R (PLANNED DEVELOPMENT RESIDENTIAL) ON APPROXIMATELY 15.97 ACRES LOCATED ALONG DESERT CANYONS PARKWAY TO ALLOW FOR A SINGLE-FAMILY RESIDENTIAL DEVELOPMENT. CASE NO. 2023-ZC-008

BACKGROUND AND RECOMMENDATION: THE PROPERTY IS IN THE DESERT CANYONS MASTER PLAN. THE ORIGINAL MASTER PLAN WAS APPROVED IN 2007 AND HAS SEVERAL APPROVED

AMENDMENTS. THE PLANNING COMMISSION HELD A PUBLIC HEARING AND REVIEWED THIS ITEM AND RECOMMENDED APPROVAL WITH NO CONDITIONS WITH A VOTE OF 4-0.

13. CONSIDER APPROVAL OF AN ORDINANCE AMENDING AND EXPANDING AN APPROVED PD-R (PLANNED DEVELOPMENT RESIDENTIAL) ON APPROXIMATELY 25.06 ACRES LOCATED ALONG DESERT CANYONS PARKWAY FOR THE PURPOSE OF DEVELOPING 142 SINGLE FAMILY HOMES FOR A PROJECT TO BE KNOWN AS DESERT REFLECTIONS AT DESERT CANYONS. CASE NO. 2023-PDA-007

BACKGROUND AND RECOMMENDATION: THE PROPERTY IS IN THE DESERT CANYONS MASTER PLAN. THE ORIGINAL MASTER PLAN WAS APPROVED IN 2007 AND HAS SEVERAL APPROVED AMENDMENTS. THIS AMENDMENT IS TO CREATE 142 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION ON 25.06 ACRES. THE PLANNING COMMISSION REVIEWED THIS ITEM AND HELD A PUBLIC HEARING WITH NO COMMENTS. THE PLANNING COMMISSION RECOMMENDED APPROVAL WITH A VOTE OF 4-0.

14. CONSIDER APPROVAL OF A PRELIMINARY PLAT FOR DESERT REFLECTIONS AT DESERT CANYONS, A 142-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION ON 25.06 ACRES LOCATED ALONG DESERT CANYONS PARKWAY. CASE NO 2023-PP-017

BACKGROUND AND RECOMMENDATION: THIS IS A PROPOSED PRELIMINARY PLAT LOCATED IN THE DESERT CANYONS DEVELOPMENT FOR 142 SINGLE FAMILY LOTS ON 25.06 ACRES. THE PLANNING COMMISSION REVIEWED THE PLAT AND RECOMMENDED APPROVAL TO THE CITY COUNCIL WITH A VOTE OF 4-0.

15. CONSIDER APPROVAL OF AN ORDINANCE TO CHANGE THE ZONE FROM R-1-40 (SINGLE FAMILY RESIDENTIAL MINIMUM 40,000 SQ. FT. LOT SIZE) AND M&G (MINING AND GRAZING) TO R-1-20 (SINGLE FAMILY RESIDENTIAL MINIMUM 20,000 SQ. FT. LOT SIZE) ON APPROXIMATELY 74.098 ACRES LOCATED SOUTH OF THE EXISTING TONAQUINT TERRACE SUBDIVISION TO ALLOW FOR A 75-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT. CASE NO 2023-ZC-003

BACKGROUND AND RECOMMENDATION: IN MAY OF 2006 THE GENERAL PLAN WAS CHANGED FROM OS (OPEN SPACE) TO VLDR (VERY LOW DENSITY RESIDENTIAL) AND ZONED R-1-40 (SINGLE FAMILY RESIDENTIAL 40,000 SQ FT MINIMUM LOT SIZE) THERE WAS ALSO A SITE PLAN FOR THE TONAQUINT HEIGHTS DEVELOPMENT. TONAQUINT HEIGHTS PHASES 1-3 HAVE BEEN BUILT. ON MAY 4TH OF THIS YEAR THERE WAS A GENERAL PLAN AMENDMENT THAT CHANGED THE GENERAL PLAN FROM VLDR (VERY LOW DENSITY RESIDENTIAL) TO LDR (LOW DENSITY RESIDENTIAL). THE REASON FOR THIS CHANGE AND FOR THE PROPOSED ZONING CHANGE IS THE CITY CODE WAS UPDATED IN 2019. WITH THE CHANGES TO THE CODE PHASES 4-7 OF TONAQUINT HEIGHTS COULD NOT COMPLY. THE APPLICANT IS REQUESTING TO CHANGE THE ZONE TO FINISH TONAQUINT HEIGHTS PH. 4-7. THE PLANNING COMMISSION HELD A PUBLIC HEARING AND RECOMMENDED APPROVAL WITH A VOTE OF 5-0 AND NO CONDITIONS.

16. CONSIDER APPROVAL OF AN ORDINANCE AMENDING AN APPROVED PD-R (PLANNED DEVELOPMENT RESIDENTIAL) ON APPROXIMATELY 34.26 ACRES KNOWN AS PLANNING AREA 1 (PA-1) IN THE DIVARIO

DEVELOPMENT AGREEMENT MASTER PLAN WITH SITE PLAN AND ELEVATIONS AND CONDITIONS OF APPROVAL
FROM THE PLANNING COMMISSION. CASE NO. 2023-PDA-004

BACKGROUND AND RECOMMENDATION: IN 2021, THE CITY COUNCIL APPROVED A ZONE CHANGE ON THE
SUBJECT PROPERTY FROM R-1-10 TO PD-R. THE PROPOSED PLANNED DEVELOPMENT WAS FOR 500
RESIDENTIAL UNITS. THE APPLICANT NOW DESIRES TO AMEND THE LAYOUT OF THE SITE AND THE ELEVATIONS
OF THE BUILDINGS AND REDUCE THE NUMBER OF UNITS TO 464 UNITS. AS SUCH, THE SITE IS REQUIRED TO GO
THROUGH THE PD AMENDMENT PROCESS. THE PLANNING COMMISSION

HELD A PUBLIC HEARING ON THE REQUEST AND RECOMMENDED TO FORWARD A POSITIVE RECOMMENDATION
TO CITY COUNCIL WITH A 6-0 VOTE.

17. CONSIDER APPROVAL OF A PRELIMINARY PLAT FOR CIRCOLO VILLAS (DIVARIO PA-1), A 3-LOT MULTI-
FAMILY RESIDENTIAL SUBDIVISION ON APPROXIMATELY 34.26 ACRES GENERALLY LOCATED SOUTHEAST OF THE
GAP CANYON PARKWAY AND 1790 WEST INTERSECTION; ZONING IS PD-R (PLANNED DEVELOPMENT
RESIDENTIAL). CASE NO. 2023-PP-011

BACKGROUND AND RECOMMENDATION: THIS PRELIMINARY PLAT IS INTENDED TO ACCOMPANY THE PDA
(PLANNED DEVELOPMENT AMENDMENT) FOR CIRCOLO VILLAS. THIS PROPERTY HAS NOT BEEN PROPERLY
SUBDIVIDED, BUT THIS APPLICATION WILL CORRECT THAT BY CREATING THREE LEGAL LOTS. THE PLANNING
COMMISSION HELD A PUBLIC MEETING AND HAS FORWARDED A POSITIVE RECOMMENDATION FOR THE
APPLICATION WITH A 6-0 VOTE.

18. CONSIDER APPROVAL OF AN AMENDMENT TO THE MOORLAND PARK SUBDIVISION, PHASES 5 AND 8
PRELIMINARY PLAT TO INCLUDE SIX ADDITIONAL LOTS ON APPROXIMATELY 2.49 ACRES LOCATED NORTH OF
2580 EAST AT APPROXIMATELY 930 SOUTH IN THE R-1-10 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT. CASE
NO. 2023-PP-018

BACKGROUND AND RECOMMENDATION: A PRELIMINARY PLAT WAS APPROVED ON THE SUBJECT PROPERTY IN DECEMBER OF 2018. AT THAT TIME, IT WAS THOUGHT THAT A CITY PARK WOULD BE DEVELOPED ON THE PROPERTY. SINCE THAT TIME, THE PARK HAS BEEN MOVED TO THE NORTH AND REDUCED IN SIZE FREEING UP THE SUBJECT PARCEL. AS SUCH, THE APPLICANT WOULD LIKE TO DEVELOP THE PROPERTY INTO SIX NEW RESIDENTIAL LOTS. THE PLANNING COMMISSION HELD A PUBLIC MEETING AND RECOMMENDED APPROVAL OF THE APPLICATION WITH A 6-0 VOTE.

19. CONSIDER APPROVAL OF A HILLSIDE DEVELOPMENT PERMIT TO ALLOW DEVELOPMENT ON A PORTION OF LOT 3 OF THE EXISTING BANDED HILLS SUBDIVISION; LOT 3 IS CURRENTLY RESTRICTED DUE TO POTENTIAL ROCKFALL HAZARD LINE. CASE NO. 2023-HS-005.

BACKGROUND AND RECOMMENDATION: THE APPLICANT'S DESIRE IS TO BE ABLE TO BUILD A HOME ON LOT 3 THAT ENCROACHES INTO THE CURRENT AREA THAT IS LABELED AS NON-BUILDABLE. IF THE REQUEST FOR A HILLSIDE DEVELOPMENT PERMIT IS GRANTED, THE APPLICANT WILL NEED TO SUBMIT AN AMENDED PLAT TO ADJUST THE BOUNDARY OF THE NO BUILD AREA. THE HILLSIDE COMMITTEE AND THE PLANNING COMMISSION BOTH REVIEWED THIS ITEM AND RECOMMENDED APPROVAL OF THE HILLSIDE PERMIT. THE PLANNING COMMISSION VOTED 6-0 FOR APPROVAL WITH NO CONDITIONS.

20. APPOINTMENTS TO BOARDS AND COMMISSIONS OF THE CITY.

21. Reports from Mayor, Councilmembers, and City Manager.




22. Request a closed session to discuss litigation, security, property acquisition or sale or the character and professional competence or physical or mental health of an individual.

Christina Fernandez, City Recorder

Date


REASONABLE ACCOMMODATION: The City of St. George will make efforts to provide reasonable accommodations to disabled members of the public in accessing City programs. Please contact the City Human Resources Office, 627-4674, at least 24 hours in advance if you have special needs.

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