



CITY COUNCIL MEETING AGENDA



THURSDAY, JANUARY 19, 2023

AGENDA

ATTACHMENTS

2023.01.19 CITY COUNCIL 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, January 19, 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.**
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2. **Appointment of City Manager.**
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BACKGROUND AND RECOMMENDATION: WITH THE RESIGNATION OF THE PRIOR CITY MANAGER, COUNCIL IS REQUIRED TO FILL THE POSITION OF CITY MANAGER ON A PERMANENT BASIS.

3. CONSENT CALENDAR.

- A. CONSIDER APPROVAL TO AWARD BID TO SCHOLZEN PRODUCTS TO SUPPLY 2,340 LINEAR FEET OF IRRIGATION PIPELINE.

BACKGROUND AND RECOMMENDATION: BIDS FOR THE SUPPLY OF 2,340 LINEAR FEET OF 18" PVC IRRIGATION PIPELINE WERE COLLECTED AND OPENED. THERE WERE TWO (2) PIPELINE SUPPLIERS THAT SUBMITTED BIDS. SCHOLZEN PRODUCTS WAS THE LOW BIDDER WITH A TOTAL COST OF \$240,879.60. STAFF RECOMMENDS AWARDDING THE BID TO SCHOLZEN PRODUCTS.

- B. CONSIDER APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH DSG ENGINEERING, INC. FOR DESIGN AND ENGINEERING SERVICES OF APPROXIMATELY 22,500 LINEAR FEET OF IRRIGATION INFRASTRUCTURE WITHIN THE SOUTHERN HILLS AND DESERT CANYONS DEVELOPMENTS.**

BACKGROUND AND RECOMMENDATION: THE CITY'S SECONDARY IRRIGATION MASTER PLAN IDENTIFIES SEVERAL MAIN IRRIGATION TRANSMISSION LINES NECESSARY TO PROVIDE SECONDARY IRRIGATION SERVICES TO THE DESERT CANYONS AND SOUTHERN HILLS AREAS OF THE CITY. WITH THIS PROFESSIONAL SERVICES AGREEMENT (PSA) THE CONSTRUCTION DESIGN DRAWINGS, EASEMENT DOCUMENTS, AND ALL RELATED STUDIES WILL BE COMPLETED FOR THE NECESSARY IRRIGATION INFRASTRUCTURE. STAFF RECOMMENDS APPROVAL OF THE AGREEMENT.

- C. CONSIDER APPROVAL OF A REIMBURSEMENT AGREEMENT WITH QUALITY EXCAVATION FOR THE UPSIZING OF A WATERLINE IN THE DESERT CANYONS DEVELOPMENT.**

BACKGROUND AND RECOMMENDATION: THE CITY'S CULINARY WATER MASTERPLAN IDENTIFIES A NEED OF UPSIZING A MAIN WATER TRANSMISSION LINE TO A DIAMETER LARGER THAN WHAT IS NEEDED FOR THE DESERT CANYONS DEVELOPMENT. THIS AGREEMENT WILL REIMBURSE THE DEVELOPER FOR THE ADDITIONAL COSTS ASSOCIATED WITH THE INSTALLATION OF A LARGER DIAMETER WATERLINE. STAFF RECOMMENDS APPROVAL OF THE AGREEMENT.

- D. CONSIDER APPROVAL OF A REIMBURSEMENT AGREEMENT WITH ST. GEORGE 730 LLC FOR THE UPSIZING OF A WATERLINE WITHIN THE CECITA CREST SUBDIVISION OF THE DIVARIO DEVELOPMENT.**

BACKGROUND AND RECOMMENDATION: THE CITY'S CULINARY WATER MASTERPLAN IDENTIFIES A NEED OF UPSIZING A MAIN WATER TRANSMISSION LINE TO A DIAMETER LARGER THAN WHAT IS NEEDED FOR THE DIVARIO DEVELOPMENT. THIS AGREEMENT WILL REIMBURSE THE DEVELOPER FOR THE ADDITIONAL COSTS ASSOCIATED WITH THE INSTALLATION OF A LARGER DIAMETER WATERLINE. STAFF RECOMMENDS APPROVAL OF THE AGREEMENT.

- E. CONSIDER APPROVAL OF AN IMPROVEMENT REIMBURSEMENT AGREEMENT BETWEEN CRS HOLDINGS, LLC AND THE CITY OF ST. GEORGE FOR ROADWAY IMPROVEMENTS ON WHITE DOME DRIVE.**

BACKGROUND AND RECOMMENDATION: THE DEVELOPER DONATED PARCEL SG-5-3-33-424 TO CITY WITH THE UNDERSTANDING THE PARCEL WOULD SERVE AS A FUTURE PARK AND TRAIL AND THAT THE CITY WOULD PAY FOR THE ROADWAY IMPROVEMENTS WHEN THE PARK WAS DEVELOPED OR WHEN THE CITY DEEMED THE IMPROVEMENTS NECESSARY. DIXIE POWER NEEDS TO EXTEND POWER TO THE DEVELOPMENT HAPPENING ON THE EAST END OF WHITE DOME DRIVE. THE DEVELOPER WILL BE REQUIRED TO GRADE AND PREPARE THE ROADWAY FOR SAID POWER EXTENSION. STAFF RECOMMENDS APPROVAL OF THE AGREEMENT.

- F. CONSIDER APPROVAL OF A CONTRACT WITH HOLBROOK ASPHALT, INC. FOR HA5 SEAL COAT FOR VARIOUS TRAILS WITHIN THE CITY OF ST. GEORGE.**

BACKGROUND AND RECOMMENDATION: THIS IS A SOLE SOURCE AWARD. THIS PRODUCT HAS BEEN USED FOR YEARS ON VARIOUS STREETS AND TRAILS THROUGHOUT THE CITY OF ST GEORGE FOR ASPHALT PRESERVATION. STAFF RECOMMENDS APPROVAL OF THE CONTRACT.

- G. CONSIDER APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH ROSENBERG ASSOCIATES TO PROVIDE A GEOTECHNICAL INVESTIGATION FOR THE GEORGE WASHINGTON BLVD BRIDGE STRUCTURE PROJECT.**

BACKGROUND AND RECOMMENDATION: THE DESIGN OF THE GEORGE WASHINGTON BLVD BRIDGE AND EXTENSION OF GEORGE WASHINGTON BLVD FROM RIVER ROAD TO THE BRIDGE HAVE BEEN AWARDED TO HORROCKS ENGINEERING AND ROSENBERG ASSOCIATES RESPECTIVELY. THIS PROJECT WILL COMPLETE A DETAILED ANALYSIS TO DETERMINE SUBSURFACE CONDITIONS THAT WILL BE USED FOR THE DESIGN OF THE BRIDGE FOUNDATIONS. STAFF RECOMMENDS APPROVAL OF THE AGREEMENT.

4. **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.

5. **Public hearing to consider the City's application for funding from the Utah Permanent Community Impact Board (CIB) for construction of the new St. George City Hall and Parking Structure in the downtown area.**

BACKGROUND and RECOMMENDATION: This is a public hearing to consider the City's application for funding from the Utah Permanent Community Impact Fund Board (CIB) to partially fund the construction of the new St. George City Hall and Parking Structure in the downtown area. This public hearing is required for the City's application to the CIB in which we are requesting a loan for \$20 million over a 30-year period and a low interest rate of 2.00% to 2.50%. If the City's request is accepted by the CIB, the terms of the loan will come back to the City Council for approval prior to receiving funding later this spring or summer. Staff recommends approval that the City submit an application for the CIB bond in the amount of \$20 million, with a 30-year term, and an interest rate of 2.00% to 2.50% (interest rate TBD by the CIB) to be issued through the City's Municipal Building Authority (MBA) as the official applicant.

6. **Public hearing and consideration of an ordinance vacating an existing easement and right of way for the purpose to erect and maintain electric light and power transmission wires over and poles with necessary fixtures to support said wires.**

BACKGROUND and RECOMMENDATION: This easement was granted from W. W. Cannon and Marie A. Cannon to Dixie Power Company in 1929 by Entry No. 31466, Book Y-7, Page 75. Since this time Dixie Power Company has become St. George Power, so the easement is now owned by St. George Power. There are currently no power lines or poles in this easement area. Staff recommends approval.

7. CONSIDER APPROVAL OF RESOLUTION TO RE-ENTER INTO AN INTERLOCAL COOPERATION AGREEMENT THAT EXPIRED FOR THE PROVISION OF SCHOOL RESOURCE OFFICERS IN CERTAIN WASHINGTON COUNTY SCHOOL DISTRICT SCHOOLS.

BACKGROUND AND RECOMMENDATION: ST. GEORGE, IVINS, SANTA CLARA, WASHINGTON CITY, WASHINGTON COUNTY AND THE WASHINGTON COUNTY SCHOOL DISTRICT ENTERED INTO AN INTERLOCAL COOPERATION AGREEMENT FOR THE PROVISION OF SCHOOL RESOURCE OFFICERS IN CERTAIN WASHINGTON COUNTY SCHOOL DISTRICT SCHOOLS FOR THE 2004-2005 SCHOOL YEAR AND THAT AGREEMENT EXPIRED IN 2015 AND NEEDS TO BE REENTERED. THIS NEW INTERLOCAL COOPERATION AGREEMENT IS SUBSTANTIALLY SIMILAR TO THE

PREVIOUS AGREEMENT WITH UPDATED LANGUAGE THAT MAKES IT CLEAR THAT THE DISTRICT AND CHIEFS WILL FINALIZE THE DETAILS ON REIMBURSEMENT. STAFF RECOMMENDS APPROVAL OF THE RESOLUTION.

8. CONSIDER APPROVAL OF A RESOLUTION ADOPTING RULES OF ORDER AND PROCEDURE.

BACKGROUND AND RECOMMENDATION: UTAH CODE REQUIRES THE ADOPTION OF RULES OF PROCEDURE FOR ALL MUNICIPALITIES. THE COUNCIL AFTER A WORK SESSION HAS EXPRESSED A DESIRE TO SUPPLEMENT THOSE RULES CONTAINED IN CITY CODE TO INCLUDE SPECIFIC MEETING PROCEDURES, ETHICS RULES, AND RULES OF CIVILITY.

9. CONSIDER APPROVAL OF AN ORDINANCE TO ESTABLISH A FREE SPEECH ZONE FOR EVENTS.

BACKGROUND AND RECOMMENDATION: DURING THE PAST SEVERAL MONTHS THERE HAVE BEEN PROTESTS AT SPECIAL EVENTS. ESTABLISHING A FREE SPEECH ZONE WILL ALLOW THE EVENT SPONSOR TO NOT BE INTERRUPTED BY PROTESTERS DURING THEIR EVENT AND IT WILL ALLOW PROTESTERS TO GET THEIR MESSAGE ACROSS IN A DESIGNATED AREA. DURING THE PRIDE EVENT THERE WERE PROTESTERS WHO MARCHED THROUGH THE EVENT. DURING THE FARMERS MARKETS THERE WERE FOLKS WHO WANTED TO COMMUNICATE THEIR IDEAS BUT DID NOT GET A SPECIAL EVENT PERMIT OF THEIR OWN. THE FREE SPEECH ZONE PASSES CONSTITUTIONAL MUSTER AS ESTABLISHING A FREE SPEECH ZONE DURING EVENTS WOULD SERVE A SIGNIFICANT GOVERNMENT INTEREST INCLUDING TRAFFIC FLOW, CROWD CONTROL, OR PUBLIC SAFETY AT EVENTS ON PUBLIC PROPERTY; IT IS NARROWLY TAILORED AND PROVIDES AMPLE ALTERNATIVES FOR COMMUNICATION (INTERMEDIATE SCRUTINY FOR CONTENT NEUTRAL TIME, PLACE, AND MANNER RESTRICTIONS ON PRIVATE SPEECH IN A TRADITIONAL OR DESIGNATED PUBLIC FORUM).

10. CONSIDER APPROVAL OF A HILLSIDE DEVELOPMENT PERMIT TO DETERMINE THE RIDGELINE ON LOT 29 OF SOUTH RIM AT FOREMASTER RIDGE FOR THE CONSTRUCTION OF AN INFINITY POOL FOR A RESIDENTIAL PROPERTY LOCATED AT 1682 EAST HOWARD LANE. CASE NO 2022-HS-019

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