

**CITY COUNCIL MEETING
OF THE CITY OF CEDAR HILLS
Tuesday, February 6, 2024
City Council Meeting 6:00 p.m.**

Notice is hereby given that the City Council of the City of Cedar Hills, Utah, will hold a **City Council Meeting on Tuesday, February 6, 2024, beginning at 6:00 p.m.** at the Community Recreation Center, 10640 N Clubhouse Drive, Cedar Hills, Utah. This is a public meeting, and anyone is invited to attend.

COUNCIL MEETING

1. Call to Order, Pledge led by C. Geddes and Invocation given by C. Ellison
2. Approval of Meeting's Agenda
3. Public Comment: Time has been set aside for the public to express their ideas, concerns, and comments (comments limited to 3 minutes per person with a total of 30 minutes for this item)

CONSENT AGENDA (Consent items are only those which require no further discussion or are routine in nature. All items on the Consent Agenda are adopted by a single motion)

4. Approval of the minutes from the January 9, 2024 City Council meeting
5. Approval of Resolution No. 02-06-2024A, appointments to the Planning Commission
6. Approval of Resolution No. 02-06-2024B, appointments to the Family Festival Citizens Advisory Committee

CITY REPORTS AND BUSINESS

7. Mayor and Council, City Manager and Staff

SCHEDULED ITEMS & PUBLIC HEARINGS

8. Public Hearing on the issuance of Utility Revenue Bonds to finance the City's Culinary Water and Pressurized Irrigation System Project
9. Motion to go into Closed Session Pursuant to Utah State Code 52-4-205(1)(c) to discuss pending or reasonably imminent litigation.

* * * CLOSED SESSION * * *

10. Motion to Adjourn Closed Session and Reconvene Council Meeting
11. Review/Action on approval of the settlement agreement with Flowtech P.C.S., LLC
12. Review/Action and Public Hearing on a Resolution adopting Fiscal Year 2024 Budget Amendments
13. Review/Action on an Ordinance amending City Code Title 7 Chapter 5 related to Cross Connection Control
14. Review/Action and Public Hearing on a Resolution amending the Official Fees, Bonds and Fines Schedule for the City of Cedar Hills
15. Review/Action on an Ordinance amending Title 2 Chapter 3 related to Youth City Council Advisors
16. Review/Action on beginning of durability bond for Starbucks Coffeehouse, Cedar Hills Gateway Subdivision Lot 2
17. Review Action on a Resolution adopting an amendment to the American Fork Public Safety agreement
18. Discussion on Fiscal Year 2025 Budget

ADJOURNMENT

19. Adjourn

Posted this 2nd day of February, 2024

/s/ Colleen A. Mulvey, City Recorder

- Supporting documentation for this agenda is posted on the city website at www.cedarhills.org.
- In accordance with the Americans with Disabilities Act, the City of Cedar Hills will make reasonable accommodations to participate in the meeting. Requests for assistance can be made by contacting the City Recorder at 801-785-9668 at least 48 hours in advance of the meeting.
- A Closed Session may be called to order pursuant to Utah State Code 52-4-204 & 52-4-205.
- The order of agenda items may change to accommodate the needs of the City Council, the staff, and the public.
- This meeting may be held electronically to permit one or more of the council members or staff to participate.



PUBLIC MEETING AND PUBLIC HEARING ETIQUETTE

Please remember all public meetings and public hearings are recorded

- All comments **must** be recognized by the Chairperson and addressed through the microphone.
- Please do not approach the Council/Commission dais without permission from the Chairperson.
- When speaking to the Council / Planning Commission, please stand, speak slowly and clearly into the microphone, and state your name and address for the recorded record.
- Be respectful to others and refrain from disruptions during the meeting. Please refrain from conversation with others in the audience as the microphones are very sensitive and can pick up whispers in the back of the room.
- Keep comments constructive and not disruptive.
- Avoid verbal approval or dissatisfaction of the ongoing discussion (i.e., booing or applauding).
- Exhibits (photos, petitions, etc.) given to the City become the property of the City.
- Please silence all cellular phones, electronic devices or other noise making devices.
- Be considerate of others who wish to speak by limiting your comments to a reasonable length and avoiding repetition of what has already been said. Individuals may be limited to three minutes and group representatives may be limited to five minutes.
- Refrain from congregating near the doors or in the area outside the council room to talk as it can be very noisy and disruptive. If you must carry on conversation in this area, please be as quiet as possible. (The doors must remain open during a public meeting/hearing.)

Public Hearing v. Public Meeting:

If the agenda item is a **public hearing**, the public may participate during that time and may present opinions and evidence for the issue for which the hearing is being held. In a public hearing there may be some restrictions on participation such as time limits.

Anyone can observe a **public meeting**, but there is no right to speak or be heard there - the public participates in presenting opinions and evidence at the pleasure of the body conducting the meeting.

RESOLUTION NO. 02-06-2024A

**A RESOLUTION GRANTING ADVICE AND CONSENT OF THE CITY COUNCIL
FOR THE APPOINTMENT OF MEMBERS TO THE PLANNING COMMISSION OF CEDAR HILLS**

WHEREAS, the Mayor has the responsibility and authority pursuant to Title 9 Chapter 1 Article B of the Code of Ordinances of Cedar Hills to appoint individuals to various boards and commissions; and

WHEREAS, the Mayor has reappointed Jeff Dodge, Tyler Dahl, Donald Dolenc, and Steven Thomas to serve as regular members of the Planning Commission for a term as specified below; and

WHEREAS, the Mayor has appointed Troy Newbold to serve as an alternate member of the Planning Commission for a term as specified below; and

WHEREAS, the City Council has the responsibility pursuant to Title 9 Chapter 1 Article B of the Code of Ordinances of Cedar Hills to give advice and consent on all appointments to City boards and commissions; and

WHEREAS, the City Council has met in regular session to consider these appointments.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Cedar Hills that it gives its advice and consent to the appointment of individuals to the Planning Commission for terms as specified. Said terms shall be as follows:

Members shall be as follows:

NAME	DATE TERM BEGINS	DATE TERM ENDS
Jeff Dodge	February 6, 2024	December 31, 2026
Steven Thomas	February 6, 2024	December 31, 2026
Tyler Dahl	February 6, 2024	December 31, 2026
Donald Dolenc	February 6, 2024	December 31, 2025
Bari Cruze (Alternate)	February 6, 2024	December 31, 2024

PASSED AND APPROVED this 6th day of February, 2024.

CITY OF CEDAR HILLS COUNCIL

By: _____
Denise Andersen, Mayor

VOTING:

Laura Ellison	Yes	No	Absent
Mike Geddes	Yes	No	Absent
Alexandra McEwen	Yes	No	Absent
Bob Morgan	Yes	No	Absent
Kelly Smith	Yes	No	Absent

ATTEST:

Colleen A. Mulvey, MMC
City Recorder

DEPOSITED in the office of the City Recorder this 7th day of February, 2024.

RESOLUTION NO. 02-06-2024B

A RESOLUTION MAKING ASSIGNMENTS TO MEMBERS OF THE CITY COUNCIL, STAFF, AND RESIDENTS OF THE CITY OF CEDAR HILLS, UTAH, TO CERTAIN BOARDS, COMMITTEES, AND ENTITIES.

WHEREAS, the Mayor of the City of Cedar Hills, Utah, desires to make assignments to members of the City Council, staff, and residents to certain boards, committees, and entities; and

WHEREAS, The City Council of the City of Cedar Hills has determined that it would be in the best interest of the community to have councilmember, staff, and resident participation on certain boards, committees, and entities;

NOW THEREFORE, the City Council of the City of Cedar Hills, Utah, resolves to consent and approve the Mayor’s assignment of Ashlee Newbold to the Family Festival Citizens Advisory Committee.

PASSED AND APPROVED this 6th day of February, 2024.

CITY OF CEDAR HILLS COUNCIL

By: _____
Denise Andersen, Mayor

VOTING:

Laura Ellison	Yes	No	Absent
Mike Geddes	Yes	No	Absent
Alexandra McEwen	Yes	No	Absent
Bob Morgan	Yes	No	Absent
Kelly Smith	Yes	No	Absent

ATTEST:

Colleen A. Mulvey, MMC
City Recorder

DEPOSITED in the office of the City Recorder this 7th day of February, 2024.



The City of Cedar Hills

TO:	Mayor and City Council
FROM:	Chandler Goodwin, City Manager
DATE:	February 6, 2024

SUBJECT:	Public Hearing on the issuance of Utility Revenue Bonds to finance the City's Culinary Water and Pressurized Irrigation System Project.
APPLICANT PRESENTATION:	n/a
STAFF PRESENTATION:	Chandler Goodwin, City Manager
BACKGROUND AND FINDINGS:	
<p>The city has been aggressive at paying higher costing bonds off the last several years that were approximately 3%-4% and setting reserves aside for emergencies but was not anticipating the state mandate for secondary meters and Harvey Well pumping reductions to happen during the same fiscal year due to a lower aquifer. As such, in order to preserve some funding for emergency water projects, it is necessary to issue utility revenue bonds for the upsizing of the water main in Cedar Hills Drive. This water main is undersized and does not meet current standards for fire protection. The project will also install additional fire hydrants and replace the aged piping where we see most of the water line breaks in the community. Finally, the project will repave Cedar Hills Drive. The issuance of utility revenue bonds will also allow staff to complete the Harvey Well refurbishment project by getting the necessary pumping, motor, electrical and building portions of the project completed.</p> <p>The public hearing, which has been noticed according to the requirements outlined by the City's financial advisors and State requirements, is meant to give concerned or interested residents the opportunity to voice opposition or support for the proposed bonds.</p>	
PREVIOUS LEGISLATIVE ACTION:	
On January 9, 2024, the City Council approved a resolution notifying the residents of Cedar Hills of the City's intent to issue bonds and begin the process of following the statutory requirement for public notice of the intent to issue bonds.	
FISCAL IMPACT:	
n/a	
SUPPORTING DOCUMENTS:	
n/a	
RECOMMENDATION:	
Staff recommends the City Council listen to any concerns that are shared and seek feedback from either City staff as it relates to the proposed project, or the City's financial advisors as it relates to funding the project.	
MOTION:	
No motion necessary, public hearing only.	
ACTION:	
Laura Ellison:	Yes__ No ___ Abstain __ Absent __
Mike Geddes:	Yes__ No ___ Abstain __ Absent __
Alexandra McEwen:	Yes__ No ___ Abstain __ Absent __
Bob Morgan:	Yes__ No ___ Abstain __ Absent __
Kelly Smith:	Yes__ No ___ Abstain __ Absent __



CITY OF CEDAR HILLS

TO:	Mayor and City Council
FROM:	Chandler Goodwin, City Manger
DATE:	February 6, 2024

City Council Agenda Item

SUBJECT:	Review/Action on approval of the settlement agreement with Flowtech P.C.S., LLC
APPLICANT PRESENTATION:	
STAFF PRESENTATION:	Chandler Goodwin, City Manager
BACKGROUND AND FINDINGS: Per City Council direction, staff has mediated the terms of a settlement agreement with Bill Cox, Flowtech P.C.S., LLC. Staff will present the settlement agreement to the City Council in a closed session and answer any legal questions at that time. The agreement will then be approved in an open meeting.	
PREVIOUS LEGISLATIVE ACTION: n/a	
FISCAL IMPACT: See terms of settlement agreement	
SUPPORTING DOCUMENTS: Settlement agreement will be provided in closed session	
RECOMMENDATION: Approve the terms of the settlement agreement.	
MOTION: To authorize Mayor to sign the settlement agreement with Flowtech P.C.S., LLC.	
ACTION: Motion: Second: Laura Ellison: Yes__ No ___ Abstain __ Absent __ Mike Geddes: Yes__ No ___ Abstain __ Absent __ Alexandra McEwen: Yes__ No ___ Abstain __ Absent __ Bob Morgan: Yes__ No ___ Abstain __ Absent __ Kelly Smith: Yes__ No ___ Abstain __ Absent __	



The City of Cedar Hills

TO:	Mayor and City Council
FROM:	Chandler Goodwin, City Manager
DATE:	2/6/2024

SUBJECT:	Fiscal Year 2023-2024 (July 1, 2023 to June 30, 2024)
APPLICANT PRESENTATION:	n/a
STAFF PRESENTATION:	Charl Louw, Finance Director

BACKGROUND AND FINDINGS:

The City is required to keep expenditures within the fund budget to comply with State requirements. The proposed fiscal year 2023-2024 budget amendments propose changes to the revenues and expenditures based on trends and priorities. The city's staff and governing board have been very careful to maintain service levels while keeping total general fund expenditures lower than other Utah cities with similar populations and number of households.

American Fork public safety was anticipating moving out of Cedar Hills fire station July 1, 2023, but the actual date was October 18, 2023. The increased lease cost was prorated and will result in some savings in the current year contract.

The new short course revenues are currently \$20,000 higher than the initial budget, it expected that the short course will bring in twice as much revenue as the old driving range.

The golf course hired a contractor to replace a failing pump approximately a year ago. That work was improperly performed, and the city had to get those funds paid returned. The city also had to hire a different contractor to replace three pumps that were at the end of their life span.

The golf course currently has 78 golf cars on a five-year lease. The lease ends February 2025 but due to the increased volume of play the golf cars are showing significant wear and tear. They have substantial repairs that need to be made, or the golf cars need to be replaced for patrons to have positive, safe experience using them.

The Harvey Well housing, piping, electrical, chlorination, and exterior requires updates so that it can provide culinary water that is compliant with current water and building requirements. While the Harvey well deepening project was scheduled, a large tree fell on the roof last winter and broke some trusses. The city previous bid and awarded the installation of a new pump for the well. The other updates needed were bid out during January on the state procurement site. There were several bids, and the city will need to use financing to fund them.

PREVIOUS LEGISLATIVE ACTION:

The city council previously funded golf course pump repairs on July 19, 2022. The city council previously approved financing for the Cedar Hills Drive Water main project and reserves for the Harvey Well updates. The city will need to use some financing to fund the Harvey Well updates, because the bid costs proposed were higher than the engineer firm and staff's estimates.

FISCAL IMPACT:

The supporting documentation of the proposed fiscal 2023-2024 budget amendments is attached showing changes to each line item proposed.

The General fund fire services costs is reduced by \$17,000 to reflect the actual moving date of the

American Fork fire department of October 18th vs the initial plan of July 1st.
 The Golf fund short course revenue is trending more than \$40,000 more than the original budget.
 The Golf fund is anticipating \$75,000 in payments from the initial pump contractor. The multiple pumps installed by the second contractor cost \$90,834. Golf fund capital outlay needs an additional \$51,000 to pay for the pump installation and a grinder that was delivered later than expected. The original budget was \$70,000 for capital outlay, but there was a reel grinder from the previous year's budget for \$29,765 that arrived in July instead of the previous fiscal year.
 The golf course can either spend approximately \$51,000 in materials plus labor repairing the 78 golf cars, or trade-in the golf cars. The cost of comprehensive repairs is close to the cost of starting a lease one season earlier without the benefit of new golf cars for patrons. It is estimated the increased leased costs would be \$5k a month going forward. Depending on the vendor chosen the GPS on the old carts will be reused on the new carts or the remaining lease will be paid off, which is \$2.4k a month through June 2026.
 The Water and Sewer fund has two significant projects it needs to finance, because the higher than anticipated cost for electrical work on the Harvey Well. The bid proposals for the Harvey Well house updates will need approximately \$1.2 million in utility revenue bond financing. Any engineering support or change orders will be financed with fund reserves. Zion's bank finance does not anticipate a culinary water fee increase will be needed based on current financial trends. The debt service coverage requirements will be monitored to make sure the city maintains compliance.

SUPPORTING DOCUMENTS:

See attached budget amendments.

RECOMMENDATION:

Staff recommends the City Council review the submitted resolution and supporting documentation with the intent of a motion.

MOTION:

To approve/no approve Resolution No.____, a resolution adopting the July 1, 2023-June 30, 2024, fiscal year budget amendments for the City of Cedar Hills, Utah.

ACTION:

Motion:

Second:

Laura Ellison: Yes__ No ___ Abstain __ Absent __

Mike Geddes: Yes__ No ___ Abstain __ Absent __

Alexandra McEwen: Yes__ No ___ Abstain __ Absent __

Bob Morgan: Yes__ No ___ Abstain __ Absent __

Kelly Smith: Yes__ No ___ Abstain __ Absent __

BUDGET AMENDMENTS - FY 2024

General Fund

Public Safety contract adjustment because the fire station was vacated 10/18 instead of July 1
 10-40-250 Fire Services \$ (17,000.00)

Decrease in Expenditures 809,794.00
 Estimated fund revenues over expenditures with adjustment 792,794.00

Golf Fund

Short Course revenues, golf pumps, grinder, golf cart repair or replacement update, and the related settlement. Golf staff estimate cart repairs are \$51,000 for material costs plus labor. Trading in the golf cars early is similar in cost as the repairs, but the course gets the benefit of new golf cars earlier.

20-30-300 Short Course \$ (40,000.00)
 20-30-800 Other income \$ (75,000.00)
 20-60-900 Golf cart repairs \$ 51,000.00
 20-80-250 Golf cart rental \$ 15,000.00
 20-95-202 Capital outlay \$ 51,000.00

(35,000.00)
 -
 11,000.00
 110,185.00
 70,000.00

Class C Roads Fund

None

Capital Projects

None

Water & Sewer Fund

Harvey Well rebuild piping system, electrical systems, strusses/roofing, and architectural cladding.
 Installing double door install, emergency shower system, chlorination system, generator at Heritage park
 51-10140 Building--well housing & treatment of water \$ 1,200,000.00
 51-39-902 Financing--2024 Utility revenue bonds \$ (1,200,000.00)

-

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR HILLS, UTAH, ADOPTING THE AMENDED 2024 FISCAL YEAR BUDGET FOR THE CITY OF CEDAR HILLS, UTAH.

WHEREAS, City of Cedar Hills (the “City”) adopted its Fiscal Year 2024 Budget on or about June 13, 2023; and

WHEREAS, the City Manager submitted to the City Council proposed amendments to the Fiscal Year 2024 General Fund, Golf Fund, and Water and Sewer Fund; and

WHEREAS, the City Council of the City, pursuant to published notice, has conducted a public hearing during a regular meeting of the city council on or about February 6, 2024 to discuss the proposed amendments; and

WHEREAS, residents and other members of the community were given an opportunity to present testimony regarding the proposed amendments.

NOW, THEREFORE, be it resolved by the City Council of the City of Cedar Hills, Utah:

Pursuant to §10-6-118, Utah Code, the Amended 2023-2024 Fiscal Year Budget for the General Fund, Golf Fund, and Water and Sewer Fund for the City of Cedar Hills, Utah, is hereby adopted. A copy of said budget amendments is attached hereto (Attachment A), and by this reference made part of this Resolution.

PASSED AND APPROVED this 6th day of February, 2024.

CITY OF CEDAR HILLS COUNCIL

By: _____
Denise Andersen, Mayor

VOTING:

Laura Ellison	Yes	No	Absent
Mike Geddes	Yes	No	Absent
Alexandra McEwen	Yes	No	Absent
Bob Morgan	Yes	No	Absent
Kelly Smith	Yes	No	Absent

ATTEST:

Colleen A. Mulvey, MMC
City Recorder

Deposited in the office of the City Recorder this 7th day of January, 2024.



The City of Cedar Hills

TO:	Mayor and City Council
FROM:	Kevin Anderson, Public Works Director
DATE:	2/6/2024

SUBJECT:	Cross Connection Control Code Amendment
APPLICANT PRESENTATION:	None
STAFF PRESENTATION:	Chandler Goodwin, City Manager
BACKGROUND AND FINDINGS: <p>The following attachments contain proposed changes to Title 7, Chapter 5, Cross Connection Control. The main purpose for the change to code is to maintain alignment with current Utah State code requirements related to cross connection control. The removal of language would prohibit “grandfathered” non complaint backflow prevention devices and require compliant installations to be made. The additional language will add a monetary fine for illegal or non-approved backflow assemblies.</p> <p>A cross connection is defined in code as: Any physical connection or arrangement of piping or fixtures that may allow non-potable water or industrial fluids or other material of questionable quality to come into contact with potable water inside a water distribution system. This would include temporary conditions, such as swing connections, removable sections, four-way plug valves, spools, dummy sections of pipe, swivel or changeover devices or sliding multiport tubes or other plumbing arrangements.</p> <p>The importance in controlling cross connections is to maintain a safe water supply and prevent connections that might cause contaminants to get into the City’s culinary water supply. Public Works staff is trained annually, and a Public Works employee, TJ Aston, is certified in cross-connection control. Whenever cross-connections are found staff will always seek to remedy the situation as quickly as possible.</p>	
PREVIOUS LEGISLATIVE ACTION:	N/A
FISCAL IMPACT:	N/A
SUPPORTING DOCUMENTS:	Copy of proposed amendments to Title 7, Chapter 5, Cross Connection Control
RECOMMENDATION:	Staff recommends the City Council review the proposed changes to Title 7, Chapter 5, Cross Connection Control with the intent of a motion.
MOTION:	To approve/not approve Ordinance No. _____, an ordinance amending City Code Title 7 Chapter 5 related to Cross Connections Control.
ACTION:	Motion: Second:

Laura Ellison:	Yes__	No __	Abstain __	Absent __
Mike Geddes:	Yes__	No __	Abstain __	Absent __
Alexandra McEwen:	Yes__	No __	Abstain __	Absent __
Bob Morgan:	Yes__	No __	Abstain __	Absent __
Kelly Smith:	Yes__	No __	Abstain __	Absent __

7-5-1: PURPOSE:

The purpose of this chapter is to:

A. Protect the public drinking water supply of the city from the possibility of contamination or pollution by requiring compliance with the Utah sState rRules for Ppublic dDrinking wWater Ssystems and the Plumbing Code as adopted by the State of Utah, and the adopted codes that require a cross connection control protection of all public drinking water systems in the sState of Utah. Compliance with these minimum safety codes will be considered reasonable diligence for the prevention of contaminants or pollutants that could backflow into the public drinking water system; and (Ord. 6-17-2003B, 6-17-2003; amd. 2004 Code)

B. Promote the reasonable elimination or control of cross connections in the plumbing fixtures and industrial piping system(s) of the consumer, as required by the state and plumbing regulations to assure water system safety; and

C. Provide for the administration of a continuing program of backflow prevention thatwhich will systematically examine risk and effectively prevent the contamination or pollution of the drinking water system. (Ord. 6-17-2003B, 6-17-2003)

7-5-2: DEFINITIONS:

The following words and phrases used in this chapter shall have the following meaning unless a different meaning clearly appears from the context:

APPROVED BACKFLOW ASSEMBLY: An assembly accepted by the Utah state department of environmental quality, division of drinking water, as meeting an applicable specification or as suitable for the proposed use.

AUXILIARY WATER SUPPLY: Any water supply on or available to the premises other than the purveyor's public water supply will be considered as an auxiliary water supply. These auxiliary waters may include water from another purveyor's public potable water supply or any natural source, such as a well, spring, river, stream, etc., or "used waters" or "industrial fluids". These waters may be contaminated or polluted or they may be objectionable and constitute an unacceptable water source over which the public works director does not have authority for sanitary control.

BACK PRESSURE: The flow of water or other liquids, mixtures or substances from a region of high pressure to a region of low pressure into the water distribution pipes of a potable water supply system from any source other than the intended source.

BACK SIPHONAGE: The flow of water or other liquids, mixtures or substances under vacuum conditions into the distribution pipes of a potable water supply system from any source other than the intended source, caused by the reduction of pressure in the potable water system.

BACKFLOW: The reversal of the normal flow of water caused by either back pressure or back siphonage.

BACKFLOW PREVENTION ASSEMBLY: An assembly or means designated to prevent backflow. Specifications for backflow prevention assemblies are contained within the

adopted codes, and in the cross connection control program for Utah maintained by the division of drinking water.

CONTAMINATION: A degradation of the quality of the potable water supply by sewage, industrial fluids or waste liquids, compounds or other materials that may create a health hazard.

CROSS CONNECTION: Any physical connection or arrangement of piping or fixtures that may allow nonpotable water or industrial fluids or other material of questionable quality to come into contact with potable water inside a water distribution system. This would include temporary conditions, such as swing connections, removable sections, four-way plug valves, spools, dummy sections of pipe, swivel or changeover devices or sliding multiport tubes or other plumbing arrangements.

CROSS CONNECTION, CONTAINED: The installation of an approved backflow assembly at the water service connection to any customer's premises where it is physically and economically infeasible to find and permanently eliminate or control all actual or potential cross connections within the customer's water distribution system; or, it shall mean the installation of an approved backflow prevention assembly on the service line leading to and supplying a portion of a customer's water system where there are actual or potential cross connections that cannot be effectively eliminated or controlled at the point of the cross connection (isolation).

CROSS CONNECTION, CONTROLLED: A connection between a potable water system and a nonpotable water system with an approved backflow prevention assembly properly installed and maintained so that it will continuously afford the protection commensurate with the degree of hazard.

PUBLIC WORKS DIRECTOR: The person designated to be in charge of the water department of the city, is vested with the authority and responsibility for the implementation of an effective cross connection control program and for the enforcement of the provisions of this chapter. (Ord. 6-17-2003B, 6-17-2003)

7-5-3: RESPONSIBILITY:

A. Public Works Director:

1. The city shall be responsible for the protection of the drinking water distribution system from the foreseeable conditions leading to the possible contamination or pollution of the drinking water system due to the backflow of contaminants or pollutants into the drinking water supply.

2. Drinking water system surveys/inspections of the consumer's water distribution system(s) shall be conducted or caused to be conducted by individuals deemed qualified by and representing by the Ceity. Survey records shall indicate compliance with the State of Utah state-regulations. All such records will be maintained by the city.

3. The city shall schedule and notify in writing all consumers with an approved backflow prevention assembly-of the need for the periodic system survey to ensure insure compliance with existing applicable minimum health and safety standards.

4. Selection of an approved backflow prevention assembly for containment control required at the service entrance shall be determined from the results of the system survey. (Ord. 5-5-2009A, 5-5-2009)

B. Consumer:

1. To comply with this chapter as a term and condition of water supply and consumer's acceptance of service is admittance of his/her awareness of his/her responsibilities as a water system user.

2. It shall be the responsibility of the consumer to purchase, install and arrange testing and maintenance of any backflow prevention device/assembly required to comply with this chapter. Failure to comply with this chapter shall constitute grounds for discontinuation of service.

C. Chief Building Official:

1. The chief building official's responsibility to enforce the applicable sections of the plumbing code begins at the point of service (downstream or consumer side of the meter) and continues throughout the length of the consumer's water system.

2. The chief building official will review all plans to ensure that unprotected cross connections are not an integral part of the consumer's water system. If a cross connection cannot be eliminated, it must be protected by the installation of an air gap or an approved backflow prevention device/assembly, in accordance with the adopted codes.Plumbing Code as adopted by the State of Utah

D. Certified Backflow Technician, Public Works Technician Or Repair Person:

1. Whether employed by the consumer or a utility to survey, test, repair or maintain backflow prevention assemblies, the Ccertified bBackflow Ttechnician, Ppublic Wworks Ttechnician, or repair person will have the following responsibilities:

1a. IEnsuring that acceptable testing equipment and procedures are used for testing, repairing or overhauling backflow prevention assemblies.

b2. Making reports of such testing and/or repairs to the consumer and the public works director on forms approved for such use by the public works director within time frames as described by the division-of-drinking-water.Division of Drinking Water.

c3. Including the list of materials or replacement parts being used on-in the reports.

4. Ensuring that replacement parts are equal in quality to parts originally supplied by the manufacturer of the assembly being repaired.

5. Not changing the design, material or operational characteristics of the assembly during testing, repair or maintenance.

6. Performing all tests of the mechanical devices/assemblies, and shall be responsible for the competence and accuracy of all tests and reports.

7. Ensuring that his/her license is current, the testing equipment being used is acceptable to the ~~state~~ State of Utah, and is in proper operating condition.

8. Being equipped with, and competent to use, all necessary tools, gauges, test tags, and other equipment necessary to properly test, and maintain backflow prevention assemblies.

9. Tagging each double check valve, pressure vacuum breaker, reduced pressure backflow assembly and high hazard air gap, showing the serial number, date tested and by whom. The certified technician's license number must also be on the tag.

E. Repair Of Backflow Assemblies: In the case of a consumer requiring an assembly to be tested, any currently certified backflow technician is authorized to make the test and report the results to the consumer and the public works director. If any commercially tested assembly is in need of repair, the construction trade license act, Utah Code Annotated section 58-55-301, requires a licensed plumber to make actual repairs on any assembly within a building. (Ord. 6-17-2003B, 6-17-2003)

7-5-4: REQUIREMENTS:

A. Policy:

1. No water service connection to any premises shall be installed or maintained by the public works director unless the water supply is protected as required by state laws, regulations, codes and this chapter. Service of water to a consumer found to be in violation of this chapter shall be discontinued by the public works director after due process of written notification of violation and an appropriate time suspense for voluntary compliance, if:

a. A backflow prevention assembly required by this chapter for the control of backflow and cross connections is not installed, tested, and maintained, or

b. ~~If~~ it is found that a backflow prevention assembly has been removed or bypassed, or

c. If an unprotected cross connection exists on the premises, or

d. If the periodic system survey has not been conducted.

e. Service will not be restored until such conditions or defects are corrected.

2. The customer's system(s) shall be open for inspection at all reasonable times to authorized representatives of the public works director to determine whether cross connections or other structural or sanitary hazards, including violation of this chapter, exist and to audit the results of the required survey (Utah administrative code section ~~8309-102-5~~ R309.105.12)

3. Whenever the public works director deems a service connection's water usage contributes a sufficient hazard to the water supply, an approved backflow prevention assembly shall be installed on the service line of the identified consumer's water system, at or near the property line or immediately inside the building being served; but, in all cases, before the first branch line leading off the service line.

4. The type of protective assembly required under subsection A3 of this section, shall depend upon the degree of hazard that exists at the point of cross connection (whether direct or indirect), applicable to local and state requirements or resulting from the required survey.

~~5. All presently installed backflow prevention assemblies that do not meet the requirements of this chapter but were approved assemblies for the purposes described herein at the time of installation and that have been properly maintained shall, except for the inspection and maintenance requirements under subsection A6 of this section, be excluded from the requirements of these rules so long as the public works director is assured that they will satisfactorily protect the public water system. Whenever the existing assembly is moved from the present location or, requires more than minimum maintenance or, when the public works director finds that the operation of this assembly constitutes a hazard to health, the unit shall be replaced by an approved backflow prevention assembly meeting all local and state requirements.~~

6. It shall be the responsibility of the consumer at any premises where backflow prevention assemblies are installed to have certified surveys/inspections, and operational tests made at least once per year at the consumer's expense. In those instances where the public works director deems the hazard to be great, he may require certified surveys/inspections and tests at a more frequent interval. It shall be the duty of the public works director to see that these tests are made according to the standards set forth by the ~~state department of environmental quality~~ State Department of Environmental Quality, Division of Drinking Water, ~~division of drinking water~~.

7. All backflow prevention assemblies shall be tested within ten (10) working days of initial installation.

8. No backflow prevention assemblies shall be installed so as to create a safety hazard. Example: Installed over an electrical panel, steam pipes, boilers or ceiling level. (Ord. 6-17-2003B, 6-17-2003)

9. Backflow prevention assemblies shall not constitute separation of an auxiliary water supply including secondary irrigation water to the public culinary water system or consumer culinary water service lateral and shall thus not be permitted or installed for such purpose. (Ord. 5-5-2009A, 5-5-2009)

B. Violations: If violations of this chapter exist or if there has not been any corrective action taken by the consumer within ten (10) days of the written notification of the deficiencies noted with the survey or test results, then the public works director shall deny or immediately discontinue service to the premises by providing a physical break in the service line until the customer has corrected the condition in conformance with all state and local regulations and statutes relating to plumbing, safe drinking water suppliers and this chapter. (Ord. 6-17-2003B, 6-17-2003)

C. Penalties: Under the authority provided in the Utah Code, the municipality declares that any person violating the provisions of this chapter may be assessed a fine of up to five hundred dollars (\$500.00) per day for each day of violation. Each day

of violation shall constitute a separate violation. In addition, a \$50 water turn off fee and \$50 water restoration fee will be assessed.

A. Measuring Civil Penalties: In assessing a civil penalty, the city public works department may consider:

1. The harm done to the public health or the environment;
2. Whether the civil penalty imposed will be a substantial economic deterrent to the illegal activity;
3. The economic benefit gained by the violator;
4. The amount of effort put forth by the violator to remedy this violation;
5. Any unusual or extraordinary enforcement costs incurred by the municipality;
6. The amount of penalty established by ordinance or resolution for specific categories of violations; and
7. Any equities of the situation which outweigh the benefits of imposing any penalty or damage assessment.

B. Recovery Of Damages And Costs: In addition to the civil penalty in subsection A above, the municipality may recover:

1. All damages proximately caused by the violator to the municipality, which may include any reasonable expenses incurred in investigating violations of, and enforcing compliance with, this chapter; or any other actual damages caused by the violation.
2. The costs of the municipality's maintenance of storm water facilities when the user of such facilities fails to maintain them as required by this chapter.

C. Other Remedies: The municipality may bring legal action to enjoin the continuing violation of this chapter; and the existence of any other remedy, at law or equity, shall be no defense to any such actions. In addition to the penalties established in this chapter, the city may refuse to renew business licenses or other permits while such a violation continues.

D. Remedies Cumulative: The remedies set forth in this section shall be cumulative, not exclusive, and it shall not be a defense to any action, civil or criminal, that one or more of the remedies set forth herein has been sought or granted. (Ord. 02-16-2021A, 2-16-2021)

APPEALS:

Pursuant to Utah Code Annotated, title 10, chapter 9a, any person aggrieved by the imposition of a civil penalty or damage assessment as provided by this chapter, may appeal said penalty or damage assessment to the municipality's governing body, as provided by the ordinances of the City of Cedar Hills. (Ord. 02-16-2021A, 2-16-2021)



The City of Cedar Hills

TO:	Mayor and City Council
FROM:	Chandler Goodwin, City Manager
DATE:	February 6, 2024

SUBJECT:	Review/Action and public hearing on a Resolution adopting changes to the Cedar Hills Fee Schedule.
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Chandler Goodwin, City Manager
BACKGROUND AND FINDINGS:	
<p>Staff is proposing the following fee schedule addition to be in line with the amended Cross Connection Code (Title 7 Chapter 5):</p> <p>Cross Connection Violation – Up to \$500 per day – plus a \$50 water turn off fee and a \$50 water restoration fee</p>	
PREVIOUS LEGISLATIVE ACTION:	
N/A	
FISCAL IMPACT:	
SUPPORTING DOCUMENTS:	
Updated Fee Schedule.	
RECOMMENDATION:	
Staff recommends the City Council review the submitted fee schedule amendment with the intent of a motion.	
MOTION:	
To approve/not approve Resolution No. _____, a resolution adding, amending, or deleting certain fees to the official, fees, bonds and fines schedule of the City of Cedar Hills, Utah.	
ACTION:	
Motion:	
Second:	
Laura Ellison:	Yes__ No ___ Abstain __ Absent __
Mike Geddes:	Yes__ No ___ Abstain __ Absent __
Alexandra McEwen:	Yes__ No ___ Abstain __ Absent __
Bob Morgan:	Yes__ No ___ Abstain __ Absent __
Kelly Smith:	Yes__ No ___ Abstain __ Absent __

Penalty Fees/Fines	Fees, Bonds, and Fines	Amount	When Collected	Enabling Legislation (if applicable)
<p>Penalty Fees/Fines Reset Water Meter Utility Disconnection</p> <p>1st Offense 2nd Offense 3rd Offense + each offense thereafter</p>	<p>\$1,000.00 \$50.00 \$75.00 \$100.00</p>	<p>Prior to Reset Prior to Reconnect Prior to Reconnect Prior to Reconnect</p>	<p>Resolution 4-17-2007B Resolution 4-17-2007B Resolution 4-17-2007B</p>	
<p>Water Meter Obstruction Water Meter Tampering Storm Water Violation</p>	<p>Up to \$500 \$50.00 Up to \$500</p>	<p>Per Day Per Occurrence Per Day</p>	<p>Resolution 08-15-2023A Resolution 08-15-2023A Resolution 10-17-2023A</p>	
<p>Cross Connection Violation</p>	<p>Up to \$500 per day plus a \$50 water turn off fee and a \$50 water restoration fee</p>			
<p>Landscape Installation Fine</p> <p>Offenses 1-12 Offenses 13 +</p>	<p>\$50.00 \$100.00</p>	<p>Per Month Per Month after 12 Months</p>	<p>Resolution 9-5-2006A</p>	
<p>Motor Vehicle Trespass</p> <p>1st Offense 2nd Offense 3rd Offense + each offense thereafter</p>	<p>\$50.00 \$250.00 \$750.00 \$35.00</p>	<p>Per Occurrence Monthly</p>	<p>Resolution 12-12-2007B Resolution 8-19-2008A Resolution 1-4-2011A</p>	
<p>Special Events Special Event Permit Additional Fees</p> <p>Certificate of Insurance</p>	<p>1.25% of balance</p> <p>\$100.00 Per Direct Costs Per Direct Costs Per Direct Costs \$500,000.00 \$1,000,000.00 \$1,000,000.00</p>	<p>Per Application Per Event Per Event Per Event Per Event Per Event Per Event</p>	<p>Resolution 8-25-2009A Resolution 8-25-2009A Resolution 8-25-2009A Resolution 8-25-2009A Resolution 06-14-2022D Resolution 06-14-2022D Resolution 06-14-2022D</p>	



The City of Cedar Hills

TO:	Mayor and City Council
FROM:	Chandler Goodwin, City Manager
DATE:	February 6, 2024

SUBJECT:	Review/Action on Amending Cedar Hills City Code, Title 2, Chapter 3, Related to the Youth City Council
APPLICANT PRESENTATION:	n/a
STAFF PRESENTATION:	Chandler Goodwin, City Manager

BACKGROUND AND FINDINGS:

The proposed change to City Code Title 2, Section 3, Chapter 2 related to YCC appointments is proposed to be changed to read as follows:

F. Youth City Council Advisor: The mayor, with the advice and consent of the City Council, shall appoint adult residents of Cedar Hills to serve as advisors to the YCC. Each YCC Advisor shall serve for a period of two (2) years, upon which they may be re-appointed. YCC Advisors may be appointed from members of the City Council.

The change would remove the limit of two advisors, and not set a cap on the number of advisors that may be appointed to serve with the YCC.

A second change to the YCC Code would read as follows: 2-3-2 (A)

A. Minimum Requirements: YCC members must be fourteen (14) to eighteen (18) years old, residents of the city and maintain a 2.0 grade point average. YCC members seeking appointment to the various offices shall not hold the same leadership position two years in a row. YCC members seeking to serve as either the Mayor or the Mayor Pro Temp shall have served at least one year previously on the YCC and be in their senior year of high school. If no qualified individual seeks appointment, a junior may be appointed. An individual may only serve as YCC mayor for one year. The appointment to secretary, treasurer, and publicity may be made by any YCC member regardless of years of service or age.

PREVIOUS LEGISLATIVE ACTION:

City Council last amended YCC code on October 17, 2023.

FISCAL IMPACT:

n/a

SUPPORTING DOCUMENTS:

See proposed code as part of this memo.

RECOMMENDATION:

Staff recommends the City Council review the proposed changes and make any necessary amendments.

MOTION:

To approve / not approve Ordinance No. _____, an ordinance amending Title 2, Chapter 3 of the Cedar Hills City Code, pertaining to the Youth City Council Advisory Committee {SUBJECT TO THE FOLLOWING AMENDMENTS}.

ACTION:

Motion:

Second:

Laura Ellison: Yes__ No ___ Abstain __ Absent __

Mike Geddes: Yes__ No ___ Abstain __ Absent __

Alexandra McEwen: Yes__ No ___ Abstain __ Absent __

Bob Morgan: Yes__ No ___ Abstain __ Absent __

Kelly Smith: Yes__ No ___ Abstain __ Absent __



The City of Cedar Hills

TO:	Mayor and City Council
FROM:	Chandler Goodwin, City Manager
DATE:	February 6, 2024

SUBJECT:	Review/Action on approval of a durability bond for Starbucks Coffeehouse
APPLICANT PRESENTATION:	n/a
STAFF PRESENTATION:	Chandler Goodwin, City Manager
BACKGROUND AND FINDINGS: The Starbucks Coffeehouse building has completed construction and has been inspected for compliance with City standards. As such, all of the newly installed public improvements will go into a one-year durability period, valued at 10% of the cost of the public improvements to ensure the quality of the construction.	
PREVIOUS LEGISLATIVE ACTION: n/a	
FISCAL IMPACT: n/a	
SUPPORTING DOCUMENTS: n/a	
RECOMMENDATION: Staff recommends that the City Council accept the durability bond for Starbucks Coffeehouse and enter into a one-year durability period.	
MOTION: To approve/not approve the acceptance of a durability bond for the Starbucks Coffeehouse, valued at 10% of the value of the newly installed public improvements for the period of one year. {LIST ANY ADDITIONAL CONDITIONS OF APPROVAL}	
ACTION: Motion: Second: Laura Ellison: Yes__ No ___ Abstain __ Absent __ Mike Geddes: Yes__ No ___ Abstain __ Absent __ Alexandra McEwen: Yes__ No ___ Abstain __ Absent __ Bob Morgan: Yes__ No ___ Abstain __ Absent __ Kelly Smith: Yes__ No ___ Abstain __ Absent __	



The City of Cedar Hills

TO:	Mayor and City Council
FROM:	Chandler Goodwin, City Manager
DATE:	February 6, 2024

SUBJECT:	Review/Action on a resolution adopting an amendment to the American Fork Public Safety Agreement
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Chandler Goodwin, City Manager
BACKGROUND AND FINDINGS:	
<p>Staff has worked with American Fork’s administration and legal team to draft an addendum to the existing public safety agreement that expands and strengthens the agreements liability provisions. While not retroactive, the addendum would remain in effect past the termination of the agreement itself, thereby adding a layer of liability protection for Cedar Hills and American Fork. The agreement stipulates that both American Fork and Cedar Hills are responsible for the actions of their own agents and not for the other party.</p>	
PREVIOUS LEGISLATIVE ACTION:	
Current agreement was entered into in 2019	
FISCAL IMPACT:	
N/A	
SUPPORTING DOCUMENTS:	
Addendum to the American Fork Public Safety Agreement	
RECOMMENDATION:	
To approve the resolution adopting the addendum	
MOTION:	
To approve/not approve Resolution _____, a resolution amending the agreement with American Fork City regarding public safety services, subject to the following changes: {LIST ANY CHANGES NECESSARY FOR ADOPTION, UNDERSTANDING THAT AMERICAN FORK WOULD NEED TO AGREE TO THOSE CHANGES AS WELL}	
ACTION:	
Motion:	
Second:	
Laura Ellison:	Yes__ No __ Abstain __ Absent __
Mike Geddes:	Yes__ No __ Abstain __ Absent __
Alexandra McEwen:	Yes__ No __ Abstain __ Absent __
Bob Morgan:	Yes__ No __ Abstain __ Absent __
Kelly Smith:	Yes__ No __ Abstain __ Absent __

PUBLIC SAFETY SERVICE AGREEMENT AMENDMENT

This Amendment to the Public Safety Service Agreement (“Amendment”) between American Fork City, a Utah Municipal Corporation (“American Fork”) and the City of Cedar Hills, a Utah Municipal Corporation (“Cedar Hills”), is made this ____ day of December, 2023, by and between American Fork and Cedar Hills.

RECITALS

WHEREAS, American Fork and Cedar Hills having previously executed a Public Safety Service Agreement (“PS Agreement”) (attached hereto as Exhibit 1), related to American Fork providing public safety, police, fire and EMS services to Cedar Hills;

WHEREAS, the American Fork and Cedar Hills have agreed to make certain modifications to the PS Agreement to clarify American Fork’s indemnification obligations to Cedar Hills;

NOW THEREFORE, in consideration of the mutual promises contained herein and for other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, effective upon execution, the parties agree as follows:

AMENDMENT TERMS

1. Release of Liability. Section 7 of the PS Agreement shall hereby read:

Release of Liability and Indemnification. Neither party hereto shall be liable for any damages proximately resulting from the negligence or wrongful acts or omissions of the other party or the other party’s employees or agents in the performance of this Agreement. Further, to the fullest extent permitted by law, American Fork agrees to defend, indemnify and hold harmless Cedar Hills, and its employees, officials and agents from and against all claims, actions, damages losses and expenses, including reasonable attorney fees and costs, arising out of the American Fork’s negligence or American Fork’s performance of the PS Agreement, including in carrying out its public safety obligations. American Fork agrees this indemnity obligation shall survive the completion or termination of this Agreement..

Cedar Hills agrees to defend, indemnify and hold harmless American Fork, and its employees, officials and agents, for any claims related to the interpretation of or challenges to the validity of Cedar Hill’s ordinances, or negligence of Cedar Hills, its employees, officials and agents acting separately or independently from American Fork in its performance of the PS Agreement. Cedar Hills agrees this indemnity obligation shall survive the completion or termination of this Agreement.

2. Counterparts; Facsimile Execution. This Amendment may be executed in any number of counterparts, each of which, when so executed, shall be deemed an original, but all of which shall constitute but one and the same instrument. Delivery of an executed

counterpart of this Amendment by facsimile or in portable document format (PDF) shall be equally as effective as delivery of a manually executed counterpart of this Amendment. Any party delivering an executed counterpart of this Amendment by facsimile or in portable document format shall also deliver a manually executed counterpart of this Amendment, but the failure to deliver a manually executed counterpart shall not affect the validity, enforceability, or binding effect of this Amendment.

3. Authority. Each Party warrants that the individual signing this Amendment on its behalf has the authority to do so and to bind the respective Party.
4. No Admission. Neither the fact nor the terms of this Amendment shall be construed as any kind of admission by either Party regarding the existing PS Agreement. Neither the fact nor the terms of this Amendment shall be admissible in current or past claims.

WHEREFORE, American Fork and Cedar Hills voluntarily enter into this Amendment, as evidenced by affixing their respective signatures below:

AMERICAN FORK

CEDAR HILLS

By:
Its: Mayor

By:
Its: Mayor

Dated: _____

Dated: _____

Attest:

Attest:

City Recorder

City Recorder



The City of Cedar Hills

TO:	Mayor and City Council
FROM:	Chandler Goodwin, City Manager
DATE:	February 6, 2024

SUBJECT:	Discussion on City Hills Budget for FY25
APPLICANT PRESENTATION:	N/A
STAFF PRESENTATION:	Chandler Goodwin, City Manager; Charl Louw, Finance Director
BACKGROUND AND FINDINGS:	
<p>Staff will continue the FY2025 budget discussion that was part of the City Council Meetings on December 5, 2023, and January 9, 2024. Items that will be discussed are as follows:</p> <ul style="list-style-type: none"> -General Fund Revenues -Sales tax updates -Financial trends updates -Employee wages and benefits placeholders/allocations -City Council budget expenses -Events as part of golf fund proposal -Parks and tree maintenance -Community services fund review -Funding public safety <p>Staff would ask that the City Council come prepared to discuss their priorities and goals for the community so that as budget discussions progress these priorities can be allocated for as necessary. Staff will prepare a presentation that will be shared with the City Council prior to the scheduled meeting.</p>	
PREVIOUS LEGISLATIVE ACTION:	
N/A	
FISCAL IMPACT:	
N/A	
SUPPORTING DOCUMENTS:	
Staff will provide any supporting documents to the City Council as part of the budget presentation.	
RECOMMENDATION:	
N/A	
MOTION:	
No motion necessary, discussion item only.	
ACTION:	
Laura Ellison:	Yes__ No ___ Abstain __ Absent __
Mike Geddes:	Yes__ No ___ Abstain __ Absent __
Alexandra McEwen:	Yes__ No ___ Abstain __ Absent __
Bob Morgan:	Yes__ No ___ Abstain __ Absent __
Kelly Smith:	Yes__ No ___ Abstain __ Absent __