

City of La Verkin

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www.laverkin.org

La Verkin City Council Work Meeting Minutes

Wednesday, July 21, 2021, 5:00 p.m.

Council Chambers, 111 S. Main, La Verkin, Utah

Present: Mayor Richard Hirschi, Council Members: Kelly Wilson, Patricia Wise, and Ray Justice; Staff: Christy Ballard, Derek Imlay, Kevin Bennett, and Kyle Gubler, Public: John Valenti and Blair Gubler.

Councilmen Micah Gubler and Chuck Hardy were excused.

A. Called to Order-Mayor Hirschi called the meeting to order at 5:17 pm

Derek passed out a copy of his presentation.

The Washington County Water Conservancy District is discussing all these items so the Council will be addressing them at some point.

1. Water Conservation Stages

See Exhibit A.

This is for culinary water only because that is all the District is discussing. Only a couple of communities in Washington County have secondary water.

Derek reported the first three months of 2021 water usage was consistent with the same months from 2020. April-June the water usage increased by 15%. There are several things to consider regarding the increase. The drought, 40-50 additional homes and all 10 of our water meters are rented.

The City is also having Sunrise Engineering prepare a study regarding home occupation, specifically short-term rentals to possibly increase the water rate for those.

Derek is confident with moving into stage 1 but is fearful of declaring a stage 2. We will also start dropping in usage in the next month.

Councilman Wilson asked how the springs are holding up and pointed out we need to be careful not to conserve too much or we will lose the water.

Derek said the District sent divers down to clean out the roots and tree branches and to drill additional perforated holes so the springs are collecting more water.

Councilman Wilson said he was good with moving to stage 1 but not stage 2 and pointed out the communities in Washington County that use culinary water to water the yard should worry more about this.

Derek reported a lot of the smaller communities feel like they are implementing things to try to conserve water, but the larger communities aren't. This along with the possible landscaping ordinance are a huge source of contention. This needs to be on a future agenda meeting for action. The Council also needs to determine how to get the information out to the public when something is decided.

Derek brought up the surcharge the District is discussing which will increase the surcharge on citizens and making the cities monitor and enforce it for 5% of that charge.

Councilman Wilson asked how the City could put a surcharge on its citizens and then give that money all to the District?

Derek said the 2019 Regional Water agreement states all of the water piped through the District's pipes, which is all water, falls under the \$.10 increase and the surcharge, regardless of water rights.

Kyle pointed out that means the District is charging us an additional fee on our own water.

The 5% we receive for administrative is not enough to cover all the headache, it needs to be a higher percentage.

Councilman Wilson said the increase is fine for water the District controls but not for water the City controls.

2. Washington County Water Conservancy District \$.10-per 1,000-gallon water rate increase

See Exhibit A.

Derek explained the District had been charging the City the old agreement rate. That has been corrected so the City is going to be charged the additional fee for water from the upper tank. This is going to change our base rate and the overage amount.

The upper tank primarily covers the northeast side of town but there are times it goes to the entire City. He thinks the increase needs to be passed on to everyone.

The City is \$.60 behind so the Council needs to decide if they want to increase \$.60 at the first or just begin charging the \$.10 and absorb the \$.60 we are behind.

The City has 4.25 million gallons per month from the upper tank but we exceed that amount on a regular basis.

Kyle mentioned the upper tank is only a portion of the water used by the City so do we need to increase the full \$.60 or could we increase it by 20%?

Councilwoman Wise pointed out the spring water could go away at any time, especially with no snowpack. She thinks the charge needs to be for the entire city and to start with \$.60.

There was a discussion on how much and when to pass this increase on to the citizens.

Councilman Wilson asked if the water La Verkin City doesn't use goes downstream.

Derek responded that it does, and that is another sore spot. There is a definite division between the east side of the County and the west side.

Kyle pointed out if La Verkin conserves water and our building slows down so the west side of the County can use that conserved water and their building continues, it just makes the rich richer and the poor poorer.

Councilman Wilson stated St. George, Washington and Ivins need to be the ones conserving water. La Verkin can implement stage 1 and make our citizens aware of it but he is not willing to fine someone so those communities can have more water.

Derek said that is the big worry with the conservation ordinance the District is trying to have all of the communities pass. He has been concerned that the District knows we will be in water trouble within the next 5-7 years and all of the communities have the same agreement with them and should be treated the same. He thinks all the cities should have access to a percentage of the water instead of it being first come first served like it is right now. Unless we have developers right now, the water is all going to go to the west side of the County.

Councilwoman Wise said she saw that attitude during the District's luncheon for the Councilmembers. There was a conversation about development in different communities, and she mentioned La Verkin isn't ready to develop the east bench yet but when they are it's important our water is still available to us. Everyone was in favor of that until Zach Renstrom mentioned xeriscaping and it shifted. People in St. George would rather be in a severe drought than give up their green lawns.

3. Water overage surcharge

This will be discussed in a future meeting.

Derek explained the District tabled this item but it will be back. They want it online by January.

It will charge residents an additional \$1.00 per thousand gallons used over a set amount based on meter size. That money goes to the District while the City oversees enforcing and monitoring it.

Kevin said the news talks about St. George residents being paid to convert from grass to xeriscape and this surcharge is how they plan to pay for that.

4. Water conservation ordinance

This will be discussed at a future meeting.

The ordinance will impact everyone, businesses and residential.

Councilwoman Wise pointed out Phoenix has been living like this for years because they are a very arid climate and so are we. The only reason we have green is because we use river water. To compromise on landscaping is not that big of a thing.

If a surcharge is a way to get people's attention, maybe, but the money shouldn't all go to the Water Conservancy District. The amount of money they will be paying out for people to change to xeriscape will not come close to the amount of money they will be collecting.

Councilman Wilson stated this is our water and if there is going to be a surcharge the money should go to the City.

Blair commented that the City has a certain amount of water and if that doesn't get used it does go to the reservoir. The District then sells it as culinary water or to someone else.

There should be an agreement between the District and La Verkin City that if we conserve water then they can pay us to use that water until we need it.

Kyle mentioned if the surplus water California uses from the Colorado River ever goes away there will be a fight. It's hard to take back something they have been using for so long.

Derek suggested the Councilmembers read through his information and the 2000 and 2019 agreements with the Washington County Water Conservancy District.

B. Adjourn:

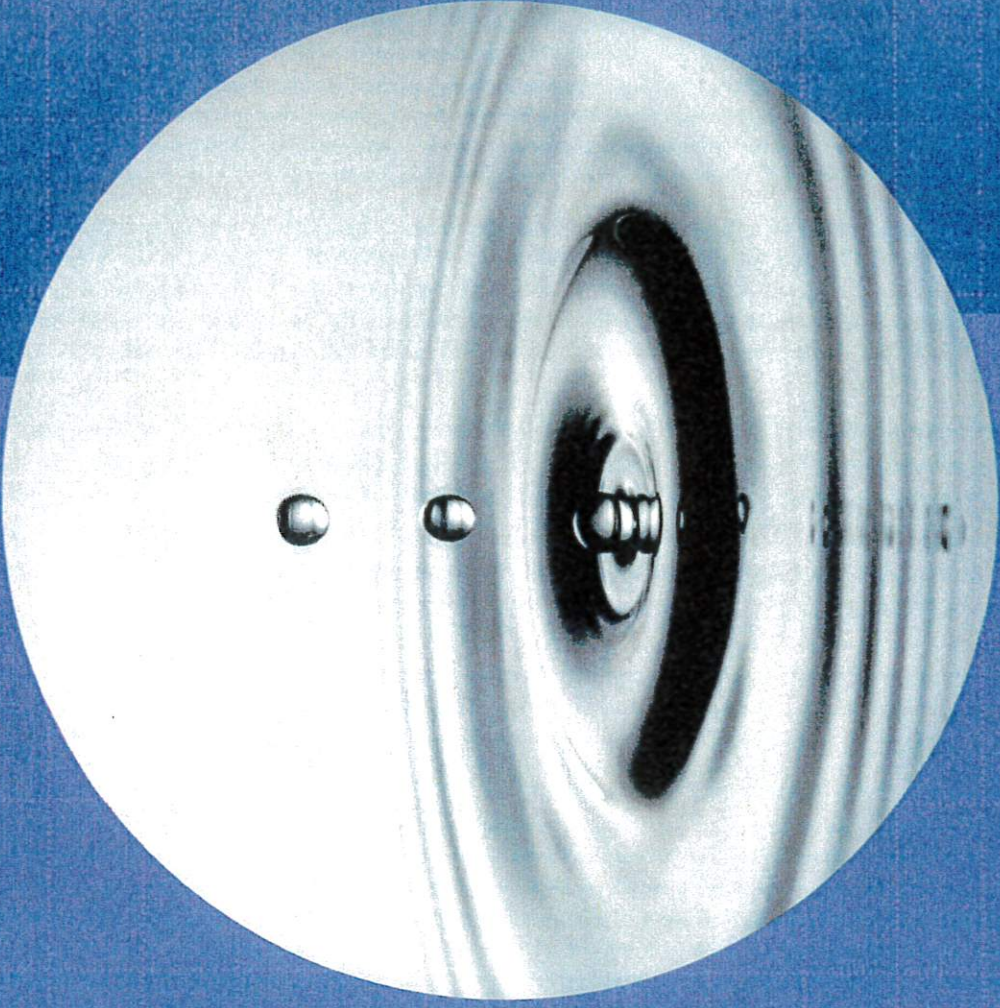
The meeting adjourned at 5:57 pm.

August 18, 2021
Date Approved

ATTEST: Christy Ballard
Christy Ballard
City Recorder

Richard M. Hirschi
Mayor Richard M. Hirschi

Water Stages



Handwritten text: A 10/10/10

Stage # 1

- *Voluntary Restrictions* On Nonessential Water Use
- *Reduction Goal:* Ten Percent (10%) Of Peak Use
- Water Between The Hours Of Eight o' clock (8:00) P.M. And Eight o' Clock (8:00) A.M.

This watering schedule shortens the watering time by 4 hours compared to the time-of-day water ordinance which allows you to water from (6:00) p.m. to (10:00) a.m.

Inside use

- Fix dripping and leaking faucets and toilets
- Do not let the water run while shaving.
- Do not flush the toilet unnecessarily
- Take shorter showers or fill bathtub only part way
- Consider installing low flow showerheads
- Do not run water while brushing teeth
- Do not run the tap to make the water hot or cold
- Wash only full loads of dishes and laundry
- Consider replacing any appliance that utilizes water with a low flow type appliance if such appliance is not already low flow
- Reduce or eliminate the use of the garbage disposal.
- Wash fruits and vegetables in a basin instead of under running water.
- Adjust temperatures in buildings with water cooled air conditioners to require less water.

Stage #1

Outside use

- Reduce the use of culinary water for irrigation.
- Raise your lawn mower cutting height.
- Delay planting any new grass, sod, or other new landscaping.
- Do not fill swimming pools.
- Use a hose with a shutoff nozzle.
- Sweep sidewalks and steps rather than hosing.
- Aerate turf areas.
- Apply only the amount required for good plant health.
- Monitor soil moisture to determine if watering is needed.
- Avoid watering on windy days or midday.
- Keep fire hydrants closed.
- Repair leaks in the hose, pipes, faucets, and connections
- Limit operations of nonrecycling fountains

Stage # 2

- **Mandatory Restrictions** on Nonessential Water Use:
- **Reduction Goal:** Fifteen (15) to twenty percent (20%) of peak use.
- Large irrigators using culinary water, including, but not limited to, city parks and schools shall reduce irrigation by twenty five percent (25%)

Water between the hours of eight o'clock (8:00) P.M. and eight o'clock (8:00) A.M.

- Washing streets, driveways, or other paved areas is prohibited.
- Noncommercial car washing requires using a hose with an automatic shutoff nozzle.
- Filling of private swimming pools or hot tubs is prohibited.
- Culinary water for ornamental fountains, waterfalls, or reflection pools is prohibited.
- Delay planting any new grass or sod.

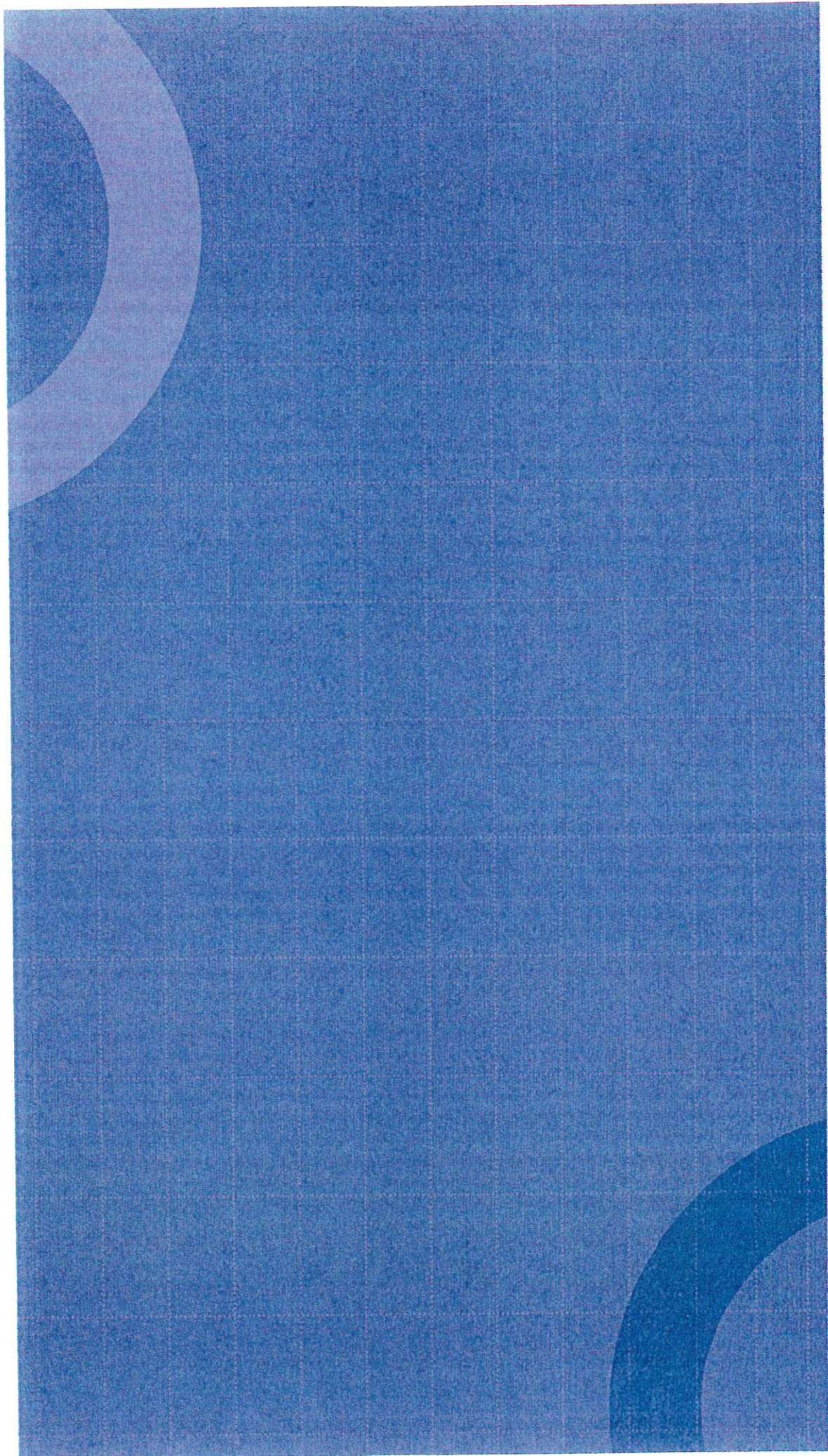
Enforcement And Violation Penalties

• Stage # 1

- ***Violation:*** Notice of violation with request for greater attention to water usage reduction.

Stage # 2

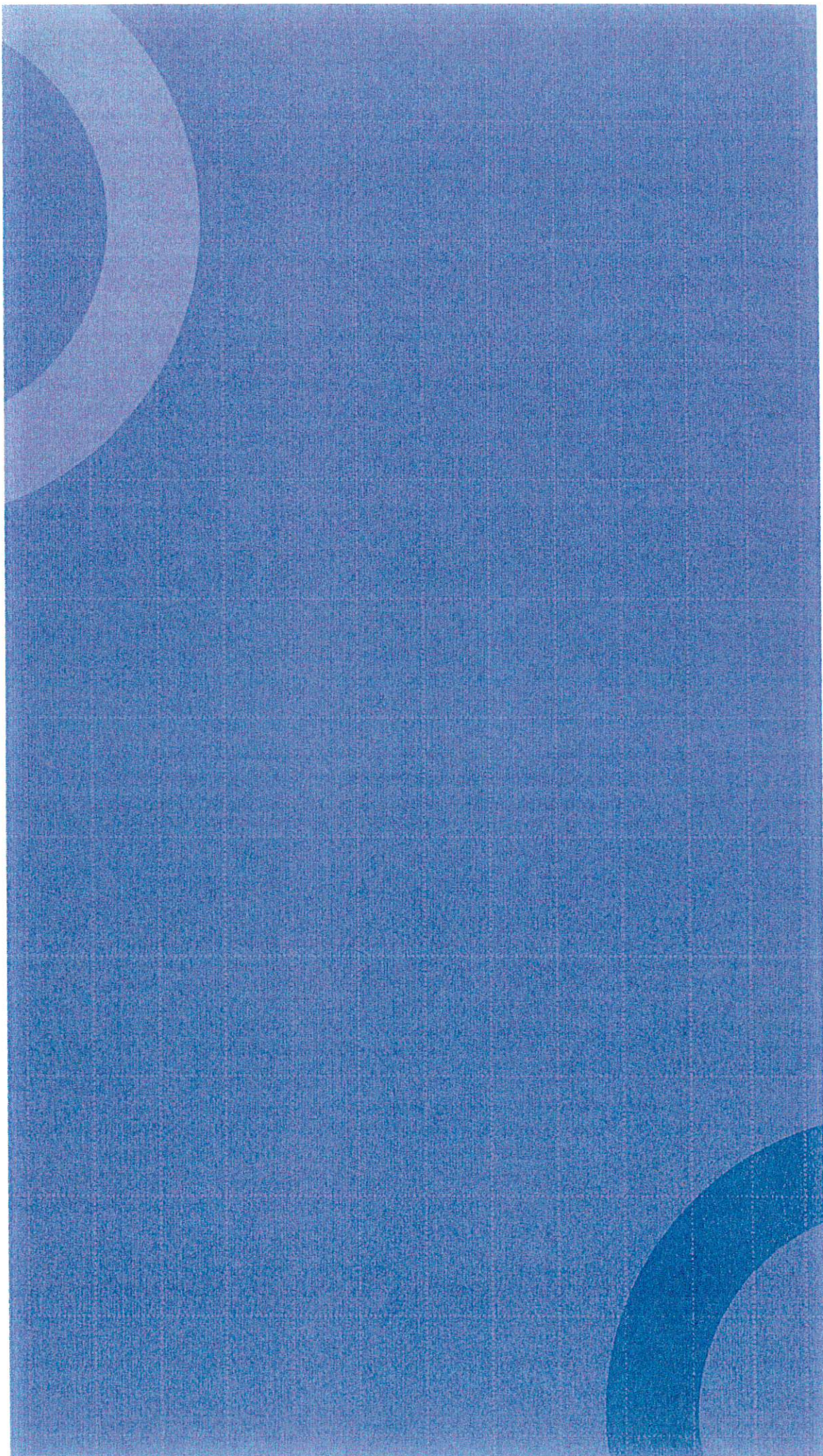
- ***First violation:*** Notice of violation with one billing period from date of notice to cure and reduce water usage
- ***Second violation:*** Fine of Twenty – five dollars (\$25.00)
- ***Third violation:*** Fine of fifty dollars (50.00)
- ***Fourth violation:*** Fine of one hundred dollars (\$100)

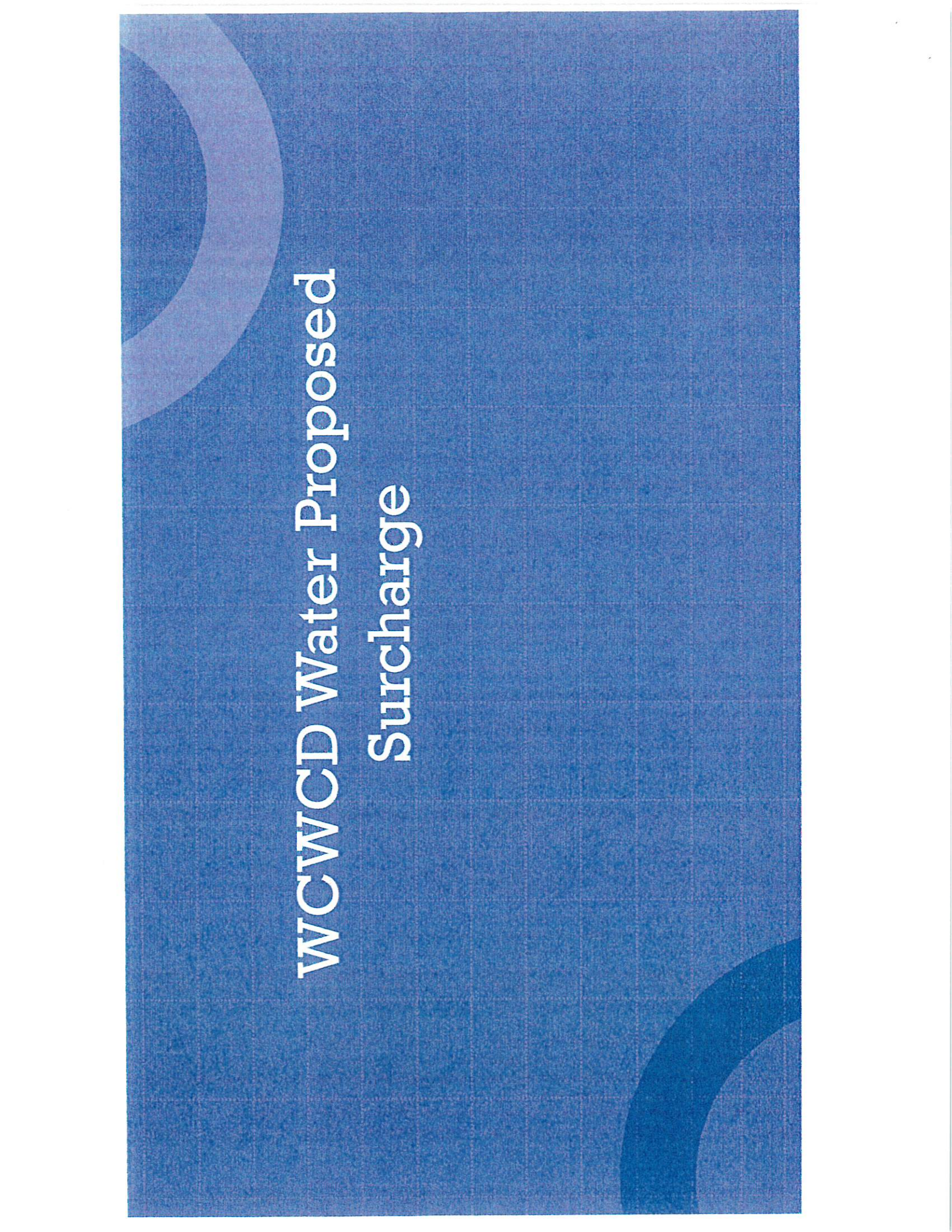


**WCWCD
YEARLY TEN (.10) CENT RATE INCREASE**

WCWCD .10 cents yearly water rate increase That started in 2016 and will continue until they achieve \$3 per thousand

- This rate increase started taking place in 2016 and is anticipated to go for 10 years or 2026.
- As of this year, there as been a total increase of .60.
- LaVerkin was not affected until the new Regional Water Supply Agreement was changed January 1st, 2019.
 - ✓ Do we start now with the 2021 .10 cent increase or?
 - In talking with Hurricane they have just barely adopted the .10 cent yearly increase to take effect the same time the District dose. Hurricane is not going back to 2016 rate increase. They are starting now at .10 cents and going forward.
 - ✓ Do we make it retroactive to 2016? At .60 cents?





WCWCD Water Proposed Surcharge

Section 1. Base Surcharge

- Municipal customers will continue to pay a water development surcharge of a \$1.75

Section 2. Excessive Water Use Surcharge

- In addition to the base surcharge, for each issued meter, municipal customers will pay an (Excessive water surcharge) in the amount of 1.00 for each 1,000 gallons of water used that exceeds the designated monthly demand threshold for volume of water per meter size.
 - ¾ inch meter 36,000 gallons per month.
 - 1" meter 80,000 gallons per month.
 - 1.5" meter 260,000 gallons per month.
 - 2" meter 420,000 gallons per month.

Section 3. Billing Labeling

- This increase to the water development surcharge stipulates that the municipality may elect to absorb the cost or pass it on to the individual retail customer.

Section 4. Administrative Fee

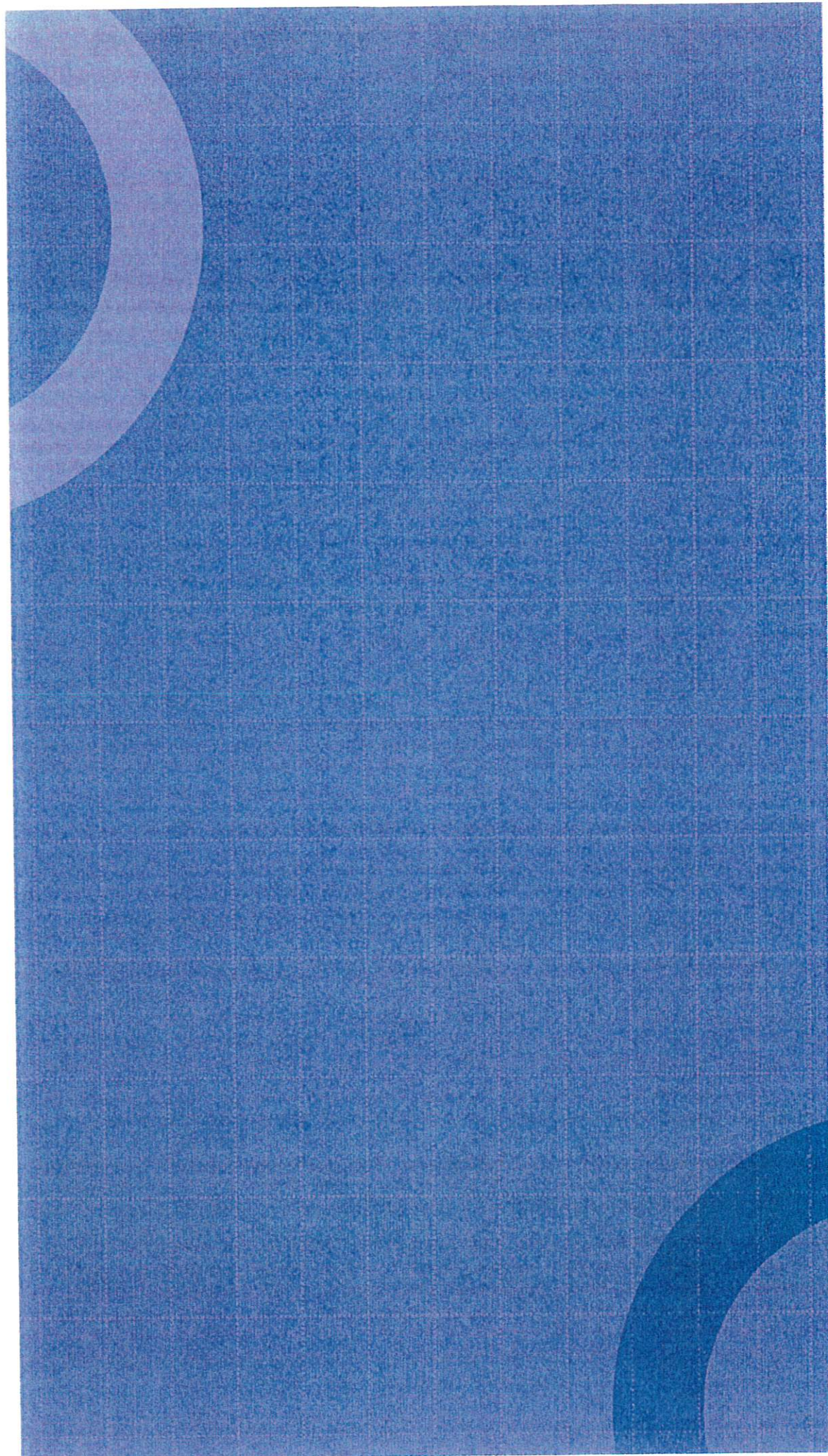
- To help cover administrative cost of collecting the excessive water use surcharge, municipal customers may retain from the proceeds of the excessive water use surcharge up to 5% administrative fee before remitting the proceeds to the district.

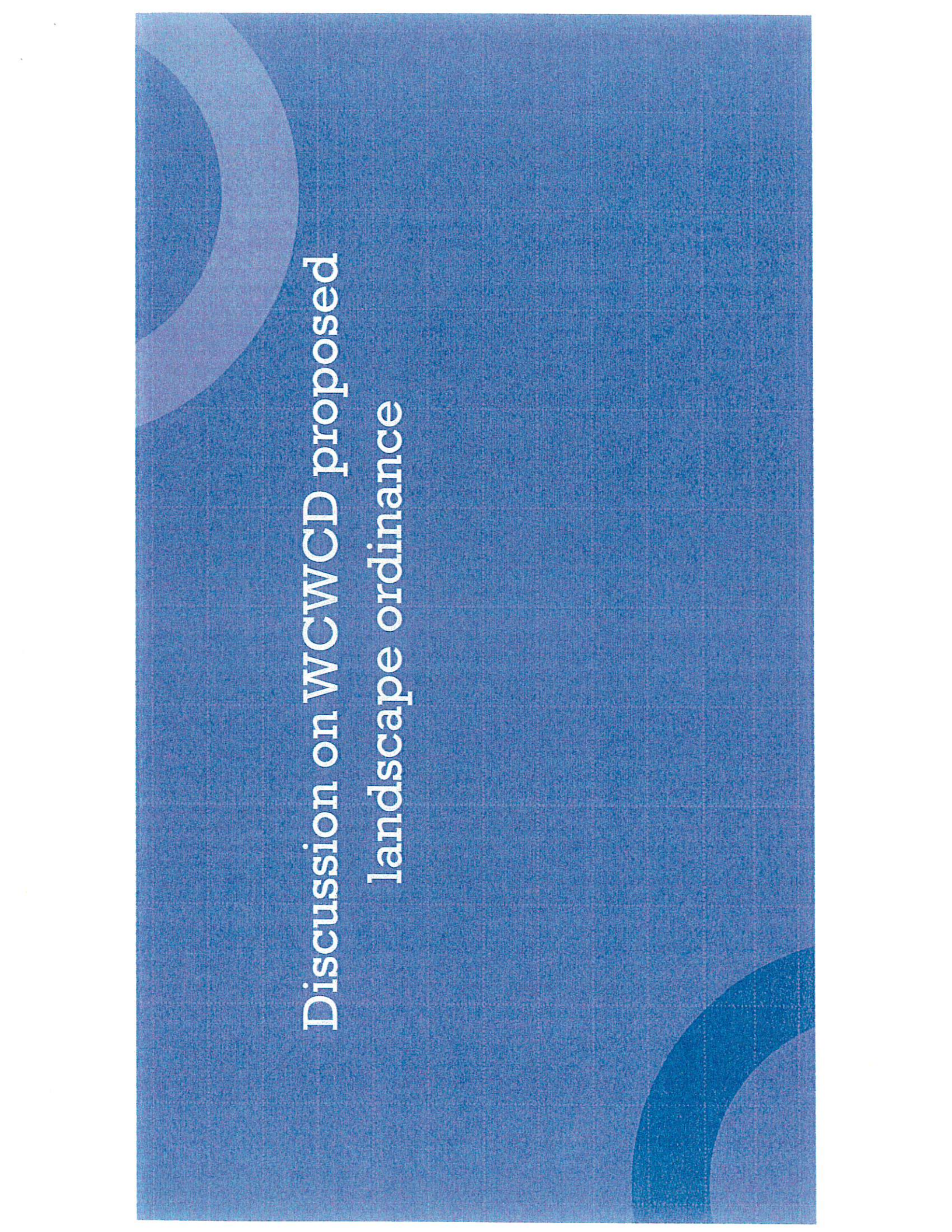
Section 5. Leak Rate

- If a municipal customer offers a leak rate program to its retail customers when a leak is suspected, the municipal customer may reduce the excessive water use surcharge in the same manner it reduces the regular billing.

Section 6. Commercial, Industrial, and Institutional Water Users

- Where these users may incur excessive water use surcharges because they are using more water than their monthly threshold. They may be permitted to upsize their meters to increase their designated monthly threshold, provided they pay the district the impact fee associated with upsizing the meter. Municipal customers are responsible for insuring that the impact fee is paid prior to upsizing a meter or adjusting the excessive water use surcharge.





Discussion on WCWCD proposed landscape ordinance

◦ Required in all subdivision going forward?

- ✓ Put on the Mylar of the subdivision so that between the developer and the recorded mylar the homeowner would be more aware.
- ✓ WCWCD landscaping ordinance

◦ *Section 6 Applicability of Water Efficient Landscape Ordinance*

- ✓ The provisions of this ordinance shall apply to all new and rehabilitated landscaping for public agency projects, private development projects, developer-installed landscaping in multi-family and single-family residential projects, and homeowner provided landscape improvements within the front, side, and rear yards of single and two-family dwellings.
- ✓ If a high-water use landscape (e.g., predominantly turf) has been converted to a lower-water use landscape, the landscape cannot be returned to a high-use landscape.

○ Section 8 Irrigation Design Standards

- ✓ Pressure Regulation. A pressure regulating valve shall be installed and maintained by the consumer if the static service pressure exceeds 80 pounds per square inch (psi). The pressure-regulating valve shall be located between the meter and the first point of water use, or first point of division in the pipe, and shall be set at the manufacturer's recommended pressure for the sprinklers.

○ Section 9 Landscapes in New Single-Family Residential Developments

- ✓ Homebuilders and/or developers subdividing lots and/or constructing new single-family residential homes shall offer a water-efficient landscaping option to prospective home buyers, such as the Locascapes design style. The water-efficient landscaping option shall meet the Landscape Design Standards and Irrigation Design Standard of this ordinance, and the turf area shall not exceed 35 percent of the total landscaped area.

○ Section 10 Prohibition on Restrictive Covenants Requiring Turf

- ✓ Any Homeowners Association governing documents, such as bylaws, operating rules, covenants, conditions, and restrictions that govern the operation of a common interest development, are void and unenforceable if they:

○ Section 11 Landscapes in Commercial, Industrial, and Institutional Developments

- ✓ Commercial, industrial, and institutional landscapes shall meet the Landscape Design Standards and Irrigation Design Standards of this ordinance, and the turf area shall not exceed 20 percent of the total landscaped area, outside of active recreation areas. (City would have to readress it SR9 landscaping ordinance)

