

NOTICE AND AGENDA
SANTA CLARA CITY COUNCIL MEETING
Wednesday, June 22, 2022
Time: 5:00 p.m.

AGENDA

Public Notice is hereby given that the Santa Clara City Council will hold a Regular Meeting in the City Council Chambers, located at 2603 Santa Clara Drive, Santa Clara, Utah on Wednesday June 22, 2022 commencing at 5:00 PM. The meeting will be broadcast via You Tube linked on our website at <https://sccity.org/meetings>.

1. **Call to Order:**

2. **Opening Ceremony:**

- Pledge of Allegiance: Christa Hinton
- Opening Comments: Christa Hinton

3. **Conflicts and Disclosures:**

4. **Working Agenda:**

A. Public Hearing(s) 5:00 p.m.

1. Public Hearing to receive public input regarding amendment to the FY2021-2022 Budget.

B. Consent Agenda:

1. Approval of Claims and Minutes
 - June 8, 2022 Regular City Council Mtg. Minutes
 - Claims through June 22, 2022
2. Calendar of Events
 - July 4, 2022 City Offices Closed
 - July 6, 2022 City Council Work Meeting
 - July 13, 2022 Regular City Council Meeting
 - July 24, 2022 Pioneer Day (Offices Closed Monday July 25th)
 - July 27, 2022 Regular City Council Meeting.

C. General Business:

1. Badge pinning for Fire Department;
Jason Monahan – Fire Captain
Logan Costello – Fire/Paramedic
Ryan Moore – Fire/Paramedic
Dustin Benoit – Fire/Paramedic
2. St.George Regional Hospital update. Stephanie Maloney, Secretary, Communications.
3. Consider an amendment to the FY2021-2022 Budget and approve Ordinance 2022-14.
Presented by Brock Jacobsen, City Manager.

4. Consider approval of the URS Fraud Risk Assessment. Brock Jacobsen, City Manager.

5. **Reports:**

a. Mayor / Council Reports

6. **Executive Session**

7. **Adjournment**

Note: In compliance with the Americans with Disabilities Act, individuals needing special accommodation during this meeting should notify the city no later than 24 hours in advance of the meeting by calling 435-673-6712. In accordance with State Statute and Council Policy, one or more Council Members may be connected via speakerphone or may by two-thirds vote to go into a closed meeting.

Zoom Meeting Participants: Participants on the Zoom call are limited to City Staff, Council Members, and applicants on the agenda. Email calendar invitations will be sent out in advance of the meeting. Instructions for each meeting will include the meeting ID, and password to join. When joining the meeting your screen name must show your full name. Each applicant will be accepted into the meeting when their item is up for discussion. Please contact Chris Shelley at (435)673-6712 Ext. 203 with any questions regarding public meetings. .

The undersigned, duly appointed City Recorder does hereby certify that the above notice and agenda was posted within the Santa Clara City limits on this 16th day of June 2022 at Santa Clara City Hall, on the City Hall Notice Board, at the Santa Clara Post Office, on the Utah State Public Notice Website, and on the City Website at <http://www.sccity.org>. The 2021 meeting schedule was also provided to the Spectrum on January 12, 2022

Chris Shelley – City Recorder

**SANTA CLARA CITY COUNCIL MEETING
WEDNESDAY, JUNE 8, 2022
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Regular Meeting on Wednesday, June 8, 2022 at 5:00 p.m. in the City Council Chambers of the Town Hall at 2603 Santa Clara Drive, Santa Clara, Utah. Notice of the time, place and agenda of the meeting was provided to the Spectrum and to each member of the governing body by emailing a copy of the Notice and Agenda to the Spectrum and also, along with any packet information, to the mayor and each council member, at least two days before the meeting. The meeting will be broadcast via You Tube linked on our website at <https://sccity.org/meetings>.

Present: Mayor Rick Rosenberg
Council Members: Jarett Waite, Ben Shakespeare, Christa Hinton and Leina Mathis
City Recorder: Chris Shelley

Others Present: Scott Bannon, Assistant City Manager; Dustin Mouritsen, Public Works Director; Ryan VonCannon, Parks & Trails Assistant Director; Gary Hall, Power Director; Andrew Parker, Fire Chief; Matt Ence, City Attorney; Jim McNulty, City Planner; Kristelle Hill, Admin. Assistant; Cody Mitchell, Building Official; Debbie Bannon, Finance; Courtney Gubler; LeGrand Hafen; Sean Skanchy, Black Desert Representative, via Zoom

1. **Call to Order:** Mayor Rosenberg called the meeting to order at 5:01 p.m. He welcomed everyone and introduced himself and the City Council. He excused Councilman Drake who is out of town.
2. **Opening Ceremony:**
 - Pledge of Allegiance: Leina Mathis
 - Opening Comments: Leina Mathis
3. **Conflicts and Disclosures:** None.
4. **Working Agenda:**
 - A. **Public Hearing(s):**
 1. Public Hearing to receive public input regarding the Washington County Water Conservancy District's Water Fee increase.
 - Dustin Mouritsen, Public Works Director, stated that he received notice from the Washington County Water Conservancy District (WCWCD) that they are increasing the fee for purchasing wholesale water from the current rate of \$1.44 per 1,000 gallons to the rate of \$1.54 per 1,000 gallons (a \$0.10 increase per 1,000 gallons), effective July 1, 2022. He asked the Council to consider raising Santa Clara's water rate \$0.10 per 1,000 gallons to cover the rate increase from the Conservancy District.

- Ben Shakespeare asked if the WCWCD has discussed future plans or pricing or what we are looking at down the road.
- Mayor Rosenberg said they are going through their Capital Facilities update right now and so we will be getting more information on that. It will be done by the end of the year. He said this increase is part of the planned annual increase that they have had in place for a number of years.
- 5:05 p.m. Public Hearing Opened.
No public comment.
- 5:05 p.m. Public Hearing Closed.

C. General Business:

1. Consider approving the Washington County Water Conservancy Districts Water Fee increase and approve Resolution 2022-04R. Presented by Dustin Mouritsen, Public Works Director.
 - Jarett Waite suggested that when this comes again, should we maybe consider how much water we produce ourselves and not see an increase in costs. We could provide our own water for a big chunk of that.
 - Dustin Mouritsen said he has that figured out. He said that Santa Clara's annual usage is about 821 million gallons. The regional water we use is about 156 million gallons of that. Our own wells produce 568 million and the Snow Canyon Compact is about 97 million. He said that passing this through is going to overcompensate what this increase is. He said that the 821 million gallons at \$0.10 is about \$82,000 and the increase is only about \$15,000 but with the rising cost in labor, pipe and equipment this is a worthwhile pass through.
 - Ben Shakespeare said lots right now are at \$116,000 for cost to develop by the time there is the infrastructure, power, curb, gutter, sidewalks and asphalt. That amount has nearly doubled in twelve months' time.

Motion to Approve the Washington County Water Conservancy Districts Water Fee increase by \$0.10 across the board and approve Resolution 2022-04R as presented.

Motion by Jarett Waite, seconded by Christa Hinton.

Voting Aye: Leina Mathis, Jarett Waite, Christa Hinton and Ben Shakespeare.

Voting Nay: None.

Motion Carried.

A. Public Hearing(s):

2. Public Hearing to receive public input regarding the Regional Wastewater Rate increase.
 - Dustin Mouritsen reminded the Council that this was discussed last week at the City Council Work Meeting. He said that the City of Saint George has a 48" sewer outfall line that needs replaced so they are increasing regional wastewater rates by 10%=\$1.15 per ERC monthly. Effective July 1st 2022. Consider raising our rate to cover the increase. Our current rate is \$23.40 per residential ERC and \$30.00 per commercial ERC. Rate

increase of \$1.15 monthly = \$24.55 per residential ERC and \$31.15 per commercial ERC. Annual increase of \$13.80 per residential and commercial ERC.

- Mayor Rosenberg asked if this was tied to the regional collection system.
- Dustin Mouritsen said yes, this same thing will be going to Ivins City and Washington City who are also on that line.

- 5:10 p.m. Public Hearing Opened.

No public comment.

- 5:10 p.m. Public Hearing Closed.

C. General Business:

2. Consider approving the Regional Wastewater Rate Increase and Resolution 2022-05R. Presented by Dustin Mouritsen, Public Works Director.

- Ben Shakespeare said that with some of our outlying areas they are still on septic. We are building these reuse reservoirs and yet there are still quite a few areas that are septic. Is there plans to get out to them?

- Mayor Rosenberg said there has been some discussion about a separate treatment facility. It is pretty cost prohibitive compared to paying the St. George regional. As the cities expand, a long-range plan is they would like to see everyone tying into the plan because that provides that flow rather than putting it into the ground and it can get treated and get used again. It also can eliminate some groundwater issues. When the County reaches a certain size and certain density, they will start pushing for a sewer district.

- Ben Shakespeare said that everything you can put back in there and reuse seems to make sense.

Motion to Approve the Regional Wastewater Rate Increase at a 10% increase and Resolution 2022-05R as presented.

Motion by Ben Shakespeare, seconded by Leina Mathis.

Voting Aye: Jarett Waite, Leina Mathis, Ben Shakespeare and Christa Hinton.

Voting Nay: None.

Motion Carried.

A. Public Hearing(s):

3. Public Hearing to receive public input regarding the FY 2022-2023 Final Budget.

- Debbie Bannon, Finance Dept., thanked everyone who helped on the budget and particularly Kristelle Hill who did a lot of work. She said the City got the property tax levy/rate and got an increase of \$60,000 but it does decrease our revenue as far as what is covered. This year it will only cover 12% of our revenue. She stated that the General Fund budget is \$9,032,192 which is an increase of 10% from fiscal year 2022. She said that our expenses were higher than the revenue so we will need to put some money into the Fund Balance, about \$614,000 but that will still put us at 27% of the Fund Balance. Special Revenue fund ARPA budget \$498,079 Impact Fee budget is \$796,700 an increase of 25%. The enterprise funds are as follows; Water funds budget is \$2,634,527 an

increase of 15%. Sewer fund budget is \$991,840 an increase of 22%. Electric fund budget is \$6,887,134 an increase of 26%. Storm Water fund budget is \$703,710 an increase of 14%.

- Jarett Waite asked Debbie to review what new staff positions will be part of this budget.
- Debbie Bannon said there are three full-time fire/EMS. We also have \$330,000 from Washington County on a grant so we have budgeted a grant from the County to help with those personnel. We also have an admin staff who will be helping every department and we are combining two part-time positions from the Parks Department and making a full-time position.

- 5:20 p.m. Public Hearing Opened.
No public comment.
- 5:20 p.m. Public Hearing Closed.

C. General Business:

3. Consider approval of the FY 2022-2023 Final Budget and approve Ordinance 2022-12. Presented by Brock Jacobsen, City Manager.
 - Ben Shakespeare said for the record, the Council has looked at this multiple times in other meetings and have spent months on this. It looks good.
 - Mayor Rosenberg said that Debbie Bannon and Brock Jacobsen have done a good job on the budget, and it is well presented.

Motion to Approve the FY 2022-2023 Final Budget and approve Ordinance 2022-12 as presented.

Motion by Leina Mathis, seconded by Christa Hinton.

Voting Aye: Jarett Waite, Ben Shakespeare, Christa Hinton and Leina Mathis.

Voting Nay: None.

Motion Carried.

B. Consent Agenda:

1. Approval of Claims and Minutes
 - May 25, 2022 Regular City Council Meeting Minutes
 - June 1, 2022 City Council Work Meeting Minutes
 - Claims through June 8, 2022
2. Calendar of Events
 - June 22, 2022 Regular City Council Meeting
 - July 4, 2022 Holiday (Offices Closed)
 - July 6, 2022 City Council Work Meeting
 - July 13, 2022 Regular City Council Meeting
 - July 24, 2022 Pioneer Day (Offices Closed Monday, July 25)
 - July 27, 2022 Regular City Council Meeting
3. Set a Public Hearing to amend the FY2021-2022 for June 22, 2022 at 5:00 p.m.

- Christa Hinton said the Council approved a City holiday for June 20 for Juneteenth and asked if the City Offices will be closed.
- Mayor Rosenberg said, yes, it will be closed.

Motion to Approve the Consent Agenda.

Motion by Jarett Waite, seconded by Ben Shakespeare.

- Leina Mathis asked if we needed to make a notation in the approval of the holiday on June 20th.

Amended Motion to Approve the Consent Agenda including June 20, 2022 as a holiday on the Calendar of Events and that the offices will be closed that day.

Motion by Jarett Waite, seconded by Ben Shakespeare.

Voting Aye: Leina Mathis, Jarett Waite, Christa Hinton and Ben Shakespeare.

Voting Nay: None.

Motion Carried.

C. General Business:

4. Consider a proposal Rezoning of property at 3105 Quail Street (Parcel # AC-1322-A) to Rezone property from Historic District/Residential Zone to Historic District/Mixed Use Zone to allow for a future building and business use behind the Santa Clara Merc. approximately 0.45 acres in size and approve Ordinance 2022-13. Applicant, Mandi Gubler. Presented by Jim McNulty, City Planner.

- Jim McNulty said that the owner of the Merc also owns the two pieces to the east on the corner. He said that Mandi Gubler is out of town but Court Gubler, her husband, is here in her behalf. He reported that Mandi Gubler is requesting to rezone her property at 3105 Quail Street (Parcel #SC-1322-A). The subject property is 0.45 acres. The property is currently zoned Historic District Overlay/Residential, and the applicant proposes to rezone it to Historic District Overlay/Mixed Use to allow for a future building and business behind the Santa Clara Merc Building. Currently, the subject property is a vacant parcel of land. This item was discussed by the Heritage Commission on May 5, 2022. The Heritage Commission is in support of the proposed property rezoning. The applicant is currently working on a site plan along with a final building design including colors and materials. Mandi and Court's plan is to build a business in the back of the Merc that would be associated with the Merc facility. He showed the site plan to the City Council. The new building that is proposed is approximately 5,000 sq ft, 3,500 of which would be a warehouse and working area and 1,500 sq ft adjacent to the outdoor planting area would be an atrium area where they would have classes. He said the Planning Commission heard this item on May 26, 2022 in a public hearing and forwarded a positive recommendation to City Council. Prior to that public hearing we did send notices out to property owners within 300 ft of the subject property, and we also posted the property with a sign as per State Code. We didn't receive any responses. We did have a few people come to the Planning Commission meeting and express their thoughts. He said that Luanna Hafen and LeGrand Hafen had some questions or comments about the project. He said the Santa Clara City General Plan indicates a neighborhood

commercial land use for the subject property. The proposed Historic District overlay mixed use zone complies with the intent of the General Plan. The description and character objectives of this land use states the following: “Commercial uses are generally small shops and stores, but some larger facilities, such as grocery stores, will be permitted as long as they front on a pedestrian way. These areas are intended to support residential neighborhood convenience shopping, services, and community facilities, as well as mixed-use multi-family residential and office uses”.

The proposed application includes a future building and business with multiple uses (Mixed-Use). The proposed retail business, offices, and other uses are encouraged in the General Plan. The applicant is in the process of plan development for the site.

The proposed design and materials appear to be in harmony with the existing Mercantile building. Adobe with large windows to draw in natural light, a roof top cornice, and other accents are proposed to match the style of the existing Mercantile Building. The proposed building height is 25 ft. He said that this item tonight is for a rezoning. The Site Plan Review will be scheduled with the Planning Commission and City Council at a later date. He stated again that Mandi has already met with the Heritage Commission and plans to meet with them again soon. He said at this point Staff is recommending approval of the proposed rezoning of this property from Historic District Overlay Residential Zone to the Historic District Overlay Mixed Use Zone subject to the following conditions:

1. That the applicant be required to submit a Site Plan application as per city code, Chapter 17.74, Historic District/Mixed Use Zone.
2. That the applicant be required to go to the Planning Commission and City Council for Site Plan review and approval.

With the following findings:

1. That the Rezoning is compliant with the Santa Clara City General Plan, Section 3.4.1 Mixed-Use Land Uses (Neighborhood Center, NC).
2. That other properties in the immediate vicinity (north and east) of the site are zoned Historic District Overlay/Mixed Use.

He stated that the Johnson property on the corner has that zoning as well as the existing Merc and a number of properties across the street. He said the Staff is comfortable with the rezoning of this property.

- Courtney Gubler, 3937 Santa Clara Drive, said that Mandi wants this building to seamlessly fit into the heritage of Santa Clara. She wants it to feel like it is a 100-year-old building and have that look and feeling that a building like that has. She wants to recreate that. He said they have run this business out of the Granary and were running it for about 6 months out of that building. He said they have hired about 8 Santa Clara youth that are working for them and they were parking on this property. He said there will only be two or three cars there. All their businesses will be able to be contained in the property. He said their business is Happy Happy Houseplant and is an online business. All they do is fulfilling and shipments out of there. The youth will be fulfilling the orders and USPS will be picking them up on a daily basis and freight will be coming in once a month. Right now, they are dropping it off in the middle of Santa Clara and they have to wheel it to the Granary. He said they can do different ideas as far as the freight goes.

- LeGrand Hafen said that if it just a zone change, he is okay with that.

- Ben Shakespeare said this is just a zone change. Everything else will have to come before Planning Commission and the City Council for approval.

- Leina Mathis said she would like to add one condition and that is that it has to go back to the Heritage Commission because they tabled it for review of the buildings and the site plan so it will need to go back to them as well.

Motion to Approve a proposal Rezoning of property at 3105 Quail Street (Parcel # AC-1322-A) to Rezone property from Historic District/Residential Zone to Historic District/Mixed Use Zone to allow for a future building and business use behind the Santa Clara Merc. approximately 0.45 acres in size and approve Ordinance 2022-13 as presented with the 2 conditions recommended by Staff and the added condition by Leina Mathis that they have to go back to the Heritage Commission for approval. Applicant, Mandi Gubler.

Motion by Christa Hinton, seconded by Leina Mathis.

Voting Aye: Leina Mathis, Christa Hinton, Ben Shakespeare and Jarett Waite.

Voting Nay: None.

Motion Carried.

5. Consider a Temporary Maintenance Facility Agreement for Black Desert. Applicant Patrick Manning. Presented by Jim McNulty, City Planner.

- Jim McNulty said that the representative for Patrick Manning, Sean Skanchy, is attending this meeting via Zoom. He said that Black Desert is a large-scale Master Plan community. We have a Master Development agreement that is in place dealing with the future development and build out of Black Desert. He said that recently the applicant, Patrick Manning, came to City Staff requesting approval of a Temporary Maintenance Facility Agreement. This Agreement would allow for a Temporary Use at Black Desert to include two (2) trailers and one (1) metal shed structure located within a fenced area. The proposed location is adjacent to the future extension of Red Mountain Drive just north of Tuacahn Wash. On May 26, 2022, the Planning Commission approved the Temporary Use as per staff direction subject to Council approval of the proposed Agreement. A Temporary Use is allowed for 1 year with up to three 6-month extensions allowed. They don't anticipate they will need all of the allowed time and think it will be only 1 year to 18 months. The actual golf maintenance permanent facility is going to be built in the Ivins part of the project, so this is just a temporary facility. We have conditioned it and recommend that the Council consider approving it as per written. Matt Ence, City Attorney, has worked with their legal counsel to put this agreement together.

- Sean Skanchy, Representative, said this is a short-term facility. They met with the Ivins City TRC about 3 weeks ago concerning the permanent facility. This is just a short-term facility until that one can be built in Ivins.

- Mayor Rosenberg asked when the construction would start on this facility.

- Sean Skanchy said the plans are getting put together right now for the shed. They would like to get the plans submitted and the construction done as soon as possible.

- Mayor Rosenberg asked if there is a restroom facility inside the facility.

- Sean Skanchy said the trailers do have restrooms.

- Mayor Rosenberg asked if they are planning on putting the sewer line in Red Mountain Drive as part of the temporary use.

- Sean Skanchy said they would connect it to a line. He said they will work with their civil engineer. This is part of the agreement is to connect to the sewer line.

- Jim McNulty said they do have to connect to the utilities for sewer, water and power. It

is one of the conditions.

- Mayor Rosenberg said the plans are coming in any day now for review for the sewer but there is no sewer yet.
- Sean Skanchy said they will be putting that in as part of their building as necessary.
- Ben Shakespeare asked about the waterline at the street. Is it currently abandoned?
- Dustin Mouritsen said it went up to those corrals up there, but they may have to upsize it. He said the existing is only 1/4" right now.
- Mayor Rosenberg said they would have to put in the Master Plan line at Red Mountain to get their fire protection as well.
- Dustin Mouritsen said we have never discussed fire protection.
- Ben Shakespeare said that right now it is showing a 2" line.
- Mayor Rosenberg asked Matt Ence if the agreement addresses the public street improvements and access to this site off of Red Mountain. The development agreement with Black Desert required them to bring those street and bridge improvements up to service and maintenance facility.
- Matt Ence said it doesn't add anything to that. Just the requirements of the development agreement would apply.
- Mayor Rosenberg asked Sean if they are proposing to use the existing graveled road that goes up to the gravel pit for the access to this facility.
- Sean Skanchy said that is correct and he said the agreement does say that they will put down some additional aggregate there to prevent dust.
- Mayor Rosenberg asked Chief Parker if this requires fire protection.
- Chief Parker, Fire Chief, said he would have to look at the code on it.
- Mayor Rosenberg said the waterline improvements are included in the Red Mountain improvement plan set that is going in for Regal Homes that is adjacent to this. When that project happens, it will have all the full services. There may be some timing issues to get everything that is needed for this facility ahead of the main road. There is a proposed line that connects Desert Village that comes across right in front of this so if they did need the hydrant, they could put that line in and then bring their fire over and connect it up after the bridge is built in the future. We have some options that Staff can work with them on. He asked what these trailers are going to look like.
- Sean Skanchy said they are going to relocate the two trailers that are in Ivins to this location. They are gray trailers, single-wide.
- Leina Mathis said she had a development agreement question. She asked if this temporary building is going to be in place prior to the opening but are they going to open it and continue to use this temporary facility?
- Sean Skanchy said this temporary facility will be used until the Ivins facility can be completed. It will likely be about a year.
- Leina Mathis asked if the golf course would be opened before then.
- Sean Skanchy said they anticipate opening 9-holes before the end of this year.
- Leina Mathis said that in the development agreement it talks about road improvements and washes and things that have to be completed prior to opening the golf course facility to the public. How do we make those consistent to one another?
- Matt Ence said he is not sure they are inconsistent because this requirement is for the temporary facilities which are going in before the golf course and that requirement is based on the opening of the golf course.
- Leina Mathis said if we allow this to come in now then sometime before they open the

golf course they will have to come in and complete the rest of the improvements and it will override what this document says. She asked if that is what this is saying.

- Matt Ence said that is correct because this document only governs what they have to do before they do the temporary buildings.

- Mayor Rosenberg asked Sean if they are phasing the opening of the golf course.

- Sean Skanchy said that is correct. They will open 9-holes by this year and the full 18-holes in the Spring of 2023. He said he believes the requirements for the road was contingent on a permanent maintenance facility in Santa Clara which they will not be doing the permanent maintenance facility in Santa Clara. They will be coming forward to the City Council in a fairly short term with residential subdivision. He said they didn't feel that the permanent maintenance facility fit with the quality that they wanted of a residential subdivision that they will be bringing forward in that same area.

- Mayor Rosenberg said he can see where the agreements will still be valid until the second 9-holes was opened but we may need to make some adjustments in that agreement regarding the road. It may be a moot point anyway because the Regal Homes project will have all those improvements which were referenced in the Black Desert agreement in.

- Sean Skanchy said he is happy to look into that.

- Mayor Rosenberg said it is his understanding that the Black Desert group is responsible for that road with their commitment to Regal Homes.

- Leina Mathis said she just wants to make sure that we are getting the improvements that are required in the development agreement and we are not waiting 18 months or up to 2 ½ years for those to come in.

- Matt Ence said the way he looks at it is this isn't changing anything that is required by the development agreement. This allows them to put in some temporary buildings that were not contemplated by the development agreement and to do that they have to put down some aggregate so that they can get started on those. That requirement in the development agreement still stands.

- Ben Shakespeare said he would like to add to the motion that the approval is pending review of Staff with the utilities that are required for the street there for fire and public safety.

Motion to Approve a Temporary Maintenance Facility Agreement for Black Desert as presented and with the condition stated by Ben Shakespeare that approval is pending upon review by Staff of the utilities required for the street there for fire and public safety. Applicant Patrick Manning. Motion by Ben Shakespeare, seconded by Christa Hinton.

Voting Aye: Leina Mathis, Jarett Waite, Christa Hinton and Ben Shakespeare.

Voting Nay: None.

Motion Carried.

6. Consider approval of an Interlocal Cooperation Agreement regarding Official Ballot Drop Boxes. Presented by Chris Shelley, City Recorder.

- Chris Shelley said before the Council is the interlocal agreement that was brought to us by the County. There is a new law that requires official drop boxes to be located in each municipality in the jurisdiction to where the elections are being held and the County and the municipality both agree that it is a mutual benefit to the municipality and to them to locate these boxes in each municipality. This is a State law and also for delivering the

municipal drop boxes to the County Clerk for the purpose of opening and counting the ballots. It was made, in that law, that on election day when the municipality closes for the day that we need to send two Staff members with the box to secure it and deliver it safely to the County Clerk to open and to count the ballots. That is a requirement by State law that we need to do, so this is being brought to Council to be passed right away.

- Matt Ence said he has reviewed the agreement, and everything is okay.
- Leina Mathis asked where the ballot box will be placed.
- Chris Shelley said they delivered it today and are waiting for us to okay it. It will be in the front office by the window with a sign showing that it is the drop box. Anyone can bring their ballots in and drop them off here. The County will check with us frequently to see how full it is, and they will pick up the ballots through election day and on election day after closing, Selena and I will deliver the Election Ballot Box to the County Election Official.
- Leina Mathis asked if this box will replace the box that historically has been at the library or is that box still going to be at the library.
- Chris Shelley said that box will still be at the library but according to State law we still have to have this box.
- Christa Hinton asked if we are required to do anything with the box at the library or just this box that is here at the City.
- Chris Shelley said the box at the library always stays there and the County takes care of that one.

Motion to Approve an Interlocal Cooperation Agreement regarding Official Ballot Drop Boxes as presented.

Motion by Leina Mathis, seconded by Jarett Waite.

Voting Aye: Jarett Waite, Ben Shakespeare, Christa Hinton and Leina Mathis.

Voting Nay: None.

Motion Carried.

5. Reports:

A. Mayor / Council Reports

Ben Shakespeare:

- Nothing to report. He thanked Chief Parker for his presentation at the Work Meeting. It was very well done and very helpful. He also thanked the road crew. The roads look awesome!

Leina Mathis:

- She agreed to what Ben said. She attended Chief Parker's presentation to the Ivins City Council, and he did a really great job as well as Brock Jacobsen.

- LPC met Monday. They had a woman from the Division of Water Resources come and do a presentation on water. She indicated that 95% of Utah's water comes from snowpack. Right now, Statewide storage is at 63% of capacity. Sand Hollow is at 82% and Gunlock is at 54%. She said the secondary metering law that went into effect this last Legislative Session, they have already request \$208 million from municipalities to help with that. She said there is also some changes in some judicial things that are going

to be coming. They are looking at the justice courts and some changes to the justice courts because of some appeal issues. She said they formed a committee in 2018 and they completed their studies and have made their recommendations to the State of Utah. It sounds like they are going to create an additional Court. They will still retain the justice courts but in the hierarchy, it will be Justice Courts and then what they are calling Division Courts and then the District Court. She said the Justice Courts will get the infractions.

- Mayor Rosenberg asked if the County would head it up.

- Leina Mathis said it would be the County. It becomes a Court of Record, whatever this division is. It is operated by the State of Utah and the judges get appointed by the Governor so the only judges that would remain for a city would be the Justice Court judges and they would only hear infractions. That is their recommendation. Judge Farr is the one who was giving this presentation and he estimated that this could take effect in two to three years and is phased in. She said they indicated that there might be a lot of municipalities that may decide to do away with their Justice Courts. She said that most of the revenue to the Justice Court comes from infractions and so they were trying to figure out some type of revenue split. She said they also did a review of economics and regionally in the mountain region inflation is at a rate of 9.8%. The United States right now is at 8.3% so we are significantly higher than the rest of the country. She talked about the home prices and the peak of appreciation in Utah is 30%. Utah has the lowest unemployment rate in the entire country at 1.9%. She said they are starting their subgroups for the summer and will report back in August.

Jarett Waite:

- Nothing to report. He also felt our Fire Chief did a great report.

Christa Hinton:

- Nothing to report. She also felt Chief Parker and Brock did a great job. She also had a resident tell her how impressed he was with the roads.

Mayor Rosenberg:

- The Mayors are meeting with the Water District to discuss the water situation and when the time is to declare the shortage and how to work out the conservation plan to meet the requirements there. We are meeting again on June 21. He feels things are going to happen pretty fast this summer.

Ryan VonCannon:

- There is a tournament from June 15-19 for girls' softball and they will be using six of our seven fields.
- The apricots in the orchard will be ready to harvest in about 3 weeks. Once the harvest is over, we will start removing some trees and we will chip them.
- Maintenance and burials are keeping us busy.
- Leina Mathis asked when the wood will be ready.
- Ryan VonCannon said as soon as the apricots are harvested so probably 4 or 5 weeks.

Gary Hall:

- Generator #1 has the turbo installed and we have it running, and everything looks okay.

They did a vibration test on it, and they are going to send that test off to the engineers to see if they see anything if not, then it is ready to go. Generator #2's radiator is scheduled to be delivered on June 13. By the end of next week Generator #2 will be ready. We will have to do a vibration test on it as well. They are still working on the piping for the fuel and the coolant lines and the wiring for the two new generators. The control cabinets are in, and they are working on the wiring. They are still hoping by the third week in June for them to be ready. PacifiCorp is going to allow us to run. The letter is signed, and we are good to go.

- The new SCADA system is having problems with some of the electronic controls and communication for our Hassel Substation so it will be delayed into August. They are going to come in in July and try and get the SCADA system up so we can at least communicate to the new generators, the water tanks and our Grimshaw Substation. During the summer we are going to have to take all the load off of the Hassel Substation.
- He will be out of town all next week for a conference in Nashville.
- Mayor Rosenberg asked what the peak load is up to now.
- Gary Hall said that it is around 7 megawatts. Power prices are climbing. Yesterday they were around \$125 in the afternoon. This summer is not looking good for power prices with gas prices skyrocketing. Right now, it is \$9.50 a dekatherm, where last year it was \$2.50 a dekatherm. It is going to be costly to even run our generators.
- Mayor Rosenberg asked if we are locked in on a gas rate.
- Gary Hall said we are not. We have never locked in. We just buy it daily and it has been pretty good except this year. Right now, we wouldn't want to lock in because it is so high. We will have to ride it out and if prices start dropping, we might want to look at hedging gas in advance.
- Ben Shakespeare asked about our guaranteed price at the nuclear plant. With costs soaring are there any rumblings out there that they are not going to be able to maintain that.
- Gary Hall said that is part of the agreement. They said they will hold that \$58.
- Jarett Waite said that was \$58 in today's dollars. If inflation occurs that would go up.
- Ben Shakespeare said it had increases based on that but the 9.8% is an adjusted rate. Are we getting the 9.8%?
- Mayor Rosenberg said there will probably be a lot of discussion about that in August.
- Gary Hall said it is hard to say what is going to happen when they actually start construction with the prices of materials. He said he can give the Council an update at the next Work Meeting.

Dustin Mouritsen:

- We are having a preconstruction meeting with Utopia next week. He said that he and Gary and Jim have done a plan review and they are ready to go, and we will be seeing some work soon.
- Mayor Rosenberg asked if TDS has come in yet. They are supposed to be announcing that they are putting in the same thing. He said the streets look really nice.
- Dustin Mouritsen said Country Lane is all good to go as well.
- Jarett Waite asked if the bike lane on Canyon View is already striped.
- Dustin Mouritsen said he and Brock talked about that. It has a wide shoulder and the problem with bike lanes is you have to keep them up and the striping is so expensive that we didn't feel it was necessary to continue with it. It is done on Santa Clara Drive.

Chief Parker:

- He thanked the Mayor and the City Council for their support. They have a good staff and a good vision. He said that on June 22 they will have their new hires on board. They have projects they are working on. The dispatch technology updates are happening.

Scott Bannon:

- He said that Ryan VonCannon and the Parks crew are doing a good job.
- He got the application back to the State and they posted it for the judge. It closes on June 27.
- He reminded Council about an informational meeting about the Canyon View Parking Lot on Monday at 10:00 a.m.

6. Executive Session: None.

7. Adjournment:

Motion to adjourn by Leina Mathis.

Seconded by Jarett Waite with all members present voting aye.

Meeting Adjourned at 6:21 p.m.

Chris Shelley – City Recorder

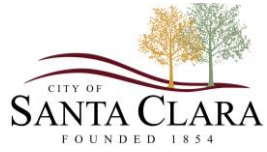
Date Approved: _____

City of Santa Clara
Check Register
Checking 1889 - 06/07/2022 to 06/07/2022

Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account
AMERICAN PAVEMENT PRESER	69828	16245	05/31/2022	06/07/2022	25,056.00	INV 16245 SLURRY SEAL TRAILS	104510-730 - IMPROVEMENTS
SECURLYFT CORPORATION	69829	395	06/03/2022	06/07/2022	600.00	INV#395-MONTHLY SUBSCRIPTION MAY 20	104230-250 - OPERATING SUPPLI
STAKER & PARSON COMPANIES	69830	800842-1	05/19/2022	06/07/2022	412,500.00	INV 800842-1 CHIP SEAL	104410-412 - CHIP SEALING M&S
SUNRISE ENGINEERING, INC.	69831	125724	05/12/2022	06/07/2022	520.00	INV 125724-QUAIL CROSSING & COYOTE L	104240-320 - ENGINEERING
TRUST, BOEKWEG FAMILY	69832	Refund: 631604	06/07/2022	06/07/2022	298.42	Refund: 631604 - TRUST, BOEKWEG FAMIL	531311-000 - ACCOUNTS RECEIV
UTAH STATE TREASURER / FINE	69833	MAY 22-COURT	06/06/2022	06/07/2022	11,267.84	COURT SURCHARGES	104120-905 - STATE FINE COLLEC
WASH. CO. FLOOD CONTROL DI	69834	MAY 2022-FLOO	06/07/2022	06/07/2022	4,578.00	FLOOD CONTROL DISTRICT 53-330100000	545410-770 - FLOOD CONTROL DI
WASH. COUNTY WATER CONSE	69835	52744	06/01/2022	06/07/2022	4,509.96	INV 52744 - REG.PIPELINE BOND PAYMEN	515110-822 - DEBT PAYMENT TO
WASH. COUNTY WATER CONSE	69835	52750	05/31/2022	06/07/2022	5,704.60	INV 52750 REGIONAL WATER SURCHARGE	513714-000 - REGIONAL WATER S
					<u>\$465,034.82</u>		
					<u>\$465,034.82</u>		

City of Santa Clara
Check Register
Checking 1889 - 06/14/2022 to 06/14/2022

Payee Name	Reference Number	Invoice Number	Invoice Ledger Date	Payment Date	Amount	Description	Ledger Account
CHILD SUPPORT SERVICES	69836	61522-873789	06/14/2022	06/14/2022	206.77	CASEY-C000873789 PAY PERIOD END 6/15/	102595-000 - GARNISMENTS PAY
					\$206.77		
CITY OF ST GEORGE - UTILITIE	69837	061022-SC LINE	06/10/2022	06/14/2022	133.24	SNOW CANYON LINE MAY 2022	515110-275 - SNOW CANYON OP
CITY OF ST GEORGE - UTILITIE	69837	061022-WELL7	06/10/2022	06/14/2022	4,874.15	SNOW CANYON WELL #7 MAY 22	515110-271 - WELLS UTILITY COS
CITY OF ST GEORGE - UTILITIE	69837	061022-WTR TA	06/10/2022	06/14/2022	28,558.50	WATER TANK MAY 22	515110-275 - SNOW CANYON OP
CITY OF ST GEORGE - UTILITIE	69837	61022-WELL 6	06/10/2022	06/14/2022	6,739.45	SNOW CANYON WELL #6 MAY 22	515110-271 - WELLS UTILITY COS
					\$40,305.34		
					\$40,305.34		
CIVIL SCIENCE INFRASTRUCTU	69838	11027	05/17/2022	06/14/2022	2,872.00	INV 11027-TOBLER PARK CONCEPT DESIG	104510-730 - IMPROVEMENTS
					\$2,872.00		
JOY MILES	69839	60722-JM	06/07/2022	06/14/2022	79.62	COURT INTERPRETER 6-7-22 MULTIPLE C	104120-330 - LEGAL SERVICES
					\$79.62		
LECTROL SERVICES INC	69840	643	06/10/2022	06/14/2022	2,100.00	INV 643-SCADA SUPPORT JUN2021-JUN 20	515110-469 - SCADA MATERIALS
LECTROL SERVICES INC	69840	643	06/10/2022	06/14/2022	2,100.00	INV 643-SCADA SUPPORT JUN2021-JUN 20	535310-469 - SCADA MATERIALS
					\$4,200.00		
					\$4,200.00		
LIFEMED SAFETY, INC.	69841	22-0610	06/07/2022	06/14/2022	33,968.16	INV 22-0610 ZOLL X SERIES PAYMENT 3	104235-825 - LEASE PAYMENTS
					\$33,968.16		
SOTELO, JAIME	69842	60722-BAIL REF	06/08/2022	06/14/2022	190.00	BAIL REFUND CASE 205200696	102560-000 - BAIL & RESTITUTION
					\$190.00		
					\$81,821.89		



Santa Clara Ivins Fire Rescue Badge Pinning & Swearing in Ceremony

Jason Monahan – Fire Captain
Logan Costello- Firefighter/Paramedic
Ryan Moore – Firefighter/Paramedic
Dustin Benoit – Firefighter/Paramedic

June 22nd, 2022

5PM Santa Clara Council Chambers



Mayor
Rick Rosenberg

City Manager
Brock Jacobsen



City Council
Denny Drake
Leina Mathis
Ben Shakespeare
Jarett Waite
Christa Hinton

CITY COUNCIL

Meeting Date: June 22, 2022

Agenda Item: 3

Applicant: Finance Department

Requested by: Debbie Bannon

Subject: FY2021-2022 Budget

Amendment

Description:

To consider a Budget Amendment for Fiscal Year 2021-2022 which will allow the City to remain in compliance. Budgeted expenditures can not exceed budgeted revenues. General Fund will increase by \$865,133. Budgeting for ARPA Funds of \$498,079. Enterprise Funds will increase by \$2,912,250. The individual funds impact are: Water Fund, \$577,750, Sewer Fund, \$117,000, Power Fund, \$2,006,500 & Storm Water Fund, \$211,000.

Recommendation: Approval

Cost: N/A

Legal Approval: N/A

Finance Approval: Yes

Budget Approval: N/A

Attachments:

https://sccity.org/wp-content/uploads/formidable/41/21_22-Budget-Amendment.pdf

**SANTA CLARA CITY
ORDINANCE NO. 2022-14**

**AN ORDINANCE AMENDING THE CITY OF SANTA CLARA OPERATING
AND CAPITAL BUDGET FOR FISCAL YEAR 2021-2022; AND
ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the Utah Uniform Fiscal Procedures Act provides for the governing body an opportunity, at any time during the budget period, to review the individual budgets of the funds, for the purpose of determining if the total of any of them shall be increased (UCA 10-6-127); and

WHEREAS, the City Manager submitted to the City Council, during a regular meeting held on June 22, 2022, the Fiscal Year 2021-2022 Budget amendment: and

WHEREAS, the City Council of the City of Santa Clara, during the June 8, 2022, Council Meeting set the Public Hearing date to receive input on the amendment to the budget for June 22, 2022, at 5:00 p.m. in the council chambers of the Santa Clara Town Hall: and

WHEREAS, the city properly advertised, as prescribed by state law (UCA 10-6-113), and held a Public Hearing on Wednesday, June 22, 2022, to receive input from the general public on the FY 2021-2022 Operating and Capital Budget amendment: and

WHEREAS, the City Council of the City of Santa Clara, adopted the proposed amendment to the budget for Fiscal Year 2021-2022 on June 22, 2022, during a regular meeting of the City Council: and

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Santa Clara, Utah as follows:

SECTION 1. Classification:

This is a non-code ordinance.

SECTION 2. General Provisions:

The City of Santa Clara Operating and Capital Budgets for the fiscal year 2021- 2022 are hereby amended as set forth in the attached "Exhibit A", which is hereby incorporated into and made a part of this ordinance by reference.

SECTION 3. Effective Date:

This Ordinance shall become effective immediately upon adoption, recording and posting in the manner prescribed by law.

ADOPTED and approved by a duly constituted quorum of the City Council of the City of Santa Clara, Utah this 22nd day of June 2022.

IN WITNESS THERETO:

ATTEST:

RICK ROSENBERG, Mayor

CHRIS SHELLEY, City Recorder

Exhibit "A" - Ordinance 2022-14
General Fund
Fiscal Year 2021-2022 Budget Amendment
22-Jun-22

	Amended 6/30/2022	Budget 6/30/2022	Increase / Decrease	% Change
Revenues				
Taxes	4,498,873	3,653,372	845,501	23%
Licenses & Permits	421,192	259,850	161,342	62%
Intergovernmental Revenue	1,806,830	1,831,202	(24,372)	-1%
Charges for Services	1,506,073	1,245,250	260,823	21%
Fines & Forfeitures	352,282	200,000	152,282	76%
Miscellaneous Revenue	182,536	88,000	94,536	107%
Swiss Days & Pageant	44,751	21,700	23,051	106%
Other Revenue	245,550	893,599	(648,049)	-73%
Total Revenues	9,058,086	8,192,973	865,113	11%
Expenditures				
Justice Court	327,258	304,091	23,167	8%
Administrative	1,248,080	1,194,534	53,546	4%
Police	1,208,942	1,208,942	-	0%
Fire	2,415,331	2,081,468	333,863	16%
Buildings & Planning	600,515	557,004	43,511	8%
Public Works	1,485,426	1,271,950	213,476	17%
Parks	1,664,406	1,480,384	184,022	12%
Swiss Days	49,088	48,600	488	1%
Economic Development	59,038	46,000	13,038	28%
Fund Balance (+/-)		-	-	
Total Expenditures	9,058,086	8,192,973	865,113	11%

Special Revenue Fund - ARPA FUNDS
Fiscal Year 2021-2022 Budget Amendment

Revenues

ARPA Revenue	498,079	-	498,079
---------------------	----------------	----------	----------------

Expenditures

ARPA Expenses	498,079	-	498,079
----------------------	----------------	----------	----------------

Water Fund
Fiscal Year 2021-2022 Budget Amendment

Revenues

Water Revenue	2,870,000	2,292,250	577,750	25%
----------------------	------------------	------------------	----------------	------------

Expenditures

Water Expenditures	2,870,000	2,292,250	577,750	25%
---------------------------	------------------	------------------	----------------	------------

Sewer Fund
Fiscal Year 2021-2022 Budget Amendment

Revenues

Sewer Revenue	958,414	841,414	117,000	14%
----------------------	----------------	----------------	----------------	------------

Expenditures

Sewer Expenditures	958,414	841,414	117,000	14%
---------------------------	----------------	----------------	----------------	------------

Power Fund
Fiscal Year 2021-2022 Budget Amendment

Revenues

Power Revenue	7,476,062	5,469,562	2,006,500	37%
----------------------	------------------	------------------	------------------	------------

Expenditures

Power Expenditures	7,476,062	5,469,562	2,006,500	37%
---------------------------	------------------	------------------	------------------	------------

Storm Water Fund
Fiscal Year 2021-2022 Budget Amendment

Revenues

Storm Water Revenue	807,991	596,991	211,000	35%
----------------------------	----------------	----------------	----------------	------------

Expenditures

Storm Water Expenditures	807,991	596,991	211,000	35%
---------------------------------	----------------	----------------	----------------	------------

Mayor
Rick Rosenberg

City Manager
Brock Jacobsen



City Council
Denny Drake
Leina Mathis
Ben Shakespeare
Jarett Waite
Christa Hinton

CITY COUNCIL

Meeting Date: June 22, 2022

Agenda Item: 4

Applicant: Finance

Requested by: Debbie Bannon

Subject: Department Fraud

Risk Assessment

Description:

Every Fiscal Year the State Auditors Office requires a review and submission of the Fraud Risk Assessment.

Recommendation: Approval

Cost: N/A

Legal Approval: N/A

Finance Approval: N/A

Budget Approval: N/A

Attachments:

<https://sccity.org/wp-content/uploads/formidable/41/Fraud-Risk-Assessment-2022.pdf>

Fraud Risk Assessment

Continued

*Total Points Earned: 315/395 *Risk Level: Very Low Low Moderate High Very High
> 355 316-355 276-315 200-275 < 200

	Yes	Pts
1. Does the entity have adequate basic separation of duties or mitigating controls as outlined in the attached Basic Separation of Duties Questionnaire?	Yes	200
2. Does the entity have governing body adopted written policies in the following areas:		
a. Conflict of interest?	Yes	5
b. Procurement?	Yes	5
c. Ethical behavior?	Yes	5
d. Reporting fraud and abuse?	Yes	5
e. Travel?	Yes	5
f. Credit/Purchasing cards (where applicable)?	Yes	5
g. Personal use of entity assets?	Yes	5
h. IT and computer security?	Yes	5
i. Cash receipting and deposits?	Yes	5
3. Does the entity have a licensed or certified (CPA, CGFM, CMA, CIA, CFE, CGAP, CPFO) expert as part of its management team?		20
a. Do any members of the management team have at least a bachelor's degree in accounting?	Yes	10
4. Are employees and elected officials required to annually commit in writing to abide by a statement of ethical behavior?		20
5. Have all governing body members completed entity specific (District Board Member Training for local/special service districts & interlocal entities, Introductory Training for Municipal Officials for cities & towns, etc.) online training (training.auditor.utah.gov) within four years of term appointment/election date?	Yes	20
6. Regardless of license or formal education, does at least one member of the management team receive at least 40 hours of formal training related to accounting, budgeting, or other financial areas each year?	Yes	20
7. Does the entity have or promote a fraud hotline?	Yes	20
8. Does the entity have a formal internal audit function?		20
9. Does the entity have a formal audit committee?		20

*Entity Name: Santa Clara City

*Completed for Fiscal Year Ending: 2022 *Completion Date: 06/16/2022

*CAO Name: Brock Jacobsen *CFO Name: Debbie Bannon

*CAO Signature:  *CFO Signature: 

*Required

Basic Separation of Duties

See the following page for instructions and definitions.

	Yes	No	MC*	N/A
1. Does the entity have a board chair, clerk, and treasurer who are three separate people?	X			
2. Are all the people who are able to receive cash or check payments different from all of the people who are able to make general ledger entries?	X			
3. Are all the people who are able to collect cash or check payments different from all the people who are able to adjust customer accounts? If no customer accounts, check "N/A".	X			
4. Are all the people who have access to blank checks different from those who are authorized signers?			X	
5. Does someone other than the clerk and treasurer reconcile all bank accounts OR are original bank statements reviewed by a person other than the clerk to detect unauthorized disbursements?	X			
6. Does someone other than the clerk review periodic reports of all general ledger accounts to identify unauthorized payments recorded in those accounts?	X			
7. Are original credit/purchase card statements received directly from the card company by someone other than the card holder? If no credit/purchase cards, check "N/A".	X			
8. Does someone other than the credit/purchase card holder ensure that all card purchases are supported with receipts or other supporting documentation? If no credit/purchase cards, check "N/A".	X			
9. Does someone who is not a subordinate of the credit/purchase card holder review all card purchases for appropriateness (including the chief administrative officer and board members if they have a card)? If no credit/purchase cards, check "N/A".				X
10. Does the person who authorizes payment for goods or services, who is not the clerk, verify the receipt of goods or services?	X			
11. Does someone authorize payroll payments who is separate from the person who prepares payroll payments? If no W-2 employees, check "N/A".	X			
12. Does someone review all payroll payments who is separate from the person who prepares payroll payments? If no W-2 employees, check "N/A".	X			

* MC = Mitigating Control