



**NOTICE OF A VINEYARD
CITY COUNCIL MEETING
July 27, 2022, at 6:00 PM**

PUBLIC NOTICE is hereby given that the Vineyard City Council will hold a regularly scheduled meeting on Wednesday, July 27, 2022, at 6:00 p.m., in the City Council Chambers at City Hall, 125 South Main Street, Vineyard, Utah. This meeting can also be viewed on our [live stream page](#).

AMENDED AGENDA

Presiding Mayor Julie Fullmer

1. CALL TO ORDER/INVOCATION/INSPIRATIONAL THOUGHT/PLEDGE OF ALLEGIANCE – *to be announced*.

2. WORK SESSION

No items were submitted.

3. PUBLIC COMMENTS

(15 minutes)

“**Public Comments**” is defined as time set aside for citizens to express their views for items not on the agenda. Each speaker is limited to three minutes. Because of the need for proper public notice, immediate action **cannot** be taken in the Council Meeting. If action is necessary, the item will be listed on a future agenda, however, the Council may elect to discuss the item if it is an immediate matter of concern.

Public comments can be submitted ahead of time to pams@vineyardutah.org.

4. MAYOR AND COUNCILMEMBERS’ REPORTS/DISCLOSURES/RECUSALS

5. STAFF, COMMISSION, AND COMMITTEE REPORTS

5.1 City Manager Ezra Nair

6. CONSENT ITEMS

6.1 [Approval of the July 13, 2022 City Council Meeting Minutes](#)

6.2 [Approval of a Final Plat Amendment for Edgewater at Geneva Phase 18, Lot 8](#)

6.3 [Approval of U.S. Bank Authorized Representative Certificate – \(Resolution 35\)](#)

7. APPOINTMENTS

7.1 Vineyard Youth Council Advisor.....1 vacancy

With the advice and consent of the council, Mayor Fullmer will appoint Emma Wilkie as the advisor for the Vineyard Youth Council.

8. PRESENTATIONS/RECOGNITIONS/AWARDS

No items were submitted.

9. BUSINESS ITEMS

9.1 PUBLIC HEARING – Geneva Nitrogen General Plan Land Use Map and Zoning Map Amendment Applications (Ordinance 2022-12) *(A public hearing was held and left open during the May 25 and July 13, 2022 City Council meetings.)*

Community Development Director Morgan Brim is requesting city initiated general plan map amendment and zoning map amendment applications for the site known as Geneva Nitrogen located at 1165 North Geneva Road, Vineyard, Utah 84059, Serial No.

17:022:0006. The property is 27.36 acres in size. This rezone would change the general plan map designation from undesignated to Regional Commercial. Vineyard City intends to rezone the subject property from I-1 Industrial to contain the following:

- Regional Commercial (Approximately 5.79 acres)
- Business Park (Approximately 2.7 acres)
- Flex Office Industrial (Approximately 13.9 acres)

The mayor and City Council will act to adopt (or deny) the request by ordinance. *(This item was continued from the May 25 and July 13, 2022 City Council meeting.)*

9.2 PUBLIC HEARING – Waterfront Master Plan (Ordinance 2022-13)

Community Development Director Morgan Brim will present a proposed Waterfront Master Plan. The plan specifies the city's use in the 3.4 miles of waterfront adjacent to the city. Those uses include but are not limited to public open space, recreation, transportation options, economic development, and increased access to Utah Lake. Additionally, this plan provides a list of future projects for the city for implementation. The mayor and City Council will act to adopt (or deny) this request by ordinance.

9.3 DISCUSSION AND ACTION – Purchasing Policy Amendments (Resolution 2022-36)

(This item was continued from the June 29, 2022 City Council Meeting.) (15 minutes)

Finance Intern Marissa Stapley will present amendments to the city purchasing policy. The mayor and city council will discuss possible amendments to the purchasing policy. The mayor and City Council will at to adopt (or deny) this request by resolution.

10. CLOSED SESSION

The Mayor and City Council pursuant to Utah Code 52-4-205 may vote to go into a closed session for the purpose of (these are just a few of the items listed, see Utah Code 52-4-205 for the entire list):

- (a) discussion of the character, professional competence, or physical or mental health of an individual
- (b) strategy sessions to discuss collective bargaining
- (c) strategy sessions to discuss pending or reasonably imminent litigation
- (d) strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares

- (e) strategy sessions to discuss the sale of real property, including any form of a water right or water shares
- (f) discussion regarding deployment of security personnel, devices, or systems;
- (g) the purpose of considering information that is designated as a trade secret, as defined in Section [13-24-2](#), if the public body's consideration of the information is necessary in order to properly conduct a procurement under [Title 63G, Chapter 6a, Utah Procurement Code](#);

11. ADJOURNMENT

The next regularly scheduled meeting is on Wednesday, August 10, 2022.

This meeting may be held in a way that will allow a councilmember to participate electronically. The Public is invited to participate in all City Council meetings. In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the City Recorder at least 24 hours prior to the meeting by calling (801) 226-1929.

I, Pamela Spencer, the undersigned duly appointed Recorder for Vineyard, hereby certify that the foregoing notice and agenda was emailed to the Salt Lake Tribune, posted at the Vineyard City Offices, the Vineyard website, the Utah Public Notice website, and delivered electronically to city staff and to each member of the Governing Body.

AGENDA NOTICING COMPLETED ON: July 26, 2022

CERTIFIED (NOTICED) BY: /s/ Pamela Spencer
PAMELA SPENCER, CITY RECORDER

**MINUTES OF A VINEYARD
CITY COUNCIL MEETING**

City Council Chambers
125 South Main Street, Vineyard, Utah
July 13, 2022, At 6:00 PM

Present

Absent

City Council

Mayor Julie Fullmer (via Zoom)
Councilmember Tyce Flake
Councilmember Amber Rasmussen
Councilmember Mardi Sifuentes
Councilmember Cristy Welsh

Staff Present: City Manager Ezra Nair, City Attorney Jayme Blakesley, Finance Director David Mortensen, City Engineer Naseem Ghandour, Community Development Director Morgan Brim, City Planner Briam Amaya Perez, Water Manager Sullivan Love, Streets Manager Chris Thomas, Utah County Sheriff's Office Sergeant Holden Rockwell, Deputy Recorder Kelly Kloepfer

Others speaking: Resident Daria Evans; Aaron Epley with Holbrook Asphalt; Eric Towner with X Development, Ryan Bybee with Cadence Homes; Nicholai Lazarev with The Boyer Company; Jacob Briggs with Geneva Nitrogen



1. CALL TO ORDER AND ELECTION OF A MAYOR PRO TEMPORE

Deputy Recorder Kelly Kloepfer called the meeting to order and then called for a nomination and roll call vote from the City Council to elect a mayor pro tempore.



Motion: COUNCILMEMBER SIFUENTES NOMINATED CRISTY WELSH AS MAYOR PRO TEMPORE FOR TONIGHT'S CITY COUNCIL MEETING AND AS CHAIR FOR TONIGHT'S RDA MEETING THAT FOLLOWS. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

Ms. Kloepfer turned the time over Mayor Pro Tempore Cristy Welsh.



Councilmember Sifuentes gave the invocation and led the Pledge of Allegiance.

2. WORK SESSION

No items were submitted.

3. PUBLIC COMMENTS

 Mayor Pro Tempore Welsh called for public comments.

 Resident Daria Evans living in The Villas subdivision wanted to recognize the Recreation Department for offering a 55+ pickleball program. She also was in support of the wetlands being developed to build more pickleball courts. She was concerned about the splash pad not having enough shade for the children and asked about sun sails being added. She expressed concern about crosswalks and urged the city to prioritize the 4-way electronic stop signs to be added to the 400 North and Main Street intersection.

 Mayor Pro Tempore Welsh thanked her for her comments and added that the city was working on the plan to develop the open corridor and invited her and the public to participate and mentioned that sun sails were already under consideration. Mr. Nair said that they were finalizing the designs for that intersection.

4. MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

 Councilmember Rasmussen reported that in the next couple of months she would be coordinating with The Villas Homeowners Association (HOA) and the Recreation Department to discuss providing more recreational opportunities for residents at The Villas.

 Councilmember Sifuentes reported that the feasibility study for an Orem school district had been completed, and that Orem would be holding meetings to inform the public of their findings. A discussion ensued. Mayor Fullmer emphasized that the earliest it could be on a ballot in Vineyard would be in 2023.

5. STAFF, COMMISSION, AND COMMITTEE REPORTS

5.1.  City Manager Ezra Nair reported that they had posted the job openings that were approved in the budget. He announced that the Vineyard FrontRunner Station would open on August 8th, and that there would also be new bus stops. He added that they would be using a third party to do a job description and compensation study to evaluate the city organization to make it more efficient.

 Mayor Pro Tempore Welsh commented that after the FrontRunner Station opened on August 8th, that the grand opening ceremony would be held on August 12th with Governor Cox in attendance.

5.2 Planning Commission Chair Bryce Brady – Chair Brady was absent.

6. CONSENT ITEMS

6.1. Approval of the June 29, 2022 City Council Meeting Minutes

6.2. Approval of a Bid Award for Asphalt Preservation (Resolution 2022-34)

6.3. Approval of Water Tank and Pipeline & Meter Station Design Projects Addendums

 Mayor Pro Tempore Welsh called for a motion.

 **Motion:** COUNCILMEMBER SIFUENTES MOVED TO APPROVE THE CONSENT ITEMS 6.1 AND 6.3 WHILE PUSHING 6.2 TO THE BUSINESS ITEMS. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE WELSH, MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

 Councilmember Sifuentes stated that she wanted to see the communication with residents go better than it did the last time roads were treated and asked if it was possible to make the roads less textured. Streets Manager Chris Thomas replied that the rougher texture provided a better wear layer for high traffic roads. A discussion ensued. Aaron Epley with Holbrook Asphalt explained that other treatments would be smoother but would not preserve the pavement for as long and they would end up costing the city a lot more money. The discussion continued.

Mr. Thomas remarked that the treated roads did smooth out over time. Councilmember Sifuentes asked about sloppy treatment in areas in the past and Mr. Epley responded that he did have a touch-up crew that could go to clean those up.

 Mayor Pro Tempore Welsh called for a motion.

 **Motion:** COUNCILMEMBER FLAKE MOVED TO APPROVE THE BID AWARD FOR ASPHALT PRESERVATION, RESOLUTION 2022-34. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE WELSH, MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

7. APPOINTMENTS

No names were submitted.

8. PRESENTATIONS/RECOGNITIONS/AWARDS

No items were submitted.

9. BUSINESS ITEMS

9.1 DISCUSSION AND ACTION – [Center Street Trailhead Parking Betterment Agreement \(Resolution 2022-32\)](#) *(This item was continued from the June 29, 2022 City Council meeting.)* Community Development Director Morgan Brim will present recommended betterments for the construction of a parking lot on 300 West for the Center Street trailhead. The mayor and City Council will take appropriate action.

 Community Development Director Morgan Brim gave a brief overview of the project and the different options for council to consider tonight.

Mayor Pro Tempore Welsh asked for questions.

 Councilmember Flake asked for clarification on the parking lot options.

 Councilmember Sifuentes thought that they should only put in the north parking lot. She did not favor the south parking lot because it would draw in more people to a residential area. She agreed with the ADA improvements that had been presented. Councilmember Flake agreed.

 Councilmember Rasmussen wondered if the city did not also install the south parking lot, were people going to come anyway. A discussion ensued.

 Mayor Pro Tempore Welsh called for a motion.

 **Motion:** COUNCILMEMBER SIFUENTES MOVED TO ADOPT RESOLUTION 2022-32, APPROVING THE PROJECT CONSTRUCT 300 WEST TRAILHEAD PARKING PROJECT, NORTH PARKING LOT ONLY, AND DIRECT THE CITY MANAGER TO ENTER INTO A BETTERMENT AGREEMENT WITH HOME CENTER CONSTRUCTION, ALONG WITH THE ADA IMPROVEMENTS WITH THE 75/25 SPLIT WITH THE RDA. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE WELSH, MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

9.2 DISCUSSION AND ACTION – Geneva Road Mixed-Use Zoning Text and Map Amendment (Ordinance 2022-09) *(This item was continued from the June 29, 2022 City Council Meeting.)*

Community Development Director Morgan Brim will present a Zoning Text Amendment and Zoning Map Amendment request from X Development regarding their property located along Geneva Road, known as the Geneva Retail Frontage Subdivision. The applications propose a new zoning code and amends the current zoning map to create the Geneva Road Mixed-Use Zone. The subject properties are approximately 11.3 acres in size. The mayor and City Council will act to approve (or deny) this request by ordinance.

 Mayor Pro Tempore Welsh turned the time over to Mr. Brim.

 Mr. Brim reviewed the plan and the changes that had been made since the last meeting. A discussion ensued about the decorative fence requirement.

 Eric Towner with X Development thanked city staff for their work. He felt that this was an important part of the city and said that they had planned good services to offer Vineyard citizens, who were currently going outside of city for these services. He asked about the requirement of the 42-inch fence along Geneva Road.

 Mr. Brim responded that the fence would provide a visual esthetic to buffer the overall view into the auto uses. Mayor Fullmer added that with the trail that would be going in, the fence would provide good separation and would allow for great uses.

 Mr. Towner expressed concerns about the fence requirement, stating that they were working hard to attract good operators to the site. He emphasized that the attractive part of this property for a retail user was visibility from Geneva Road. He said that they would be attractive buildings and there would be no need to screen them beyond what the landscaping would do. He also felt that the Utah Department of Transportation's (UDOT) wide trail/sidewalk system would provide a sufficient buffer.

 The discussion continued about the setbacks, landscaping, and fencing requirements. Mr. Towner stated that he would get pushback from tenants on the fencing requirement.

 Councilmember Flake emphasized that he was extremely concerned about the limited options for entrance and exit to this area with the housing development part. The city's parking problems were numerous and ugly, and he did not want to add to those problems. He stated that if the developer were to submit a plan for housing at the north end of this development, it would have to be a good plan, or he would vote no. He asked about the fence and a brief discussion followed.

 Councilmember Rasmussen asked Mr. Towner if the car wash reused its water. Mr. Towner replied yes, they had identified a car wash user that recycled and reused their water at a higher rate than others. Councilmember Rasmussen was neutral on the fence. Regarding the housing, she wanted to see rent cap but that was a larger discussion for later.

 Mayor Fullmer was comfortable with everything as it was presented.

 Councilmember Sifuentes stated that she would like to completely take out the residential. She felt that Vineyard had a lot of residential already. About the fence, she said that if it were done right, and were decorative and for an esthetic, such as a split rail fence, it would not be an issue for the businesses.

 Mr. Towner asked if the fence would be a privacy fence. Mr. Brim clarified that it would be a decorative fence that would be part of the landscaping. Mayor Pro Tempore Welsh commented that the idea was to make the area pedestrian and bicycle friendly. A discussion ensued about the fencing requirement.

 Mayor Pro Tempore Welsh asked for clarification on allowing the residential as part of this development agreement. City Attorney Jayme Blakesley explained that housing was not a permitted use in the current version of the agreement but could be permitted through a site-specific zoning decision made via a development agreement. He added that the city would still have the power to reject it. The discussion continued.

 Mayor Fullmer preferred having the ability to make the decision at the time instead of tying the city's hands.

 Councilmember Sifuentes felt satisfied and remarked that the wording was fair and that they could have the discussion about residential later. She offered to make a motion.

 **Motion:** COUNCILMEMBER SIFUENTES MOVED TO APPROVE ORDINANCE 2022-09 GENEVA ROAD MIXED USE DISTRICT AS PRESENTED IN THE JULY 13, 2022 DRAFT. COUNCILMEMBER FLAKE SECONDED THE MOTION.

Mayor Fullmer asked about including the conditions to the motion.

COUNCILMEMBER SIFUENTES ADDED "WITH THE CONDITIONS AS PRESENTED."

Mayor Pro Tempore Welsh asked for clarification on the conditions.

Mr. Brim clarified that the conditions which were discussed were already in this latest draft of the ordinance.

ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE WELSH, MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

9.3 DISCUSSION AND ACTION – Development Agreement for Holdaway Farms (Ordinance 2022-10) *(This item was continued from the June 29, 2022 City Council Meeting.)*

Community Development Director Morgan Brim will present a development agreement between Cadence Vineyard 400, LLC and Goodboro Vineyard Holdaway, LLC and Vineyard City. The development agreement is regarding the property known as Holdaway Farms. The property is located west of the current 400 South Main Street termination, Serial No. 18:021:0014, 18:021:0016, and 18:021:0015. The mayor and City Council will act to approve (or deny) this request by ordinance.

 Mayor Pro Tempore Welsh turned the time over to Mr. Brim, who turned the time over to City Attorney Jayme Blakesley.

 Mr. Blakesley explained that the last time this was before the council, there were a few items pending negotiation with the developer. The big topic was the phasing plan for the parks and streets. The different items would be platted with the phase, and they had to be completed before the conclusion of that phase. He mentioned that parks would go through the normal park naming process. He then explained the cost sharing and phasing of the streets. He indicated that Mayor Fullmer wanted to discuss the Main Street connection to the eastern terminus and whether it could be advanced to Phase 1, and he had asked the developers to see if that could be included. He explained that they had negotiated a 180-day period for completing the plantings, and a prohibition on accessory dwelling units (ADUs) on lots less than 6,000 square feet.

 A discussion ensued about landscaping, setbacks, ADUs, and the name of the development not including the word “park.” Mayor Pro Tempore Welsh suggested that the city retained the right to name the parks.

 Mayor Fullmer asked about advancing the 400 South Main Street terminus into Phase 1. She emphasized that for this development to work, any population that was added would burden roads, so it was critical to provide necessary infrastructure at the beginning.

 Ryan Bybee with Cadence Homes stated that they were trying to frontload infrastructure as much as they could, but there was a breaking point with the amount of money it would cost. He explained that they would start construction of Phase 2 well before they were halfway done with Phase 1. This would allow them to offset the investment being made. The discussion continued.

 Councilmember Rasmussen stated that she would not vote for it unless the road was in Phase 1. The discussion continued and Mr. Brim suggested changing it so the Main Street connection to 30 West would be in Phase 2 and the 400 South to Main Street connection would be in Phase 1.

 Mr. Bybee expressed frustration with the request because, as he explained, the road would be completed before the beginning of Phase 2. He wanted to know what was most important. Mayor Pro Tempore Welsh responded that the top priority was the 400 South to Main Street connection. They continued the discussion and explored the possibility of keeping the phasing as is and building a two-lane basic asphalt road to connect 400 South to Main Street until Phase 2 came in and then improve it.

 City Engineer Naseem Ghandour explained that widening the road after the fact would result in higher costs, not lower, because asphalt layers tended to move in two different directions with temperature changes, resulting in a permanent weakness. The original section would need to be torn out to redo it properly, leading to a major cost to the city.

 Mr. Bybee emphasized that they had to have revenue before they could build the road, and any financial institution would require them to do that. The discussion continued.

 Mr. Bybee proposed dedicating the right of way for the road to the city, which led to a discussion of that option.

 Mr. Blakesley thought that the offer by Mr. Bybee to dedicate the right of way was meaningful because it meant the city had the ability to cure by approving budget money to build the road. The city could add it to the agreement and propose a trigger: if the 30th Certificate of Occupancy was issued in Phase 1, and the developer had not submitted for Phase 2 approvals, then that would trigger the conveyance of the 400 South right of way from Main Street to the edge of the property controlled by the developer. A discussion of the right of way option followed, and Mr. Bybee stated that he would be comfortable with that proposal.

 Mayor Fullmer asked for clarification on the location of the right of way, and Mr. Bybee described it, and they further discussed the details of the proposal.

 Mayor Fullmer asked for Mr. Blakesley's input, and he gave his opinion that this was as good a solution that the city could get because a right of way was better than money. She asked about moving the right of way trigger to 16 Certificates of Occupancy.

 Mr. Bybee offered to move from 30 to 24 Certificates of Occupancy as the trigger.

 Mayor Pro Tempore Welsh and Mr. Blakesley summarized that the current changes to the draft development agreement were:

- Changing name of the development to not include the word "park"
- Parks naming goes to city
- If the developer has not submitted for approval for Phase 2 prior to receiving the 24th Certificate of Occupancy in Phase 1, then the developer would dedicate to the city full right of way for the 400 South connection to the eastern terminus.

 Mayor Pro Tempore Welsh called for a motion.

 **Motion:** COUNCILMEMBER FLAKE MOVED TO ADOPT ORDINANCE 2022-10 HOLDAWAY FARMS DEVELOPMENT AGREEMENT WITH THE ADDITION OF THE CONDITIONS: THAT THE NAMING OF THE PARKS IS RESERVED FOR THE CITY'S USUAL PROCESS FOR NAMING PARKS; THAT THE NAMING OF THE

DEVELOPMENT NOT INCLUDE THE WORD “PARK;” AND THAT IF THE DEVELOPER HAS NOT SUBMITTED PHASE 2 FOR APPROVAL PRIOR TO RECEIVING THE 24TH CERTIFICATE OF OCCUPANCY ON PHASE 1, THEN THEY WOULD DEDICATE TO THE CITY THE FULL RIGHT OF WAY TO MAKE THAT CONNECTION TO THE EASTERN TERMINUS.

 Mayor Pro Tempore Welsh called for a second or another motion.

 Motion: COUNCILMEMBER RASMUSSEN MOVED TO CONTINUE THIS.

 Mayor Pro Tempore Welsh called for a second on the first motion.

MAYOR PRO TEMPORE WELSH SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE WELSH AND COUNCILMEMBER FLAKE VOTED YES. COUNCILMEMBER RASMUSSEN VOTED NO. COUNCILMEMBER SIFUENTES ABSTAINED.

 Mayor Fullmer asked if Councilmember Sifuentes wanted to continue the item. She asked Mr. Blakesley about voting on Councilmember Rasmussen’s motion. Mr. Blakesley explained that because there was a second on the first motion, every member of the body must cast their vote and then the motion would either pass or fail, and at that point they could consider the other motion.

 Mayor Fullmer sought clarification from Councilmember Rasmussen of what she sought from the developer. Councilmember Rasmussen stated that she wanted a more robust understanding of it since she was not completely sure of it yet.

 Councilmember Sifuentes did not think that further discussion would change anything and therefore stated that she was changing her vote to yes.

COUNCILMEMBER SIFUENTES CHANGED HER VOTE TO YES.

She continued, stating that she wanted a commitment of 16 homes and would prefer a motion on that. The discussion continued about having an ongoing conversation about that and the need to vote on the motion as moved and seconded.

 Mayor Fullmer felt comfortable with moving forward. She mentioned that she liked to defer to people who voted to continue because she did not think it was a fair vote when not everyone understood the negotiation.

MAYOR FULLMER VOTED NO. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE WELSH, COUNCILMEMBERS FLAKE AND SIFUENTES VOTED YES. MAYOR FULLMER AND COUNCILMEMBER RASMUSSEN VOTED NO. THE MOTION CARRIED 3-2.

383 **9.4 PUBLIC HEARING – Geneva Nitrogen General Plan Land Use Map and Zoning**
384 **Map Amendment Applications (Ordinance 2022-12)** *(A public hearing was held and*
385 *left open during the May 25, 2022 City Council meeting.)*

386 Community Development Director Morgan Brim is requesting city initiated general plan
387 map amendment and zoning map amendment applications for the site known as Geneva
388 Nitrogen located at 1165 North Geneva Road, Vineyard, Utah 84059, Serial No.
389 17:022:0006. The property is 27.36 acres in size. This rezone would change the general
390 plan map designation from undesignated to Regional Commercial. Vineyard City intends
391 to rezone the subject property from I-1 Industrial to contain the following:

- 392 -Regional Commercial (Approximately 5.79 acres)
- 393 -Business Park (Approximately 2.7 acres)
- 394 -Flex Office Industrial (Approximately 13.9 acres)

395 The mayor and City Council will act to adopt (or deny) the request by ordinance.
396

397  Mayor Pro Tempore Welsh called for a motion to open the public hearing.
398

399  **Motion:** COUNCILMEMBER FLAKE MOVED TO OPEN THE PUBLIC HEARING AT
400 8:05 PM. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. MAYOR PRO
401 TEMPORE WELSH, MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN,
402 AND SIFUENTES VOTED YES. THE MOTION CARRIED UNANIMOUSLY.
403

404  Mayor Pro Tempore Welsh turned the time over to Mr. Brim.
405

406  Mr. Brim explained that this proposal was city initiated, but there was a potential buyer for
407 the site, The Boyer Company. He reviewed the concept plans and proposed changes to the
408 zoning map and the land use map and concluded that the Planning Commission recommended
409 approval of this ordinance. He called for questions and a discussion followed.
410

411  Mayor Pro Tempore Welsh said that they were meeting with another landowner later this
412 week and she stated that she would prefer to continue this discussion until after that meeting
413 since it might affect what the city wanted to do with this property.
414

415  Mayor Fullmer agreed, adding that she needed time to review the plan and that she wanted
416 to meet in person to talk about the reasoning behind it.
417

418  Mayor Pro Tempore Welsh called for public comments.
419

420  Nicholai Lazarev with The Boyer Company empathized with the council's desire to continue
421 the discussion but did want to go on record to state that they had been working with the city
422 since March 9th. All the work and meetings thus far had resulted in the plan that was being
423 presented tonight. He emphasized that they needed to get preliminary zoning approved to get
424 started on cleaning up the site. He expressed disappointment in not being able to get the zoning
425 change approved tonight.
426

427  Mayor Fullmer explained that before The Boyer Company submitted their proposal, the city
428 had been looking at master planning the area. She had been asked to put a pause on that by the
429 developer so they could work together on the issue. She had met with Mr. Nair about making
430 that compromise but since then she had not been able to talk to The Boyer Company about the
431 city's goals. She stated that, especially since it involved Redevelopment Agency (RDA) funds,
432 this was a big decision for the city. She wanted to take the time to make a decision that showed

that they were coming together, especially since the city had paused what they were previously doing to provide that partnership and to make sure that The Boyer Company got what they needed as well. She wanted to meet with them next week and then move forward.

 Mr. Lazarev replied that they were unaware of the previous master planning efforts and asked about the timeline for the re-evaluation process.

 Mayor Fullmer responded that she did not see it so much as a re-evaluation but as a way to meet with them to go over concerns. She felt that it was too long of a meeting tonight to have those kinds of discussions. She suggested meeting next week.

 Mr. Lazarev asked what some of the concerns were and a discussion ensued.

 Mayor Pro Tempore Welsh said that she wanted to continue this to the next agenda in two weeks and expressed confidence that they would be able to agree to something.

 **Motion:** MAYOR FULLMER MOVED TO CONTINUE.

There was a brief discussion about the motion.

 **Amended Motion:** MAYOR FULLMER MOVED TO CONTINUE THE PUBLIC HEARING AS WELL AND TO CONTINUE THIS ITEM TO THE NEXT MEETING ON THE 27TH OF JULY. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR PRO TEMPORE WELSH, MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

 Jacob Briggs, representing the landowner Geneva Nitrogen, stated that Geneva Nitrogen was in favor of approving the zoning change. He explained that they saw The Boyer Company's commitment and felt that the proposed zoning fit well into the General Plan. He explained that buyers and tenants were ready now and urged the council to make a decision soon.

 Mayor Fullmer wanted her comments on this issue to be on the record. She felt that this was a great opportunity to work together and noted that they would be meeting next week. She stated for the record that even with the understanding that was there, she did not believe that the council in the past had made any such acknowledgment of those things with the Geneva Nitrogen plant owner but that she and the council did respect the conversation and would be working together.

 Mr. Briggs thanked the mayor and stated for the record that he was not trying to put his comments on the record and understood her need to respond. He replied that they would have to agree to disagree since there was no need to disagree.

 Mayor Fullmer agreed and added that the city cared about what he was saying and wanted to have a good partnership.

 Mr. Blakesley asked the council to make a motion to include in the public hearing Mr. Briggs' comments made after the last motion.

 **Motion:** COUNCILMEMBER RASMUSSEN MOVED TO INCLUDE MR. BRIGGS' AND THE MAYOR'S COMMENTS IN THE PUBLIC HEARING. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. MAYOR PRO TEMPORE WELSH, MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

10 ADJOURNMENT

 Mayor Pro Tempore Welsh called for a motion.

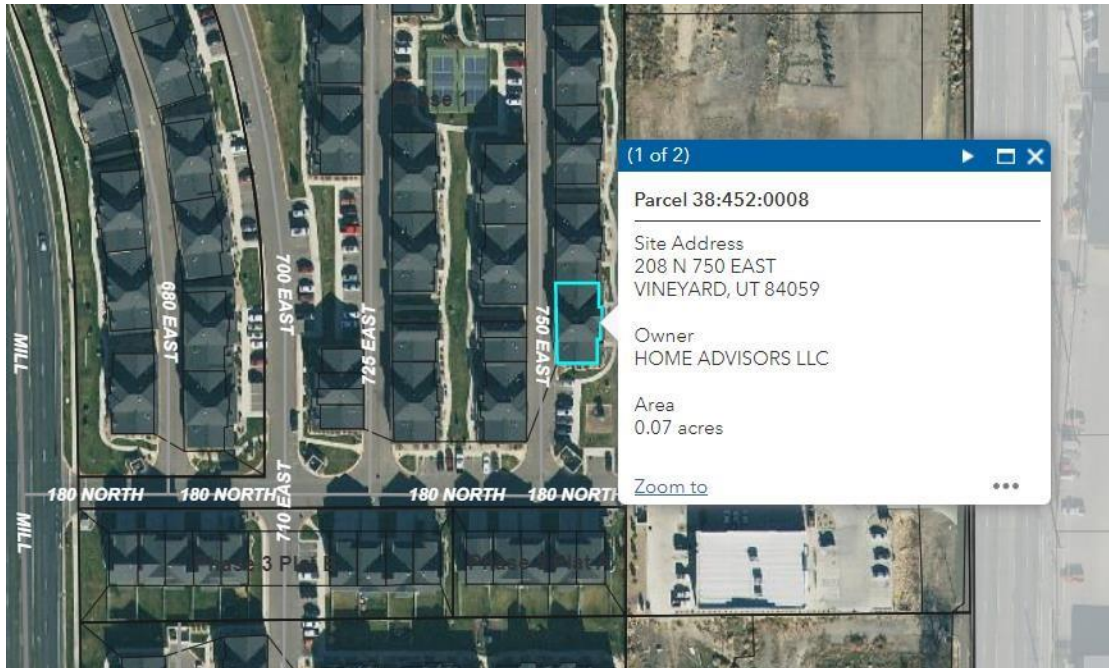
 **Motion:** COUNCILMEMBER SIFUENTES MOVED TO ADJOURN THE MEETING AT 8:30 PM. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR PRO TEMPORE WELSH, MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

MINUTES APPROVED ON: _____

CERTIFIED CORRECT BY: /s/ Kelly Kloepfer
KELLY KLOEPFER, DEPUTY RECORDER

Community Development

Date: July 7, 2022
From: Cache Hancey, Planner
To: City Council
Item: 6.2 Edgewater at Geneva Phase Eighteen Edgewater Court Side, an amendment of Lot 8, Edgewater at Geneva
Address: 208 N 750 E, 206 N 750 E, 204 N 750 E, and 202 N 750 E
Applicant: Lynn Payne with Home Advisors LLC



ANALYSIS

The applicant, Lynn Payne, with Home Advisors LLC, is requesting approval of a final plat amendment to the Edgewater at Geneva Phase Eighteen, Edgewater Court Side Plat. Mr. Payne's property is Lot 8 of the plat. The applicant is proposing to subdivide parcel 38:452:0008 into four (4) separate, unique parcels. Mr. Payne has provided all the required documentation to move forward with the recording of this amended plat at the Utah County Recorder's Office, including a scope of work, the amended subdivision plat, an affidavit of property ownership, and summary title report. Once subdivided, these new parcels will continue to be governed by the covenants, conditions, and restrictions for the Edgewater Homeowner's Association. This subdivision shall not change the use of these townhomes and will continue to meet the intent of the zoning district.

STAFF RECOMMENDATION

Staff recommends approval of the final amended plat with the conditions listed below.

CONDITIONS

1. The applicant pays any outstanding fees and makes any redline corrections.
2. The applicant is subject to all federal, state, and local laws.

PROPOSED MOTION

"I move to approve the final plat as requested by the applicant, with the proposed conditions."

ATTACHMENTS

Amended Final Subdivision Plat

SCOPE OF WORK

This project consists in subdividing a fourplex located at 208 N 750 E Vineyard, UT 84058 into 4 individual townhomes, which will continue to be maintained by the individual owners and the Edgewater at Geneva Owners Association Inc (HOA). This subdivision project will require no development beyond a new plat, city approval and the recordation of the newly formed parcels with the office of the Utah County Recorder. As many others have likewise subdivided their multifamily units, it is our understanding that the proposed development meets or exceeds the intent of the zoning district. This will benefit the community by providing more affordable housing, as mine will be among the cheapest sold, if not the cheapest townhomes in Vineyard.



VINEYARD CITY COUNCIL STAFF REPORT

Meeting Date: July 27, 2022

Agenda Item: 6.3 US Bank Authorized Representatives Certificate

Department: Finance

Presenter (if needed): David Mortensen

Background/Discussion:

In order to process transactions related to bond funds that are held by US Bank, the City is required to appoint Authorized Representatives to act on behalf of the City in matters relating to the bonds.

It is proposed that David Mortensen, Finance Director; Kristie Bayles, City Treasurer; and Ezra Nair, City Manager be appointed as Authorized Representatives.

Fiscal Impact: None

Recommendation: Approval of the Resolution

Sample Motion: I move to approve the resolution as presented by staff appointing David Mortensen, Kristie Bayles, and Ezra Nair as Authorized Representatives to act on behalf of Vineyard City in matters relating to bond funds held by US Bank.

Attachments:

Resolution

Authorized Representative(s) Certificate

RESOLUTION NO. 2022-36

**A RESOLUTION OF THE VINEYARD CITY COUNCIL AUTHORIZING
ADDITIONAL OFFICERS OF THE CITY TO ACT FOR THE CITY REGARDING
THE CITY'S BANK ACCOUNTS**

WHEREAS, the city is governed by Utah Code Annotated 10-6-143 with respect to the issuance of checks; and

WHEREAS, the Vineyard City Council wishes to designate persons authorized to sign checks on behalf of the city;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Vineyard, Utah as follows:

Section 1. Authorization. Subject to the requirements of Utah Code Annotated Title 10, Chapter 6, and the constraints of the City's budget, any additional officers and agents of the City designated below are hereby authorized to sign checks on behalf of the City. Before affixing a signature, the designated officer must determine that a sufficient amount is on deposit in the appropriate bank account of the City to honor the check. The person maintaining the City's financial records may not sign any single signature check.

Section 2. Officers Designated. The persons occupying the following offices or positions with the city are authorized to sign checks on behalf of the city: City Manager, Finance Director, and City Treasurer.

Section 3. Binding Effect. Any agreements, instruments or documents executed and delivered to U.S. Bank by any of the above-named additional officers or agents shall be the binding and enforceable obligations of the City, enforceable in accordance with their respective terms.

Section 4. Severability Clause. If any section, part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

Section 5. Effective Date. This Resolution shall become effective immediately upon its passage.

Passed and dated this 27th day of June 2022.

Julie Fullmer, Mayor

Attest

Pamela Spencer, City Recorder

AUTHORIZED REPRESENTATIVE(S) CERTIFICATE

I, Julie Fullmer, a duly elected and/or acting Mayor
(Printed Name of Authorizing Official) (Title)

of Vineyard City a(n) Utah
(Institution Name) (State)
Municipality, do hereby certify that the following have been
(Type of Institution - i.e. Municipality, Corporation, etc...)

appointed as an Authorized Representative(s), as of the date hereof, and are authorized to act on behalf of the above
named Institution in matters relating to Series 2017 Tax Increment Revenue Bond and Series 2021 Tax Increment
Revenue and Refunding Bond.

I also certify that the signatures opposite their names are the signatures of such individuals.

<u>Printed Name</u>	<u>Title (list multiple titles, if applicable)</u>	<u>Specimen Signature</u>
Ezra Nair	City Manager	
David Mortensen	Finance Director	
Kristie Bayles	Treasurer	

Witness my signature on this _____ day of _____, 20_____.

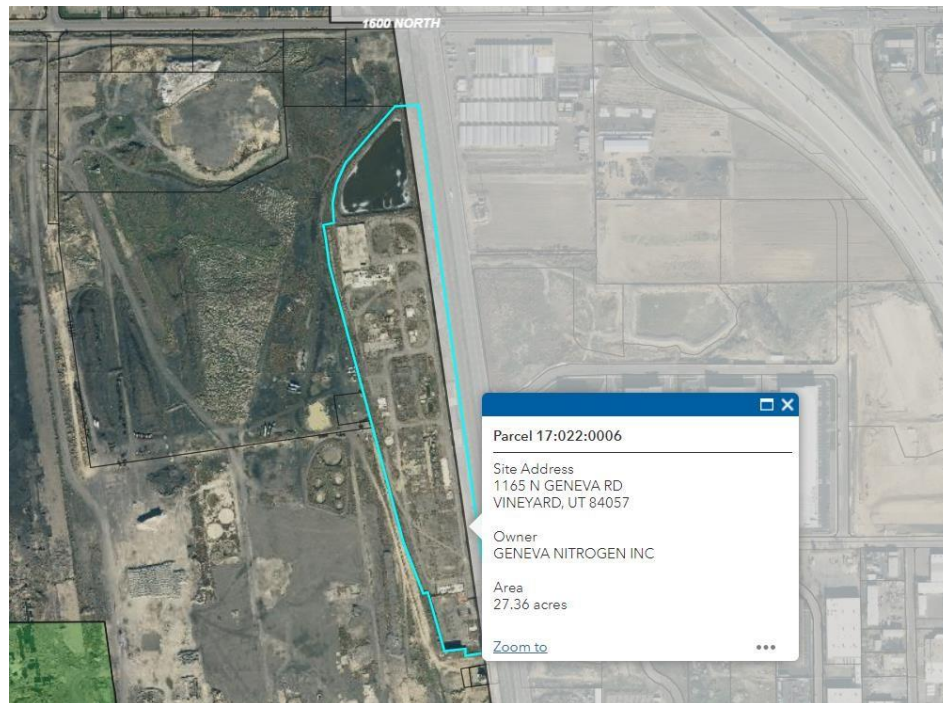
(Signature of Authorizing Official)

(IMPORTANT NOTE: If there are multiple individuals identified as Authorized Representatives, one of those same individuals may execute the form as the “Authorizing Official”. However, if there is a single individual named as an Authorized Representative, the “Authorizing Official” must be an individual that is not the named Authorized Representative).



Community Development

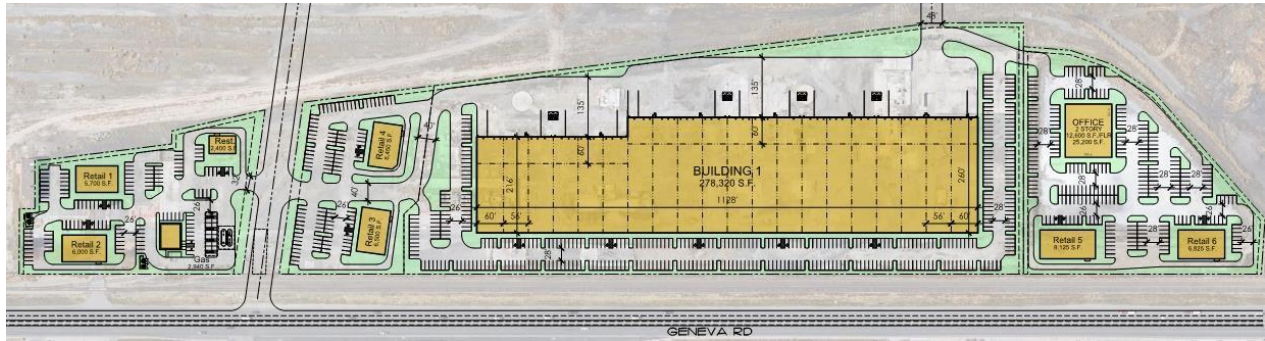
Date: July 13, 2022
From: Morgan Brim, Community Development Director
To: City Council
Item: 9.1 Public Hearing and Consideration of General Plan Land Use and Zoning Map Amendment for the former Geneva Nitrogen property
Location: 1165 N Geneva Road; Serial No: 17:022:0006
Applicant: City Initiated



Proposal:

Vineyard City initiated a general plan land use and zoning map amendment for the former Geneva Nitrogen property. A few years ago, the Redevelopment Agency approved an RDA application to assist with site remediation with a condition that the site be rezoned to a commercial zoning district. The current zoning district is I-1, Industrial which allows for a wide range of industrial and manufacturing uses. The property owner, Geneva Nitrogen, Inc is working with the Boyer Company to purchase the property. The Planning Commission met with a representative from the Boyer Company in a work session to discuss their concept plan and potential land uses for the site. Additionally, Boyer has met separately with council members to receive their feedback on the property concept plan shown below. The proposed Boyer concept presented a mixed of commercial uses including a large central flex office building of 278,320 sf (76.19%), a 25,200-sf office building (11.49%), and eight retail buildings, including a gas station, containing a total of 44,940 sf (12.3%).

Based on the proposed uses, the city has modified the zoning map to contain three zoning categories, Regional Commercial (RC), Flex, Office & Industry (FOI), and Business Park, (BP). The general plan land use map currently did not designate a land use category for this property. It is proposed to designate the project area as Regional Commercial.



Recommendation:

Staff and Planning Commission are recommending adoption of Ordinance 2022-12 Nitrogen Geneva Land Use and Zoning Map Amendments to the City Council.

Recommended Motion:

"I motion to adopt of Ordinance 2022-12 Geneva Nitrogen Land Use and Zoning Map Amendments as presented."

Attachments:

Ordinance 2022-12

**ORDINANCE
NO.
2022-12**

AN ORDINANCE OF THE CITY OF VINEYARD, UTAH TO AMEND THE VINEYARD GENERAL PLAN LAND USE MAP AND VINEYARD ZONING MAP FOR THE PROPERTY KNOWN AS GENEVA NITROGEN, LOCATED AT 1165 N GENEVA ROAD, VINEYARD UTAH 84059; AMENDING LAND USE MAP FROM UNDESIGNATED TO REGIONAL COMMERCIAL AND ZONING MAP FROM I-1 INDUSTRIAL TO REGIONAL COMMERCIAL (RC), BUSINESS PARK (BP), AND FLEX OFFICE INDUSTRY (FOI); PROVIDING A REVERTER CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City initiated an application to rezone the property known as Geneva Nitrogen, located at 1165 North Geneva Road, Vineyard, Utah, from its current designation of Industrial (I-1) to Regional Commercial (RC), Business Park (BP), and Flex Office Industrial (FOI); and

WHEREAS, Title 10, Chapter 9a Municipal Land Use, Development, Management Act of Utah Municipal Code, permits Vineyard to ensure the health, safety, and welfare of the community through local land use planning and the adoption of land use ordinances; and

WHEREAS, Vineyard is authorized to amend the City's Zoning Ordinance pursuant to Utah Municipal Code Section 10-9a-102(2); and

WHEREAS, the Planning Commission held a public hearing on July 7, 2022, and after fully considering public comment and staff analysis recommended approval to the City Council; and

WHEREAS, the City Council having reviewed the proposed land use and zoning map amendments, held a public hearing on July 14, 2022; and

WHEREAS the City Council having considered the recommendation of the Planning Commission and submitted comments and testimony from the public, having determined that it is in the best interest of the public and adopt the proposed land use and zoning map amendments.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Vineyard:

Section 1. Rezone. That certain property located at 1165 North Geneva Road, and more particularly described on **Exhibit A**, attached hereto and incorporated herein by reference, is hereby rezoned from its current zoning designation of I-1 to RC, BP, and FOI as indicated on the Zoning Map on **Exhibit B**, attached hereto and incorporated herein by reference.

Section 2. Zoning Map Amendment. The Zoning Map of Vineyard City is hereby amended to reflect the rezoning referenced in Section 1, above.

Section 3. General Plan Amendment. The Vineyard General Plan Land Use Map is hereby amended to reflect the rezoning referenced in Section 1, above.

Section 4. Site Plan and Development Agreement Condition. This Ordinance is specifically subject to and conditional upon the following:

(a) A Site Plan for the property described in Exhibit A must be approved by the City Council within twelve (12) months of the date of this Ordinance. In the event a Site Plan is not approved, the zoning designation of the property shall revert to I-1.

(b) Site Plan approval shall be subject to the entry of a Development Agreement with the City, which agreement shall be approved by the City Council and include agreement on the following items, among other things the City may deem necessary:

(i) Designation of a 10-foot-wide multi-use trail along the perimeter of the property which shall connect to the City's public trail system;

(ii) Regional Commercial development of at least 60,000 square feet;

(iii) Professional Office development of at least 25,000 square feet;

(iv) If desired by the Site Plan applicant and supported by a parking study, designation of structured parking to be shared between Regional Commercial and Professional Office portions of the development;

(v) Designation of a type and minimum square footage for the development of retail uses;

(vi) Agreement on elements of commercial architecture to include façade and variety;

(vii) Road connection and alignment;

(viii) Whether to permit drive-through businesses.

Section 5. Repealer. All City of Vineyard Plans which may be in conflict herewith are hereby repealed.

Section 6. Savings and Severability. It is hereby declared to be the legislative intent that the provisions and parts of this Ordinance shall be severable. If any paragraph, part, section, subsection, clause, or phrase of this Ordinance is for any reason held to be invalid by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 7. Publication. This Ordinance, or a summary thereof, shall be published in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

Section 8. Effective Date. This Ordinance shall be in full force and effect after its passage, approval, and publication according to law.

PASSED and APPROVED by the City Council and Mayor of Vineyard, Utah on this
_____ day of _____ 2022.

By: _____
Julie Fullmer, Mayor

[SEAL]

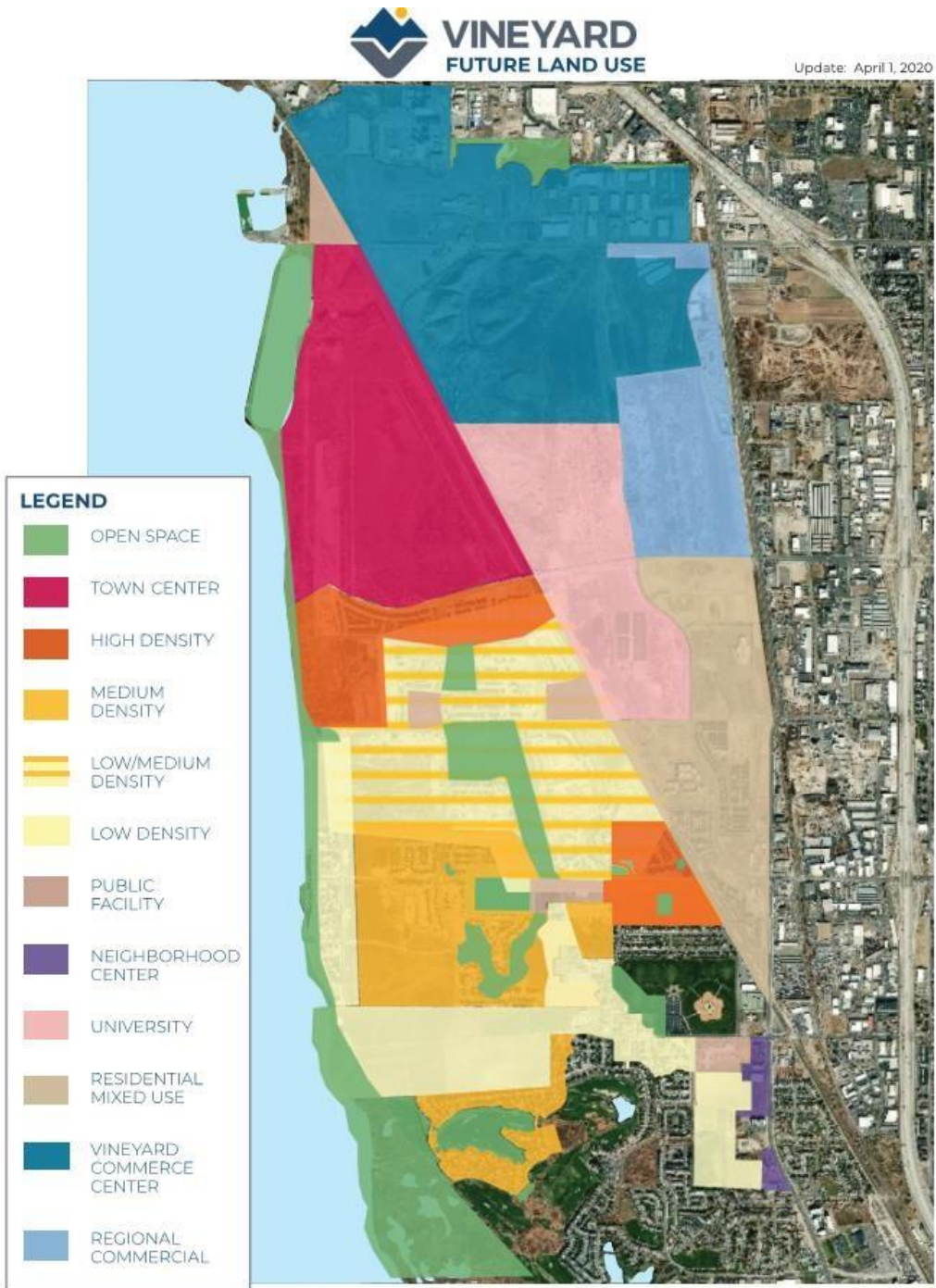
Voting:

Julie Fullmer	Yes _____	No _____
Tice Flake	Yes _____	No _____
Cristy Welsh	Yes _____	No _____
Mardi Sifuentes	Yes _____	No _____
Amber Rasmussen	Yes _____	No _____

ATTEST.

Pam Spencer, City Recorder

Section 1:



[illegible]



Community Development

Date: July 27, 2022
From: Morgan Brim, Community Development Director
To: City Council
Item: 9.2 Public Hearing Vineyard Waterfront Master Plan
Location: Vineyard's 3.4-mile shoreline

BACKGROUND:

The city contracted with FFKR and EDSA Design consultants in 2021 as part of the TRCC grant awarded for shoreline improvements to prepare a waterfront master plan which encompasses Vineyard's entire 3.4-mile shoreline. This plan provides three planning districts along the waterfront. The northern planning district includes areas adjacent to Downtown and the future boardwalk retail street. The district will focus on high energy activities and entertainment. The primary elements of this area include two piers on the north and south side of an expanded sandy beach. Currently the beach is 300 feet in length and plans propose an expansion to approximately 1,800 linear feet. A marina village is proposed just south of the Lindon Marina that will provide greater opportunity for boat access and a reuse of the former Geneva Mill storm water pond.

The central planning district runs just south of the Lake Promenade, east of the Lakefront Town Center, James Bay and the Shores Communities. This area contains Sunset Beach Park and proposes enhancements to Center Street Trailhead. The south planning district includes the Walkara Way Conservation Area and lake side property west of the former Clegg Farm. An educational facility, equestrian opportunities, trail improvements and a non-motorized boat launch.

This plan has been through a significant public process which included two open houses, several online engagement opportunities and many committee working groups. Work sessions before the Planning Commission, Bicycle Advisory Commission, and City Council allowed the public formal time for public comment from input from city leadership.

RECOMMENDATION:

The Planning Commission held a public hearing on July 20, 2022 and recommended approval of the master plan. One member of the public spoke during the hearing and recommended the plan include public parking for tourists and Vineyard residents visiting the lake. He also recommended the city analyze Vineyard Grove Park for the mode of transportation used by visitors to help inform the city on the amount of parking needed along the waterfront. He suggested the city provide a transportation system and parking to accommodate other modes of transportation like golf carts.

COUNCIL OPTIONS:

Three options the City Council may consider are as follows:

1. Approve the Waterfront Master Plan as proposed.
2. Approve the Waterfront Master Plan with modifications.
3. Continue the Waterfront Master Plan to a future meeting.

PROPOSED MOTION:

"I motion to approve Ordinance 2022-13 Vineyard Waterfront Master Plan."

ATTACHMENTS:

Proposed Ordinance and Waterfront Master Plan

Ordinance 2022-13
Vineyard Waterfront Master Plan

AN ORDINANCE OF THE CITY OF VINEYARD, UTAH, TO ESTABLISH A WATER FRONT MASTER PLAN, COMPISING SHORELINE AREAS WITHIN THE CITY’S MUNICIPAL BOUNDARY, APPROXIMATELY 3.4 MILES, TO PROVIDE A COMPREHENSIVE DESIGN OF WATERFRONT PROJECTS RESOURCES, TO ESTABLISH TRANSPORTATION CORRIDOR ROUTES, PRIORITIZING ACTIVE TRANSPORTATION SUCH AS WALKING AND BIKING, CREATING ACCESS TO TRANSIT, PRIORTIZING FUTURE IMPROVEMENT PROJECTS AND DEVELOPING RECREATIONAL AMENITIES SERVING LOCALS AND TOURISTS; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE, PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in compliance with Utah State Municipal Land Use, Development, and Management Act (LUDMA), the City established a master plan as a companion document to the General Plan; and,

WHEREAS, the Waterfront Master Plan provides guidance for future development of the city’s shoreline and places an emphasis on creating recreational opportunities; and,

WHEREAS, The Waterfront Master Plan provides several lake side improvement projects for future implementation; and

WHEREAS, the City held several public meetings and workshops to obtain citizen feedback on how the waterfront is currently being utilized and how it will be used in the future; and,

WHEREAS, the master plan will provide opportunities for future grant funding as it reflect a unified vision as to how the shoreline should develop; and

WHEREAS, the City Council of Vineyard approved a motion to establish an project known as “Vineyard Beach” as a catalyst waterfront project, which consists of a central gathering park, lake road improvements, pedestrians and cyclist facility, extending the beach front, adding beach sand and infrastructure necessary to maintain area improvements; and,

WHEREAS, the Planning Commission held a public hearing on July 20, 2022, and after fully considering public comment and staff recommendations, recommended approval to the City; and,

WHEREAS, the City Council reviewed the Waterfront Master Plan and held a public hearing on July 27, 2022, and after fully considering public comment, staff and Planning Commission’s recommendations, evidence and testimony presented by the City, staff and other interested parties.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF VINEYARD:

Section 1: VINEYARD WATERFRONT MASTER PLAN. Attached as exhibit A.

Section 2: REPEALER CLAUSE. All City and Vineyard Plans, which are in conflict with the Vineyard Waterfront Plan herewith are hereby repealed.

Section 3: SAVINGS AND SERVERABILITY CLAUSE. It is hereby declared to be the legislative intent that the provisions and parts of this Ordinance shall be severable. If any paragraph, part, section, subsection, clause or phrase of this Ordinance is for any reason held to be invalid by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 4: PUBLICATION. This Ordinance, or a summary thereof, shall be published in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

Section 5: EFFECTIVE DATE. This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

Exhibit A: Waterfront Master Plan



VINEYARD WATERFRONT

PLANNING COMMISSION | JUNE 15, 2022

CITY COUNCIL | JUNE 22, 2022



VINEYARD
STAY CONNECTED



moffatt & nichol



MARTIN & NICHOLSON
ENVIRONMENTAL CONSULTANTS

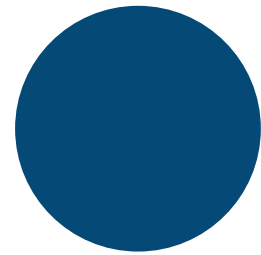


LELAND
CONSULTING
GROUP

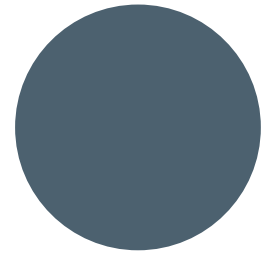
FFKR ARCHITECTS



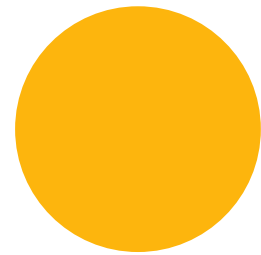




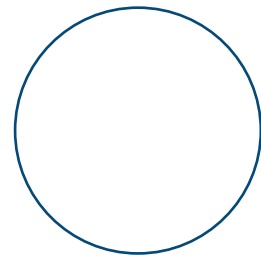
CONTEXT REGIONAL | SITE ANALYSIS



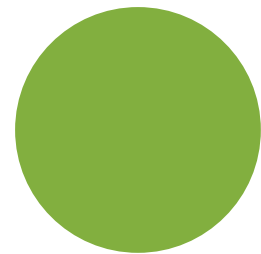
INPUT + INSPIRATION



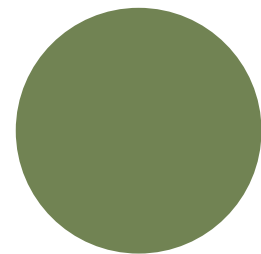
WATERFRONT



ENLARGEMENTS NORTH | CENTRAL | SOUTH

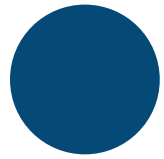


CATALYST PROJECT BEACH | CITY HALL | NATURE CENTER



IMPLEMENTATION

APPENDIX



CONTEXT

Vineyard, Utah

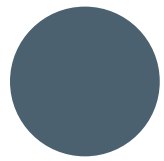
Located in the heart of Utah County, Utah, Vineyard is located between Salt Lake City and Provo. Vineyard is a newer community with explosion growth from the previous decade and more planned with added infrastructure and development potential.

With easy access to I-15 and the Salt Lake International Airport a short 45 minute drive away, and (forthcoming) UTA FrontRunner rail service to Salt Lake City, Vineyard is situated is an ideal location for easy access whether by bike, vehicle, or public transit. A connected, comprehensive Utah Lake Trail ties perfectly into a comprehensive, user-friendly waterfront for Vineyard. While residents love the current option to passively experience the lake and natural environment, there are needed updates to provide greater usership and needed environmental interventions to maintain prosperous natural systems.

Vineyard has access to water that most of Utah County (and beyond!) municipalities do not. Taking advantage of usage for both residents and visitors can only enhance the rapidly-growing city and establish it as a unique destination.







INSPIRATION



SEASONALITY



COLD WINTERS, WARM SUMMERS
The Vineyard waterfront experiences all seasons, and visitors should be able to use the waterfront all seasons with a range of passive and active activities.

HIS



A PLACE FOR GUESTS AND RESIDENTS
Water is scarce in Utah; it draws those in Vineyard and outside of the city. The waterfront has seen many changes over time and must take into account past, present, and future uses moving forward. The draw a successful waterfront has can be more than a positive economic benefit; it can also provide a multitude of equitable and environmentally-beneficial aspects for both locals and tourists.



STEEPED IN HISTORY
The waterfront is filled with history - spanning before times of settler's for farming purposes, embracing the original stewards (Native Americans), and understanding the effects and legacy of past industrial uses (Geneva Steel Plant).



RESTORATION



ENVIRONMENTALLY-MINDED
Vineyard can have both a positive effect on the waterfront and Utah Lake as a whole. Removing invasives, remediating contaminated sites, and educating future stewards of the environment are all steps Vineyard can take with the planning and design of the waterfront.

TORY

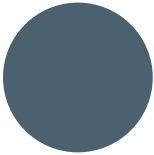


REGIONAL CONNECTION

AllTrails

DISTANCE 10.2 miles ELEVATION GAIN 43 feet





DESIGN CONCEPT

CHANGING WATERS

FLOWING

MOUNTAINS

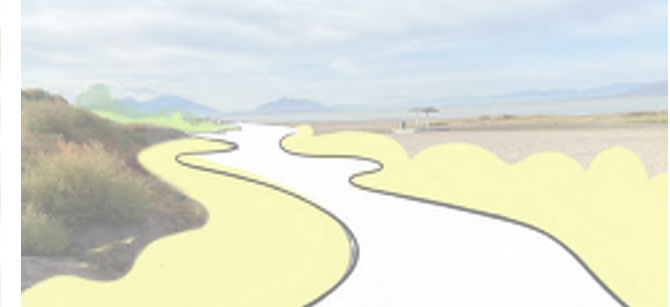
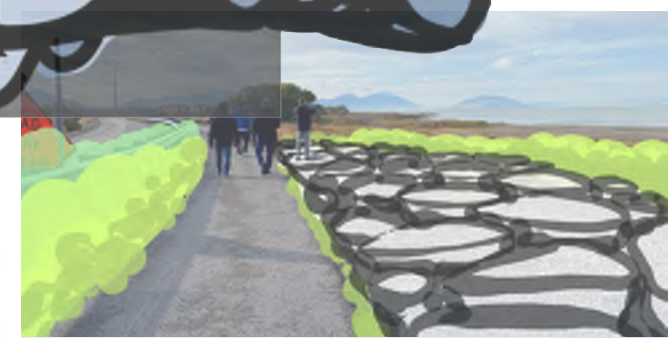
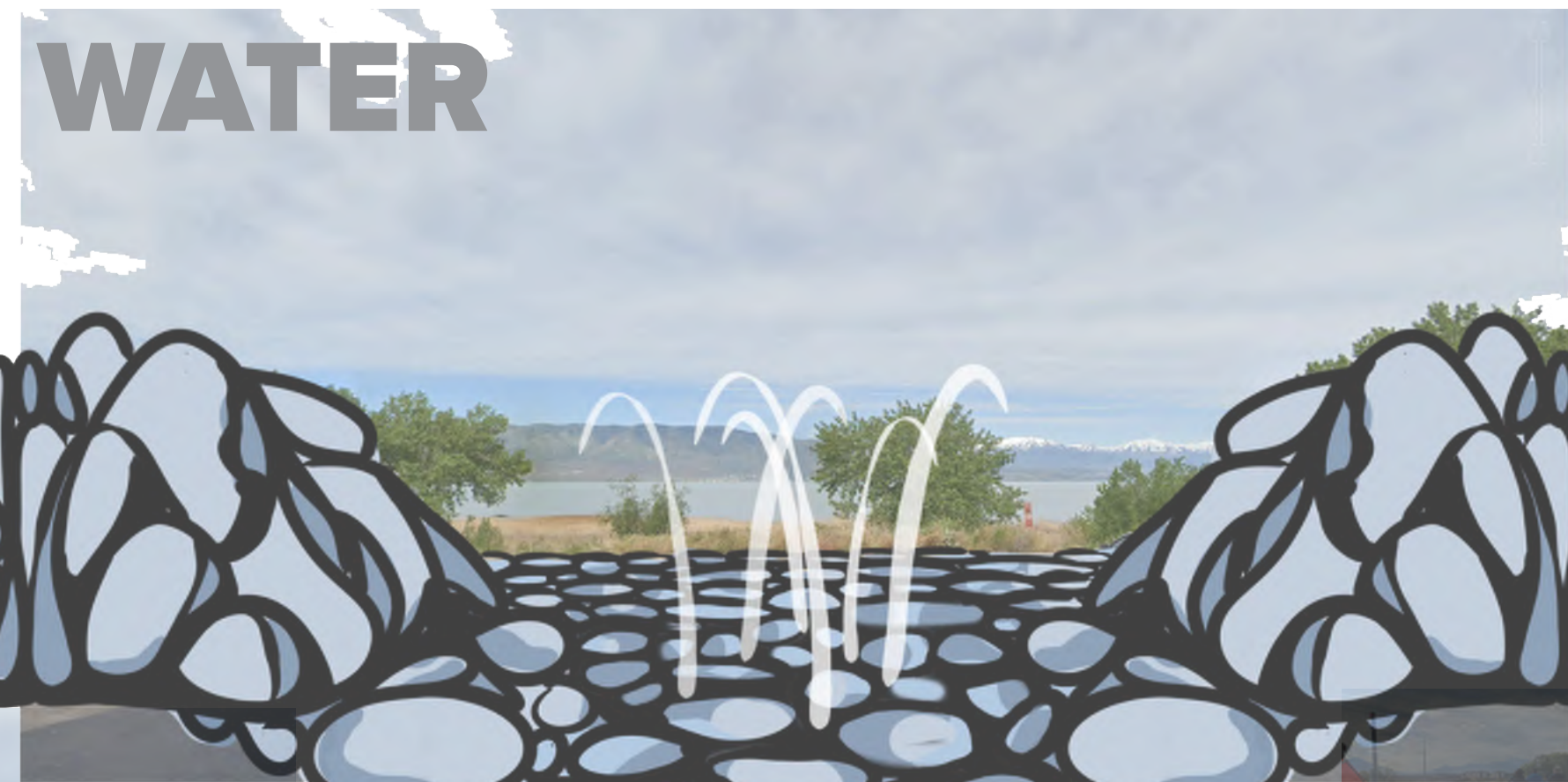
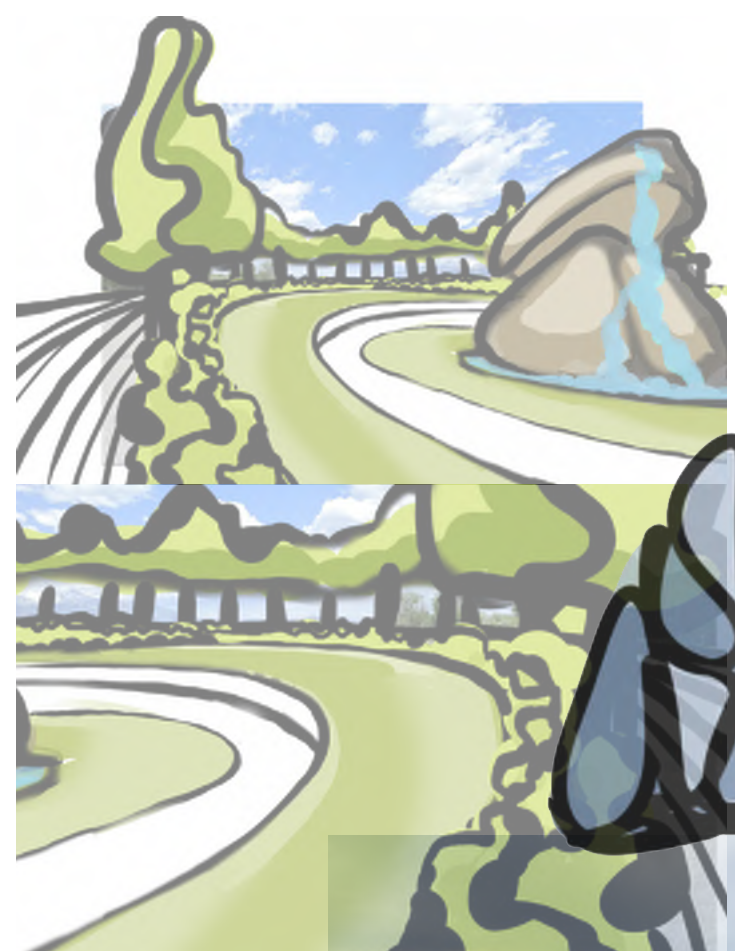
RIVERS

LAKE

WATER

PRESERVE

ACCESS





WATERFRONT

10+ ACCESS POINTS

POTENTIAL
PUMP TRACK OR
CABLE PARK

LARGE SCALE
DEVELOPMENT

MARINA AND MARINA
VILLAGE

BEACH

PIER

EDUCATIONAL WATER
LEARNING CENTER

UTAH LAKE

3 WATERFRONT TYPOLOGIES—





VINEYARD CITY BOUNDARY

CONTINUED
ENVIRONMENTAL
PROTECTION

NATURE CENTER

CENTER STREET
COMMUNITY SPACE

UTAH LAKE

4+ MILES OF TRAILS

1 UTAH LAKE TRAIL





NORTH WATERFRONT

NORTHERN PROMENADE

TOWN CENTER

SOUTHERN PROMENADE

VINEYARD CONNECTOR

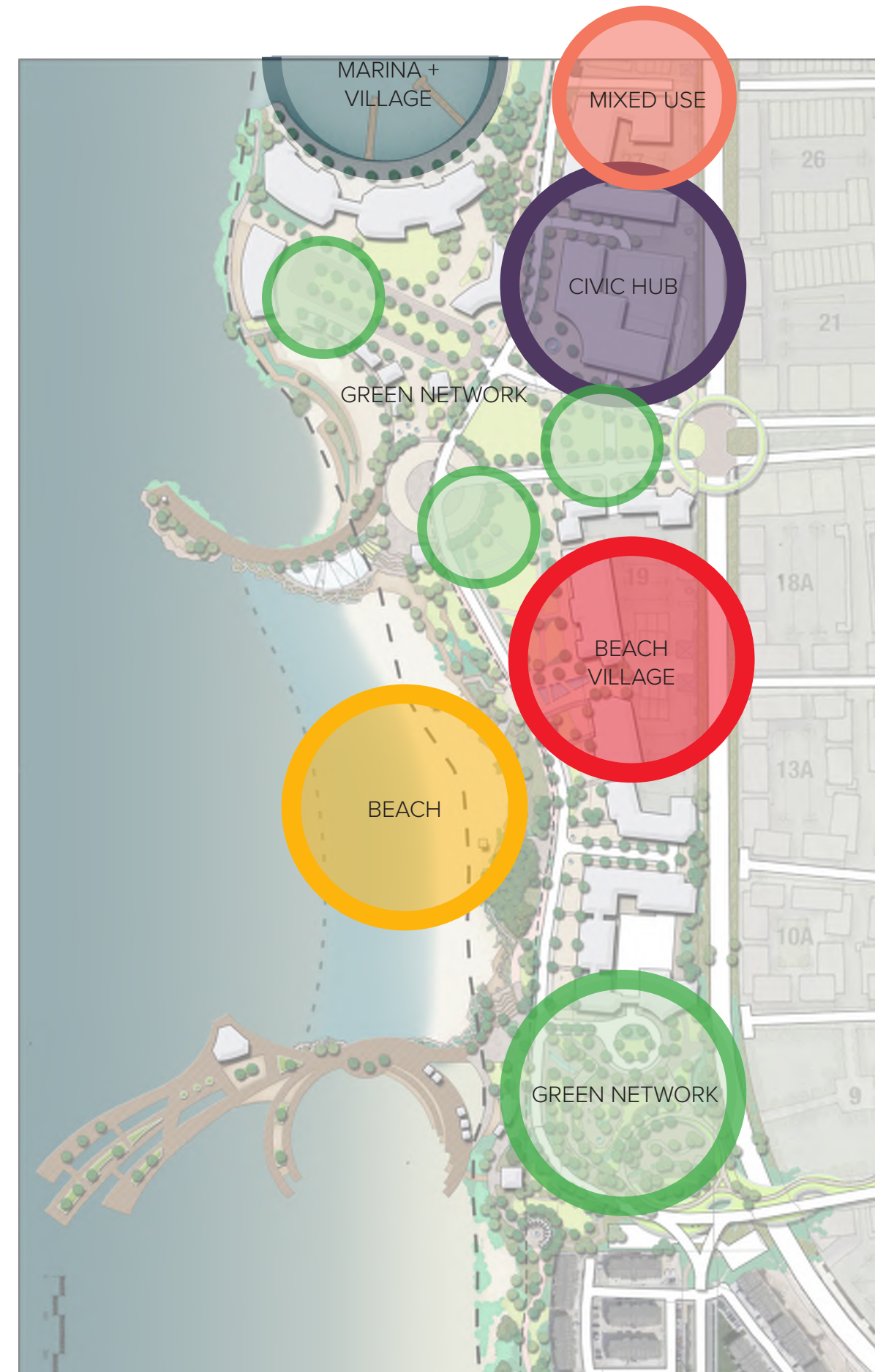
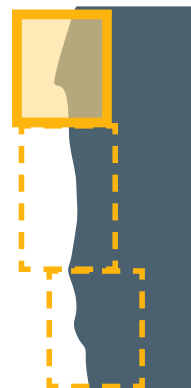
UTAH LAKE

VINEYARD LAKE RD

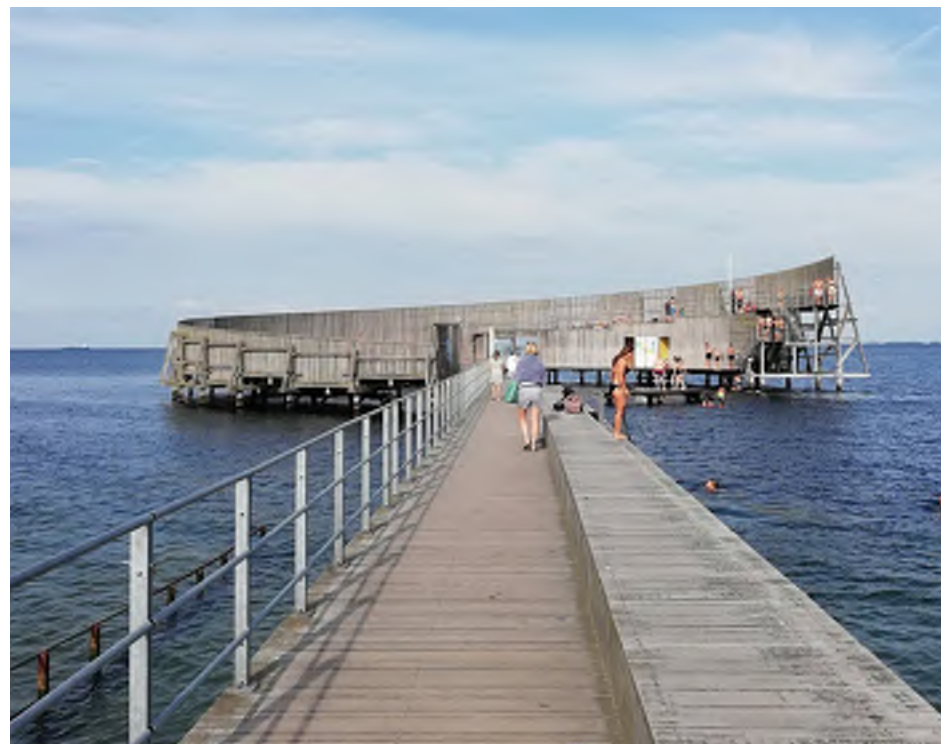


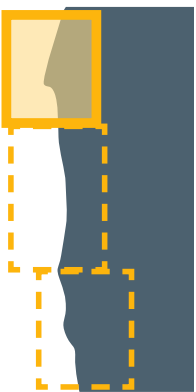
- | | |
|----------------------------------|--|
| ① MARINA | ②① PROTECTIVE EDGE |
| ② COMPROMISE LINE | ②② KIOSKS / POP UP MARKET |
| ③ MARINA VILLAGE | ②③ WALKING PIER |
| ④ MARINA PROMENADE | ②④ PIER PAVILION |
| ⑤ MARINA VILLAGE ANCILLARY | ②⑤ NON-MOTORIZED BOAT LAUNCH |
| ⑥ FESTIVAL/EVENT LAWN | ②⑥ DOG PARK |
| ⑦ PARKING | ②⑦ SKATE PARK |
| ⑧ LAWN
(DOG PARK, PLAYGROUND) | ②⑧ VEHICULAR & PEDESTRIAN
OVERPASS |
| ⑨ SEASONAL PUBLIC GATHERING | ②⑨ ADJACENT RESIDENTIAL
DEVELOPMENT |
| ⑩ WALKING PIER | ③① SHADE STRUCTURE |
| ⑪ PARALLEL PARKING | ③② SETTLEMENT LINE |
| ⑫ PROTECTIVE BEACH EDGE | ③③ EXISTING WATERFRONT
VEGETATION |
| ⑬ BEACH (EXPANDED) | ③④ PROPOSED UTAH LAKE TRAIL |
| ⑭ PROMENADE PLAZA | ③⑤ FUTURE OFFICE / RESIDENTIAL |
| ⑮ BEACH VEGETATION | ③⑥ BEACH PROMENADE VILLAGE |
| ⑯ BEACH ACCESS (ACCESSIBLE) | |
| ⑰ IMPASSE | |
| ⑱ EXISTING VEGETATION | |
| ⑲ SECONDARY PROMENADE | |
| ⑳ PROPOSED CITY HALL | |

KEY PLAN



NORTH WATERFRONT







CENTRAL WATERFRONT





UTAH LAKE

NATURAL VEGETATION

GATHERING AREA BOARDWALK

INCREASED VEGETATION ACCESS POINT

UTAH LAKE TRAIL



CENTRAL WATERFRONT



- | | |
|----------------------------|--------------------------|
| 1 SETTLEMENT LINE | 6 PROPOSED TREES |
| 2 COMPROMISE LINE | 7 DISC GOLF |
| 3 PROPOSED UTAH LAKE TRAIL | 8 GATHERING SPACE |
| 4 ADJACENT NEIGHBORHOOD | 9 ACCESS POINT |
| 5 EXISTING TREES | 10 ADJACENT NEIGHBORHOOD |



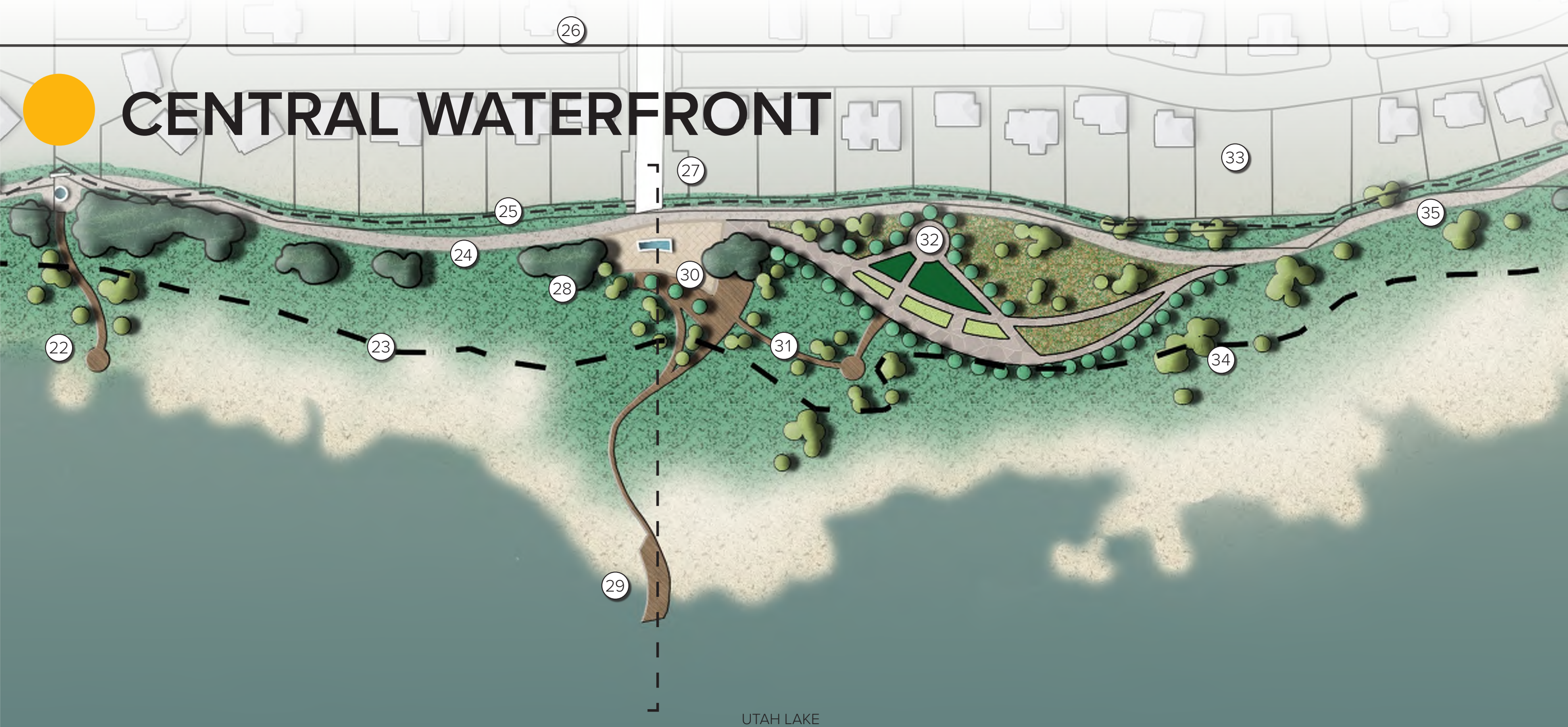


- | | | |
|--------------------------|--------------------------|---------------------|
| 11 BEACH ACCESS | 16 MULTIPURPOSE SPACE | 21 ACCESS POINT |
| 12 PIER | 17 PIER | 22 PIER/POCKET PARK |
| 13 BOARDWALK | 18 UTAH LAKE TRAIL | |
| 14 ABSTRACT AMPHITHEATER | 19 WATER GARDEN | |
| 15 SUNSET BEACH PARK | 20 ADJACENT NEIGHBORHOOD | |





CENTRAL WATERFRONT

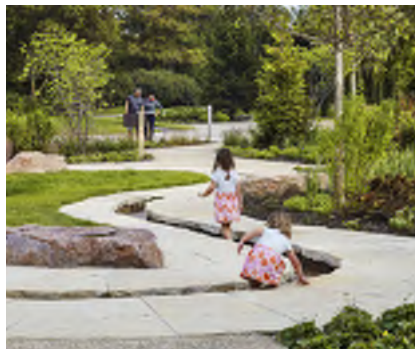
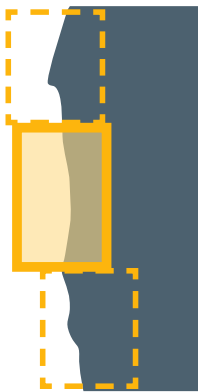


- 21 ACCESS POINT
- 22 POCKET PARK/PIER
- 23 COMPROMISE LINE
- 24 UTAH LAKE TRAIL
- 25 SETTLEMENT LINE

- 26 PARKING ALONG 300 W
- 27 CENTER STREET ACCESS POINT; UNLOADING/LOADING ZONE
- 28 EXISTING TREES
- 29 (NON-MOTORIZED) LAUNCHING PIER
- 30 BOARDWALK TO PIER

- 31 BOARDWALK
- 32 GATHERING SPACE / MULTI-PURPOSE LAWN
- 33 ADJACENT DEVELOPMENT
- 34 NATIVE VEGETATION
- 35 UTAH LAKE TRAIL





WATER EDUCATION



SOUTH WATERFRONT RECOMMENDATION*

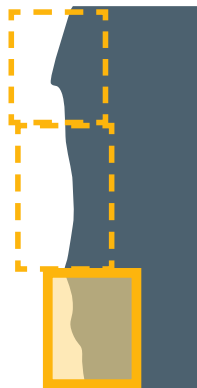


- | | | | |
|-----------------------------|--------------------------------|-------------------------------|--------------------------|
| 1 ADJACENT NEIGHBORHOOD | 6 PROPOSED PARKING | 11 PHASED CATTLE GRAZING | 16 PROPOSED WA'KARA BARN |
| 2 WATERFRONT ACCESS POINT | 7 PROPOSED PARK | 12 POTENTIAL EQUESTRIAN SPACE | 17 BOARDWALK |
| 3 EXISTING TREE CLUSTER | 8 NATURE CENTER | 13 ADJACENT GOLF COURSE | 18 UTAH LAKE TRAIL |
| 4 EXISTING + ENHANCED SCRUB | 9 BOARDWALK | 14 ADJACENT NEIGHBORHOOD | |
| 5 COMPROMISE LINE | 10 BOAT LAUNCH (NON-MOTORIZED) | 15 WATERFRONT ACCESS POINT | |

*NOTE: THE SOUTH WATERFRONT PLAN IS A RECOMMENDATION IF LANDOWNERS AGREE WITH PROPOSED PLAN.

VINEYARD WATERFRONT | ENLARGEMENTS







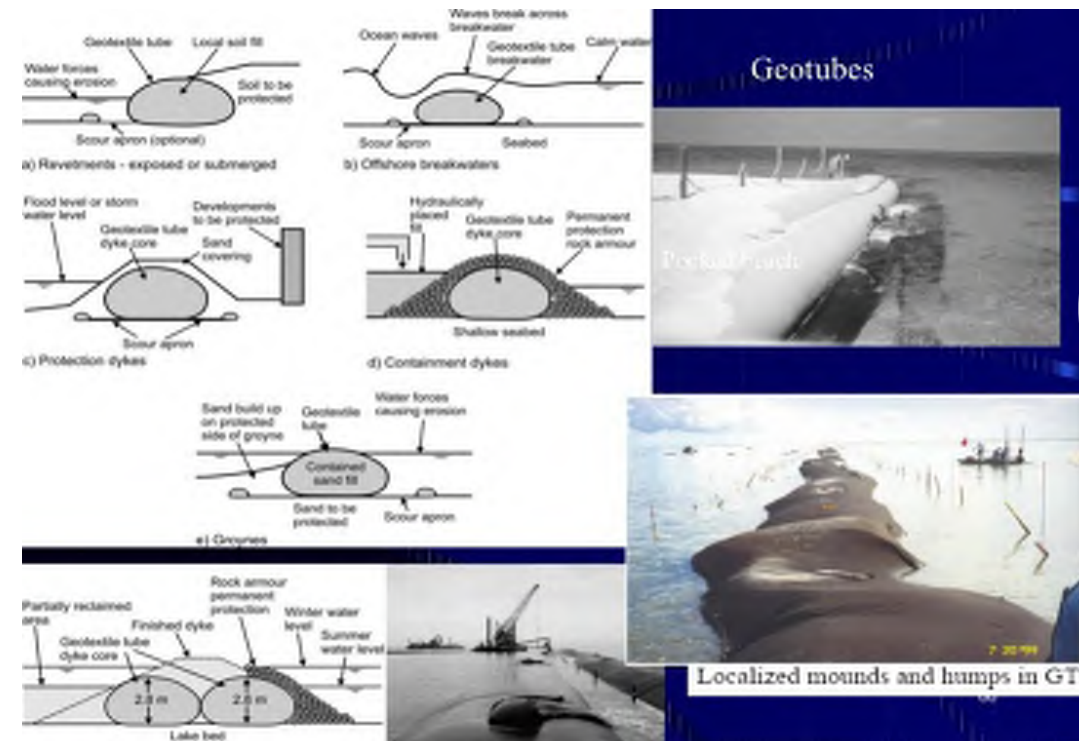
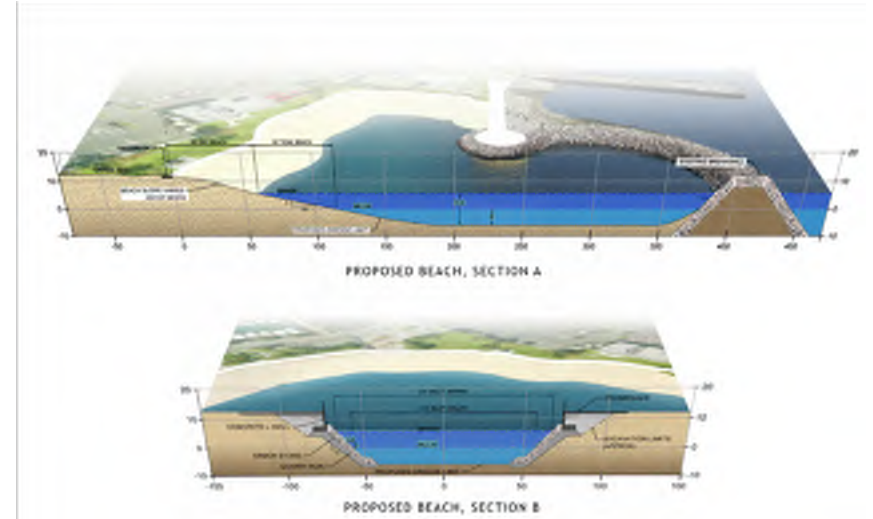
CATALYST PROJECTS

1

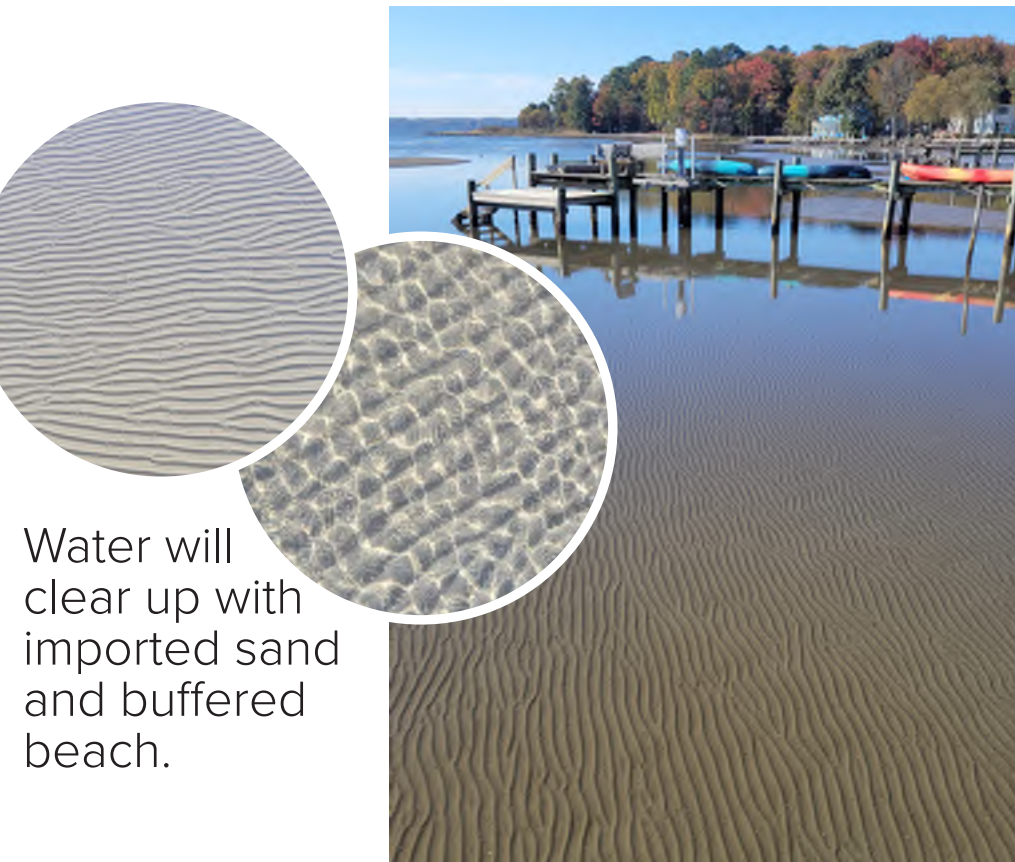
Beach Expansion

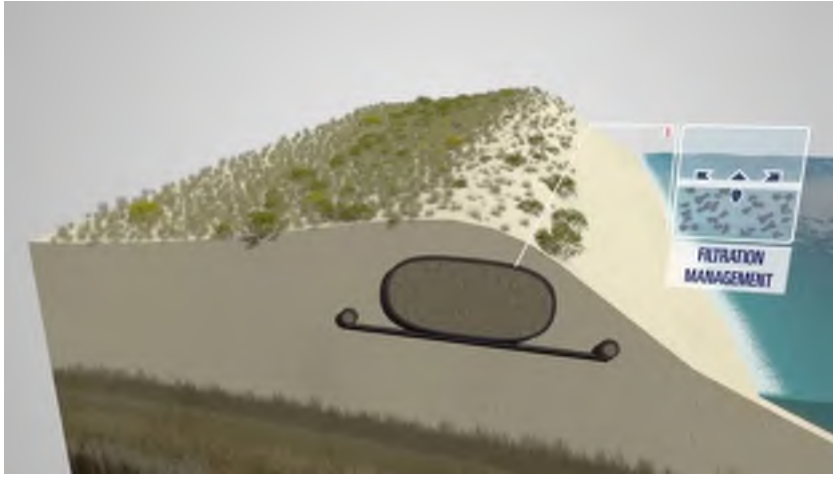
Residents and tourists alike both want to see an expanded beach. By using cutting-edge engineering techniques, a more enjoyable, larger beach can be achieved. A more inviting beach will help bridge the gap between local residents and enjoying the natural wonder in their backyard (Utah Lake.)

If funding allows, it is recommended to build supporting pier structures to bring activity to the water. The beach expansion can be constructed solely with geotube support and side enclosures while piers can be added in a later phase.



Preferred Method of Beach Creation: Geotubes
We will be able to use the current lake bottom as a barrier for the beach.





EXPERTISE. WATERFRONT PARKS.

PARKS HAVE NEVER BEEN MORE IMPORTANT TO THE HUMAN EXPERIENCE THAN THEY ARE TODAY, AND THOSE ON THE WATERFRONT PROVIDE AN EVEN MORE EXCEPTIONAL OPPORTUNITY TO EXCEL.

Meydenbauer Bay Park, WA

Julian B. Lane Park, Tampa, FL

New Brighton Park, Vancouver, BC
(image courtesy of Vancouver Fraser Port Authority)

Crissy Field, San Francisco, CA (image courtesy of Hargreaves Associates)

21st Century Waterfront, Chattanooga, TN

China Basin Park, San Francisco, CA
(image courtesy of SCAPE Landscape/SF Giants)

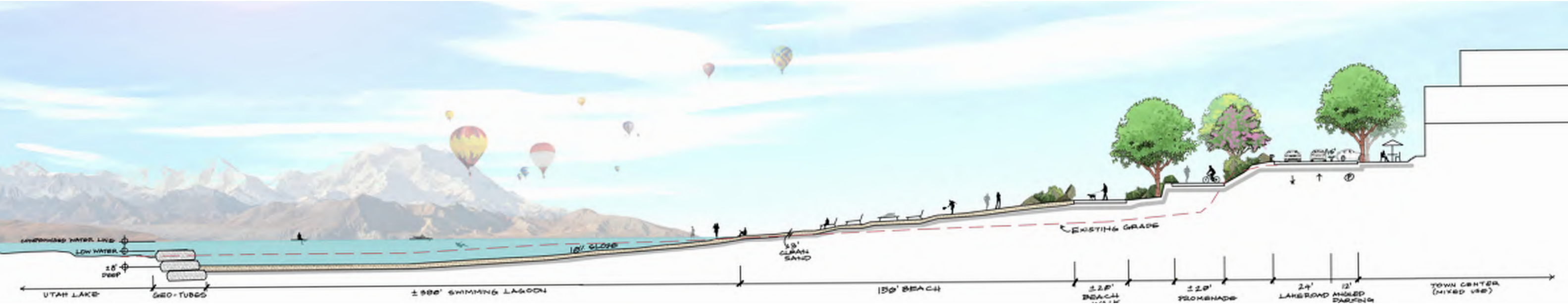
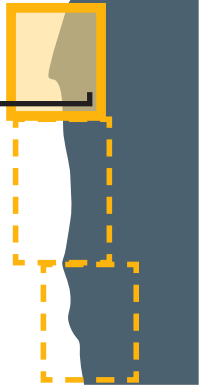
South Lake Union Park, Seattle, WA

Nashville Riverfront, TN



Beach Creation Precedents
by Moffat & Nichol

KEY PLAN



Proposed Beach Section | Utah Lake > Town Center



+/- 300 FT

+/- 500 FT

6-10 FT DEEP MAX





CATALYST PROJECTS

2

City Hall

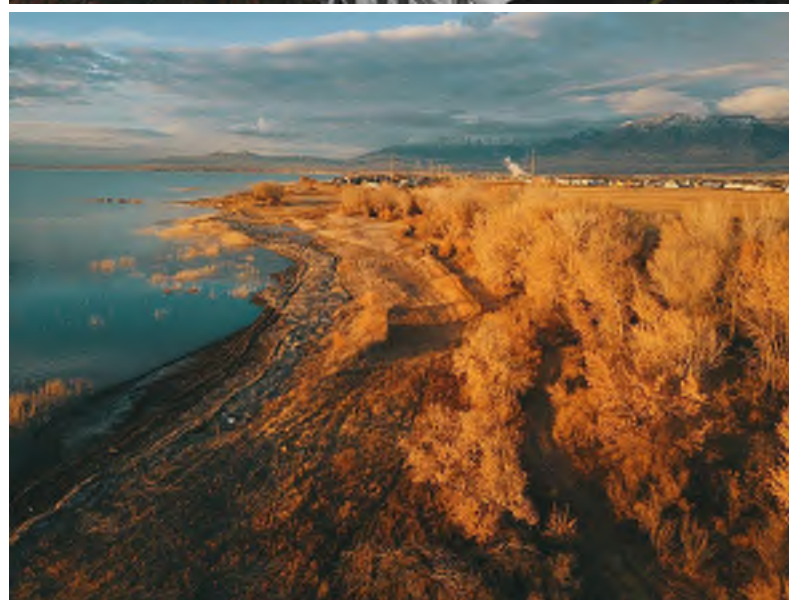
Vineyard has a particular unique opportunity to capitalize activity on the Utah Lake waterfront. Acting as a buffer between the future, mixed-use beach village and existing multi-family residential development, city hall could help establish a 24/7, active waterfront and use the surrounding area for other civic opportunities.



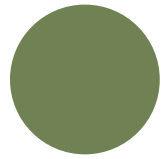
3

Nature Center

Funding is available for a nature center and would align well with previously published plans for Wakara Way. A nature center on Utah Lake would be more of an ideal location compared to the other location off-lake. An adjacent potential development could tie in well for local and regional access to the proposed nature center.



Concept Plan by USU LAEP Extension (2020)



IMPLEMENTATION



NORTH

Immediate (1 to 2 years)

- Trail placement and improvements to Utah Lake Trail
- Beach Front Park Amenities and Access Improvements (upland along Lake Road; shade structures, seating, landscaping, wayfinding)
- Initiate Expanded Beach Improvements & Catalyst Project
- Pedestrian Bridge & Park on South Promenade (coordinate with Flagship)
- Dog Park (seek potential local partner)
- North Promenade Event Lawn (coordinate with Flagship)
- Initiate Marina Promenade and Beach Upland Improvements (beach use ancillary structures & functions)

Near Future (up to 5 years)

- North Walking Pier Structure; South Walking Pier Structure
- City Hall
- Skate Park (Partner)
- Marina (P3)

Far Future (5+ years)

- Marina Village (P3)



CENTRAL

Immediate (1 to 2 years)

- Trail improvements to Utah Lake Trail
- Trailheads & Beach Access Improvements
- Pocket Parks
- Gathering Spaces
- Initiate Informal Disc Golf
- Vegetation Management & Improvements

Near Future (up to 5 years)

- Nature Walkways/Piers
- Water Garden/Center
- Sunset Beach Area Improvements

Far Future (5+ years)

- Center Street Area Improvements



SOUTH

Immediate (1 to 2 years)

- Continuation of Utah Lake Trail – pull towards water
- Trailhead (shade structure, seating, waste receptacle(s), wayfinding)

Near Future (up to 5 years)

- Parking
- Jake's Plan – barn, pavilion

Far Future (5+ years)

- Nature Center (*This should be within 5 years, because it is already being talked about locally with the Utah Lake Authority. The other spot being considered is not on the lake, but is in Provo. This is an ideal spot.*)

APPENDIX

MATERIALS

PRIMARY

SECONDARY

TERTIARY



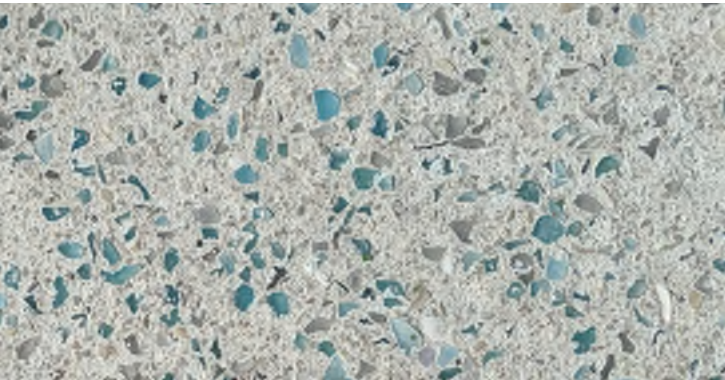
Native vegetation with additional for shade as deemed necessary 8 ft Utah lake trail (multi-use) 10 ft Landscape buffer minimum Adjacent development



Native vegetation with additional for shade as deemed necessary 5 ft Boardwalk Native vegetation for shade as deemed necessary



Native vegetation with additional for shade as deemed necessary 2 ft Informal (tertiary) Native vegetation with additional for shade as deemed necessary



WAYFINDING



PLANT PALETTE



Populus fremontii / angustifolia



Betula occidentalis



Helianthus



Artemisia cana



Schoenoplectus



Verbena hybrida



Deschampsia



Carex nebrascensis



Asclepias



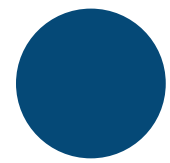
Asclepias



Alnus



VINEYARD WATERFRONT MASTERPLAN
FEBRUARY 2022



KEY TAKEAWAYS

- 1** Community enjoys having the trail closer to homes + FFSL wants development to be kept within reason on sovereign lands.
- 2** City Hall will be moved within downtown. The design team recommends keeping it on the water to celebrate the uniqueness of Vineyard.
- 3** Key programmatic elements desired: dog park, skate park, beach, nature center, revenue generating options...
- 4** UDOT currently only allows 4 crossings for the Vineyard Connector.
- 5** The community wants Center Street to stay a local access point to the water.
- 6** Management and governance of the waterfront could fluctuate with proposed legislation; currently, FFSL's oversight is pro-development, with a required public amenity and to maintain environmental sensitivity.
- 7** Northern area needed for site remediation...
- 8** Community wants a trail connection around the lake - one complete trail.
- 9** The proposed islands have viability at a federal and state level, but there has not been any interaction with the community. The design team moved forward with a proposed plan and design that can stand on its own, while also working well with the presently proposed plans.
- 10** Some revenue-generating concepts did not fare well with the community and local stakeholder groups.



VINEYARD CITY COUNCIL STAFF REPORT

Meeting Date: July 27, 2022

Agenda Item: 9.3 Amending the Purchasing Policy

Department: Finance

Presenter: Marissa Stapley, Finance Intern

Background/Discussion:

The city last amended the purchasing policy in 2018. The Finance Department is reviewing all fiscal policies of the city to identify areas that can be improved to increase the effectiveness and efficiency of the city's operations and ensure that best practices are being followed.

Significant changes proposed include adjusting the dollar amount thresholds where certain approvals would be required to make purchases, adjusting the dollar amount thresholds where price quotes, RFP, or sealed bids are required, addition of an exception to bid process allowing the city to "piggyback" off of other recent government entity contracts awarded using a competitive process, addition of request for qualifications language, addition of bid procedure language, addition of local vendor preference language, addition of language prohibiting cost-plus-a-percentage-of-cost profit contracts except under special circumstances and with approval of council, addition of language stating the consequences of violating the policy, and the addition of other miscellaneous items such as definitions, clarifications, grammatical corrections, etc.

Fiscal Impact:

None

Recommendation:

Option 1: Adoption of the resolution amending the purchasing policy as proposed.

Option 2: Adoption of the resolution amending the purchasing policy with changes noted by the City Council.

Sample Motion:

I move to adopt the resolution amending the purchasing policy of Vineyard City as proposed by staff (or with City Council changes).

Attachments:

Resolution

Purchasing Policy

RESOLUTION NO. 2022-37

A RESOLUTION AMENDING THE PURCHASING POLICY FOR VINEYARD CITY

WHEREAS, Section 10-6-122 UCA requires that all purchases or encumbrances thereof by a city shall be made or incurred according to the purchasing procedures established by each city by ordinance or resolution, and

WHEREAS, the City Council of Vineyard has previously adopted a policy to govern purchasing and procurement for the City and now wishes to amend that policy.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF VINEYARD, UTAH AS FOLLOWS:

- Section 1. The City Council hereby adopts the amended Purchasing Policy, which is attached hereto and incorporated herein by reference.
- Section 2. A copy of the Purchasing Policy shall be placed in the Vineyard City Offices and be available for review.
- Section 3. This resolution shall take effect immediately upon passage.
- Section 4. All other resolutions, ordinances, and policies in conflict herewith, either in whole or in part, are hereby repealed.

PASSED and ADOPTED by the City Council of Vineyard, Utah this 27th day of July 2022.

APPROVED:

Julie Fullmer, Mayor

ATTEST:

Pamela Spencer, City Recorder

PURCHASING POLICY OF VINEYARD CITY

ARTICLE 1 GENERAL PROVISIONS

A. Purpose.

1. To ensure fair and equitable treatment of all persons who wish to or do conduct business with Vineyard City.
2. To provide for the greatest possible economy in City procurement activities.
3. To foster effective broad-based competition within the free-enterprise system to ensure that the City will receive the best possible service or product at the lowest possible price.

B. Compliance.

1. This policy shall not prevent the City from complying with the terms and conditions of any grant, gift, or bequest that is otherwise consistent with law.
2. When procurement involves the expenditure of federal assistance funds, the City shall comply with applicable federal law and regulations.
3. State law (Section 11-39-101 et seq., Utah Code Annotated 1953, as amended) requires the City to follow specific bid procedures for specified types of supplies and services. Except where Vineyard Municipal Code is more restrictive, the City shall comply with State law.

C. Definitions.

1. "Business" means any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture, or any other private legal entity.
2. "Change order" means a written order signed by the purchasing agent, directing the contractor to suspend work or make changes, which the appropriate clauses of the contract authorize the purchasing agent to order without the consent of the contractor or any written alteration in specifications, delivery point, rate of delivery, period of performance, price, quantity, or other provisions of any contract accomplished by mutual action of the parties to the contract.
3. "Contract" means any City agreement for the procurement or disposal of supplies, services, or construction.
4. "Invitation for bids" means all documents, whether attached or incorporated by reference, used for soliciting bids.
5. "Person" means any business, individual, union, committee, club, other organization, or group of individuals.
6. "Procurement" means buying, purchasing, renting, leasing, leasing with an option to purchase, or otherwise acquiring any supplies, services, or construction.
7. "Public Works Project": The construction, replacement, or repair of:
 - i. A park or recreational facility;
 - ii. A pipeline, culvert, dam, canal, or other system for water, sewage, stormwater, or flood control;
 - 6-iii. A street, transit facility, or transportation facility.

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~~7-8.~~ “Purchasing agent” means the person duly authorized by the governing body of the City to enter into and administer contracts and make written determinations with respect thereto.

~~8-9.~~ “Purchase description” means the words used in a solicitation to describe the supplies, services, or construction to be purchased, and includes specifications attached to or made a part of the solicitation.

10. “Request for proposals” means all documents, whether attached or incorporated by reference, used for soliciting proposals.

~~9-11.~~ “Request for qualifications” means vendors are required to provide a formal substantiation of credentials, certifications, qualifications, and financial wherewithal, which demonstrate capability in all respects to perform fully the contract requirements. Among the factors to be considered in an RFQ are competency, adequacy of personnel, past record, and experience of the person or business and its employees.

~~10-12.~~ “Lowest responsible bidder” shall mean the lowest bidder who has substantially complied with all prescribed requirements, has submitted the bid in good faith, has a history of fully performing work at the bid price, and who has not been disqualified as set forth herein.

ARTICLE 2 PURCHASING AGENT

~~A.~~ Appointment.

~~A.~~

The current Finance Director shall be the Purchasing Agent governing body of the City shall appoint a Purchasing Agent

B. Responsibilities.

The Purchasing Agent shall be responsible to make procurements, solicit bids and proposals, enter into and administer contracts, and make written determinations for the City.

C. Authority.

The Purchasing Agent shall not enter into any contract or purchase anything with City funds unless it:

- a. Is funded in the current fiscal year budget;
- b. Has been approved by the individual(s) as required in Article 3A. department head

~~e. Commits funds in total amount less than \$25,000~~

~~d. Mayor approval for purchases over \$25,000~~

D. Change Orders.

Accumulated ~~C~~change orders up to the lesser of either (10%) of the bid award amount or \$25,000 may be approved by the Purchasing Agent, as long as the overall project budget is not exceeded.

E. Delegation.

The Purchasing Agent may delegate purchasing responsibilities to other employees when deemed appropriate.

ARTICLE 3 SOURCE SELECTION AND CONTRACT FORMATION;

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GENERAL PROVISIONS

A. Approval of Purchases

The following approvals are required for all purchases unless otherwise exempted in this chapter:

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1. Any contract, purchase order, check request, or service request for services and supplies or building improvements in the total amount of \$5,000 or less may be made or approved by the Purchasing Agent, department head, or an employee or supervisor authorized by the Purchasing Agent or department head to make such purchase, purchase order, check request, or service request.
2. Any contract, purchase, purchase order, check request, or service request for services, supplies, or building improvements in the total amount of more than \$5,000 but less than or equal to \$30,000 must be made or approved by the Purchasing Agent and department head.
3. Any contract, purchase, purchase order, check request, or service request for services and supplies or building improvements in the total amount of more than \$30,000 but less than or equal to \$50,000 must be made or approved by the Purchasing Agent, department head, and Mayor or city manager.
4. Any contract, purchase, purchase order, check request, or service request for public utilities equipment and supplies, or public works projects, in the total amount of more than \$50,000 but less than or equal to \$125,000 must be made or approved by the department head, the Purchasing Agent, the city manager and Mayor.
5. The following contracts and purchases must be approved by the city council:
 - i. Any contract or purchase in the amount of more than \$50,000, which is not related to public works projects or public utilities equipment and supplies.
 - ii. Any contract or purchase of Public Works Projects or public utilities equipment and supplies in the amount of more than \$125,000.
 - iii. An invoice or check request received pursuant to a Council approved contract does not require further Council approval.
 - iv. A purchase order shall be issued in the amount of the approved contract, unless otherwise directed by the Purchasing Agent or designee.
 - v. Any contract awarded through the formal bidding process.
 - vi. Accumulated "change orders" which would increase a previously approved contract by more than either (10%) of the bid award amount or \$25,000, whichever is lower, taking into consideration all previously approved change orders to the contract under consideration.

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~~A-B.~~ Choice of Bid Process.

Except as otherwise provided by provisions of State or Federal Law, purchases shall follow one (1) of the bid processes outlined below. The cost of the purchase shall not be divided to avoid bid requirements. Any bid alternative listed as acceptable for a given dollar amount shall be acceptable, and the City shall not incur any liability for choosing one (1) alternative over another.

1. Purchases and expenditures less than or equal to \$5,000 in total shall not require any bids or quotes of any type, but are otherwise subject to the general policies of this chapter.

~~1-2.~~ Purchases or Contracts costing ~~less than \$125,000~~ greater than \$5,000 but no more than \$50,000 in total, shall at minimum be pursuant to one (1) of the following procedures:

- i. State Purchasing Contract
 - ~~ii. Formal competitive bidding.~~
 - ~~iii. Request for proposals.~~
 - ~~iv.~~ ii. Open market procedure. Three documented price quotations
- ~~2-3.~~ Purchases or Contracts costing more than ~~\$125,000-\$50,000~~ in total (or more than \$125,000 if the purchase or contract is for a Public Works Project), shall be pursuant to one (1) of the following procedures, as determined by the Purchasing Agent or designee:
- i. State Purchasing Contract
 - ii. Competitive sealed bidding.
 - ~~iii.~~ Request for proposals.

~~B-C.~~ Exceptions to Bid Process. The bid process requirements set forth in Article 3A do not apply in the following situations.

1. Purchases made through the cooperative purchasing contracts administered by the State Division of Purchasing

~~1-2.~~ Purchases made from a vendor who was awarded a contract by another Utah governmental entity using a competitive process within the last 180 days.

~~2-3.~~ Purchases made from a sole-source provider. When there is only one (1) vendor or supplier who can reasonably provide the needed product or service.

~~3-4.~~ Auction, Bankruptcy, or Tax Sales. When purchasing through Auction or Bankruptcy, or Tax sales will be made at a cost below market cost.

~~4-5.~~ Projects Performed by City Employees. Employees may be used to complete City projects if the project does not come at an additional cost to the city.

~~5-6.~~ Purchases required during an emergency, i.e., an eminent threat to the public's health, welfare, or safety. However, as much competition as practical should be obtained; and, such purchases should be limited to amounts necessary to the resolution of the emergency. The Mayor will determine whether the situation warrants an emergency purchase.

D. Bid Processes. The City shall substantially comply with the following guidelines for the specific bid process used:

1. Request for Qualifications.

i. The City may require prequalification of bidders using a Request for Qualifications.

~~C-ii.~~ If used, the prequalification process shall be pursuant with State Code 63G-6a-410.

~~1-2.~~ Competitive Sealed Bidding.

- i. Description. Competitive sealed bidding is when vendors or contractors are invited to submit formal bids to provide a designated product or to complete a designated project in accordance with specifications provided by the City.
- ii. Public Notice Inviting Bids Issued. The City shall provide notice of its invitation for bids.

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1. Public Notice includes a general description of the articles to be purchased or work to be performed, location where blank bid forms-bid blanks and specifications may be secured, and the time and place for opening bids.
 2. Noticing shall be done at least five (5) working days ~~reasonable time~~ prior to the time set for bid opening. Bid package shall state requirements to which bidder must respond.
 - ~~2.3.~~ All invitations for bids shall be advertised at least once in a generally and widely available medium including but not limited to newspapers, business journals, city websites, and online procurement service.
- iii. Bid Procedure
1. Sealed bids shall be submitted as designated in the Public Notice
 2. Bids shall be opened in public and in the presence of one or more witnesses at the time and place stated in the Public Notice
 3. The amount of each bid, the name of each bidder, and such other relevant information as the Purchasing Agent deems appropriate, shall be recorded; the record and each bid shall be open to public inspection.
 - ~~2.4.~~ Correction or withdrawal of inadvertently erroneous bids before award, or cancellation of awards or contracts based on such bid mistakes, shall be permitted. After bid opening no changes in bid prices or other material provisions of bids prejudicial to the interest of Vineyard City or fair competition shall be permitted. All decisions to permit the correction or withdrawal of bids or to cancel awards or contracts based on bid mistakes shall be supported by a written determination made by the purchasing agent.
 - ~~3.5.~~ Bids submitted to the City shall be evaluated on the basis of compliance with specifications and other relevant criteria.
- iv. Bid Award.
1. If the City elects to proceed with purchase or project, bids shall be awarded to the lowest responsive responsible bidder, this means a bidder who:
 - a. Has submitted bid in compliance with Public Notice
 - ~~b. Is the Lowest Responsible Bidder that satisfies the City's criteria relating to financial strength, past performance, integrity, and reliability?~~
 - b.
 - c. Furnishes a payment and performance bond as required by law.
 - d. Preference shall be given to local vendors.
 - i. If a vendor based in Vineyard City is within 10% of the Lowest Responsible Bidder, the City will have the option to award the bid to that vendor.

2-ii. If a vendor based in Utah County is within 5% of the Lowest Responsible Bidder, the City will have the option to award the bid to that vendor.

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3. The Purchasing Agent or the city council may reject any bid not in compliance with all prescribed requirements, and reject all bids if rejection of all bids is determined to be in the best interest of the city. Vineyard may reject any or all bids submitted

4.2. If Vineyard rejects all bids but still intends to undertake purchase, Vineyard will again request sealed bids by following the procedures outlined in ArticleSection 3DC-24

5.3. If after twice requesting Bids, Vineyard determines that no satisfactory bid has been submitted, the Council may undertake the purchase or contract as they consider appropriate.

2.3. Requests for Proposals.

- i. Description. Requests for proposals (RFPs) are invitations for suppliers or contractors to submit a proposal on a specific product or service. The City awards the contract for the product or services based on criteria set forth in the request for proposals.
- ii. Appropriateness. RFPs may be used when required by law, or when the Purchasing Agent determines that the use of formal competitive bidding is either impractical or not advantageous to the City. In making this determination, the Purchasing Agent shall consider factors such as:
 1. Whether there may be a need for price and service negotiation;
 2. Whether there may be a need for negotiation during performance of the contract;
 3. Whether the relative skills or expertise of the offerors will have to be evaluated;
 4. Whether cost is secondary to the characteristics of the product or service sought
 5. Whether the conditions of the service, product or delivery are unable to be sufficiently described in the invitation for bids;
 6. Whether the City is requesting the offer to propose a method or strategy for completing the project; and
 7. Whether there may be a need to negotiate completion times related to the project.

8. One-time professional services over \$50,000 or recurring professional services over \$25,000 annually will be procured through the RFP procedure.

7.

Professional services will generally be procured through the RFP procedure.

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iii. Notice.

1. Proposals shall be solicited through a RFP.
2. Public notice of the RFP shall be given

- iv. Request for Proposals. The RFP shall state the relative importance of price and other factors.
- v. Opening of Proposals. Proposals shall be opened so as to avoid disclosure of contents to competing offerors during the process of negotiation.
- vi. Revision of Proposals.
 - 1. As provided in the RFP, discussions may be conducted with responsible offerors who submit proposals determined to be reasonable susceptible of being selected for award for the purpose of assuring full understanding of, and responsiveness to, solicitation requirements.
 - 2. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals.
 - 3. In conduction discussions, there shall be no disclosure of any information derived from proposals submitted by competing offerors.
- vii. Award.
 - 1. Award shall be made to the responsible offeror whose proposal is determined to be the most advantageous to the City.
 - 2. Vineyard may reject any or all proposals submitted.
 - 3. If Vineyard rejects all bids but still intends to undertake purchase, Vineyard will again Send out RFP by following the procedures outlined in Section 3C-2
 - 4. If after twice requesting Proposals, Vineyard determines that no satisfactory Proposal has been submitted, the Council may undertake the purchase or contract as they consider appropriate.

3.4. Open Market Procedure Documented Price Quotations

- i. Price Quotations. ~~Purchases shall, whenever possible~~ As mentioned above, purchases greater than \$5,000 but no more than \$50,000 (\$125,000 for public works projects) shall, be based on at least three (3) Bids (price quotations) and shall be awarded to the lowest responsible bidder.
- ii. Request for Quotations. Bids (price quotations) shall be solicited from prospective vendors online or by written or oral request.
- iii. Records. The person soliciting the price quotations shall keep a record of quotations solicited; including vendor names, date of solicitation and price quoted, and shall include this information with the purchase order.

ARTICLE 4 SPECIFICATIONS

All Specifications shall seek to promote overall economy and best use for the purposes intended and encourages competition in satisfying the City's needs and shall not be unduly restrictive. Where practical and reasonable, and within the scope of this article, Utah products shall be given preference.

ARTICLE 5 APPEALS

- A. Any actual or prospective bidder, offeror, or contractor who is aggrieved in connection with the solicitation or award of a contract may appeal to the purchasing agent. An appeal shall be submitted in writing within 5 working days after the aggrieved person knows or should have known of the facts.
- B. The purchasing agent shall ~~promptly~~ issue a written decision regarding any appeal within fourteen (14) days, if it is not settled by a mutual agreement. The decision shall state the reasons for the action taken and inform the protestor, contractor, or prospective contractor of the right to appeal to the governing board.
- C. The City's governing board shall be the final appeal on the City level.
- D. All further appeals shall be handled as provided in section 63-56-58 through 64 of the Utah Code.

ARTICLE 6 ETHICS IN PUBLIC CONTRACTING

- A. No person involved in making procurement decisions may have personal investments or a financial interest in any business entity which will create a substantial conflict between their private interests and their public duties.
- B. In accordance with the Municipal Officers' and Employees' Ethics Act and other relevant statutes, aAny person involved in making procurement decisions is guilty of a felony if the person asks, receives, or offers to receive any emolument, gratuity, contribution, loan, or reward, or any promise thereof, either for the person's own use or the use or benefit of any other person or organization from any person or organization interested in selling to the City.
- C. Subject to the limitations of this Procurement Policy, any type of contract which will promote the best interests of the city may be used; provided, that the use of a cost-plus-a-percentage-of-cost profit contract is prohibited unless specifically approved by the city council under special circumstances which clearly justify the use of such contracts because the scope of work or the nature of the work is to be closely supervised by the city and the city council so finds in writing. A cost-reimbursement contract may be used only when a determination is made in writing that such contract is likely to be less costly to the city than any other type of that it is impracticable to obtain the supplies, services, or construction required except under such a contract.
- ~~B-D.~~ A violation of this Procurement Policy by officers or employees of the City may be cause for disciplinary action up to and including termination.

PASSED and dated this ____ day of _____

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Attest:

Mayor Julie Fullmer

Pamela Spencer City Recorder