



**NOTICE OF A REGULAR
CITY COUNCIL MEETING
February 08, 2023, at 6:00 PM**

PUBLIC NOTICE is hereby given that the Vineyard City Council will hold a regularly scheduled City Council meeting on Wednesday, February 8, 2023, 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](#).

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

“**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

(3 minutes each)

5.1 City Manager Ezra Nair

5.2 Planning Commission Chair Bryce Brady

6. CONSENT ITEMS

- 6.1** Approval of the January 25, 2023, City Council Meeting Minutes
- 6.2** Bid Award for Wastewater (sewer) Master Plan and Impact Fee Analysis Study (Resolution 2023-03)
- 6.3** Bid Award for Transportation Master Plan and Impact Fee Analysis Study (Resolution 2023-04)
- 6.4** Approval of a City Manager Performance Evaluation Policy (Resolution 2023-05)

7. APPOINTMENTS

7.1 Library Board

With the advice and consent of the City Council, Mayor Fullmer will appoint members to the Vineyard Library Board.

8. PRESENTATIONS/RECOGNITIONS/AWARDS/PROCLAMATIONS

No items were submitted.

9. BUSINESS ITEMS

9.1 DISCUSSION AND ACTION – Ratification of Appointment of New Department Director

City Manager Ezra Nair will present the appointment of Cris Johnson as the Chief Building Official for ratification by the City Council. The mayor and City Council will take appropriate action.

9.2 PUBLIC HEARING – General Plan Amendment (Ordinance 2023-04)

Senior Planner Briam Perez will present a city initiated General Plan Amendment. As required by Utah State Code, a Moderate-Income Housing Plan must be adopted as a part of the General Plan. Six strategies will be adopted and act as a guide to the City to address moderate income housing challenges. The mayor and City Council will act to adopt (or deny) this request by ordinance.

9.3 DISCUSSION AND ACTION – Municipal Code Amendment to Sections 2.30.010 and 13.16.020 (Ordinance 2023-05)

City Recorder Pamela Spencer will present a recommendation to amend the Municipal Code Section 2.38.010 Committee Creation - General Provisions and Section 13.16.020 Public Library - Board-Established-Terms Of Office. The mayor and City Council will act to adopt (or deny) this request by ordinance.

9.4 DISCUSSION AND ACTION – Municipal Code Amendment adding Section 2.03.040 Arts, Recreation and Parks, Cultural, and Heritage (ARCH) Advisory Commission (Ordinance 2023-06)

City Recorder Pamela Spencer will present a recommendation to add Section 2.03.040 Arts, Recreation and Parks, Cultural, and Heritage (ARCH) Advisory Commission to the Municipal Code. The mayor and City Council will act to adopt (or deny) this request by ordinance.

9.5 DISCUSSION AND ACTION – [A Resolution Thanking the Heritage Commission \(Resolution 2023-06\)](#)

Mayor Fullmer will present a resolution thanking the Heritage Commission for their time, effort, dedication, enthusiasm, and service given to the Vineyard community for the past 7 years. The mayor and City Council will act to adopt this resolution.

9.6 DISCUSSION AND ACTION - [Resolution of Intent \(Resolution 2023-07\)](#)

Finance Director David Mortensen will present a consideration for adoption of a resolution of the City Council of Vineyard City, Utah, declaring its intention to reimburse itself for expenditures incurred in connection with the construction of a water tank, pipelines and various water and sewer system improvements and all related improvements with proceeds of bonds that it intends to issue; and related matters. The mayor and City Council will act 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 meeting is on Wednesday, February 22, 2023.

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 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: February 7, 2023

CERTIFIED (NOTICED) BY: /s/ Pamela Spencer

PAMELA SPENCER, CITY RECORDER



**MINUTES OF A REGULAR
CITY COUNCIL MEETING**

City Council Chambers
125 South Main Street, Vineyard, Utah
January 25, 2023, at 5:30 PM

Present

Mayor Julie Fullmer
Councilmember Tyce Flake
Councilmember Amber Rasmussen
Councilmember Mardi Sifuentes
Councilmember Cristy Welsh

Absent

Staff present: City Manager Ezra Nair, Finance Director David Mortensen, City Attorney Jayme Blakesley, Interim Chief Building Official Cris Johnson, Lieutenant Holden Rockwell with the Utah County Sheriff's Office, Community Development Director Morgan Brim, City Planners Briam Amaya Perez, and Cache Hancey, Water Manager Sullivan Love, City Recorder Pamela Spencer, Human Resources Manager Corrie Steeves, Planning Commissioner Bryce Brady

Others Speaking: Residents Adam Teuscher, Ben Crocket, Chase Wheeler, Amy Smith, and Daria and Russell Evans; Steve Borup and Jeff Gochnour with Dakota Pacific

1. SITE VISIT – Old Town Hall 240 East Gammon Road

The mayor and City Council will meet at the old Town Hall site to initiate the demolition of the buildings on the site.

A site visit took place at 5:30 PM at the old Town Hall site.

REGULAR SESSION

2. CALL TO ORDER/INVOCATION/INSPIRATIONAL THOUGHT/PLEDGE OF ALLEGIANCE

 Mayor Fullmer opened the regular session at 6:01 PM. Councilmember Sifuentes gave the invocation and led the Pledge of Allegiance.

3. WORK SESSION

No items were submitted.

4. PUBLIC COMMENTS

 Mayor Fullmer opened the public session.

 Resident Adam Teuscher, living in the Windsor subdivision, asked the City Council to write a letter to the State Legislator opposing HB 171. He reviewed reasons why he felt that ranked-choice voting was a better voting method. He asked the City Council to also look at HB 176 which added approval voting to the Municipal Alternate Voting Methods Pilot Project code as another voting option. He mentioned that he was part of a group called Utah Approves and offered to do a formal presentation on approval voting.

 Ben Crockett, living in the Hampton subdivision, explained the reason behind the movement to add approval voting to the state's pilot project and across the United States.

 Chase Wheeler, living in the Lakefront subdivision, asked for the right to park overnight on 300 West. He read statistics on rape in America and Utah. Mayor Fullmer explained the process that the city had undertaken to help alleviate the Lakefront's parking issues. There was a discussion about the process.

 City Attorney Jayme Blakesley stated, for the record, that he did not know if Mr. Wheeler's statements relating to safety were really made in good faith. Mr. Blakesley found it troubling that he would try to argue and ask for something that was a convenience to the residents in his neighborhood by making these public safety allegations. He said that, in response to letters from an attorney for the Lakefront Homeowners Association (HOA) and Mr. Wheeler's comments, they had researched to see whether there was any record whatsoever of any variety of sexual crimes or sexual assault in that area, and there was none. The discussion continued. Mr. Nair said that staff was in discussions with the HOA manager and should have had a draft of an agreement by the end of February.

 Resident Amy Smith, living in The Windsor subdivision, expressed concerns about adding a crosswalk going to the trail from her house, and a ramp to the trail. There was a discussion about the ramp, trail, and a crosswalk.

 Resident Daria Evans, living in the Villas subdivision, thanked staff for the work they had done on the 400 North and Main traffic signal. She requested that Vineyard move forward with getting a full-service grocery store. Mayor Fullmer explained the process to get a grocery store in Vineyard. Ms. Evans said that she hoped that the larger waste can at the Center Street trailhead that she had asked for at the last City Council meeting was in the budget.

 Mayor Fullmer called for further comments. Hearing none, she closed the session.

5. MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

 Councilmember Flake reported on a few of the bills that were in the Utah State Legislature. There was a discussion about the short-term rental bill.

 Councilmember Rasmussen reported that there were a couple of opportunities with the Utah Valley University (UVU) for some fun education. She said that she had received a lot of complaints about unleashed dogs in the city and asked staff to look into it.

 Councilmember Welsh reported on Local Officials Day at the Legislature. She addressed a comment about the Utah Transit Authority (UTA) Parking lot by explaining that UTA oversaw the parking lot and was aware of and was monitoring the overnight parking. She mentioned that

the lot would become a parking structure in the future. Lieutenant Rockwell added that the city had added No Parking signs on the road to allow the bus access.



Mayor Fullmer gave an update on the removal of the rail spur along Geneva Road.

6. STAFF, COMMISSION, AND COMMITTEE REPORTS

6.1  City Manager Ezra Nair reported that crews would be starting demolition of the old Town Hall and white house at Gammon Park tomorrow. He mentioned that another contractor would be laying concrete in several areas for additional crosswalks in the city.

7. CONSENT ITEMS

7.1 Approval of the January 11, 2023, City Council Meeting Minutes

7.2 Approval of the Emergency Preparedness Manual (Resolution 2023-01)



Mayor Fullmer called for a motion.



Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE THE CONSENT ITEMS AS NOTED, 7.1 AND 7.2. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

8. APPOINTMENTS

8.1 Library Board

With the advice and consent of the City Council, Mayor Fullmer will appoint members to the Vineyard Library Board.

8.2 Communities That Care Commission

With the advice and consent of the City Council, Mayor Fullmer will appoint members to the Vineyard Communities that Care Commission.



Mayor Fullmer explained that staff would be updating the code at the next City Council meeting, so the appointments were being postponed until the code changes were approved.

9. PRESENTATIONS/RECOGNITIONS/AWARDS/PROCLAMATIONS

No items were submitted.

10. BUSINESS ITEMS

10.1 DISCUSSION AND ACTION – Market Study Implementation

Human Resources Manager Corrie Steeves will present a recommended pay plan based on the results of the market study. The mayor and City Council will take appropriate action.



Mayor Fullmer turned the time over to Human Resources Manager Corrie Steeves.

146  Ms. Steeves gave a summary of the job analysis classification and compensation study that
147 the city had completed through a third-party consultant.

148
149  Mayor Fullmer called for a motion.

150
151  **Motion:** COUNCILMEMBER WELSH MOVED TO APPROVE THE PAY PLAN AS
152 PRESENTED. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR
153 FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH
154 VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

155
156
157 **10.2 PUBLIC HEARING – Amendment to Compensation for Mayor and City Council**
158 **(Ordinance 2023-03)**

159 City Manager Ezra Nair will present recommendations for an amendment to the mayor
160 and City Council's compensation. The mayor and City Council will act to adopt (or
161 deny) this request by ordinance. *This is done by Ordinance and requires a roll call vote.*

162
163  Mayor Fullmer called for a motion to open the public hearing.

164
165  **Motion:** COUNCILMEMBER FLAKE MOVED TO OPEN THE PUBLIC HEARING AT
166 7:01 PM. COUNCILMEMBER WELSH SECONDED THE MOTION. MAYOR FULLMER,
167 COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND RASMUSSEN VOTED
168 YES. THE MOTION CARRIED UNANIMOUSLY.

169
170  Mr. Nair explained the process to adjust the mayor and council salaries. He noted the
171 Vineyard had fallen behind the market trend line/rate.

172
173  Mayor Fullmer called for public comments. Councilmember Flake asked Mr. Nair to
174 explain the proposed options.

175
176  Mayor Fullmer asked for clarification on the third option. Mr. Nair explained that the
177 council would still have to go through the public process each year but would allow for the
178 possibility for annual raises.

179
180  Mayor Fullmer called for public comments. Hearing none, she called for a motion to close
181 the public hearing.

182
183  **Motion:** COUNCILMEMBER FLAKE MOVED TO CLOSE THE PUBLIC HEARING AT
184 7:07 PM. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR
185 FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH
186 VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

187
188  Councilmember Flake asked if Option 3 was common. Mr. Nair replied no but felt it would
189 be a great idea. He added that his suggestion would only be a percentage of the General Fund.
190 There was a discussion about Option 3.

191
192  Councilmember Welsh asked when the last time this item had been addressed. Mayor
193 Fullmer explained the process and expressed concerns for future members of the City Council
194 being able to afford day care so they could attend meetings, trainings, appointments, etc. She felt

that addressing this annually would be better for the city. There was a discussion about the increase.

 Mr. Blakesley added a point of order, and explained that if the council elected to adopt a schedule or something that was indexed to a person's compensation or a percentage of the overall budget, they would not have to revisit it year after year. It would be done during the budget approval process. There was a discussion about the process and the options.

 Mr. Blakesley read the suggested motion. "The mayor's compensation would be \$30,000 per year and a councilmembers compensation would be \$15,000 per year and adopt as a schedule for regular increases, that when a cost of living was adopted through the budgeting process for staff the mayor and councilmembers shall receive that same percentage increase to their annual salary." There was discussion about the suggested motion. There was also a discussion about other cities salaries.

 **Motion:** COUNCILMEMBER FLAKE MOVED TO ADOPT ORDINANCE 2023-03 WITH THE COMPENSATION AT \$30,000 AND \$15,000 PER YEAR AND A COST-OF-LIVING ADJUSTMENT BE MADE AT THE SAME PERCENTAGE AS THE COST-OF-LIVING ADJUSTMENT FOR EMPLOYEES OF THE CITY, GENERALLY. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION.

 There was a discussion about the process

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

10.3 PUBLIC HEARING – Fiscal Year 2022-2023 Budget Amendment (Resolution 2023-02)

Finance Director David Mortensen will present recommended amendments to the Fiscal Year 2022-2023 Budget. The mayor and City Council will act to adopt (or deny) this request by resolution.

 Mayor Fullmer called for a motion to open the public hearing.

 **Motion:** COUNCILMEMBER FLAKE MOVED TO OPEN THE PUBLIC HEARING AT 7:28 PM. COUNCILMEMBER WELSH SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

 Mr. Mortensen reviewed the recommended budget amendments.

 Mayor Fullmer called for public comments.

 Ms. Evans asked for clarification on the mural on the water tank. Councilmember Welsh explained the project.

 Mayor Fullmer called for a motion to close the public hearing.

 **Motion:** COUNCILMEMBER FLAKE MOVED TO CLOSE THE PUBLIC HEARING AT 7:44 PM. COUNCILMEMBER WELSH SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

 Mayor Fullmer called for questions from the council. Hearing none, she called for a motion.

 **Motion:** COUNCILMEMBER WELSH MOVED TO ADOPT RESOLUTION 2023-02; APPROVING THE VINEYARD CITY FISCAL YEAR 2022 – 2023 BUDGET AMENDMENT #1 AS PRESENTED BY STAFF. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

10.4 PUBLIC HEARING – Development Agreement for The Forge (Resolution 2023-)

Community Development Director Morgan Brim will present a development agreement for The Forge development. The mayor and City Council will act to adopt (or deny) this request by resolution.

 Mayor Fullmer called for a motion to open the public hearing.

 **Motion:** COUNCILMEMBER SIFUENTES MOVED TO OPEN THE PUBLIC HEARING AT 7:45 PM. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

 There was a discussion about the public hearing process.

 There was additional discussion about the public hearing process.

 Mr. Brim reviewed the location of The Forge development and the zoning standards. He also reviewed the primary elements of the development agreement and suggested amendments to the development agreement. He reviewed the Planning Commission's comments.

 Mr. Brim turned the time over to Steve Borup and Jeff Gochnour with Dakota Pacific. Mr. Borup reviewed the development agreement, focusing on new or proposed amendments to the development agreement. He reviewed the overall site plan.

 Mayor Fullmer called for public comments.

 Ms. Evans asked about the size of the hotel, if it would be a full-service hotel, and if it was included in the total residential units. She expressed concern with access to the public safety building. She asked how many of the one, two- and three-bedroom units there would be and how parking would be allowed for each unit. She asked who would be maintaining the amenities. She also asked if the grocery store would be a full-service grocer or a convenience store. She expressed concerns with the look of the parking structure and if it would be visible from the Vineyard Connector and Geneva Road.

291  Mr. Borup replied that they did not know what the hotel would look like yet and would
292 count as a commercial use. He said that the residential mix would be market driven. The parking
293 for the residential units would be an average with a permit program. The property association
294 would maintain the design features. He added that they did not have a grocery store locked in
295 yet, were actively pursuing grocers. He said that the parking structures would have a wrapped
296 design and be inside the development. Mr. Brim mentioned that staff was working with Orem
297 City Fire on the fire station.

298
299  Mayor Fullmer called for further public comments.

300
301  Russell Evans gave a recommendation for a type of grocery store. He felt that less housing
302 would be better, and that an excess of parking would be better.

303
304  Mayor Fullmer called for further public comments. Hearing none, she asked the council if
305 they wanted to either continue or close the public hearing.

306
307  **Motion:** COUNCILMEMBER WELSH MOVED TO CLOSE THE PUBLIC HEARING
308 AT 8:20 PM. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR
309 FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH
310 VOTED YES. THE MOTION CARRIED UNANIMOUSLY.

311
312  Mayor Fullmer called for a motion to continue the discussion.

313
314  **Motion:** COUNCILMEMBER FLAKE MOVED TO CONTINUE ITEM 10.4
315 DEVELOPMENT AGREEMENT FOR THE FORGE TO A FUTURE CITY COUNCIL
316 MEETING.

317
318  Mr. Nair recommended that City Council make their comments now.

319
320  Mayor Fullmer stated that she was going to submit her comments after the next Planning
321 Commission meeting. Mr. Brim added that the Planning Commission wanted to hear from the
322 City Council.

323
324  Councilmember Sifuentes said that she wanted to get the housing number down, and have
325 more commercial. She said that she was concerned with parking, and the look of the
326 development as people entered the city. She added that this was a big project that the city was
327 excited about but wanted to get it right and get a good balance. Mr. Borup reviewed the
328 guidelines for the frontage and materials used. Mr. Brim suggested that they have different roof
329 lines across the corridor. There was a discussion about the heights.

330
331  There was a discussion about the ordinance made years ago for the development. Mr. Brim
332 replied that the agreement was not signed, but the ordinance still stood. The discussion
333 continued. Councilmember Flake expressed his concerns about this development and wanted
334 staff to present a plan for affordable housing. Councilmember Sifuentes added that she was
335 excited about the affordable housing.

336
337  Mr. Brim added that there was a request for one of the amenities being internal and for the
338 development to take over maintenance on the north side of 650 North.

340  Mr. Borup felt that lowering the percentage of residential square footage would bring it out
341 of balance.

342
343  Mayor Fullmer called for further discussion from the council.
344

345  **Motion:** COUNCILMEMBER FLAKE RESTATED HIS MOTION: I MOVE TO
346 CONTINUE BUSINESS ITEM 10.4 DEVELOPMENT AGREEMENT WITH THE FORGE TO
347 A FUTURE CITY COUNCIL MEETING. COUNCILMEMBER RASMUSSEN SECONDED
348 THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE, RASMUSSEN,
349 SIFUENTES, AND WELSH VOTED YES. THE MOTION CARRIED UNANIMOUSLY.
350

351  Mayor Fullmer stated that when the city advertised their community they would not be
352 advertising a drivable community, but a walkable community. She explained how a walkable
353 community would be beneficial for the city. She added that this would allow the city to apply for
354 additional funding.
355

356
357 **11. CLOSED SESSION**

358 No closed session was held.
359

360
361 **12. ADJOURNMENT**

362  Mayor Fullmer called for a motion to adjourn the meeting.
363

364  **Motion:** COUNCILMEMBER FLAKE MOVED TO ADJOURN THE MEETING AT 8:40
365 PM. COUNCILMEMBER WELSH SECONDED THE MOTION. MAYOR FULLMER,
366 COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES.
367 THE MOTION CARRIED UNANIMOUSLY.
368

369
370 **MINUTES APPROVED ON:** _____
371

372 **CERTIFIED CORRECT BY:** /s/Pamela Spencer
373 **PAMELA SPENCER, CITY RECORDER**
374
375



VINEYARD CITY COUNCIL STAFF REPORT

Meeting Date: 02-08-2023

Agenda Item: 6.2- Wastewater Master Plan, Capital Improvements and Infrastructure Maintenance Plan, and Impact Fee Analysis Consultant

Department: Public Works Department, Engineering

Presenter: Emily Kofoed, EIT (Staff Engineer)

Background/Discussion:

Vineyard is a fast-growing mixed-use city that provides potable water distribution and wastewater collection services to approximately 20,000 residents in a 6-square-mile area. The City's wastewater system consists of 3 lift stations along with 30 miles of collection piping. The Timpanogos Special Service District (TSSD) treats the majority of the City's wastewater, and a small portion is treated by Orem City. Due to rate increases by the service providers, increased cost of construction, aging infrastructure, and several other factors, the need to forecast and plan for the City's wastewater demands has arisen. A Wastewater Master Plan, Capital Improvements and Infrastructure Maintenance Plan, and Impact Fee Analysis will meet this need.

City Staff posted a Request for Statements of Qualifications (RFSQ) on the state procurement site for a Wastewater Master Plan Capital Improvements and Infrastructure Maintenance Plan, and Impact Fee Analysis (a professional services contract). Two proposals were received. City Staff scored the proposals based on five criteria on a point-based system: 1) Firm Information (out of 15 pts), 2) Professional Qualifications of the Project Manager (out of 30 pts), 3) Professional Qualifications of the Project Team (out of 30 pts), 4) Key Differentiators (out of 15 pts), and 5) Fee Schedule (out of 10 pts). As per the City's Procurement Policy, professional services contracts are selected by the best qualified rather than the lowest bidder.

The scoring cards were compiled from Naseem Ghandour (Public Works Director), Sullivan Love (Water and Irrigation Manager), Cache Hancey (Planner & Business Advocate), and Emily Kofoed (Staff Engineer). See a summary of the average scores below.

Firm	Firm Info. (15 pts)	Proj. Manager (30 pts)	Proj. Team (30 pts)	Key Diff. (15 pts)	Fee Schedule (10 pts)	Total
HAL Engineers	15.00	27.50	27.75	12.75	9.00	92.00
Bowen Collins & Assoc.	13.75	27.75	24.50	13.25	7.25	86.50



VINEYARD CITY COUNCIL STAFF REPORT

Based on the results, Hansen, Allen, & Luce (HAL) Engineers' proposal conveyed that they are the most capable of meeting the City's needs. HAL Engineers has demonstrated an understanding of Vineyard's future growth and wastewater needs. They have extensive experience in master planning and hydraulic modeling for wastewater systems and have performed relevant work in nearby cities in Utah County. Their approach will focus on optimizing wastewater system performance, energy efficiency, and facility safety.

Fiscal Impact:

\$100,000 is budgeted for FY23.

Recommendation:

City Staff recommends approval.

Sample Motion:

I move to adopt Resolution 2023-03, allowing the City Manager to enter into a contract with Hansen, Allen, & Luce, Inc. to provide a Wastewater Master Plan, Capital Improvements and Infrastructure Maintenance Plan, and Impact Fee Analysis to Vineyard City.

Attachments:

Resolution 2023-03
Bid Sheet

RESOLUTION 2023-03

A RESOLUTION OF THE VINEYARD CITY COUNCIL AWARDING THE BID TO HANSEN, ALLEN, & LUCE, INC. TO PROVIDE A WASTEWATER MASTER PLAN, CAPITAL IMPROVEMENTS AND INFRASTRUCTURE MAINTENANCE PLAN, AND IMPACT FEE ANALYSIS TO VINEYARD CITY

WHEREAS, notice to bidders has been duly given as required by law; and

WHEREAS, after consideration of all bids filed (see exhibit A or see attached bid sheet), it was determined that Hansen, Allen, & Luce, Inc. is the best qualified bidder to provide a Wastewater Master Plan, Capital Improvements and Infrastructure Maintenance Plan, and Impact Fee Analysis to Vineyard City;

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF VINEYARD AS FOLLOWS:

Section 1. The bid be awarded to Hansen, Allen, & Luce, Inc. to provide a Wastewater Master Plan, Capital Improvements and Infrastructure Maintenance Plan, and Impact Fee Analysis to Vineyard City

Section 2. \$100,000 is budgeted for FY23.

Section 3. That city staff are hereby authorized and directed to execute the contract as is herein referred and allow the City Manager to sign said contract.

Section 4. This resolution shall take effect upon passing.

Passed and dated this 8th day of February, 2023.

Mayor

Attest:

Recorder

Firm	Firm Info. (15 pts)	Proj. Manager (30 pts)	Proj. Team (30 pts)	Key Diff. (15 pts)	Fee Schedule (10 pts)	Total
HAL Engineers	15.00	27.50	27.75	12.75	9.00	92.00
Bowen Collins & Assoc.	13.75	27.75	24.50	13.25	7.25	86.50



VINEYARD CITY COUNCIL STAFF REPORT

Meeting Date: 02-08-2023

Agenda Item: 6.3 - Transportation Master Plan, Capital Facilities Plan, Impact Fee Facilities Plan, and Impact Fee Analysis Consultant

Department: Public Works Department, Engineering

Presenter: Emily Kofoed, EIT (Staff Engineer)

Background/Discussion:

Vineyard City is home to an extensive multimodal transportation system that is ever-evolving due to city-wide growth. The need to forecast and plan for the City's transportation network's demands has arisen. A Transportation Master Plan, Capital Facilities Plan, Impact Fee Facilities Plan, and Impact Fee Analysis will meet this need. These plans will be a guide for the city to properly plan, budget, and maintain its multimodal transportation network into the future, providing vital data for decision-making. The Transportation Master Plan will focus on maximizing the network's efficiency, minimizing environmental impacts, and overall improving the quality of life and economic vitality of Vineyard City.

City Staff posted a Request for Proposal (RFP) on the state procurement site for a Transportation Master Plan, Capital Facilities Plan, Impact Fee Facilities Plan, and Impact Fee Analysis (a professional services contract). Two proposals were received. City Staff scored the proposals on a scale of 1 (Does Not Meet Requirements) to 5 (Well Above Requirements) weighted equally: Project Scope, Qualifications & Experience, Key Personnel & Project Team, and Unit Rate Evaluation. As per the City's Procurement Policy, professional services contracts are selected by the best qualified rather than the lowest bidder.

The scoring cards were compiled from Naseem Ghandour (Public Works Director), Chris Thomas (Streets Manager), Rachel Stevens (Planning Technician), and Emily Kofoed (Staff Engineer). See a summary of the average scores below.

Firm	Project Scope Avg. Score	Qual. & Exp. Avg. Score	Key Pers. & Proj. Team Avg. Score	Unit Rate Eval. Avg. Score	Total
Hales Engineering	3.75	4.00	3.88	3.63	15.25
Horrocks Engineers	3.88	3.88	3.88	2.63	14.25



VINEYARD CITY COUNCIL STAFF REPORT

Based on the results, Hales Engineering's proposal conveyed that they are the most capable of meeting the City's needs. Hales Engineering has demonstrated an understanding of Vineyard's future growth and transportation needs and is a well-respected consultant for UDOT, MAG, and UTA. They have performed relevant work in neighboring communities and have recent experience working with other communities along the Wasatch Front. Their goal with this project is to promote the City's theme, "Stay Connected," by promoting connectivity as well as connecting all residents and workers to all transportation modes.

Fiscal Impact:

\$100,000 is budgeted for FY23.

Recommendation:

City Staff recommends approval.

Sample Motion:

I move to adopt Resolution 2023-04 allowing the City Manager to enter into a contract with Hales Engineering to provide a Transportation Master Plan, Capital Facilities Plan, Impact Fee Facilities Plan, and Impact Fee Analysis to Vineyard City.

Attachments:

Resolution 2023-04

RESOLUTION 2023-04

A RESOLUTION OF THE VINEYARD CITY COUNCIL AWARDING THE BID TO HALES ENGINEERING PROVIDE A TRANSPORTATION MASTER PLAN, CAPITAL FACILITIES PLAN, IMPACT FEE FACILITIES PLAN, AND IMPACT FEE ANALYSIS TO VINEYARD CITY

WHEREAS, notice to bidders has been duly given as required by law; and

WHEREAS, after consideration of all bids filed (see exhibit A or see attached bid sheet), it was determined that Hales Engineering is the best qualified bidder for providing a Transportation Master Plan, Capital Facilities Plan, Impact Fee Facilities Plan, and Impact Fee Analysis to Vineyard City;

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF VINEYARD AS FOLLOWS:

Section 1. The bid be awarded to Hales Engineering to provide a Transportation Master Plan, Capital Facilities Plan, Impact Fee Facilities Plan, and Impact Fee Analysis to Vineyard City.

Section 2. \$100,000 is budgeted for FY23.

Section 3. That city staff are hereby authorized and directed to execute the contract as is herein referred and allow the City Manager to sign said contract.

Section 4. This resolution shall take effect upon passing.

Passed and dated this 8th day of February, 2023.

Mayor

Attest:

Recorder

Firm	Project Scope Avg. Score	Qual. & Exp. Avg. Score	Key Pers. & Proj. Team Avg. Score	Unit Rate Eval. Avg. Score	Total
Hales Engineering	3.75	4.00	3.88	3.63	15.25
Horrocks Engineers	3.88	3.88	3.88	2.63	14.25

RESOLUTION NO. 2023-05

**A RESOLUTION ADOPTING A CITY MANAGER PERFORMANCE EVALUATION
POLICY MANUAL FOR VINEYARD, UTAH**

WHEREAS, the Vineyard City Council desires to have consistent policies for its employees and to promote a workplace that is safe and professional; and

WHEREAS, the Vineyard City Council desires to Adopt a City Manager Performance Evaluation Policy Manual; and

**NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF
VINEYARD AS FOLLOWS:**

1. The Vineyard City Manager Performance Evaluation Policy Manual will be adopted as shown in Exhibit A.
2. This Resolution shall take effect upon passing.

Passed and dated this 8th day of February 2023.

Julie Fullmer, Mayor

Attest:

Pamela Spencer, City Recorder

CITY MANAGER PERFORMANCE EVALUATION POLICY



Vineyard, Utah

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Introduction

This Handbook has been developed for use by Vineyard City Council to help establish and conduct an evaluation process for the City Manager.

An annual examination of the City Manager's performance is not only required by the City Manager's employment agreement but is also important for a healthy and effective relationship. Ultimately, the City Manager's performance evaluation is essential for promoting more effective management throughout the City organization.

This Handbook first discusses the purpose for completing an evaluation of the City Manager's performance and defines the context within which a performance evaluation takes place. It then outlines steps for an effective performance evaluation process and concludes with other reference materials and a generic evaluation form.

The information presented has been adapted from materials developed by Various City and Towns Leagues and ICMA procedures. It includes related resource materials assembled from various publications.

Purpose

Performance evaluations should be constructive, providing not only an examination of past performance but guidance for future efforts by the City Manager. The needs of any city often change over time, and priorities will likely shift with each council election.

As with any employer/employee relationship, an employer is responsible for clearly communicating to its employee exactly what it expects and wants. As the employer, each new council has an obligation to relay to their employee their desire for him or her to focus on particular goals, i.e., community needs, projects or priorities, etc.

A performance evaluation process will be positive and useful for the mayor, City Council, and Manager if conducted properly. It will allow the mayor and City Council members to become better acquainted with each other and the Manager, improving communication; providing important feedback to the Manager; acknowledging strengths and pointing out weaknesses for the Manager; bringing problems into focus, and reducing future misunderstanding and conflict; and help clarify roles and responsibilities of governing body and Manager.

There is another purpose for completing the City Manager performance evaluation process. An effective evaluation process can help the governing body examine compensation. Additionally, it can increase effective governing performance. A mayor and City Council's success in achieving its goals is tied to the performance of its City Manager.

The City Manager can provide useful feedback and observations to the governing body about such things as:

1. Is the governing body providing clear direction about its needs, goals, and priorities?
2. Is the governing body fulfilling its role as a policy-making body?
3. Is the governing body becoming too involved in day-to-day administration?
4. Is the governing body facilitating the tools and funding necessary for day-to-day administration?

There are numerous methods and techniques that a governing body may choose to follow when evaluating their City Manager. The process outlined in this Handbook is general in nature and can be adapted to accommodate various needs or circumstances that may arise from time to time. However, performance evaluations must be approached as part of an ongoing process that strives to allow for a more thoughtful and effective decision-making body and more effective city management.

Context for Performance Evaluation

Mayor, City Council and Manager Roles and Responsibilities.

The mayor, City Council, and Manager rely on each other for the effective exchange of considerable information. The mayor and City Council require a constant flow of information from the Manager, just as the City Council and the Manager rely on information from the mayor. In order to evaluate the City Council's duties, reports must be made on the appointments they have been given to the mayor and Manager. The mayor makes these appointments, and the manager can help provide staff to support the City Council. The mayor and manager depend on the governing body to make the best decisions it can after receiving and evaluating that information. Given this dependency, the importance of respect, forthrightness, and confidence in this relationship cannot be overemphasized.

The original concept behind hiring a city manager was to alleviate the Mayor and Council of certain administrative functions, which would then be directed by the manager. The five-member council form of government uses this function as a partnership, which separates certain administrative management operations from policy-making functions. The separation of administrative and policy-making functions is not so clear-cut. Defining the difference between policy and administration may be the greatest source of confusion and conflict between City Councils and a Manager.

Before any performance evaluation, a council and its manager should define their respective roles. A performance evaluation is of little value without a clear understanding of functions and roles. The areas of responsibility of the Mayor, City Council, and City Manager are outlined in the state's Five Member Council Form, the City Manager Ordinance, and the administrative policy codes adopted by the governing body. These documents should be consulted and provide the basis for further discussions to clarify "what falls where."

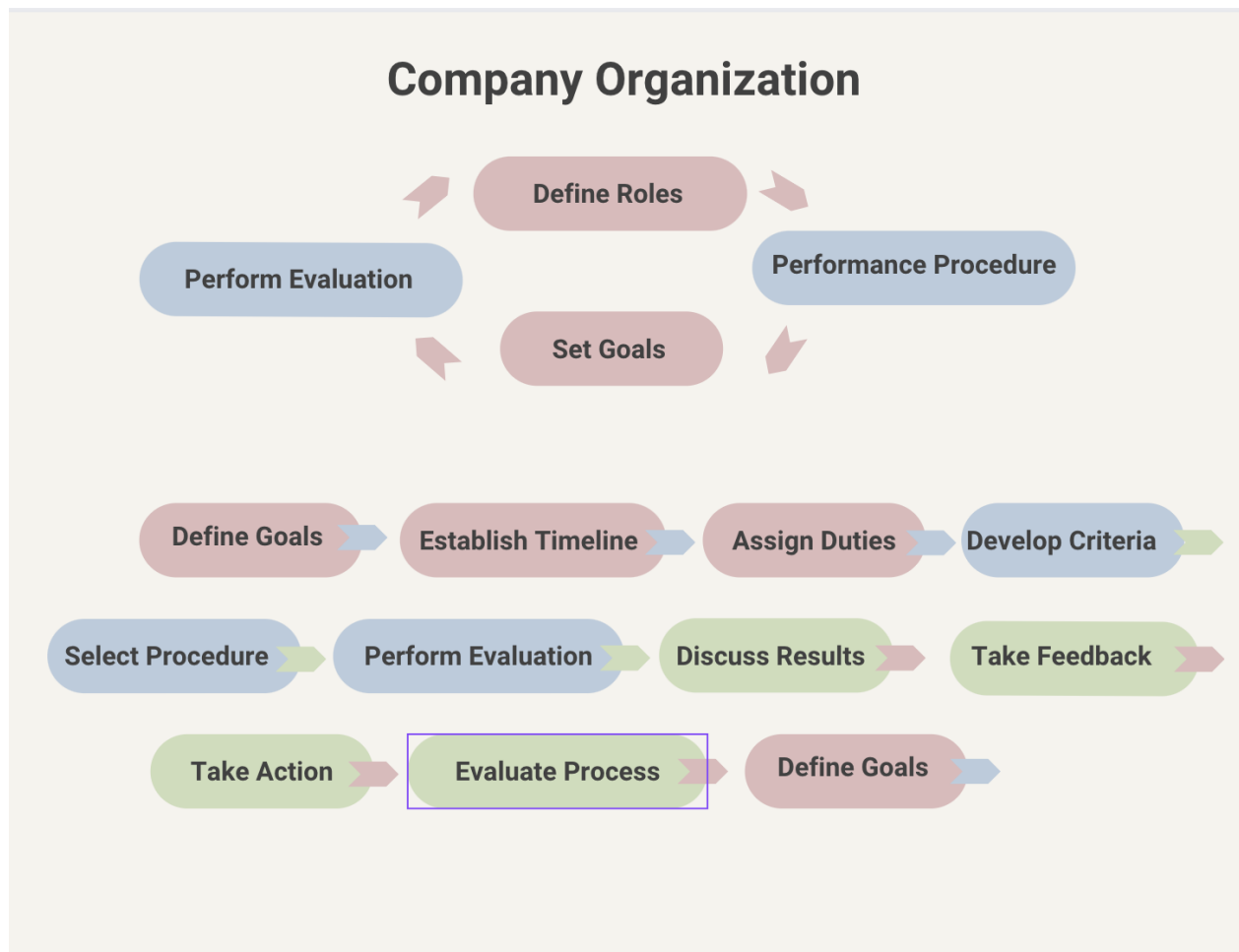
Governing Body Goals and Priorities.

Goals are a necessary ingredient for success in an organization. To be effective, any organization must have a clear picture of its purpose and what it hopes to achieve, an understanding of what it must do to achieve its purpose, specific goals and objectives, and a valid method for evaluating its effectiveness in reaching them.

Setting goals has a direct relationship with the Manager's performance. Goals set clear direction and let the Manager know what issues are important to pursue. The individual council goals should not be a part of appraising the Manager's performance. However, the City Manager's professional capacity to take policy direction from the Council and implement the goals is important in evaluating the Manager's performance.

These evaluations will be done in a closed session and as per State Code 63G-2-302 performance evaluations are deemed private.

Annual and Quarterly Performance Evaluation Process



STEP 1: DEFINE CLEARLY WHY YOU WANT TO EVALUATE THE PERFORMANCE OF YOUR EMPLOYEE

There are many reasons for a governing body to evaluate the performance of its Manager. Frequently, the governing body should measure performance and determine salary, or define or improve, the working relationship between the Manager and the governing body. Whatever the particular reasons, they should be honest, clear, and understood by the governing body and the employee before launching a performance evaluation process.

Following are examples of objectives that can be established before completing the appraisal process:

1. To establish and maintain effective governing body and City Manager relationships;
2. To allow the City Manager and governing body to identify and understand their respective roles, relationships, expectations of, and responsibilities to each other; and
3. To allow the discussion of the City Manager's strengths and weaknesses as

demonstrated by past performance, away from the decision-making table, and the methods where performance may be improved, and crisis confrontations avoided.

STEP 2: DEVELOP A TIMELINE AND ASSIGN RESPONSIBILITIES

A governing body committed to a good evaluation process will also commit the time necessary to perform each task involved. The entire governing body does not need to be involved in every step of the performance evaluations, but they do need to be involved in the goals used to evaluate and the criteria used to define performance. The City Council, as a full body, employs the City Manager and is needed to provide guidance to the City Manager at least annually. However, the Mayor/designee shall facilitate reviews throughout the year to help motivate, encourage, and ensure accountability of these goals through quarterly performance evaluations. The Mayor/designee will facilitate the entire evaluation process to ensure the annual and quarterly evaluations are completed.

STEP 3: DEVELOP CRITERIA

Once the governing body adopts procedures and the governing body and manager understand their respective roles and responsibilities, proper performance can be processed. Once the Governing body sets goals through discussion/ adoption, you're ready to move to the next step — selecting the criteria to measure against. Criteria are like yardsticks — they establish standard dimensions by which we can measure progress. Without these yardsticks, evaluations can turn into unfair, unproductive free-for-alls.

Employers of all types commonly identify the specific professional competencies and skills employees need to succeed in any given position. These competencies and skills are used as the criteria for employment-related evaluations beginning with an employee's initial recruitment, ongoing training, and subsequent performance evaluations.

Examples of competencies that can be incorporated into an evaluation of the City Manager may be found in the 18 practice areas recognized by the International City/County Management Association as essential for every local government/city manager. The professional competencies for effective local government management are listed in Appendix A. Aside from selecting criteria based on professional competencies, do not overlook the Manager's ability to achieve the governing body's goals. The governing body can determine whether the Manager has the professional capacity to help implement its goals.

In developing the criteria for evaluating the City Manager's performance, there is value in the governing body and Manager discussing and agreeing upon the competencies, skills, and expected outcomes necessary for being an effective City Manager. ***The evaluation process will be enhanced if the City Council, as a full body, and the Manager are involved in developing the criteria and agreeing on them.***

STEP 4: REFINE CRITERIA

You are now ready to refine the criteria and develop specific questions you want to ask and have answered during the evaluation. It is important to be specific about what you mean in each category. Again, it is best to refine the criteria with the governing body and the Manager to ensure categories are not misinterpreted or new performance goals that were not previously defined are not inadvertently added.

After developing evaluation criteria, refining and expanding upon each is one of the most critical steps in an effective performance appraisal system and one of the most involved. For each competency and/or responsibility you list, you must be able to answer two questions: First, "What is the purpose, effect, or desired outcome of this competency/responsibility?" Second, "How will I know if and when this purpose, effect, or desired outcome is being achieved?"

Answers to these questions achieve two important goals: (1) a clear statement of purpose helps assure that individual Council members understand one another's values, ideas, and concerns about the role and functions of the City Manager in city government; and (2) knowing the data and performances that tell you that responsibility is being achieved requires that you look for tangible criteria to use in judging managerial performance.

Example:

CRITERIA: Policy Facilitation

What is the purpose, effect, or desired outcome of this responsibility?

To allow the governing body to function as efficiently and effectively as possible in its interaction with administrative staff members, departments, and the overall guidance of city affairs. To minimize delays, confusion, and conflict generated by incomplete staff work, favoritism, lobbying, and unprofessional managerial performance. To assist the governing body in acting as a single body . . . etc.

How will I know if and when this purpose, effect, or desired outcome is being achieved?

Availability and timeliness of information requested or needed by the council. Preparedness for council meetings. Accuracy and thoroughness of information and reports. Keeping councilors apprised of day-to-day events and information necessary to carry out their functions. Impartial and professional interaction with each councilor, regardless of opinions and recommendations . . . etc.

Ultimately, performance appraisal addresses the actions the City Manager took to meet the expectations of the governing body and the requirements of the position. Performance is action. Appraisal focuses on the effects of that action.

Focusing on each criterion by addressing the two questions above will help you in objectively identify the actions and effects of the City Manager's performance while avoiding the traps of trying to assess subjective characteristics that may not truly be bona fide job requirements.

STEP 5: SELECT PROCEDURES TO EVALUATE PERFORMANCE

After you have specific criteria by which you will annually evaluate your employee, review them together for the best results.

The next step is deciding how you're going to perform the evaluation. The criteria you've developed may help determine the best way to do it. There are three general approaches to consider: written evaluations, oral evaluations, or a combination of both.

Written Evaluations. This technique allows each person to make all comments in writing. There are several methods used for written evaluations. A combined essay and rating scale is perhaps the most commonly used.

Essays. An essay is a written statement describing the employee's performance. It is most effective when each answer responds to a specific question, topic, or criterion. It is least effective when each answer is generally stated and when its relation to criteria is vague and nonspecific.

Rating Scales. A rating scale consists of a set of statements about job performance. A scale, either using numbers or adjectives, is used by evaluators to make their judgments.

Combination Essay and Rating Scales. A simple and effective way to perform the evaluation is to develop a rating scale and leave room for additional comments under each criterion. This allows individuals to use specific examples of what the employee has done. It also helps the Manager understand what the governing body thinks more specifically about his or her performance.

Oral Evaluation. Openly discussing the appraisal with the Manager is another technique. As with written evaluations, the conversation should center on the criteria you developed and should be conducted annually by the Council as a group and quarterly by the Mayor/designee. An advantage of verbal evaluation is that it presents an opportunity to clear up any misunderstanding about performance in face-to-face settings. However, unlike written evaluations, verbal evaluations do not leave a written record and sometimes lead to confusion at a later time about what was said.

Combination of Written and Oral. A combined written and oral evaluation is probably the most effective performance evaluation method. This method allows each individual Council member to evaluate the performance of the Manager annually in writing and follow up with face-to-face discussion as a group. Additionally, a combination of written and oral evaluations in the quarterly assessments provides tools for the Manager to have greater success throughout the year and consistent updates to the governing body.

Whatever technique is chosen, it is important to stick to the developed criteria. You are evaluating the performance of an individual in a position. The evaluation is not a free-for-all *gripe session*, nor is it an awards ceremony; it is important to express legitimate concerns and recognize good performance, as well as communicate future expectations.

STEP 6: PERFORM THE EVALUATION

The system for performing the evaluation you have just designed is now in place and ready to use. Make sure you have a definitive schedule for quarterly assessments and a target date for completing the annual evaluation.

If you have chosen to use a written evaluation technique, the forms should be distributed to individual Council members, requesting that the forms be completed and returned according to the established schedule.

Collecting accurate information according to the criteria you have developed is more difficult for a City Council than in an ordinary supervisor-subordinate situation because City Council members are not always in a position to observe the employee on a day-to-day basis. As the Mayor conducts quarterly performance evaluations and works day-to-

day with the city manager, and as city council members communicate regularly with both the Mayor and City Manager, these agreed-upon goals and tangible outcomes should be observable in the quarterly assessments.

It is not appropriate for Council members to follow the Manager around for a week with a pencil and pad in their hands or to go outside the grievance policies they have created. However, there are several things Council members can and should do to help ensure that they have accurate information to perform a meaningful evaluation.

The most important thing is to allow enough time to collect information about the Manager's performance. Ask questions on the quarterly assessment, or have discussions if issues arise throughout the year. An annual information-collection period will make the entire annual review process effective and productive evaluation. Looking over the minutes of past meetings may bring to mind projects that the Manager has been responsible for and the outcome of those projects.

Remember, the primary responsibility of Councilors during this phase of the evaluation cycle is to be alert and responsive to data about the Manager's performance. One of the most common errors found in formal employee evaluation systems is, as one manager explained, that they often reflect only the performance just prior to the evaluation session. To avoid this, it is important for the Mayor to report to the councilors and document incidents and information throughout the performance regarding strengths and weaknesses. It is important for their regular communication to help formulate better goals or reassess goals within an annual cycle that reflect the performance of the City Manager.

Note: It is as important to document outstanding performances as it is to document performances that don't meet expectations.

It will be extremely helpful to both the Manager and the Council to use specific examples of performance in the evaluation. Vague generalizations will not help the Manager understand how he or she can improve performance. Specific examples help to illustrate positive and negative comments and put everyone on the same wavelength.

In preparing for a discussion of the evaluation results with the Manager, the Mayor/designee should compile the information from each Council member into one document, which reflects all the input. The Mayor/designee should then share the results with the entire Council before they are presented to the Manager. The purpose of sharing the results of the evaluation with the Council is to provide each member with an understanding of the total results. The Council should strive to reach a consensus on the report so that each person can feel a part of the result and be comfortable with it. This does not mean that any individual should try to push others into changing their minds about how they filled out the evaluation. But this group discussion will allow each council member to understand how the others feel and what differences need to be resolved. Differences in individuals' perceptions may need further discussion and clarification.

Having one document from the whole council is very important. The entire performance evaluation process has been a group process. It is not appropriate for each Council member to independently pass judgment on the Manager without the consensus of the entire Council, as the Council works in Union to develop goals for the Manager.

STEP 7: DISCUSS RESULTS WITH EMPLOYEE AND ALLOW FOR FEEDBACK

Before you make a final decision about any action as a result of the evaluation or make any final statement as a governing body about the Manager's performance, it is important to discuss the results of the evaluation with the Manager first.

Several things should happen during this discussion. First, you may wish to let the Manager evaluate him or herself. You can give the same rating form or set of questions to the Manager and ask him or her to fill it out according to their own perception of how he or she has performed in the position.

Discuss the areas where there are differences between the Manager and the Council about strengths and weaknesses. There may be misunderstanding among individual Council members about the Manager's actual performance. Likewise, the Manager may not have understood or may have misinterpreted the governing body's directives. Try to reach an agreement on the areas that need improvement and what types of changes the governing body would find acceptable.

A Council that is serious about evaluation should understand that its performance often affects the Manager's performance. The Council should ask the Manager how the governing body's performance has enhanced or hindered the Manager's performance.

STEP 8: AGREE ON FOLLOW-UP STEPS

One of the most important reasons for evaluating the performance of an employee is to acknowledge the employee's strengths and point out areas that need to be improved. Any recommendations or actions the governing body takes should be tied to this reason and any others listed in Step 1 of this process.

Nobody is perfect — even the best evaluation will likely show a few things that need improvement and attention. Also, change may be necessary on the part of the governing body as well as the Manager. Remember that the evaluation process is intended to bring out positive change. **Focus on future improvement, not on past performance.**

Agree on the areas that need improvement and the best course of action. The Mayor/Designee may be able to suggest ways to improve performance from quarterly reports, which can be used at the annual review. Set up a work program and schedule workshops or other methods to help the Manager and governing body improve the identified areas. Stick to the schedule.

Effective performance should be acknowledged. Everyone needs positive reinforcement for good work. The Council should decide how they would like to acknowledge strong performance. But, at the very least, a public statement by the Council should be made supporting and acknowledging the Manager's performance.

STEP 9: EVALUATING YOUR PROCESS

No process is ever complete without an evaluation of what it is you have done. Whether you develop a questionnaire to evaluate the process or have a debriefing session, every individual involved should participate and make recommendations for future use. Here are some questions to get you started:

What were the positive outcomes?

What were the negative outcomes?

Could negative outcomes have been avoided?

How could you improve the process next time?

What areas of the process do you and the Manager need to work on?

Were the criteria fair and objective?

What have you learned about yourself as an elected or appointed official?
How did the general public react?

It can be helpful to involve the Manager in this review. He or she may have some valuable insights for the next time. As a group, try to develop a list of ways you could improve what you have done.

Your Next Steps

Once you have completed this process, you will have done more than evaluate the performance of your employee. You will have defined your roles and responsibilities, set goals, opened up lines of communication, and made significant strides toward increasing your own effectiveness as an elected body.

But don't stop here! Go back and refine your roles; you may have accomplished some of your goals and need to set new ones. If you haven't accomplished them, set deadlines for their accomplishment. It may be time to put another appraisal process together. Some individual Council or group training and team development sessions may be needed as a result of reviewing the governing body and Manager's accomplishments. Don't be discouraged if you feel uncomfortable or if the process wasn't perfect the first time. This process takes practice and refinement, but it is worth it! Continue the good work that you have started, and watch how positive change can happen.

Appendices

ICMA Recognized Practices for Effective Local Government Management

1. Staff Effectiveness: Promoting the development and performance of staff and employees throughout the organization (requires knowledge of interpersonal relations, skill in motivation techniques, and ability to identify others' strengths and weaknesses). Practices that contribute to this core content area are:

COACHING/MENTORING Providing direction, support, and feedback to enable others to meet their full potential (requires knowledge of feedback techniques; ability to assess performance and identify others' developmental needs)

TEAM LEADERSHIP Facilitating teamwork (requires knowledge of team relations; ability to direct and coordinate group efforts; skill in leadership techniques)

EMPOWERMENT Creating a work environment that encourages responsibility and decision-making at all organizational levels (requires skill in sharing authority and removing barriers to creativity)

DELEGATING Assigning responsibility to others (requires skill in defining expectations, providing direction and support, and evaluating results)

2. Policy Facilitation: Helping elected officials and other community actors identify, work toward, and achieve common goals and objectives (requires knowledge of group dynamics and political behavior; skill in communication, facilitation, and consensus-building techniques; ability to engage others in identifying issues and outcomes). Practices that contribute to this core content area are:

FACILITATIVE LEADERSHIP Building cooperation and consensus among and within diverse groups, helping them identify common goals and act effectively to achieve them; recognizing interdependent relationships and multiple causes of community issues and anticipating the consequences of policy decisions (requires knowledge of community actors and their interrelationships)

FACILITATING COUNCIL EFFECTIVENESS Helping elected officials develop a policy agenda that can be implemented effectively and that serves the best interests of the community (requires knowledge of role/authority relationships between elected and appointed officials; skill in responsibly following the lead of others when appropriate; ability to communicate sound information and recommendations)

MEDIATION/NEGOTIATION Acting as a neutral party in the resolution of policy disputes (requires knowledge of mediation/negotiation principles; skill in mediation/negotiation techniques)

3. Functional and Operational Expertise and Planning (a component of Service Delivery Management): Practices that contribute to this core content area are:

FUNCTIONAL/OPERATIONAL EXPERTISE Understanding the basic principles of service delivery in functional areas--e.g., public safety, community, and economic

development, human and social services, administrative services, public works (requires knowledge of service areas and delivery options)

OPERATIONAL PLANNING Anticipating future needs, organizing work operations, and establishing timetables for work units or projects (requires knowledge of technological advances and changing standards; skill in identifying and understanding trends; skill in predicting the impact of service delivery decisions)

4. Citizen Service (a component of Service Delivery Management): Determining citizen needs and providing responsive, equitable services to the community (requires skill in assessing community needs and allocating resources; knowledge of information gathering techniques)

5. Quality Assurance (a component of Service Delivery Management): Maintaining a consistently high level of quality in staff work, operational procedures, and service delivery (requires knowledge of organizational processes; ability to facilitate organizational improvements; ability to set performance/ productivity standards and objectives and measure results)

6. Initiative, Risk Taking, Vision, Creativity, and Innovation (a component of Strategic Leadership): Setting an example that urges the organization and the community toward experimentation, change, creative problem-solving, and prompt action (requires knowledge of personal leadership style; skill in visioning, shifting perspectives, and identifying options; ability to create an environment that encourages initiative and innovation). Practices that contribute to this core content area are:

INITIATIVE AND RISK TAKING Demonstrating a personal orientation toward action and accepting responsibility for the results; resisting the status quo and removing stumbling blocks that delay progress toward goals and objectives

VISION Conceptualizing an ideal future state and communicating it to the organization and the community

CREATIVITY AND INNOVATION Developing new ideas or practices; applying existing ideas and practices to new situations

7. Technological Literacy (a component of Strategic Leadership): Demonstrating an understanding of information technology and ensuring that it is incorporated appropriately in plans to improve service delivery, information sharing, organizational communication, and citizen access (requires knowledge of technological options and their application)

8. Democratic Advocacy and Citizen Participation: Demonstrating a commitment to democratic principles by respecting elected officials, community interest groups, and the decision making process; educating citizens about local government; and acquiring knowledge of the social, economic, and political history of the community (requires knowledge of democratic principles, political processes, and local government law; skill in group dynamics, communication, and facilitation; ability to appreciate and work with diverse individuals and groups and to follow the community's lead in the democratic process). Practices that contribute to this core content area are:

DEMOCRATIC ADVOCACY Fostering the values and integrity of representative

government and local democracy through action and example; ensuring the effective participation of local government in the intergovernmental system (requires knowledge and skill in intergovernmental relations)

CITIZEN PARTICIPATION Recognizing the right of citizens to influence local decisions and promoting active citizen involvement in local governance

9. Diversity: Understanding and valuing the differences among individuals and fostering these values throughout the organization and the community
10. Budgeting: Preparing and administering the budget (requires knowledge of budgeting principles and practices, revenue sources, projection techniques, and financial control systems; skill in communicating financial information)
11. Financial Analysis: Interpreting financial information to assess the short-term and long-term fiscal condition of the community, determine the cost-effectiveness of programs, and compare alternative strategies (requires knowledge of analytical techniques and skill in applying them)
12. Human Resources Management: Ensuring that the policies and procedures for employee hiring, promotion, performance appraisal, and discipline are equitable, legal, and current; ensuring that human resources are adequate to accomplish programmatic objectives (requires knowledge of personnel practices and employee relations law; ability to project workforce needs)
13. Strategic Planning: Positioning the organization and the community for events and circumstances that are anticipated in the future (requires knowledge of long-range and strategic planning techniques; skill in identifying trends that will affect the community; ability to analyze and facilitate policy choices that will benefit the community in the long run)
14. Advocacy and Interpersonal Communication: Facilitating the flow of ideas, information, and understanding between and among individuals; advocating effectively in the community interest (requires knowledge of interpersonal and group communication principles; skill in listening, speaking, and writing; ability to persuade without diminishing the views of others). Practices that contribute to this core content area are:
 - ADVOCACY Communicating personal support for policies, programs, or ideals that serve the best interests of the community
 - INTERPERSONAL COMMUNICATION Exchanging verbal and nonverbal messages with others in a way that demonstrates respect for the individual and furthers organizational and community objectives (requires ability to receive verbal and nonverbal cues; skill in selecting the most effective communication method for each interchange)
15. Presentation Skills: Conveying ideas or information effectively to others (requires knowledge of presentation techniques and options; ability to match presentation to audience)
16. Media Relations: Communicating information to the media in a way that increases public understanding of local government issues and activities and builds a positive

relationship with the press (requires knowledge of media operations and objectives)

17. Integrity: Demonstrating fairness, honesty, and ethical and legal awareness in personal and professional relationships and activities (requires knowledge of business and personal ethics; ability to understand issues of ethics and integrity in specific situations). Practices that contribute to this core content area are:

PERSONAL INTEGRITY Demonstrating accountability for personal actions;
conducting personal relationships and activities fairly and honestly

PROFESSIONAL INTEGRITY Conducting professional relationships and activities fairly, honestly, legally, and in conformance with the ICMA Code of Ethics (requires knowledge of administrative ethics and specifically the ICMA Code of Ethics)

ORGANIZATIONAL INTEGRITY Fostering ethical behavior throughout the organization through personal example, management practices, and training (requires knowledge of administrative ethics; ability to instill accountability into operations; and ability to communicate ethical standards and guidelines to others)

18. Personal Development: Demonstrating a commitment to a balanced life through ongoing self-renewal and development in order to increase personal capacity (includes maintaining personal health, living by core values; continuous learning and improvement; and creating interdependent relationships and respect for differences).

City Manager Performance Evaluation

February 2023

The City Manager performance evaluation will be run through express evaluations.

Annually, the full governing body will determine goals for the year for the city and the manager. Criteria for assessing these goals will be determined, such as using express evaluations. Each council person will perform the evaluation, and the manager will perform the evaluation themselves. The data will be collected by the mayor and formatted to have total results among the full council.

The council will hold a closed secession to discuss the results and make sure they are representative. They will meet with the City Manager to discuss character and the new goals for moving forward.

Quarterly the mayor will perform quarterly assessments using the same model, and the goals derived with the full council in March, June, Sept & December. The mayor will deliver an update to the council at that time.

The full council and the manager will perform an evaluation on the criteria used in the performance evaluation. This assessment will help determine the criteria and duties for the coming year.



VINEYARD CITY COUNCIL STAFF REPORT

Meeting Date: February 8, 2023

Agenda Item: 9.1 Ratification of Appointment of New Department Director

Department: City Manager

Presenter: Ezra Nair

Background/Discussion:

Cris Johnson has been serving as our Interim Chief Building Official. Per city code the city manager has authority to appoint or remove any employees of the city, except the city recorder, the city treasurer, and the city attorney who shall be appointed, removed or terminated by majority vote of the governing body. Pursuant to that power I have appointed Cris Johnson as the Chief Building Official. Code also states: The hiring process for department director will include panel interviews with City Council.

This ratification provides the opportunity for City Council to provide input and support or reject the appointment of a new department head via promotion rather than hire.

Fiscal Impact:

\$3194 - Annual Total Compensation increase (Salary & benefits)

Recommendation & Additional Options:

Recommendation:

Ratify the appointment of Cris Johnson to Chief Building Official.

Sample Motion:

I move to ratify the appointment of Cris Johnson to the position of Chief Building Official.



Community Development

Date: Wednesday, February 08, 2022
From: Briam Amaya Perez, Senior Planner
To: City Council
Item: 9.2 Ordinance 2023-04; Moderate Income Housing Element of General Plan – Business Item
Applicant: City Initiated

SUMMARY

Through HB462 (update to SB34 from 2019), the State of Utah is requiring municipalities to submit plans to update their moderate-income housing plans (MIHP) to the Department of Workforce Services by October 1, 2022. Vineyard City's MIHP is also the Moderate-Income Housing Element (or Chapter) of the General Plan.

During the September 14, 2022, City Council meeting, the City Council approved Ordinance 2022-17, which updated Vineyard's MIHP by adding the below listed strategies from Utah State Code 10-9a-403 to the General Plan:

NEW STRATEGIES SELECTED FROM 10-9A-403:

- E) Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones.
- F) Zone or rezone for higher density or moderate-income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers;
- H) Amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities.
- L) Reduce, waive, or eliminate impact fees related to moderate income housing.
- N) Implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality.
- O) apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing;
- Q) create a housing and transit reinvestment zone pursuant to Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act.
- V) develop and adopt a station area plan in accordance with Section 10-9a-403.1.

**Implementation plans for each of the above listed strategies were also outlined in Ordinance 2022-17.

After the meeting, City Planner, Briam Perez, submitted a report to the Department of Workforce Housing containing the details of Ordinance 2022-17 to the Department of Workforce Services. On November 18, 2022, Briam received a communication from The Department of Workforce Services, notifying him that Vineyard City's updated Moderate Income Housing Plan (Ordinance 2022-17) was not in compliance with the State's requirements and that further updates were required for Vineyard to comply with 10-9a-408. The response further explained that the city's submission did not include adequate measures, benchmarks, or timelines to show progress on the selected strategies, E, F, H, L, N, O, Q, or V.

Briam was also notified that Section 10-9a-408(6) allows for each community 90 days from the date after this notice is sent to come into compliance with the State Code. Per section 10-9a-408(7)(b), "failure to cure the described deficiencies in your municipalities report by Friday, February 16, 2023, will make your community ineligible for Utah Department of Transportation (UDOT) Transportation Investment Fund of 2005, including the Transit Transportation Investment funding and the Governor's Office of Planning and Budget (GOPB) Covid-19 Local Assistance Matching Grant for the 2024 fiscal year.

In the days following, Briam worked with Alyssa Gamble, Moderate Income Housing Program Manager with The Department of Workforce Services, to revise Vineyard's MIHP so that it would come into compliance with the requirements of the state. The following revisions to the adopted strategies from Ordinance 2022-17 were made which successfully included the adequate measures, benchmarks, and timelines required by the State:

REVISIONS TO STRATEGIES SELECTED FROM 10-9A-403:

Strategy E: Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones.

1. The city will amend the zoning code to allow for mobile housing types intended for long-term placement to be utilized as ADU's such as tiny homes, modular homes, and prefabricated houses by the end of 2025. These housing types must adhere to a permanent foundation.

Strategy F: Zone or rezone for higher density or moderate-income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers.

1. The city will work with UVU to ensure the establishment of a residential mixed-use zone to accommodate on-campus living with ground-level commercial uses within their Vineyard South Campus by the end of 2026. Starting in 2023, Vineyard will meet biannually with the UVU Associate Vice President of Facilities Planning to coordinate planning efforts between the university and Vineyard City.
2. The Forge Special Purpose Zoning District will be rezoned to allow for higher residential density. Currently, this district allows one third of the square footage to be dedicated to residential use. By the end of 2025, the city will increase the square footage allowance to one half.

Strategy H: Amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities.

1. The city will commission a city-wide parking study to analyze parking rates and provide recommendations for parking reductions to the city council by the end of 2026. Carrying out this study will require significant funding.
2. The Vineyard Redevelopment Agency (RDA) will provide funding for the construction of a parking structure to serve the multi-family units of the Vineyard Downtown District by 2028.

Strategy L: Reduce, waive, or eliminate impact fees related to moderate income housing.

1. The city will establish a program to reduce, waive, or eliminate impact fees related to moderate income housing. A draft plan will be presented to the City Council by the end of 2024.
2. The city will commission a study which will include analyzing reductions of impact fees for moderate income housing units by the end of 2024.

Strategy O: Apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing.

Strategy Q: Create a housing and transit reinvestment zone pursuant to Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act

1. The city was successful in receiving the HTRZ designation from the State of Utah; Moving forward, the city will set up an HTRZ Board to oversee, manage, and analyze the project to ensure that 11% of the units are deed restricted to provide moderate income housing. This Board shall be established by the end of 2023.

Strategy V: Develop and adopt a station area plan in accordance with Section 10-9a-403.1 of Utah State Code.

1. Choose a consultant by the end of the first quarter 2023.
2. Process will initiate at the end of the second quarter of 2023.
3. The city will develop and adopt a station area plan by the end of 2024.

On Friday January 13, 2023, the Department of Workforce Housing confirmed that, as written, these strategies and their associated implementation measures and benchmarks are sufficient to meet the requirements of the State Code—each strategy is supported by specific benchmarks and timeless for implementation. The next step is for Vineyard to adopt the proposed ordinance, Ordinance 2023-04, and to resubmit the report to the Department of Workforce Services. Strategies N and O from 10-9A-403 were initially removed from Ord. 2023-04 due to the complexity of creating a sufficiently well-thought-out implementation plan given the current time constraints being asserted by the State before the February 16, 2023, deadline. Nevertheless, during the February 1, 2023, Planning Commission

meeting, the Commission recommended that Strategy O be reinserted into the MIHP. Strategy N was left out of the final recommendation. As you can see above, Strategy O is the only strategy that does not have specific measures, benchmarks, or timelines associated with its implementation. On February 2, 2023, Alyssa Gamble with the Department of Workforce Services confirmed that it was not a requirement of the State for all 7 of the above listed strategies to have detailed implementation plans—only the first 6, as this is the required number for municipalities with a fixed guideway railway station.

ATTACHMENTS

Ordinance 2023-04.

**VINEYARD
ORDINANCE 2023-4**

AN ORDINANCE OF THE CITY OF VINEYARD, UTAH, UPDATING THE CITY'S MODERATE INCOME HOUSING PLAN WITHIN THE GENERAL PLAN TO MEET THE REQUIREMENTS OF HB462 'HOUSING AFFORDABILITY AMENDMENTS', PASSED IN 2022; INTENDED TO HELP UTAH ADDRESS ITS SIGNIFICANT CHALLENGES ON HOUSING AVAILABILITY AND AFFORDABILITY; UPDATES STRATEGIES FOR MODERATE INCOME HOUSING AND PROVIDES IMPLEMENTATION ELEMENTS, WHICH INCLUDE TIMELINES WITH SPECIFIC BENCHMARKS FOR EACH CHOSEN STRATEGY REQUIRED TO BE SELECTED FROM UTAH STATE CODE 10-9A-403. VINEYARD CITY HAS A FIXED GUIDEWAY TRANSIT STATION AND THEREFORE, MUST ADOPT A MINIMUM OF FIVE (5) STRATEGIES, TO INCLUDE STRATEGY V AND EITHER STRATEGY G, H, OR Q. IF VINEYARD ADOPTS SIX (6) OF THE STATE STRATEGIES, THE CITY WILL RECEIVE PRIORITY CONSIDERATION OF SPECIFIC FUNDING FOR THE FOLLOWING YEAR AFTER THE ANNUAL REPORT SUBMISSION. THIS ORDINANCE MEETS THOSE REQUIREMENTS WHICH WERE COMMUNICATED TO THE CITY BY THE DEPARTMENT OF WORKFORCE SERVICES; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE, PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the significant growth experienced by the City and by the State as a whole requires municipalities, metro townships, and counties by law to plan for moderate income housing; and,

WHEREAS, the City has updated the General Plan to ensure compliance with State Code; to fully reflect a determination to create an opportunity for a variety of housing to meet the needs of people of various income levels living, working, or desiring to live or work in the community; while also allowing people of various incomes to benefit from and fully participate in all aspects of neighborhood and community life; and,

WHEREAS, the General Plan sets vision statements, goals, and action strategies for moderate income housing that will be implemented through the Vineyard Zoning and Subdivision Ordinances, financial resources leveraged by the City, development community, and state and federal grants; and,

WHEREAS, the Planning Commission held a public hearing on February 1, 2023, and after fully considering public comment and staff recommendations, recommended approval to the Vineyard City Council on February 1, 2023; and,

WHEREAS, the Vineyard City Council reviewed the proposed updated General Plan and considered the recommendations of the Planning Commission, evidence and testimony presented by City staff and other interested parties.

NOW THEREFORE, be it ordained by the Council of the Vineyard, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “9.08.010 Goal 1” of the Vineyard General Plan is hereby *amended* as follows:

AMENDMENT

9.08.010 Goal 1

PROVIDE OPPORTUNITIES FOR MODERATE INCOME HOUSEHOLDS TO PURCHASE ATTAINABLE HOUSING TO SUPPORT THE ECONOMIC VITALITY OF THE COMMUNITY.

1. **STRATEGY 1:** Identify and work with affordable housing programs like the Housing Authority of Utah County that will assist moderate income households in being able to purchase homes through voucher programs and discounts.
2. **STRATEGY 2:** Increase the availability of affordable single-family units by identifying areas that will be best suited for moderate income housing and incentivizing developers to undertake these projects.
3. **STRATEGY 3:** Incentivize the development of a range of housing types, including attached dwellings and multi-family units for purchase by streamlining development processes for units that will be affordable to moderate income households.
4. **STRATEGY 4:** Ensure that future regulations do not inhibit the development of moderate-income housing in appropriate locations and that the necessary infrastructure is available to support these projects.
 - a. ~~**STRATEGY 5:** Implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality. **STRATEGY 6:** Apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate~~

~~income housing—~~

5. **STRATEGY 5:** Apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing.

SECTION 2: **AMENDMENT** “9.08.020 Goal 2” of the Vineyard General Plan is hereby *amended* as follows:

AMENDMENT

9.08.020 Goal 2

ENCOURAGE AND PROMOTE AFFORDABLE HOUSING DEVELOPMENTS BY INCENTIVIZING DEVELOPERS TO BUILD THIS TYPE OF HOUSING.

1. **STRATEGY 1:** Establish developer incentives that promote the construction of a variety of housing types including smaller, affordable units.
2. **STRATEGY 2:** Adopt ordinances which allow for a variety of residential areas and building types providing for a range of housing alternatives and densities to meet the needs of a diverse population.
3. **STRATEGY 3:** Reduce, waive, or eliminate impact fees related to moderate income housing.
 - a. The city will establish a program to reduce, waive, or eliminate impact fees related to moderate income housing. A draft plan will be presented to the City Council by the end of 2024.
 - b. The city will commission a study which will include analyzing reductions of impact fees for moderate income housing units by the end of 2024.
4. **STRATEGY 4:** Develop and adopt a station area plan in accordance with Section 10-9a-403.1 of Utah State Code.
 - a. The city will choose a consultant by the end of first quarter 2023.
 - b. The planning process for this project will initiate at the end of the second quarter of 2023.
 - c. The city will develop and adopt a station area plan by the end of 2024.

SECTION 3: AMENDMENT “9.08.030 Goal 3” of the Vineyard General Plan is hereby *amended* as follows:

AMENDMENT

9.08.030 Goal 3

PROVIDE THE FRAMEWORK FOR THE SUCCESSFUL INTEGRATION OF A MIX OF HOUSING TYPES IN THE COMMUNITY’S VARIOUS NEIGHBORHOODS.

1. **STRATEGY 1:** Identify sites to consider for affordable housing development, including higher density housing on smaller lot sizes to offer a mix of housing options that appeal to a variety of population demographics.
2. **STRATEGY 2:** Introduce and integrate rental units and moderate- income housing into neighborhoods by allowing higher-density development to act as a buffer between commercial and lower density, more affluent single-family residential areas.
3. **STRATEGY 3:** Encourage an appropriate mix of housing types and styles and require appropriate code compliance and property maintenance to sustain neighborhood individuality, quality and appearance.
4. **STRATEGY 4:** Zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers.
 - a. The city will work with UVU to ensure the establishment of a residential mixed-use zone to accommodate on-campus living with ground-level commercial uses within the Vineyard South Campus by the end of 2026. Starting in 2023, the city will meet biannually with the UVU Associate Vice President of Facilities Planning to coordinate planning efforts between the university and Vineyard City.
 - b. The Forge Special Purpose Zoning District will be rezoned to allow for higher residential density. Currently, this district allows one third of the square footage to be dedicated to residential use. By the end of 2025, the city will increase the residential square footage allowance to one half.
5. **STRATEGY 5:** Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones.
 - a. The city will amend the zoning code to allow for mobile housing types intended for long-term placement to be utilized as accessory dwelling units such as tiny homes, modular homes, and prefabricated homes by the end of 2025. These housing types must adhere to a permanent foundation.
6. **STRATEGY 6:** Amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's owner vehicle, such as residential development near major transit investment corridors or senior living facilities.

- a. The city will commission a city-wide parking study to analyze parking rates and provide recommendations for parking reductions to the City Council by the end of 2026. Carry out this study will require approval of funding.
 - b. The Vineyard Redevelopment Agency (RDA) will provide funding for the construction of a parking structure to serve the multi-family units of the Vineyard Downtown District by the end of 2028.
- 7. **STRATEGY 7:** Create a housing and transit reinvestment zone pursuant to Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act.
 - a. The city was successful in receiving the HTRZ designation from the State of Utah. Moving forward, the city will set up an HTRZ Board to oversee, manage, and analyze the project to ensure that 11% of the units are deed restricted to provide moderate income housing. This board shall be established by the end of 2023.

+

SECTION 4: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 5: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 6: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from February 8, 2023 and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE VINEYARD COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Julie Fullmer	_____	_____	_____	_____
Tyce Flake	_____	_____	_____	_____
Amber Rasmussen	_____	_____	_____	_____
Mardi Sifuentes	_____	_____	_____	_____
Cristy Welsh	_____	_____	_____	_____

Presiding Officer

Attest

Julie Fullmer, Mayor, Vineyard

Pamela Spencer, City Recorder,
Vineyard



VINEYARD CITY COUNCIL STAFF REPORT

Meeting Date: February 8, 2023

Agenda Item: 9.3 Municipal Code amend Sections 2.30.010 and 13.16.020

Department: Recorder

Presenter: City Recorder Pamela Spencer

Background/Discussion: In September of 2021 the Municipal Code Title 2 Administration was amended to add Section 2.30 Committee Creation. The code added regulations on committee and commission creation. In June of 2022 Section 13.16 Public Library was added to the Municipal Code. Section 13.16.020 established the terms of the Library Board. I found that the terms of office were different for each code section. While meeting with the mayor, we determined that all boards and commissions' terms should be consistent. The mayor also requested that there be two alternates on each board and commission. This does affect the Planning Commission; they are regulated under the Zoning Code.

Fiscal Impact:

None

Recommendation:

I recommend that the City Council adopt Ordinance 2023-05, amending the terms for all commission members and Library Board members.

Sample Motion: "I move to adopt Ordinance 2023-05, amending Municipal Code Sections 2.30.010 and 13.16.020 as presented."

Attachments: Ordinance 2023-05

**VINEYARD
ORDINANCE 2023-05**

**AN ORDINANCE OF THE VINEYARD CITY COUNCIL AMENDING
MUNICIPAL CODE SECTION 2.38.010 COMMITTEE CREATION - GENERAL
PROVISIONS AND SECTION 13.16.020 PUBLIC LIBRARY - BOARD-
ESTABLISHED-TERMS OF OFFICE**

WHEREAS, then Vineyard City Council under the authority of Utah Code 10-3 desires to amend the Municipal Code; and

WHEREAS, the City Council has determined that it is in the best interest of the public to amend Sections 2.38.010 Commission Creation - General Provisions and 13.16.02 Library Board - Board-Established-Terms of Office; and

NOW THEREFORE, be it ordained by the City Council of the Vineyard, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “2.30.010 General Provisions” of the Vineyard Municipal Code is hereby *amended* as follows:

A M E N D M E N T

2.30.010 General Provisions

A. INTENT AND PURPOSE.

1. It is the intent and purpose of this chapter to encourage citizen involvement and obtain citizen advice and input by creating certain committees and commissions of the city as hereinafter discussed. Any and all committees and commissions established pursuant to this chapter shall be advisory bodies: they shall have no authority to bind the city or impose any conditions on the city or its citizens.
2. Nothing in this chapter shall prevent or preclude the City Manager from establishing or creating executive committees, task forces, etc., to give advice and recommendations to the office of the City Manager.

B. DEFINITIONS. For purposes of this Chapter,

1. Committee shall mean a body of people drawn from among members of the City Council or a commission, City employees, or members of the public, that is created by the City Council or commission and is entrusted with a specific job or task related to the work of the City Council or commission.
2. Commission shall mean a body of people established by the City Council to perform certain advisory functions.

C. COMMITTEES. Committees shall be established by motion or resolution of the

organizing council or commission. The size, scope, and duration of a committee shall be determined in the organizing motion or resolution. No committee shall include more than two members of any single council or commission such that the committee would include a quorum of that body.

D. COMMISSIONS. Commissions shall be established by ordinance. Unless otherwise specifically stated in a commission enabling ordinance, all commissions established pursuant to the provisions of this chapter shall be composed of five (5) members, ~~one~~ ~~(1)~~ two (2) alternate members, and one (1) ex-officio member, all of whom shall be appointed by the Mayor with the advice and consent of the City Council. Commission members and alternate members shall be residents of the City. Ex officio members may be employees of the City. The appointed members shall serve as the decision-making body for the commission. Each commission may seek nonvoting members/volunteers who desire to participate consistent with the purpose or mission of the respective commission.

1. TERM, REMOVAL, AND VACANCIES. Unless otherwise specifically stated in a commission enabling ordinance, the following provisions shall govern the membership on any commission established pursuant to this chapter. The members shall serve for a term of four (4) years and shall not serve more than two (2) consecutive terms. Each term shall begin on ~~February~~ January 1 of the year of appointment and shall end on ~~January~~ December 31 of the year when the appointment expires or until a successor is appointed. The terms of commission and committee members shall be staggered. A commission or committee member may be appointed for a term of less than three (3) years to provide for staggered terms or to complete a vacated, unexpired term. The mayor may remove any member of a commission without cause as determined solely by the discretion of the mayor and as approved by a majority of the city council. Any member of a commission so removed shall be entitled to a hearing before the city council if a hearing is requested in writing within seven (7) calendar days after the city council votes to remove the member. The purpose of the hearing is to allow the member being removed to be heard on the issue of removal.
2. RULES AND PROCEDURES. Unless otherwise specifically stated in a commission enabling ordinance, each commission established pursuant to the provisions of this chapter shall formulate its own rules for the selection of a chairperson, time, place and manner of calling of meetings and other procedural matters; provided, that there shall be at least one (1) meeting of the commission each quarter. Each commission shall prepare written minutes of all meetings which shall be approved by each commission at subsequent meetings. The original approved minutes shall be maintained in the Office of the City Recorder. Commission meetings shall be held as open meetings in accordance with the requirements of the Utah Open and Public Meetings Act, U.C.A. § 52-4-101 et seq.

SECTION 2: AMENDMENT “13.16.020 Board-Established-Terms Of Office” of the Vineyard Municipal Code is hereby *amended* as follows:

A M E N D M E N T

13.16.020 Board-Established-Terms Of Office

There is hereby created and established a library board of Vineyard City, which shall ~~consist of five members, each of whom shall be residents of the city, and~~ be composed of five (5) members, two (2) alternate members, and one (1) ex-officio member.

Each member of the board shall be a resident of the city, one of whom shall be a sitting member of the city council. Each member of the Board shall be nominated by the mayor and confirmed by the city council for ~~three~~four-year terms or until their successors are appointed. The members shall serve for a term of four (4) years and shall not serve more than two (2) consecutive terms. Each term shall begin on January 1 of the year of appointment and shall end on December 31 of the year when the appointment expires or until a successor is appointed. The terms of commission and committee members shall be staggered.

Initially, appointments shall be made for ~~one~~, two, and ~~three~~four-year terms. ~~Annually thereafter, the city council shall, before the first day of July of each year, appoint for three-year terms board members to take the place of retiring members. Board members shall not serve more than two full terms in succession.~~

SECTION 3: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 4: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance in whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 5: EFFECTIVE DATE This Ordinance shall be in full force and effect from February 8, 2023, and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE VINEYARD COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Julie Fullmer	_____	_____	_____	_____
Tyce Flake	_____	_____	_____	_____
Amber Rasmussen	_____	_____	_____	_____
Mardi Sifuentes	_____	_____	_____	_____
Cristy Welsh	_____	_____	_____	_____

Presiding Officer

Attest

Julie Fullmer, Mayor, Vineyard

Pamela Spencer, City Recorder,
Vineyard



VINEYARD CITY COUNCIL STAFF REPORT

Meeting Date: February 8, 2023

Agenda Item: 9.4 Municipal Code amendment adding Section 2.03.040 Arts, Recreation and Parks, Cultural, and Heritage (ARCH) Advisory Commission

Department: Recorder

Presenter: City Recorder Pamela Spencer

Background/Discussion: In 2019 after approval by the voters, the City Council adopted Ordinance 2019-11 allowing for the collection of .01% local sales and use tax to fund cultural facilities and organizations and recreational facilities in the city. It has now been determined that an advisory commission should be created for the distribution of RAP Tax Funds and to enhance, celebrate, and promote culture, arts, and heritage in the city. In May 2016, the Heritage Commission was established by a vote of the Town Council, and this new commission will include the duties of this commission and will dissolve the current Heritage Commission.

Fiscal Impact:

The City Council will determine the amount for RAP Tax grants during the annual budget process.

Recommendation:

I recommend that the City Council adopt Ordinance 2023-05, amending the terms for all commission members and Library Board members.

Sample Motion: “I move to adopt Ordinance 2023-06, amending Municipal Code Sections 2.30.010 and 13.16.020 as presented.”

Attachments: Ordinance 2023-06

**VINEYARD
ORDINANCE 2023-06**

**AN ORDINANCE OF THE VINEYARD CITY COUNCIL, VINEYARD, UTAH
AMENDING THE CITY'S MUNICIPAL CODE CHAPTER 2.30 COMMITTEES
AND COMMISSIONS; ADDING SECTION 2.30.040 ARTS, RECREATION AND
PARKS, CULTURAL, AND HERITAGE (ARCH) ADVISORY COMMISSION.**

WHEREAS, the Vineyard City Council desires to amend Chapter 2.30 of the Municipal Code of the City relating to Committees and Commissions; and

WHEREAS, the City Council finds it necessary to add section 2.30.040 Arts, Recreation and Parks, Cultural, and Heritage (ARCH) Advisory Commission; and

WHEREAS, the City Council has determined that the proposed section will promote the public interest and welfare of its residents; and

WHEREAS, after approval by the voters, the City Council adopted Ordinance 2019-11 allowing for the collection of .01% local sales and use tax to fund cultural facilities and organizations and recreational facilities in the city; and

WHEREAS, the City Council now desires to create the Arts, Recreation and Parks, Cultural, and Heritage (ARCH) Advisory Commission to advise the City Council on the distribution of RAP Tax Funds and to enhance, celebrate, and promote culture, arts, and heritage in the city;

NOW THEREFORE, be it ordained by the Council of the Vineyard, in the State of Utah, as follows:

SECTION 1: AMENDMENT “2.30.040 PARC Commission” of the Vineyard Municipal Code is hereby *amended* as follows:

AMENDMENT

2.30.040 ~~PARC~~ Arts, Recreation and Parks, Cultural, and Heritage (ARCH) Advisory Commission

A. GENERAL: The Vineyard Arts, Recreation and Parks, Culture, and Heritage (ARCH) Advisory Commission is hereby created.

B. PURPOSES:

1. To connect with staff and partners to address community needs in order create a more healthy, vibrant, safe, and inclusive city.
2. To support recreational facilities and cultural organizations that enrich the overall quality of life throughout Vineyard.

3. To advise the City Council and staff on Arts, Recreation and Parks, Culture, and Heritage; facilitate public education and awareness; and help ensure Vineyard retains, protects, promotes, and enhances these aspects within the city.
4. To make fiscally responsible recommendations to the City Council for distribution of the Recreation, Arts, and Park (RAP) Tax Funds that are allocated to them.
5. To gather additional funding to support Arts, Recreation and Parks, Culture, and Heritage.
6. To leverage broader networks to create and obtain resources and grants to drive public goodwill and communicate the importance of Arts, Recreation and Parks, Culture, and Heritage.
7. To disperse any funds allocated by the City Council for Arts, Recreation and Parks, Culture, and Heritage.

C. DUTIES: The Commission shall have the responsibilities provided in this section:

1. Culture and Arts:

- a. To enhance life through celebration, innovation, music, art, literature, and traditions.
- b. To provide social and economic value to Vineyard through promotion of events held in Vineyard.
- c. To provide recommendations to the Special Events Coordinator.
- d. To understand the demography of Vineyard and to work with staff to advise, promote, participate and support community programs, projects, and events designed to provide economic development and engage the wide-ranging culture of Vineyard.
- e. To work with staff and organizations to make recommendations to City Council regarding art throughout the city. Examples of organizations are: Universities, Public and Private Schools, Historic Organizations, Cultural Organizations, Chambers of Commerce, Tourist Bureaus, governmental agencies, etc.
- f. To provide a portfolio of service to support the creative economy, arts, and cultural ecosystem.

2. Heritage:

- a. To advise on referred policy from the City Council or staff, related to heritage.
- b. To work with a wide range of entities, 501(C)(3)s, and nonprofits to solicit, collect, obtain, protect, archive, and display historical artifacts, properties, stories, histories, etc., relating to Vineyard's heritage upon City Council approval.
- c. Work with staff and outside entities to promote, conduct, and participate in community programs, projects, and events designed to provide information and education to the community on Vineyard's heritage.
- d. To create a master plan for monuments and heritage throughout the

- city.
 - e. Keep and update the city's historical documents and add additional volumes to Our Vineyard Heritage book.
 - 3. Recreation, Arts, and Park (RAP) Tax:
 - a. At least annually, review all applications, and provide the mayor and City Council with recommendations on grants for cultural arts facilities and organizations, and recreational facilities. The City Council will consider the recommendations and make a final determination in distributing the RAP Tax funds.
 - b. RAP Tax funds are collected in accordance with Chapter 4.14 of the Vineyard Municipal Code.
 - 4. Reports:
 - a. The commission shall render a quarterly report of their activities to the City Council.
- D. MEMBERS OF THE COMMISSION:
 - 1. Members of the commission are appointed as per Section 2.30.010 of this Chapter:
 - 2. With the exception that one member shall be at-large and have demonstrated knowledge and experience in Arts, Recreation and Parks, Culture, and Heritage and may reside anywhere in the state of Utah.

SECTION 2: **REPEALER CLAUSE** All ordinances, resolutions or parts thereof, which are in conflict herewith, are hereby repealed. The current Heritage Commission is hereby dissolved.

SECTION 3: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from February 8, 2023, and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE VINEYARD COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Julie Fullmer	_____	_____	_____	_____
Tyce Flake	_____	_____	_____	_____
Amber Rasmussen	_____	_____	_____	_____
Mardi Sifuentes	_____	_____	_____	_____
Cristy Welsh	_____	_____	_____	_____

Presiding Officer

Attest

Julie Fullmer, Mayor, Vineyard

Pamela Spencer, City Recorder,
Vineyard

RESOLUTION 2023-06

**A RESOLUTION OF THE VINEYARD CITY COUNCIL IN APPRECIATION
OF THE HERITAGE COMMISSION**

WHEREAS, the Heritage Commission was founded on May 11, 2016 by a vote of the Vineyard Town Council; and

WHEREAS, the Heritage Commission has worked tirelessly to promote and educate residents on the many aspects of Vineyard's heritage; and

WHEREAS, the creation of the Arts, Recreation and Parks, Cultural, and Heritage (ARCH) Advisory Commission and the decommissioning of the current Heritage Commission allows the city to expand its heritage efforts in the growing community of Vineyard and create a commission with additional resources to further this important service; and

WHEREAS, the city of Vineyard granted money to the Heritage Commission to create the 501(C)(3) Heritage Foundation to support the city's efforts and goals towards heritage;

NOW, THEREFORE, BE IT RESOLVED that the Vineyard City Council does hereby commend and thank the members of the Heritage Commission for their time, efforts, dedication, enthusiasm, and service given to the Vineyard community for the past 7 years.

This resolution was passed and dated this 8th day of February 2023.

Mayor Julie Fullmer

Attest:

City Recorder Pamela Spencer



VINEYARD CITY COUNCIL STAFF REPORT

Meeting Date: 2/8/2023

Agenda Item: 9.6 A resolution declaring the City's intention to reimburse itself for expenditures incurred in connection with the construction of water and sewer system improvements with proceeds of bonds that it intends to issue.

Department: Finance

Presenter: David Mortensen

Background/Discussion:

Vineyard City intends to issue Water and Sewer Revenue Bonds in the near future to help fund multiple water system and sewer system projects currently underway and planned to begin soon. Specifically, this funding would help pay for the 6-million-gallon water tank and water pipeline projects currently under construction, as well as sewer lift station improvements that are planned for the near future. This resolution will enable the City to reimburse itself for current expenditures toward these projects with future bond proceeds when the bond proceeds become available.

Fiscal Impact: None

Recommendation: Approval of the Resolution

Sample Motion: I move to approve Resolution 2023-07 as presented.

Attachments:

Resolution 2023-07

Vineyard, Utah
February 8, 2023

The City Council (the “Council”) of Vineyard City, Utah (the “City”), met in regular session at the regular meeting place of the Council in Vineyard, Utah, at 6:00 p.m. on February 8, 2023, with the following members present:

Julie Fullmer	Mayor
Tyce Flake	Councilmember
Amber Rasmussen	Councilmember
Mardi Sifuentes	Councilmember
Cristy Welsh	Councilmember

Also present:

David Mortensen	Finance Director
Pamela Spencer	City Recorder

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the City Recorder determined that the notice requirements of the Open Meeting Law had been met with respect to this February 8, 2023, meeting, as indicated by the Certificate of Compliance, a copy of which is attached hereto as Exhibit A.

The following resolution was then introduced in writing, was fully discussed, and pursuant to a motion duly made by Councilmember _____ and seconded by Councilmember _____, was adopted by the following vote:

AYE:

NAY:

This resolution (the “Resolution”) was then signed by the Mayor and recorded by the City Recorder in the official records of the City.

The Resolution is as follows:

RESOLUTION NO. 2023-07

A RESOLUTION OF THE CITY COUNCIL OF VINEYARD CITY, UTAH, DECLARING ITS INTENTION TO REIMBURSE ITSELF FOR EXPENDITURES INCURRED IN CONNECTION WITH THE CONSTRUCTION OF A WATER TANK, PIPELINES AND VARIOUS WATER AND SEWER SYSTEM IMPROVEMENTS AND ALL RELATED IMPROVEMENTS (THE “PROJECT”) WITH PROCEEDS OF BONDS THAT IT INTENDS TO ISSUE; AND RELATED MATTERS.

WHEREAS, pursuant to the provisions of the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended (the “Act”), the City Council (the “Council”) of Vineyard City, Utah (the “Issuer”), is authorized to issue bonds for the municipal purposes set forth in the Act; and

WHEREAS, the Issuer has determined that it would be in furtherance of the purpose of the Issuer and the Act to issue bonds (the “Bonds”) to construct a water tank, pipelines and various water and sewer system improvements and all related improvements (the “Project”); and

WHEREAS, the Issuer plans to issue the Bonds and to use a portion of the proceeds of the Bonds to reimburse itself for expenditures incurred relating to the Project and incurred prior to the date of issuance of the Bonds.

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

Section 1. All terms defined in the foregoing recitals hereto shall have the same meanings when used herein.

Section 2. The Council hereby finds and determines that it is in the best interests of the Issuer for the Issuer to issue the Bonds in the approximate amount of \$20,000,000 for the purpose of financing the Project. The Council hereby declares its intent to issue the Bonds and to use a portion of the proceeds thereof to reimburse itself for expenditures incurred by the City relating to the Project and incurred prior to the date of issuance of the Bonds.

Section 3. If any provisions of this Resolution should be held invalid, the invalidity of such provision shall not affect the validity of any of the other provisions of this Resolution.

Section 4. All resolutions of the Council or parts thereof, inconsistent herewith, are hereby repealed to the extent only of such inconsistency.

Section 5. This Resolution shall become effective immediately upon its adoption.

APPROVED AND ADOPTED by the City Council of Vineyard City, Utah, on this February 8, 2023.

VINEYARD CITY, UTAH

By: _____
Mayor

ATTEST:

By: _____
City Recorder

(SEAL)

STATE OF UTAH)
 : ss.
COUNTY OF UTAH)

I, Pamela Spencer, the duly qualified and acting City Recorder of Vineyard City, Utah (the “City”) do hereby certify according to the records of the City Council of the City (“Council”) in my possession that the foregoing constitutes a true, correct, and complete copy of the proceedings of the regular meeting of the Council held on February 8, 2023, as it pertains to a resolution (the “Resolution”) adopted by the Council at said meeting, as said minutes and Resolution are officially of record in my possession.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of the City this February 8, 2023.

(SEAL)

By: _____
City Recorder

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Pamela Spencer, the duly qualified and acting City Recorder of Vineyard City, Utah (the "City"), do hereby certify, according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time, and place of the February 8, 2023, public meeting held by the City Council (the "Council") as follows:

(i) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the City's principal offices at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting; and

(ii) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be posted to the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting; and

(iii) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to The Daily Herald, either directly or through the newspaper's subscription to the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2023 Annual Meeting Schedule for the City Council (attached hereto as Schedule 2) was given specifying the date, time and place of the regular meetings of the City Council to be held during the year, by causing said Notice to be (i) posted on _____ at the principal office of the City Council, (ii) posted to the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year and (iii) provided to at least one newspaper of general circulation within the Agency either directly or through the newspaper's subscription to the Utah Public Notice Website (<http://pmn.utah.gov>).

IN WITNESS WHEREOF, I have hereunto subscribed my signature this February 8, 2023.

(SEAL)

By: _____
City Recorder

SCHEDULE 1

NOTICE OF MEETING SCHEDULE

SCHEDULE 2

NOTICE OF ANNUAL MEETING SCHEDULE