MINUTES OF A REGULAR
CITY COUNCIL MEETING
City Council Chambers
125 South Main Street, Vineyard Utah
February 22, 2023, at 6:01 PM

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AGENDA

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

Staff present: City Manager Ezra Nair, Finance Director David Mortensen, City Attorney Jayme Blakesley, 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, Public Works Director Naseem Ghandour, Staff Engineer Emily Kofoed, Deputy Recorder Kelly Kloepfer, Planning Commission Chair Bryce Brady

Others Speaking: Residents Daria and Russell Evans, David Lauret, and Fred Vander Werff; Steve Borup and Brian Dilley with Dakota Pacific Real Estate; David Robertson and Fred Philpot with Lewis Young, Robertson and Burningham; Mac Woodbury, Nate Hutchinson, and Pete Evans with Flagborough; Jason Boal and Eric Towner with X Development; Gary Tyler representing Telos

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

Deputy Recorder Kelly Kloepfer opened the meeting at 6:01 PM and called for a nomination for a mayor pro tempore.

Motion: COUNCILMEMBER RASMUSSEN MOVED TO NOMINATE COUNCILMEMBER WELSH AS MAYOR PRO TEMPORE FOR THIS MEETING. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: COUNCILMEMBERS FLAKE, RASMUSSEN, SIFUENTES, AND WELSH VOTED YES. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

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

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

2. WORK SESSION

No items were submitted.

3. PUBLIC COMMENTS

Mayor Pro Tempore Welsh called for public comments.

Resident Daria Evans, living in The Villas subdivision, explained that she had attended last week's Planning Commission meeting and that there was supposed to be a public hearing on two items, but they were not listed on tonight's agenda. There was a discussion about the public hearing notice posting. Ms. Evans expressed concerns that the Vineyard Auto development was not meeting the zoning code requirements. There was a discussion about the requirements.

4. MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

Councilmember Flake gave an update on the current Utah State Legislative Session and reviewed bills that were of concern to the city.

Councilmember Sifuentes reported that the Vineyard Children's Library would be holding a toy exchange March 6-9, 2023. Councilmember Rasmussen explained how the toy exchange would work. Councilmember Sifuentes mentioned that the city would be highlighting at-home businesses during the week of March 13.

Mayor Pro Tempore Welsh reported that the Vineyard Cares had held their first coalition meeting and would be holding an education night on February 27.

5. STAFF, COMMISSION, AND COMMITTEE REPORTS

5.1 City Manager Ezra Nair reported that concrete work was being done in preparation for new crosswalks and to improve crossing at intersections. He gave a brief overview of the goals agreed upon at the City Council Planning Retreat two weeks ago.

5.2 Planning Commission Chair Bryce Brady mentioned that at the last Planning Commission meeting, they had discussed some of the items that were on the agenda tonight. He also mentioned that the public hearing notice for the Conditional Use Permit was done in error and no public hearing was held.

6. CONSENT ITEMS

6.1 Approval of the February 8, 2023, City Council Meeting Minutes
6.2 Approval of the February 9, 2023, City Council Retreat Minutes
6.3 Bid Award for a Planning Services Contracts (Resolution 2023-08)

Mayor Pro Tempore Welsh called for a motion.

Motion: COUNCILMEMBER SIFUENTES MOVED TO APPROVE THE CONSENT ITEMS AS PRESENTED. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE WELSH, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

7. APPOINTMENTS

7.1 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.

7.2 Library Board

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

Due to the mayor's absence, no board appointments were made.

8. PRESENTATIONS/RECOGNITIONS/AWARDS/PROCLAMATIONS

No items were submitted.

9. BUSINESS ITEMS

9.1 DISCUSSION AND ACTION – Development Agreement for The Forge (Resolution 2023-09)

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. (*A public hearing for this item was held January 25, 2023*.)

Mayor Pro Tempore Welsh turned the time over to Community Development Director Morgan Brim.

Mr. Brim explained that he did not have a new presentation and turned the time over to Steve Borup with Dakota Pacific Real Estate.

Mr. Borup reviewed the changes they had made since the last time they met. He mentioned that they wanted to donate one (1) acre of land behind the theater (Block H) for a public park. He reviewed the commercial phasing plan and noted that they were not going to be able to add retail until the residential was built. He said that residential subsidized the retail through shared parking. He said that the original entitlement anticipated 1 million square feet of commercial and 600 dwelling units.

Councilmember Sifuentes asked what the percentage would be at each step. Mr. Borup replied that they assumed 900 to 1000 square feet per dwelling unit. He felt that they were concerned with the added population compared to the commercial square footage. There was a discussion about the comparisons.

Councilmember Rasmussen asked about the indoor recreation space. Mr. Borup replied that there was no guarantee that they could attract that type of amenity. There was a discussion about the indoor recreation space.

Mr. Borup continued his review of the changes.

Councilmember Rasmussen asked who would be responsible for occupancy enforcement. Mr. Borup responded that the developer would be responsible. There was a discussion about enforcing occupancy and possible parking issues.

Mr. Borup reviewed the discussion they had had during the last Planning Commission meeting.

Mayor Pro Tempore Welsh felt that they had incorporated a lot of good designs into this plan. She mentioned that the Yard development had done a good job with the commercial-to-residential ratios. She stated that it was difficult to consider that much more housing in this development when they were clearly able to land commercial anchors.

Mr. Borup mentioned that, in the last 4 months, they had to turn away commercial because of the required structured parking. He felt that they could not compare their development to The Yard development.

Brian Dilley with Dakota Pacific Real Estate said that it had become apparent that the economics did not work for the commercial and the need for shared parking on top of Redevelopment Agency reimbursement. He mentioned that rents were 30 percent higher with structured parking.

Mayor Pro Tempore Welsh stated that it was difficult to hear that they had passed on commercial without coming to the city for a partnership on the structured parking. Mr. Borup replied that structured parking was more expensive to build, and that requirement changed the game and needed incentives to make it happen.

Councilmember Sifuentes asked how the structured parking requirement came to be. Mr. Brim replied that structured parking typically presented a higher property value for the development and that the developer had requested it. There was a discussion about structured parking.

Councilmember Flake said that he was on the council when the development was approved, and the council agreed to it because they wanted economic development on that site. He stated that he was reluctant to put that high of a number of residences there, but at the same time, he understood their quandary. He felt that at the end of this development there would be a decent amount of commercial, but it would not be developed right now. He said that he knew that the cost of a multi-storied parking structure carried a high cost.

Councilmember Sifuentes said that she did not understand why they were rushing to build residential when the Vineyard Connector expansion had not been done to handle the traffic this development would create.

- Councilmember Rasmussen felt that the city was not sure of the trajectory of needed office space and stated that she would have a hard time approving this agreement as is.

- Mayor Pro Tempore Welsh suggested that they continue this discussion to another meeting.

- Mr. Borup explained the trade of more commercial square footage for the development. Mayor Pro Tempore Welsh felt that they needed more time to discuss this agreement.

- Mayor Pro Tempore Welsh called for a motion.

- Councilmember Sifuentes expressed respect for the concept and appreciation for their plan.

- **Motion:** COUNCILMEMBER FLAKE MOVED TO CONTINUE THIS DISCUSSION TO A FUTURE DATE. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR PRO TEMPORE WELSH, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

9.2 PUBLIC HEARING – <u>Consolidated Fee Schedule Amendment (Resolution 2023-10)</u>

Finance Director David Mortensen will present amendments to the water and sewer rates in the Consolidated Fee Schedule. If adopted, these new rates will take effect on July 1, 2023. The mayor and City Council will act to adopt (or deny) this request by resolution.

- Mayor Pro Tempore Welsh turned the time over to Finance Director David Mortensen.

- Mr. Mortensen gave a brief background and then turned the time over to Fred Philpot with Lewis Young Robertson and Burningham.

- Mr. Philpot presented the options for the water and sewer rate increases.

- Mr. Mortensen explained that he had looked at a couple of utility accounts to see how each of the rate increases would affect them if they approved Scenario 4 in the presentation. The lowest water user would see a five (5) percent monthly increase and the highest water user would see about a 7.7 percent increase. Councilmember Rasmussen expressed concern at a higher rate increase for multi-family and asked how much it would be raised if they did it evenly. There was a discussion about the rates.

- David Robertson, with Lewis Young Robertson and Burningham, explained that this would have a direct impact when the city went through the bonding process. The rate discussion continued.

- Councilmember Flake stated that the reason the city was having to raise rates was because past councils did not increase the rates and the city was subsiding the users' bills. The rate discussion continued.

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

Motion: COUNCILMEMBER RASMUSSEN MOVED TO OPEN THE PUBLIC HEARING AT 7:33 PM. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR PRO TEMPORE WELSH, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

Mayor Pro Tempore Welsh called for public comment.

Mac Woodbury with Flagborough felt that there were design options that would help save water and water users should pay for what they used instead of having a flat rate. Mr. Mortensen clarified that the city did have a two–tiered rate system.

Resident David Lauret living on Holdaway Road, felt that the city was underfunding the water and sewer and stated that he was in support of these rate increases.

Resident Fred Vander Werff, living in the Lakefront development, mentioned that he lived in high density and sought clarification on the charges for the multi-family and who would be paying for it. Mr. Mortensen explained how payment of the fees would work for the Lakefront development. There was a discussion about the fees in the Lakefront development.

Nate Hutchinson with Flagborough explained that other cities had consumption rates that were tiered. He felt that this incentivized everyone at every socioeconomic level to save water.

Resident Russell Evans, living in The Villas subdivision, felt that there was a lot of wasted water that the city had been subsidizing and that people needed to pay for what they used. He also felt that the city should focus on saving water.

There was a discussion about the impact the rate changes would have on residents.

Mayor Pro Tempore Welsh called for a motion to close the public hearing.

Motion: COUNCILMEMBER FLAKE MOVED TO CLOSE THE PUBLIC HEARING AT 7:43 PM. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. MAYOR PRO TEMPORE WELSH, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

Mayor Pro Tempore Welsh called for further questions. Hearing none, she called for a motion.

Motion: COUNCILMEMBER SIFUENTES MOVED TO ADOPT 2023-10 THE AMENDED CONSOLIDATED FEE SCHEDULE AS PRESENTED. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE WELSH, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

9.3 DISCUSSION AND ACTION – <u>Bond Parameters (Resolution 2023-11)</u>

Finance Director David Mortensen will present for consideration for adoption of a resolution authorizing the issuance and sale of not more than $20,000,000 aggregate principal amount of Water and Sewer Revenue Bonds, Series 2023; and related matters. The mayor and City Council will act to adopt (or deny) this request by Ordinance and set a public hearing for March 22, 2023.

- Mayor Pro Tempore Welsh turned the time over to Finance Director David Mortensen.

- Mr. Mortensen gave a brief background on the bonding process. He then turned the time over to David Robertson with Lewis Young Robertson and Burningham

- Mr. Robertson presented a summary of the resolution and supporting documents.

- Mayor Pro Tempore Welsh called for questions.

- **Motion:** COUNCILMEMBER SIFUENTES MOVED TO ADOPT RESOLUTION 2023-11, AS PRESENTED. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE WELSH, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

9.4 PUBLIC HEARING – <u>General Plan Amendment (Ordinance 2023-09)</u>

Senior Planner Briam Amaya Perez will present a text amendment to the General Plan adding Water Use and Preservation. The purpose of these standards is to conserve the public's water resources by establishing water conservation standards for indoor plumbing fixtures and outdoor landscaping. The mayor and City Council will act to adopt (or deny) this request by Ordinance.

- Mayor Pro Tempore Welsh turned the time over to Senior Planner Briam Amaya Perez.

- Mr. Amaya Perez and Staff Engineer Emily Kofoed presented the General Plan Amendments. There was a discussion about the types of waterwise landscaping residents could put in.

- Mayor Pro Tempore Welsh called for questions.

- Councilmember Sifuentes asked about the population estimate at the buildout listed in the presentation. There was a discussion about the numbers.

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

- **Motion:** COUNCILMEMBER FLAKE MOVED TO OPEN THE PUBLIC HEARING AT 8:03 PM. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE WELSH, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

Ms. Evans expressed concerns about the population estimates in the presentation. The was further discussion about the buildout numbers. Mr. Ghandour explained that staff would be working on a Water, Sewer, and Transportation Master Plans to make sure that population projections were captured properly.

Mr. Russell Evans said that he had lived in West Jordan and as an alternate to grass parking strips, the city had installed nice-looking concrete that was colored and stamped.

Mayor Pro Tempore Welsh called for further public comments. Hearing none, she called for a motion to close the public hearing.

Motion: COUNCILMEMBER FLAKE MOVED TO CLOSE THE PUBLIC HEARING AT 8:08 PM. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE WELSH, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

Motion: COUNCILMEMBER FLAKE MOVED TO ADOPT ORDINANCE 2023-09 AS PRESENTED BY STAFF. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE WELSH, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

9.5 PUBLIC HEARING – <u>City Water Conservation Plan (Resolution 2023-12)</u>

Staff Engineer Emily Kofoed will present a recommended city water conservation plan. The mayor and City Council will act to adopt (or deny) this request by resolution.

Mayor Pro Tempore Welsh turned the time over to Public Works Director Naseem Ghandour.

Mr. Ghandour explained that this plan provided an action plan to accomplish the Water Conservation Plan adopted in the General Plan and would meet the State requirements. There was a discussion about the plan.

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

Motion: COUNCILMEMBER SIFUENTES MOVED TO OPEN THE PUBLIC HEARING AT 8:12 PM. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE WELSH, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

Mayor Pro Tempore Welsh called for public comments.

Pete Evans with Flagborough stated that he was excited about water conservation and requested that his colleague Bronson Tatton be involved in the city's conversations.

Mayor Pro Tempore Welsh called for further public comments. Hearing none, she called for a motion to close the public hearing.

Motion: COUNCILMEMBER FLAKE MOVED TO CLOSE THE PUBLIC HEARING AT 8:14 PM. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. MAYOR PRO TEMPORE WELSH, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

Mayor Pro Tempore Welsh called for further questions. Hearing none, she called for a motion.

Motion: COUNCILMEMBER SIFUENTES MOVED TO ADOPT RESOLUTION 2023-12, THE WATER CONSERVATION PLAN, AS PART OF THE VINEYARD CITY WATER EFFICIENCY STANDARDS AS PRESENTED. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE WELSH, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

9.6 PUBLIC HEARING – <u>Zoning Text Amendments (Ordinance 2023-10)</u>

Senior Planner Briam Amaya Perez Special Purpose Zoning District text amendment submitted by X Development. This text amendment will modify Section 7.08 *Development Standards* to allow for parking in the setback area. It will also modify Section 7.12 *District Use Table* to allow for off-site residential parking lots. Parcel IDs: 40:597:0004, 40:513:0005, 40:513:0006, 40:513:0007 ,40:513:0008, 40:587:0 012, 40:587:0013, 40:587:0014 and 40:587:0015. The mayor and City Council will act to adopt (or deny) this request by Ordinance.

Mayor Pre tempore Welsh turned the time over to Senior Planner Briam Amaya Perez.

Mr. Amaya Perez presented the zoning text amendments.

Jason Boal with Snell and Wilmer and representing X Development explained the reason for some of the proposed changes. A discussion ensued.

Mayor Pro Tempore Welsh asked Mr. Boal if this code change would only work for this area, and this zone. Mr. Boal replied yes, and that X Development was working with the Edgewater development to provide more parking. Mayor Pro Tempore Welsh stated that she wanted to see additional language that stated that this was location specific. There was a discussion about the location. Mayor Pro Tempore Welsh reiterated her concerns and stated that she would not vote for this amendment without the additional language being added. The discussion continued.

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

Motion: COUNCILMEMBER FLAKE MOVED TO OPEN THE PUBLIC HEARING AT 8:36 PM. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. MAYOR PRO TEMPORE WELSH, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

Mayor Pro Tempore Welsh called for public comments.

- Eric Towner with X Development explained that they were trying to fix a problem that they did not create. He asked the council not to delay this decision tonight and suggested that they could limit the number of stalls. There was a discussion about the potential design of the parking area.

- There was a discussion about adding more specific language to the code.

- Mr. Amaya Perez reiterated the additional language. “To serve Edgewater Townhomes or future ownership of the townhomes, west of the Geneva Regional Mixed-use District (GRMU), to be located immediately east of the terminus of east 280 North and south of Central Utah Water Conservancy District (CUWCD) property”.

- **Motion:** COUNCILMEMBER SIFUENTES MOVED TO CLOSE THE PUBLIC HEARING AT 8:44 PM. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR PRO TEMPORE WELSH, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

- Mayor Pro Tempore Welsh questioned not including an exhibit. Mr. Blakely explained that could include an exhibit but that it should be simplified. A discussion ensued about adding an exhibit.

- **Motion:** COUNCILMEMBER SIFUENTES MOVED TO ADOPT ORDINANCE 2023-10, WITH THE LANGUAGE PRESENTED BY STAFF AND THE ADDITION OF AN EXHIBIT DEPICTING THE PROPERTY TO BE CREATED AND APPROVED BY STAFF AND THE APPLICANT. COUNCILMEMBER FLAKE SECONDED THE MOTION:
“TO SERVE EDGEWATER TOWNHOMES OR FUTURE OWNERSHIP OF THE TOWNHOMES, WEST OF THE GENEVA REGIONAL MIXED-USE DISTRICT (GRMU), TO BE LOCATED IMMEDIATELY EAST OF THE TERMINUS OF EAST 280 NORTH AND SOUTH OF CENTRAL UTAH WATER CONSERVANCY DISTRICT (CUWCD) PROPERTY.”

- There was a discussion about the language presented by Mr. Boal. Mr. Amaya Perez read the wording to be included in the motion: “The offsite parking shall only be permitted when providing parking to adjacent residential developments, would only be fenced on three sides, there shall be a usable pedestrian connection on the west side of the lot every 150 feet and all these pedestrian connections shall be paved for ADA standards.

- **Amended motion:** COUNCILMEMBER SIFUENTES AMENDED HER MOTION TO INCLUDE THE WORDING MENTIONED. COUNCILMEMBER FLAKE SECONDED THE MOTION. “THE OFFSITE PARKING SHALL ONLY BE PERMITTED WHEN PROVIDING PARKING TO ADJACENT RESIDENTIAL DEVELOPMENTS, WOULD ONLY BE FENCED ON THREE SIDES, USABLE PEDESTRIAN CONNECTION ON THE WEST SIDE OF THE LOT EVERY 150 FEET AND ALL THESE PEDESTRIAN CONNECTIONS SHALL BE PAVED FOR ADA STANDARDS.” ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE WELSH, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

9.7 PUBLIC HEARING – <u>Zoning Text Amendments (Ordinance 2023-11)</u>

Senior Planner Briam Amaya Perez will present an amendment to Vineyard Zoning Code submitted by Hughes General Contractors. This text amendment will modify Section 15.12.050 *District Use Table* to allow clinical support housing to be eighty percent (80%) of the net square footage of a single building or development. Parcel ID: 53:589:0001. The mayor and City Council will act to adopt (or deny) this request by Ordinance.

- Mayor Pre tempore Welsh turned the time over to Senior Planner Briam Amaya Perez.

- Mr. Amaya Perez gave a background on the Telos development and the zoning text amendments.

- Councilmember Flake asked if this would be an addition to the existing building. Mr. Perez replied that they would be building a new building and clarified where it would be. There was a discussion about the lot size and the new building.

- Gary Tyler with Hughes General Contractors representing Telos, explained that Telos was a state-licensed residential facility and high school that helped emotionally disabled adolescents to young adults. He said that this lot was purchased with the intent of adding the building and had the zoning created for this site. There was a discussion about the facility.

- There was a discussion about future development of the property around it and blocking view corridors.

- There was a discussion about the text amendments.

- **Motion:** COUNCILMEMBER SIFUENTES MOVED TO OPEN THE PUBLIC HEARING AT 9:05 PM. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR PRO TEMPORE WELSH, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

- Mayor Pro Tempore Welsh called for public comments. Hearing none, she called for a motion to close the public hearing.

- **Motion:** COUNCILMEMBER FLAKE MOVED TO CLOSE THE PUBLIC HEARING AT 9:05 PM. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. MAYOR PRO TEMPORE WELSH, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

- Councilmember Sifuentes asked if they could change the housing amount to 33 percent. Mr. Tyler stated that the owner would not support the change. Mayor Pro Tempore Welsh understood Councilmember Sifuentes' concerns, but she felt that changing the percentages would make no difference.

Motion: COUNCILMEMBER FLAKE MOVED TO ADOPT ORDINANCE 2023-11, AS PRESENTED BY CITY STAFF. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR PRO TEMPORE WELSH, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

9.8 PUBLIC HEARING – General Plan Amendment to the Public Facilities and Services (Ordinance 2023-12) *(This public hearing is being postponed to the March 8, 2023, City Council meeting.)*

City initiated General Plan Amendment to the Public Facilities and Services element of the General Plan. This will update the goals and strategies for managing public utilities and services throughout the city. In addition, the city is adding a new element to the General Plan titled Water Use and Preservation, which will plan developing, delivering, and efficiently using our limited water resources.

Mayor Pro Tempore Welsh called for a motion to continue this item.

MOTION: COUNCILMEMBER FLAKE MOVED TO CONTINUE THIS ITEM TO THE MARCH 8, 2023, CITY COUNCIL MEETING. COUNCILMEMBER RASMUSSEN SECONDED THE MOTION. MAYOR PRO TEMPORE WELSH, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

9.9 DISCUSSION AND ACTION – Flagborough Impact Fee Agreement (Resolution 2023-13)

City Manager Ezra Nair will present a recommendation for the city to enter into an impact fee agreement with Flagborough, LLC. The mayor and City Council will act to adopt (or deny) this request by resolution.

Mayor Pro Tempore Welsh turned the time over to City Manager Ezra Nair.

Mr. Nair explained that the city wanted to get a standardized agreement in place for the Flagship properties on how to handle the impact fees. He read the suggested motion.

Mayor Pro Tempore Welsh called for questions.

Motion: COUNCILMEMBER SIFUENTES MOVED TO ADOPT RESOLUTION 2023-13, APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN IMPACT FEE AGREEMENT WITH FLAGBOROUGH LLC, AS PRESENTED. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR PRO TEMPORE WELSH, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

10. CLOSED SESSION

There was no closed session held.

11. ADJOURNMENT

- Mayor Pro Tempore Welsh called for a motion to adjourn the meeting.

- **Motion:** COUNCILMEMBER FLAKE MOVED TO ADJOURN THE MEETING AT 9:13 PM. COUNCILMEMBER SIFUENTES SECONDED THE MOTION. MAYOR PRO TEMPORE WELSH, COUNCILMEMBERS FLAKE, RASMUSSEN, AND SIFUENTES VOTED YES. MAYOR FULLMER WAS ABSENT. THE MOTION CARRIED WITH ONE ABSENT.

MINUTES APPROVED ON: March 8, 2023

CERTIFIED CORRECT BY: /s/Pamela Spencer
PAMELA SPENCER, CITY RECORDER