

ELECTRONIC WORK SESSION: An electronic work session will be held at 6:00 p.m. in Farmington City Hall, 160 South Main Street. The public is welcome to attend electronically. The agenda for the work session will be as follows:

1. Questions or concerns the City Council may have on agenda items.
2. Tentative Budget Review

FARMINGTON CITY COUNCIL ELECTRONIC MEETING NOTICE AND AGENDA

Notice is hereby given that the City Council of **Farmington City** will hold an electronic regular City Council meeting on **Tuesday, May 5, 2020, at 7:00 p.m.**

Farmington City Council meetings, including this meeting, are open to the public. In consideration of the COVID-19 pandemic, members of the public wishing to attend this meeting must do so electronically. The link to view the meeting live can be found on the Farmington City website at www.farmington.utah.gov. If you wish to submit a comment for any of the listed public hearings, please email Holly Gadd by May 5th at 5:00 pm at hgadd@farmington.utah.gov. The public will have a chance to comment during the public hearing portion of the meeting by raising their hand electronically.

The agenda for the meeting shall be as follows:

CALL TO ORDER:

7:00 Roll Call (Opening Comments/Invocation) Pledge of Allegiance

PRESENTATIONS:

7:05 Resolution Appointing Certain Officers of Farmington City

7:20 Resolution Adopting the Tentative Budget for Fiscal Year 2020/2021 and Setting the Public Hearing for June 9, 2020

PUBLIC HEARINGS:

7:40 Zone Text Amendment – Alternative Lot Size

7:50 Zone Text Amendment – Accessory and Secondary Dwelling Units

NEW BUSINESS:

8:00 Master Agreement with UDOT for the West Davis Corridor City Utility Work

SUMMARY ACTION:

(Items listed are considered routine in nature and will be voted on in mass unless pulled for separate discussion)

8:10 Minute Motion Approving Summary Action List

1. Approval of Minutes from February 18, 2020
2. Approval of Minutes from March 3, 2020
3. Approval of Minutes from April 7, 2020
4. Approval of Minutes from April 14, 2020
5. Red Barn Farms Improvements Agreement
6. Surplus Final Cache of Aging Extrication Equipment

OLD BUSINESS:

8:15 Sydney Corner Phase 2 – Additional Lots

GOVERNING BODY REPORTS:

8:35 City Manager Report

1. Monthly Fire Activity Report for March

8:40 Mayor Talbot & City Council Reports

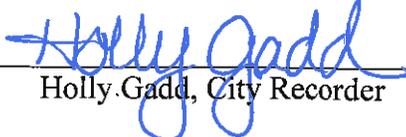
ADJOURN

CLOSED SESSION

Minute motion adjourning to closed session, if necessary, for reasons permitted by law.

DATED this 1st day of May, 2020.

FARMINGTON CITY CORPORATION

By:  _____
Holly Gadd, City Recorder

***PLEASE NOTE:** Times listed for each agenda item are estimates only and should not be construed to be binding on the City Council.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting, should notify Holly Gadd, City Recorder, 451-2383 x 205, at least 24 hours prior to the meeting.

Posted 05/01/2020

CITY COUNCIL AGENDA

For Council Meeting:
May 5, 2020

S U B J E C T: Roll Call (Opening Comments/Invocation) Pledge of Allegiance

It is request that City Councilmember Scott Isaacson give the invocation to the meeting and it is requested that City Councilmember Brett Anderson lead the audience in the Pledge of Allegiance.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

CITY COUNCIL AGENDA

For Council Meeting:
May 5, 2020

S U B J E C T: Resolution Appointing Certain Officers of Farmington City

ACTION TO BE CONSIDERED:

Approve the Resolution appointing Larry Famuliner as Public Works Director, Brigham Mellor as Assistant City Manager/Economic Development Director and Chad Boshell as Assistant City Manager/City Engineer.

GENERAL INFORMATION:

See enclosed staff report prepared by Shane Pace, City Manager.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings: discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

H. JAMES TALBOT
MAYOR

BRETT ANDERSON
DOUG ANDERSON
ALEX LEEMAN
CORY RITZ
REBECCA WAYMENT
CITY COUNCIL

SHANE PACE
CITY MANAGER

City Council Staff Report

To: Mayor and City Council
From: Shane Pace, City Manager
Date: May 5, 2020
SUBJECT: RESOLUTION APPOINTING CERTAIN OFFICERS OF FARMINGTON CITY

RECOMMENDATION

Approve the attached Resolution appointing Larry Famuliner as Public Works Director, Brigham Mellor as Assistant City Manager/Economic Development Director and Chad Boshell as Assistant City Manager/City Engineer.

PUBLIC WORKS DIRECTOR

We recently finished our recruitment for the Public Works Director. Ray White, who has served the City for over 38 years, is retiring at the end of May. That is a major accomplishment for a person to be at one organization for that many years. We invited three in-house candidates to interview, Chad Boshell our City Engineer, Larry Famuliner our Assistant Public Works Director and Cory Brazell our Street Superintendent. All did very well. They interviewed with all of the Department Heads and Holly Gadd in addition to the Mayor and I. After much discussion we decided the best person to replace Ray would be Larry Famuliner. We also felt Cory should replace Larry as the Assistant Public Works Director. The Mayor and I felt strongly there was a better place for Chad Boshell to serve. We hope you can support this decision.

ADMINISTRATION REORGANIZATION

After we made the decision to promote Larry, the Mayor and I talked extensively about what our City was lacking currently. When I was hired as the City Manager, one of the most important issues that was expressed to me was moving forward on the Business Park. I have done my best to keep the project moving forward along with Brigham Mellor, our Economic Development Director. However, we feel we need more emphasis on this long-term project. The Mayor and I developed a concept of promoting Brigham and Chad to Assistant City Managers in an effort to enhance our approach to the Business Park. Both are critical from an Engineering and Economic Development approach. Both would continue to do their work in their areas of expertise similar to what Keith did in Finance when he was an assistant city manager. However, this will allow them to both work closer with me, and each other, in the same location on the Business Park on a daily basis.

Both have Master's Degrees and are very marketable. This proposed change will allow them to have job growth while they continue to work for the City. This will strengthen our ability to keep them longer in Farmington helping to move the Business Park forward. Losing either in the near future would be a detriment to continued progress in the Business Park.

Section 3-1-080-G of our City ordinances indicates the following:

G. Duties: The city manager shall at all times be under the control and supervision of the city council, and shall administer the day-to-day operations of the city and its services according to the policies and programs established by the city council. The following duties and the authority to perform them are hereby delegated to the city manager. The city manager may delegate his or her duties to department heads or other subordinates as deemed appropriate.

Giving Chad and Brigham more responsibility in this area will enhance our ability as a City to continue moving forward with the Business Park. Attached is an organizational chart indicating how this would work in Administration. This was presented to all the department heads and they gave their support.

Section 3-1-080-12 also states:

12. Organization: The city manager shall recommend creation and organization of all necessary departments, divisions, bureaus and offices necessary for the government of the city to the city council for its approval prior to implementation.

The attached resolution is attached for your consideration to approve. It includes the appointment of Larry Famuliner as Public Works Director, Brigham Mellor as Assistant City Manager, Economic Development Director and Chad Boshell as Assistant City Manager/City Engineer. We hope you will see the value of these appointments and approve the resolution.

Respectfully Submitted



Shane Face
City Manager

RESOLUTION NO. 2020-_____

A RESOLUTION DESIGNATING AND APPOINTING CERTAIN OFFICERS OF FARMINGTON CITY, UTAH

WHEREAS, the Mayor and/or City Council for Farmington City have the right to appoint qualified persons to appointive offices as provided in the Municipal Code of the City; and

WHEREAS, the City Council desires now to appoint certain individuals to the appointive offices as more particularly provided herein below.

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

Section 1. Appointment. The following individuals are hereby appointed to the following designated offices within Farmington City. The persons appointed shall serve at the pleasure of the City Council and their appointments shall be subject to the ordinances, rules, and regulations of Farmington City.

Assistant City Manager/Economic Development Director – Brigham Mellor
Assistant City Manager/City Engineer – Chad Boshell
Public Works Director – Larry Famuliner

Section 2. Severability. If any section, part, or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts, and provisions of this Resolution shall be severable.

Section 3. Effective Date. This Resolution shall become effective immediately upon its passage.

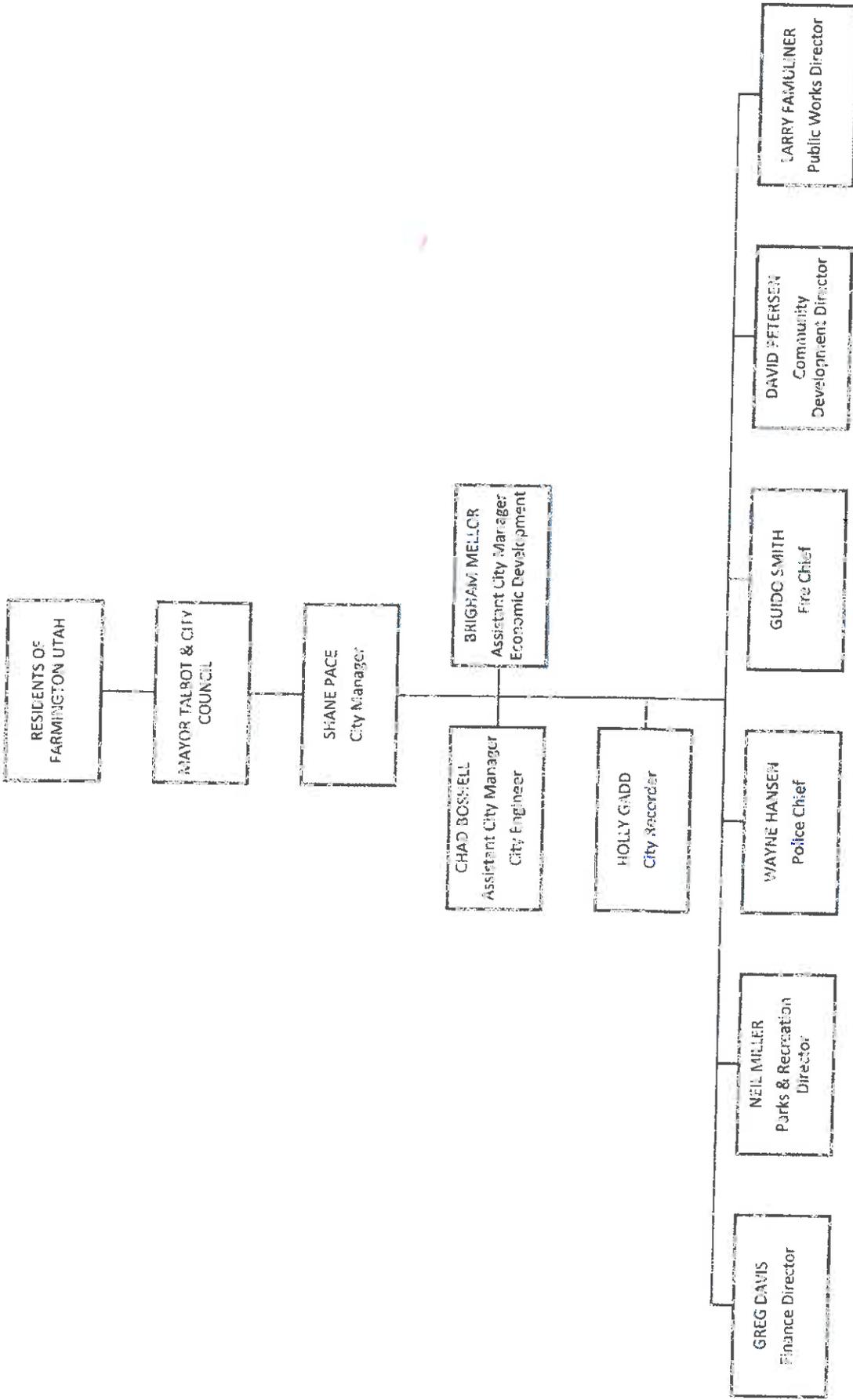
PASSED AND ADOPTED BY THE CITY COUNCIL OF FARMINGTON CITY, STATE OF UTAH, THIS 5TH DAY OF MAY, 2020.

ATTEST:

FARMINGTON CITY

Holly Gadd
City Recorder

By: _____
H. James Talbot
Mayor



CITY COUNCIL AGENDA

For Council Meeting:
May 5, 2020

S U B J E C T: Resolution Adopting the Tentative Budget for Fiscal Year 2020/2021 and Setting the Public Hearing for June 9, 2020

ACTION TO BE CONSIDERED:

Approve the enclosed Resolution adopting the tentative budget for fiscal year 2020/2021 and set the public hearing for June 9, 2020.

GENERAL INFORMATION:

See enclosed staff report prepared by Shane Pace, City Manager.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

H. JAMES TALBOT
MAYOR

BRETT ANDERSON
DOUG ANDERSON
ALEX LEEMAN
CORY RITZ
REBECCA WAYMENT
CITY COUNCIL

SHANE PACE
CITY MANAGER

Mayor and City Council:

Farmington City was enjoying a good budget year until the coronavirus pandemic hit our community. Sales tax revenues were over projections by \$300,000 half way through the year. As we prepared the budget, we were hopeful we would be able to fund some new positions, equipment and infrastructure that are needed by departments to serve the public and the City infrastructure. That all changed and we had to start over with the budget. The departments immediately started to cut back spending where possible and we implemented substantial modifications to the way we operated. Many of those modifications are still in place and we continue to save costs where possible. The pandemic will decrease revenues in the current budget extensively. We believe it will not affect the proposed 2020-2021 budget as dramatically.

REVENUES

We believe our sales tax will be affected in the first six months of the budget and possibly longer. We believe our new sales tax base would have been \$5.6 million for the new budget year before the pandemic. We have cut that back to \$5.1 million that is very close to the original 2019-2020 budget. We believe our B & C roads funds will also suffer a loss of sales tax by at least \$164,000. We will also suffer the loss of \$54,000 in lease revenue because CRS Engineers decided not to renew their lease and will leave our City Hall on July 1.

One of the largest changes to the new proposed budget is we are proposing to use only \$150,000 from general fund balance. In the past, we have always projected using much more (\$683,000 in the current budget year) because of our high balance. We believe it is prudent to reserve this right now. We do not know yet how much will be used in the current budget year and we want to be prepared if a second wave of the virus happens in the fall or winter. This is made possible because of fund balances in other funds (Recreation Fund) that we will draw on to help balance the General Fund budget.

EXPENDITURES

We have cut departmental budgets back to the 2019-2020 budget. After accounting for required increases and eliminating one-time costs, we are within .8% of last year's departmental budgets. The largest required increases are in benefits. The total General Fund expenditures are \$102,000 lower than the prior budget year.

WAGES AND BENEFITS

No additional compensation is proposed in this budget. We have a 4.9% increase in our health benefit contract we need to cover. We also have an increase of 4% (of the contribution rate) in retirement

benefits to our tier II Police and Fire personnel we need to budget for this year. There are no proposed staffing increases included in this budget.

FEE INCREASES

We are proposing to start collecting development review fees that were budgeted in the past but have not been collected. We are proposing increases to the pool entrance fees in this budget year to cover the expanding costs of the pool staffing and some infrastructure costs. We are also proposing a 3% water rate increase based on the water rate study shared with the Council in April.

We hope you will consider this 2020-2021 proposed budget and agree with its conservative nature. We believe we have made the cuts necessary to overcome the financial effects of the coronavirus pandemic and planned for a potential second wave. This has been a difficult budget to prepare since we have both a new Finance Director and City Manager. We continue to learn new things about our budget every day. Thank you for considering this budget.



Shane Pace

City Manager



Greg Davis

Finance Director



FARMINGTON CITY

H. JAMES TALBOT
MAYOR

BRETT ANDERSON
SHAWN BEUS
SCOTT ISAACSON
AMY SHUMWAY
REBECCA WAYMENT
CITY COUNCIL

SHANE PACE
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council
From: Neil Miller, Parks and Recreation Director/Sylvia Clark, Pool Manager
Date: April 29, 2020

SUBJECT: Increasing the Farmington Swimming Pool admission fee schedule for the 2020 season.

RECOMMENDATION

Increase admission fees and pool pass fees to Farmington Swimming Pool for the summer of 2020.

BACKGROUND

If you have ever been to the Farmington Swim Pool in the summer you will see how packed it is each day. Farmington Swimming Pool needs 15 lifeguard a day to manage the pool. We are hoping to hire 25 lifeguard and 5 head guards this summer to cover these shifts each day. It has become increasingly hard to find and hire lifeguards.

The surrounding cities have increased the pay they are paying their staff to lifeguard, teach swim lessons, and staff the pool. We will need to keep up with these trends if we hope to continue to hire and retain staff each season.

One way to offset these new costs is to raise prices of admission and pool passes. Raising fees will help with hiring and retaining staff each summer.

See Attachment

Respectfully Submitted

Neil Miller

Parks and Recreation Director

Review and Concur

Shane Pace

City Manager

2019 Season Fees

Daily General Admission	
3 & under	Free with paying adult
Ages 4 years -64 years	\$4.00
Senior Citizens (65 & Older)	\$3.00
After 5 pm	\$3.00
Lap Swim/ Water Aerobics	\$3.00

Season Passes Passes (Early Bird Pass Sale January 7-May 3, 2019)

Passes	Resident	Non-Resident	Early Bird (Resident Only)
Family**	\$150.00	\$175.00	\$125.00
Individual	\$50.00	\$75.00	\$45.00

** Family Passes up to 5 family member. Family Passes are intended for immediate family living in the same house hold. Additional Family Members \$10 each.

Punch Passes

Passes***	Resident	Non-Resident
Open Swim	\$64.00	\$70.00
Senior Open Swim	\$50.00	\$50.00
Lap Swim	\$45.00	\$50.00

*** Punch Passes are valid for 2 seasons. The season that you purchased them in and the following season. After the 2 years they will expire.

2020 Proposed Season Fees

Daily General Admission	
2 & under	Free with paying adult
Ages 4 years -64 years	\$5.00
Senior Citizens (65 & Older)	\$4.00
After 5 pm	\$4.00
Lap Swim/ Water Aerobics	\$4.00

Season Passes Passes (Early Bird Pass Sale January 6-May 1, 2020)

Passes	Resident	Non-Resident	Early Bird (Resident Only)
Family**	\$175.00	\$200.00	\$150.00
Individual	\$75.00	\$100.00	\$65.00

* Family Passes up to 5 family member. Family Passes are intended for immediate family living in the same household. Additional Family Members \$20 each.

Punch Passes

Passes***	Resident	Non-Resident
Open Swim	\$80.00	\$90.00
Senior Open Swim	\$64.00	\$70.00
Lap Swim	\$64.00	\$70.00

*** Punch Passes are valid for 2 seasons. The season that you purchased them in and the following season. After the 2 years, they will expire.

**FUND SUMMARY
RECOMMENDED BUDGET**

(Revenues are expressed as negatives)

Option:

TRIMMED

Entity in CAFR
Account Type #10, 11 General Fund
(All)

	Budget FY20 Debit (Credit)	FY21 Request Total	Budget Change	% Change
Expenditures				
Payroll	7,002,518	7,148,218	145,700	2.1%
Supplies & Services	2,480,360	2,418,656	(61,704)	-2.5%
Capital Outlay	1,263,800	1,078,000	(185,800)	-14.7%
Expenditures Total	10,746,678	10,644,874	(101,804)	-0.9%
Transfers Out	1,600,838	836,373	(764,465)	-47.8%
Revenue	(11,663,400)	(11,330,485)	332,915	-2.9%
Transfers In	(3,000)	-	3,000	-100.0%
Fund Balance Increase	2,000	-	(2,000)	-100.0%
Fund Balance Use	(683,116)	(150,762)	532,354	-77.9%
Grand Total	-	-	-	-

**KEY CHANGES - GENERAL FUND REVENUES
RECOMMENDED BUDGET**

Option: TRIMMED

Dept Dashboard (All)
 Account Type Revenue
 Entity in CAFR #10.11 General Fund

Row Labels	Budget FY20 Revenue	Budget FY21 Revenue	Change in Revenue Budget
One-time			
Decrease in budgeted fund balance use	683,116	150,762	(532,354)
Pandemic-caused reductions in revenue	6,710,000	6,351,000	(359,000)
Various	3,000	-	(3,000)
One-time Total	7,396,116	6,501,762	(894,354)
Ongoing			
Building lease revenue - City Hall discontinued	54,000	-	(54,000)
Liquor law allotment reduction	47,000	25,000	(22,000)
Various	988,400	985,985	(2,415)
New revenue source - Service fee on credit cards	-	12,000	12,000
Development Engineering Drawing fees	2,000	15,000	13,000
Revenue changes based on recent trends	3,862,000	3,941,500	79,500
Ongoing Total	4,953,400	4,979,485	26,085
Grand Total	12,349,516	11,481,247	(868,269)

**KEY CHANGES - GENERAL FUND EXPENDITURES
RECOMMENDED BUDGET**

Option: TRIMMED

Entity in CAFR: #10, 11 General Fund
Account Type: Expenditure

	Budget FY20 Debit (Credit)	FY21 Request Total	Budget Change
One-time			
Grant-funded items	5,000	40,000	35,000
Trail and street crossings	174,000	208,000	34,000
Equipment, software, etc.	13,000	33,900	20,900
Fire station network server FY20 budget removed	8,200	-	(8,200)
Festival Days Summer 2020 cancellation budget impact	10,000	-	(10,000)
Council Chambers sound system FY20 budget removed	29,000	5,000	(24,000)
Municipal Elections FY20 budget removed	38,000	-	(38,000)
Reduction (removal) of business park marketing	75,000	-	(75,000)
Pandemic-caused reductions - Class C-funded work	1,115,000	906,000	(209,000)
Change in interfund transfers	1,600,838	820,373	(780,465)
One-time Total	3,068,038	2,013,273	(1,054,765)
Ongoing			
Benefits - rate changes (health and/or URS)	2,232,327	2,383,027	150,700
Capital outlay item (Police Dept - Spillman)	-	22,500	22,500
Contract-related budget change(s)	186,060	208,344	22,284
Service level increase - new baseball fourplex	150,000	170,000	20,000
Various	(11,200)	(188)	11,012
No change	6,323,291	6,323,291	-
Reallocations of budgets within fund	121,000	121,000	-
Business Insurance (other than health)	150,000	140,000	(10,000)
Decrease in economic developmt incentive annual pmt	130,000	100,000	(30,000)
Ongoing Total	9,281,478	9,467,974	186,496
Grand Total	12,349,516	11,481,247	(868,269)

**BUDGETS BY DEPARTMENT WITHIN GENERAL FUND
RECOMMENDED BUDGET**

Option: **TRIMMED**

Fund # and Title: **10 GENERAL FUND**
 Presentation Category: **Expenditures**

Row Labels	Budget FY20 Debit (Credit)	FY21 Request Total	Budget Change	% Change
GENERAL FUND - ADMINISTRATIVE DEPARTMENT	882,811	865,111	(17,700)	-2.0%
GENERAL FUND - BUILDINGS DEPARTMENT	497,960	479,660	(18,300)	-3.7%
GENERAL FUND - ECONOMIC DEVELOPMENT DEPT.	348,158	281,358	(66,800)	-19.2%
GENERAL FUND - EMERGENCY PREPAREDNESS DEPT.	1,500	-	(1,500)	-100.0%
GENERAL FUND - ENGINEERING DEPARTMENT	180,661	183,461	2,800	1.5%
GENERAL FUND - FIRE DEPARTMENT	1,312,083	1,320,295	8,212	0.6%
GENERAL FUND - INSPECTION DEPARTMENT	474,942	478,542	3,600	0.8%
GENERAL FUND - LEGISLATIVE DEPARTMENT	146,000	122,200	(23,800)	-16.3%
GENERAL FUND - LIQUOR LAW DUI POLICE PATROL	12,000	41,100	29,100	242.5%
GENERAL FUND - MISCELLANEOUS	166,000	126,000	(40,000)	-24.1%
GENERAL FUND - PARKS & CEMETERY DEPARTMENT	1,037,324	1,066,924	29,600	2.9%
GENERAL FUND - PLANNING & ZONING DEPARTMENT	651,999	659,399	7,400	1.1%
GENERAL FUND - POLICE DEPARTMENT	3,012,247	3,167,731	155,484	5.2%
GENERAL FUND - STREETS DEPARTMENT	732,993	738,093	5,100	0.7%
Grand Total	9,456,678	9,529,874	73,196	0.8%

FUND SUMMARY

RECOMMENDED BUDGET

(Revenues are expressed as negatives)

Entity in CAFR

Option: **TRIMMED**

#20, 22 Special Revenue - RDAs

	Budget FY20 Debit (Credit)	FY21 Request Total	Budget Change	% Change
Expenditures				
Payroll	5,600	5,600	-	0.0%
Supplies & Services				
20-400-130 PAYROLL TAXES	2,100	2,100	-	0.0%
20-400-370 PROFESSIONAL/TECHNICAL RDA #1	3,000	4,200	1,200	40.0%
20-400-419 INSURANCE	3,000	3,200	200	6.7%
20-401-964 BOND ISSUANCE COSTS/RESERVES	2,000	1,500	(500)	-25.0%
22-400-370 PROFESSIONAL/TECHNICAL	-	5,000	5,000	#DIV/0!
22-470-965 DEVELOPER REIMBURSEMENT	2,850,000	-	(2,850,000)	-100.0%
Supplies & Services Total	2,860,100	16,000	(2,844,100)	-99.4%
Capital Outlay	10,000	-	(10,000)	-100.0%
Debt service, lease payments	185,000	183,850	(1,150)	-0.6%
Expenditures Total	3,060,700	205,450	(2,855,250)	-93.3%

Transfers Out

	-	-	-	#DIV/0!
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Revenue

GAAP				
Interest & Investment Earnings	(79,500)	(111,000)	(31,500)	39.6%
Taxes	(4,280,000)	(730,000)	3,550,000	-82.9%
Revenue Total	(4,359,500)	(841,000)	3,518,500	-80.7%

Fund Balance Increase

	1,325,000	-	(1,325,000)	-100.0%
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Fund Balance Use

	(26,200)	-	26,200	-100.0%
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Grand Total

	-	(635,550)	(635,550)	
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FUND SUMMARY

RECOMMENDED BUDGET

(Revenues are expressed as negatives)

Entity in CAFR

Option: **TRIMMED**

#30-35 Debt Service Funds

	Budget FY20 Debit (Credit)	FY21 Request Total	Budget Change	% Change
Expenditures				
Supplies & Services	8,500	10,000	1,500	17.6%
Debt service, lease payments				
30-400-610 RETIREMENT OF BONDS	344,000	351,000	7,000	2.0%
30-400-620 INTEREST ON BONDS	48,000	40,000	(8,000)	-16.7%
31-400-610 RETIREMENT OF BONDS	61,000	63,000	2,000	3.3%
31-400-620 INTEREST ON BONDS	12,000	6,000	(6,000)	-50.0%
34-400-610 RETIREMENT OF BONDS	393,000	235,000	(158,000)	-40.2%
34-400-620 INTEREST ON BONDS	34,000	20,000	(14,000)	-41.2%
35-400-610 RETIREMENT OF BONDS	275,000	280,000	5,000	1.8%
35-400-620 INTEREST ON BONDS	136,000	130,000	(6,000)	-4.4%
Debt service, lease payments Total	1,303,000	1,125,000	(178,000)	-13.7%
Expenditures Total	1,311,500	1,135,000	(176,500)	-13.5%

Transfers Out	50,000	90,000	40,000	80.0%
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Revenue				
GAAP				#DIV/0!
Interest & Investment Earnings	(10,000)	(10,000)	-	0.0%
Taxes	(1,309,000)	(1,149,000)	160,000	-12.2%
Revenue Total	(1,319,000)	(1,159,000)	160,000	-12.1%

Transfers In	(50,000)	-	50,000	-100.0%
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Fund Balance Increase	28,000	-	(28,000)	-100.0%
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Fund Balance Use	(20,500)	(66,000)	(45,500)	222.0%
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Grand Total	-	-	-	-
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FUND SUMMARY

RECOMMENDED BUDGET

(Revenues are expressed as negatives)

Entry in CAFR

Option: TRIMMED

#37-43 Capital and Projects Funds

	Budget FY20 Debit (Credit)	FY21 Request Total	Budget Change	% Change
Expenditures				
Financing Proceeds	-	-	-	#DIV/0!
Supplies & Services	204,100	162,000	(42,100)	-20.6%
Capital Outlay	533,300	216,000	(317,300)	-59.5%
Debt service, lease payments	757,900	795,900	38,000	5.0%
Improvement Projects	2,100,000	9,824,000	7,724,000	367.8%
Land / R.O.W Acquisition	-	875,000	875,000	#DIV/0!
Expenditures Total	3,595,300	11,872,900	8,277,600	230.2%
Transfers Out	50,000	-	(50,000)	-100.0%
Revenue				
Charges for Services	(19,000)	(22,000)	(3,000)	15.8%
Cost Sharing, Contributions	(300,000)	(1,934,667)	(1,634,667)	544.9%
Devel/Impact Fees	(688,000)	(696,000)	(8,000)	1.2%
Donations, Fund Raising	-	-	-	#DIV/0!
Financing Proceeds	-	-	-	#DIV/0!
GAAP	-	-	-	#DIV/0!
Interest & Investment Earnings	(73,000)	(128,000)	(55,000)	75.3%
Misc Revenue	-	-	-	#DIV/0!
Sales of assets	-	-	-	#DIV/0!
Sale of Assets	-	(50,000)	(50,000)	#DIV/0!
Revenue Total	(1,080,000)	(2,830,667)	(1,750,667)	162.1%
Transfers In	(801,600)	(368,000)	433,600	-54.1%
Fund Balance Increase	2,700	22,000	19,300	714.8%
Fund Balance Use	(1,766,400)	(8,696,233)	(6,929,833)	392.3%
Grand Total	-	-	-	-

FUND SUMMARY

RECOMMENDED BUDGET

(Revenues are expressed as negatives)

Entity in CAFR

Option:

TRIMMED

#48 Permanent Fund

	Budget FY20 Debit (Credit)	FY21 Request Total	Budget Change	% Change
Transfers Out	3,000	-	(3,000)	-100.0%
Revenue				
Charges for Services	(10,000)	(7,500)	2,500	-25.0%
GAAP	(3,000)	-	3,000	-100.0%
Interest & Investment Earnings	-	(4,000)	(4,000)	#DIV/0!
Revenue Total	(13,000)	(11,500)	1,500	-11.5%
Fund Balance Increase	10,000	-	(10,000)	-100.0%
Grand Total	-	(11,500)	(11,500)	

FUND SUMMARY

RECOMMENDED BUDGET

(Revenues are expressed as negatives)

Entity in CAFR

Option:

TRIMMED

#51 WATER FUND

	Budget FY20	FY21 Request	Budget Change	% Change
	Debit (Credit)	Total		
Expenditures				
Payroll	894,219	920,159	25,940	2.9%
GAAP	600,000	-	(600,000)	-100.0%
Supplies & Services	917,100	938,100	21,000	2.3%
Capital Outlay	104,500	260,000	155,500	148.8%
Debt service, lease payments	-	79,250	79,250	#DIV/0!
Improvement Projects				
51-700-942 CONTINENTAL STREET WATER LINES	190,000	-	(190,000)	-100.0%
51-702-500 ENGINEERING	20,000	1,148,581	1,128,581	5642.9%
51-760-370 PROFESSIONAL AND TECHNICAL	60,000	60,000	-	0.0%
51-760-372 PUMPHOUSE ENGINEERING	70,000	70,000	-	0.0%
51-760-500 NORTH MAIN WELL PUMP HOUSE	600,000	-	(600,000)	-100.0%
51-760-980 WELL	350,000	-	(350,000)	-100.0%
51-762-970 TELEMETRY SYSTEM COSTS	26,000	57,300	31,300	120.4%
51-770-370 PROFESSIONAL AND TECHNICAL	5,000	5,000	-	0.0%
51-770-965 REPLACE SPENCER RESERVOIR	-	-	-	#DIV/0!
51-790-370 PROFESSIONAL AND TECHNICAL	100,000	-	(100,000)	-100.0%
51-790-500 PRV VALVES	390,000	-	(390,000)	-100.0%
Improvement Projects Total	1,811,000	1,340,881	(470,119)	-26.0%
Expenditures Total	4,326,819	3,538,390	(788,429)	-18.2%
Revenue				
Charges for Services	(2,149,000)	(2,255,200)	(106,200)	4.9%
Devel/Impact Fees	(90,000)	(200,000)	(110,000)	122.2%
Financing Proceeds	-	(250,000)	(250,000)	#DIV/0!
GAAP	-	-	-	#DIV/0!
Interest & Investment Earnings	(22,000)	(22,000)	-	0.0%
Misc Revenue	(5,000)	(5,000)	-	0.0%
Sales of assets	-	-	-	#DIV/0!
Revenue Total	(2,266,000)	(2,732,200)	(466,200)	20.6%
Grand Total	2,060,819	806,190	(1,254,629)	

FUND SUMMARY

RECOMMENDED BUDGET

(Revenues are expressed as negatives)

Entry in CAFR

Option:

TRIMMED

#52 SEWER FUND

	Budget FY20 Debit (Credit)	FY21 Request Total	Budget Change	% Change
Expenditures				
Payroll	84,775	85,675	900	1.1%
GAAP	5,000	-	(5,000)	-100.0%
Supplies & Services	1,991,500	2,027,500	36,000	1.8%
Expenditures Total	2,081,275	2,113,175	31,900	1.5%
Revenue				
Charges for Services	(2,084,000)	(2,160,000)	(76,000)	3.6%
GAAP	-	-	-	#DIV/0!
Interest & Investment Earnings	(10,000)	(10,000)	-	0.0%
Revenue Total	(2,094,000)	(2,170,000)	(76,000)	3.6%
Grand Total	(12,725)	(56,825)	(44,100)	

FUND SUMMARY

RECOMMENDED BUDGET

(Revenues are expressed as negatives)

Entity in CAFR

Option:

TRIMMED

#53 GARBAGE FUND

	Budget FY20	FY21 Request	Budget Change	% Change
Expenditures		Total		
Payroll	135,797	137,097	1,300	1.0%
GAAP	60,000	-	(60,000)	-100.0%
Supplies & Services	1,384,000	1,405,000	21,000	1.5%
Capital Outlay	51,000	77,500	26,500	52.0%
Expenditures Total	1,630,797	1,619,597	(11,200)	-0.7%
Revenue				
Charges for Services	(1,560,000)	(1,585,000)	(25,000)	1.6%
GAAP	-	-	-	#DIV/0!
Interest & Investment Earnings	(10,000)	(10,000)	-	0.0%
Revenue Total	(1,570,000)	(1,595,000)	(25,000)	1.6%
Grand Total	60,797	24,597	(36,200)	

FUND SUMMARY

RECOMMENDED BUDGET

(Revenues are expressed as negatives)

Entity in CAFR

Option: TRIMMED

#54 STORM WATER FUND

	Budget FY20	FY21 Request	Budget Change	% Change
	Debit (Credit)	Total		
Expenditures				
Payroll	337,930	341,630	3,700	1.1%
GAAP	335,000	-	(335,000)	-100.0%
Supplies & Services	399,000	432,444	33,444	8.4%
Capital Outlay				
54-402-540 CAPITAL OUTLAY-EQUIPMENT >\$5K	13,000	263,000	250,000	1923.1%
54-402-600 MISC IMPROVEMENT PROJECTS	30,000	35,000	5,000	16.7%
54-402-650 CAPITAL REPLACEMENT PROJECTS	150,000	-	(150,000)	-100.0%
54-405-900 DEVELOPER REIMBURSEMENTS -WEST	140,000	60,000	(80,000)	-57.1%
54-701-500 WEST FARMINGTON PROJECTS	950,000	1,755,000	805,000	84.7%
54-701-501 EAST FARMINGTON PROJECTS	287,000	187,000	(100,000)	-34.8%
Capital Outlay Total	1,570,000	2,300,000	730,000	46.5%
Debt service, lease payments	81,300	107,521	26,221	32.3%
Expenditures Total	2,723,230	3,181,595	458,365	16.8%
Revenue				
Charges for Services	(840,000)	(850,000)	(10,000)	1.2%
Cost Sharing, Contributions	-	-	-	#DIV/0!
Devel/Impact Fees	(19,000)	(100,000)	(81,000)	426.3%
Financing Proceeds	-	(250,000)	(250,000)	#DIV/0!
Fines & Forfeitures	-	-	-	#DIV/0!
GAAP	-	-	-	#DIV/0!
Interest & Investment Earnings	(62,000)	(65,000)	(3,000)	4.8%
Licenses Permits Fees	(5,000)	(5,000)	-	0.0%
Misc Revenue	-	-	-	#DIV/0!
Sales of assets	-	-	-	#DIV/0!
Revenue Total	(926,000)	(1,270,000)	(344,000)	37.1%
Grand Total	1,797,230	1,911,595	114,365	

FUND SUMMARY

RECOMMENDED BUDGET

(Revenues are expressed as negatives)

Entity in CAFR

Option: TRIMMED

#55 AMBULANCE SERVICE

	Budget FY20 Debit (Credit)	FY21 Request Total	Budget Change	% Change
Expenditures				
Payroll	176,906	178,300	1,394	0.8%
GAAP				
55-400-600 ALLOWANCE UNCOLLECTABLE ACCTS	150,000	-	(150,000)	-100.0%
55-400-885 DEPRECIATION	60,000	-	(60,000)	-100.0%
55-402-997 Capital Outlay GAAP Adj	-	-	-	#DIV/0!
GAAP Total	210,000	-	(210,000)	-100.0%
Supplies & Services	124,500	125,012	512	0.4%
Capital Outlay	41,830	40,000	(1,830)	-4.4%
Expenditures Total	553,236	343,312	(209,924)	-37.9%
Revenue				
Charges for Services				
55-370-700 AMBULANCE SERVICE CHARGES	(750,000)	(750,000)	-	0.0%
55-370-710 SPECIAL EVENTS STANDBY	(2,000)	(2,000)	-	0.0%
55-375-300 LESS MEDICARE ADJUSTMENTS	220,000	220,000	-	0.0%
55-375-320 PARAMEDIC FEES	50,000	50,000	-	0.0%
Charges for Services Total	(482,000)	(482,000)	-	0.0%
GAAP				
55-360-140 INVESTMENT GAINS / LOSSES	-	-	-	#DIV/0!
GAAP Total	-	-	-	#DIV/0!
Grants	-	-	-	#DIV/0!
Interest & Investment Earnings	(10,000)	(10,000)	-	0.0%
Misc Revenue	-	-	-	#DIV/0!
Revenue Total	(492,000)	(492,000)	-	0.0%
Grand Total	61,236	(148,688)	(209,924)	

FUND SUMMARY

RECOMMENDED BUDGET

(Revenues are expressed as negatives)

Entity in CAFR

Option:

TRIMMED

#56 TRANSPORTATION UTILITY FUND

	Budget FY20	FY21 Request	Budget Change	% Change
	Debit (Credit)	Total		
Expenditures				
GAAP	-	-	-	#DIV/0!
Supplies & Services	-	-	-	#DIV/0!
Capital Outlay				
56-402-600 SLURRY SEALS	215,000	250,000	35,000	16.3%
56-402-700 STREET PROJECTS	54,000	100,000	46,000	85.2%
56-402-800 STREET OVERLAYS, chip seals	371,000	330,000	(41,000)	-11.1%
Capital Outlay Total	640,000	680,000	40,000	6.3%
Expenditures Total	640,000	680,000	40,000	6.3%
Revenue				
Devel/Impact Fees	-	-	-	#DIV/0!
GAAP	-	-	-	#DIV/0!
Interest & Investment Earnings	(2,000)	(5,000)	(3,000)	150.0%
Licenses Permits Fees				
56-370-600 RESIDENTIAL TRANSPORTATION FEE	(250,000)	(250,000)	-	0.0%
56-370-700 COMMERCIAL TRANSPORTATION FEES	(390,000)	(430,000)	(40,000)	10.3%
Licenses Permits Fees Total	(640,000)	(680,000)	(40,000)	6.3%
Revenue Total	(642,000)	(685,000)	(43,000)	6.7%
Grand Total	(2,000)	(5,000)	(3,000)	

FUND SUMMARY

Option: TRIMMED

RECOMMENDED BUDGET

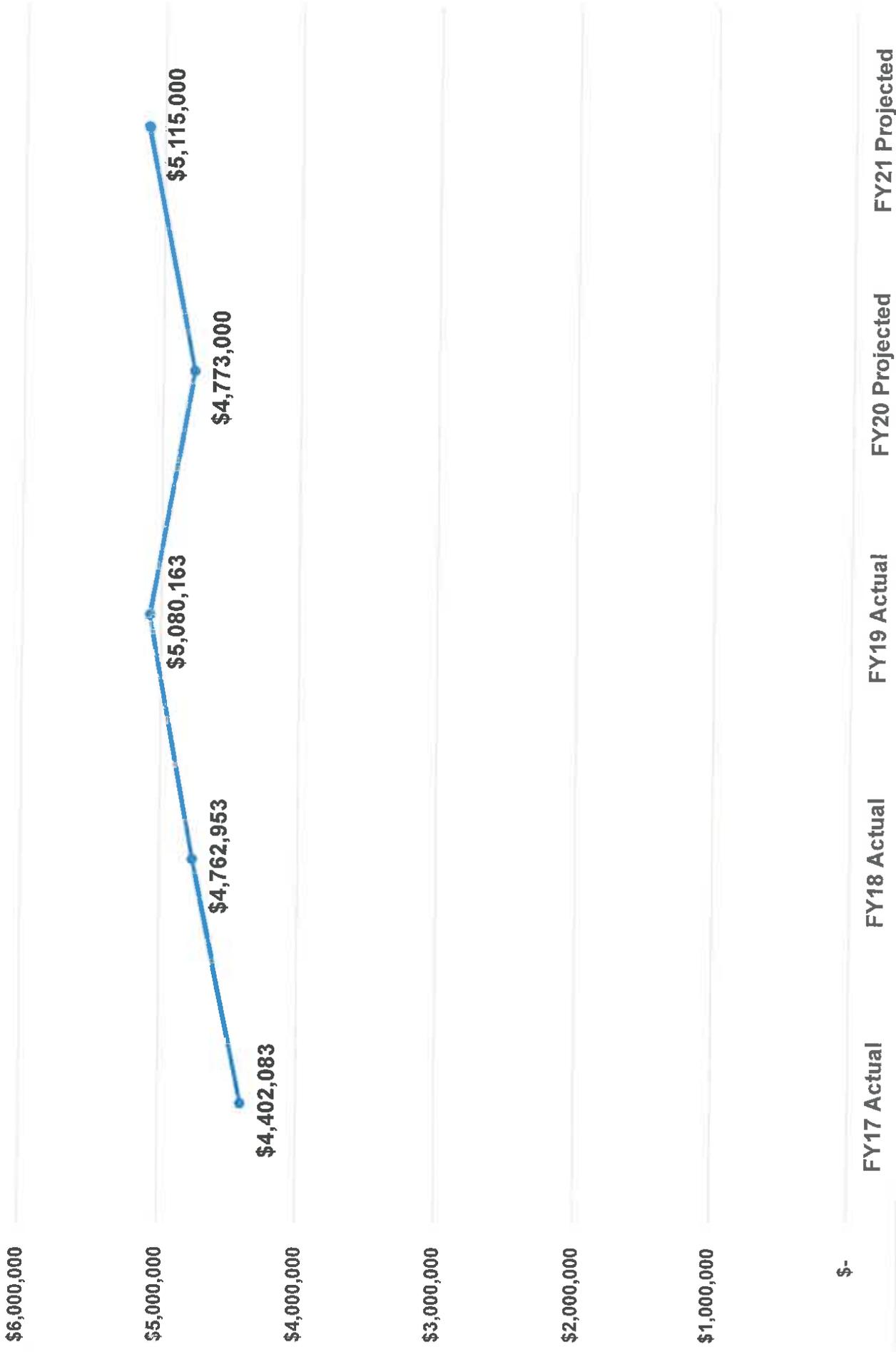
(Revenues are expressed as negatives)

Entry in CAFR

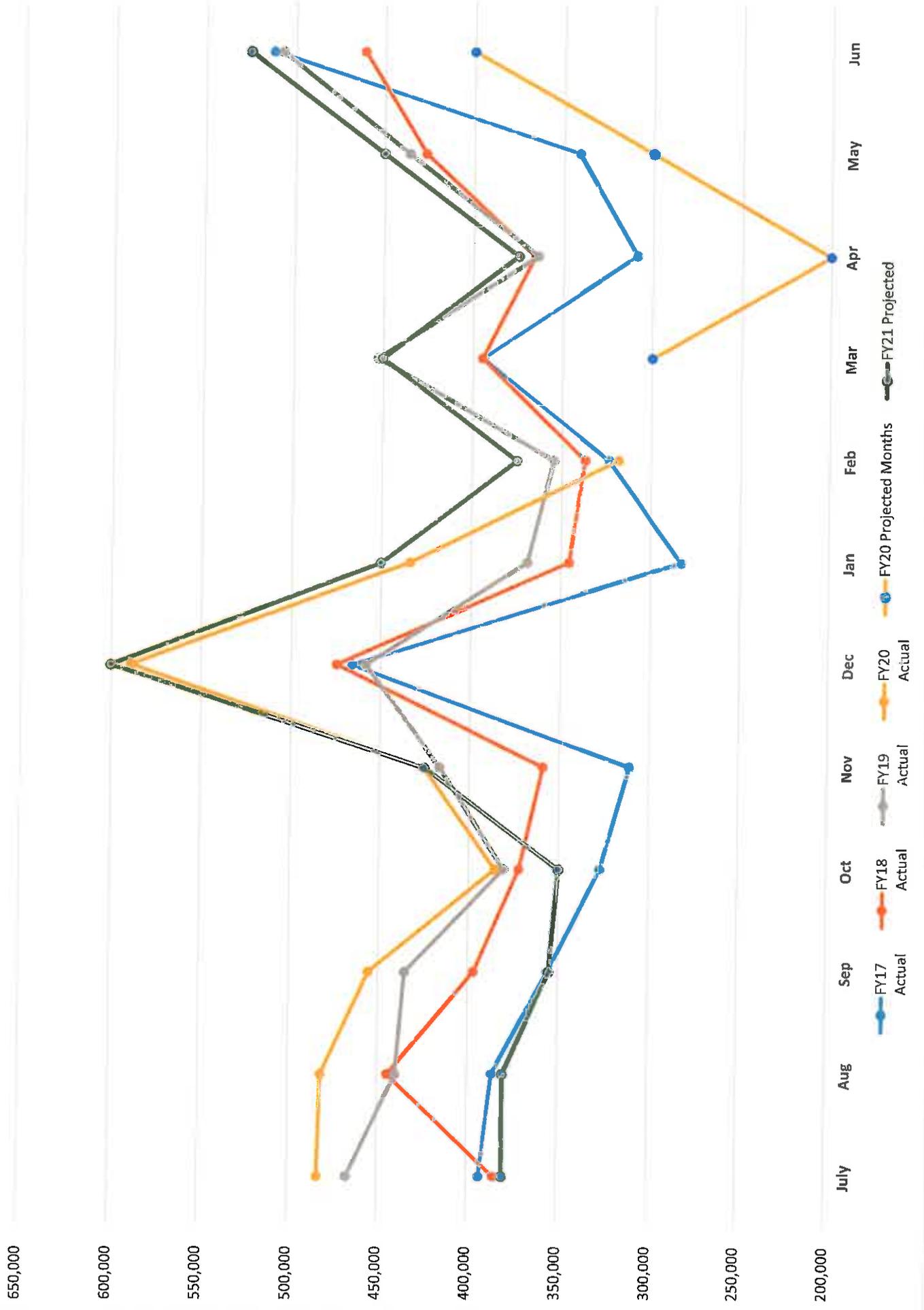
#60,67 RECREATION FUNDS

	Budget FY20 Debit (Credit)	FY21 Request Total	Budget Change	% Change
Expenditures				
Payroll	958,238	1,000,738	42,500	4.4%
GAAP	12,000	12,000	-	0.0%
Supplies & Services	815,073	804,125	(10,948)	-1.3%
Capital Outlay	13,000	13,000	-	0.0%
Expenditures Total	1,798,311	1,829,863	31,552	1.8%
Revenue				
Charges for Services	(939,240)	(945,010)	(5,770)	0.6%
Cost Sharing, Contributions	-	(150)	(150)	#DIV/0!
Donations, Fund Raising	(25,200)	(30,200)	(5,000)	19.8%
GAAP	-	-	-	#DIV/0!
Interest & Investment Earnings	(7,000)	(6,000)	1,000	-14.3%
Revenue Total	(971,440)	(981,360)	(9,920)	1.0%
Transfers In	(856,638)	(558,373)	298,265	-34.8%
Grand Total	(29,767)	290,130	319,897	

Sales Tax Revenue in General Fund Fiscal Year Totals



Sales Tax - Annual Comparisons by Month within Fiscal Year



SALES TAX REVENUE
General Fund
10-310-300

CHANGES from LIKE MONTHS
IN PRIOR YEARS

	FY17 Actual	FY18 Actual	FY19 Actual	FY20 Actual	FY20 Projected Months	FY20 All Months	FY21 Projected	FY20 change from FY19 \$	FY20 change from FY19 %	FY21 change from FY20 \$	FY21 change from FY20 %
July	392,968	385,161	467,119	483,314		483,314	380,000	16,195	3.5%	(103,314)	-21.4%
Aug	386,030	444,527	440,039	481,681		481,681	380,000	41,641	9.5%	(101,681)	-21.1%
Sep	355,443	396,797	435,122	455,376		455,376	355,000	20,255	4.7%	(100,376)	-22.0%
Oct	327,218	371,923	380,427	385,230		385,230	350,000	4,803	1.3%	(35,230)	-9.1%
Nov	311,106	359,001	416,527	425,786		425,786	425,000	9,259	2.2%	(786)	-0.2%
Dec	465,613	474,479	458,138	589,027		589,027	600,000	130,889	28.6%	10,973	1.9%
Jan	282,981	345,585	368,652	434,136		434,136	450,000	65,484	17.8%	15,864	3.7%
Feb	323,899	337,049	354,414	318,360		318,360	375,000	(36,054)	-10.2%	56,640	17.8%
Mar	394,205	394,628	452,553		300,000	300,000	450,000	(152,553)	-33.7%	150,000	50.0%
Apr	308,940	365,590	363,971		200,000	200,000	375,000	(163,971)	-45.1%	175,000	87.5%
May	341,497	426,893	436,140		300,000	300,000	450,000	(136,140)	-31.2%	150,000	50.0%
Jun	512,183	461,320	507,061		400,000	400,000	525,000	(107,061)	-21.1%	125,000	31.3%
Fiscal Year Total	4,402,083	4,762,953	5,080,163	3,572,911	1,200,000	4,772,911	5,115,000	(307,252)	-6.0%	342,089	7.2%
% change YTY		8.2%	6.7%			-6.0%					

Original Budget	4,200,000	4,575,000	5,000,000	5,300,000
Variance \$	202,083	187,953	80,163	(527,089)
Variance %	4.8%	4.1%	1.6%	-9.9%

RESOLUTION NO. 2020-

A RESOLUTION ADOPTING THE FARMINGTON CITY TENTATIVE BUDGET FOR FISCAL YEAR 2020-2021

WHEREAS, pursuant to State law, a tentative budget has been delivered to the Farmington City Council for consideration; and

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

Section 1. Adoption of Tentative Budget. The Farmington City Council hereby adopts the tentative budget for Fiscal Year 2020-2021 which is attached hereto as Exhibit A and incorporated herein by reference.

Section 2. Setting of a public hearing for final adoption. The Farmington City Council hereby directs staff to provide notice of a public hearing for June 9, 2020, after which hearing the City Council will consider adoption of the final budget on said date.

Section 3. Severability. If any section, part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts, and provisions of this Resolution shall be severable.

Section 3. Effective Date. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF FARMINGTON CITY, STATE OF UTAH THIS 5TH DAY OF MAY, 2020.

ATTEST:

FARMINGTON CITY

Holly Gadd
City Recorder

By: _____
H. James Talbot
Mayor

CITY COUNCIL AGENDA

For Council Meeting:
May 5, 2020

PUBLIC HEARING: Zone Text Amendment – Alternative Lot Size

ACTION TO BE CONSIDERED:

1. Hold Public Hearing.
2. Move that the City Council approve the enclosed enabling ordinance which amends the Zoning Ordinance related to alternative lot size and include Findings for Approval 1-4.

GENERAL INFORMATION:

See enclosed staff report prepared by David Petersen, Community Development Director.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

H. JAMES TALBOT
MAYOR

BRETT ANDERSON
SHAWN BEUS
SCOTT ISAACSON
AMY SHUMWAY
REBECCA WAYMENT
CITY COUNCIL

SHANE PACE
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: David Petersen, Community Development Director

Date: May 5, 2020

SUBJECT: **ZONE TEXT AMENDMENT— ALTERNATIVE LOT SIZE (ZT-8-20)**

RECOMMENDATION

1. Hold a public hearing.
2. Move that the City Council approve the enclosed enabling ordinance which amends to the Zoning Ordinance related to alternative lot size.

Findings:

1. The amendments do not increase residential densities under an administrative conventional subdivision alternative consistent with the Farmington City General Plan and the 2014 zone text amendment.
2. The recommendation provides a property owner greater use of his property without unduly increasing the number of lots in a neighborhood.
3. In the event the City Council deems that a TDR lot (or lots) are necessary, leaving the size of such lots at the discretion of the City provides the Council flexibility to do what is best for the community as specific circumstances unique to a given situation may warrant it.
4. On April 9, 2020, the Planning Commission recommended that the City Council approve the attached amendments.

BACKGROUND

On October 7, 2014, the City adopted an “alternative lot size” for single-family and agriculture zones set forth in Chapters 10 and 11 of the Zoning Ordinance. At the same time, they provided a method for property owners to obtain additional lots through a transfer of development right (TDR). However, in so doing the alternative lot size inadvertently became a non-option in conventional subdivisions. It is believed by staff that the City intended to offer an alternative lot size to property owners so long as the overall number of lots in a subdivision did not exceed the total number of lots possible in a conventional subdivision yield plan. That is, the City desired to offer some flexibility to property owners, but not at the expense of increasing residential densities.

Policy Question:

The 2014 ordinance also set the minimum lot size for TDR lots equal to the minimum alternative lot size. Regardless, the language of the ordinance states that any consideration of TDR lots is at the “sole discretion” of the City. Should the Council set the minimum lot size for TDR lots at the time they are

considered (and if approved and memorialized by development agreement), or should the minimum standard remain the same regardless as now prescribed by ordinance?

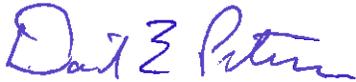
Zoning Ordinance Amendment

To simplify discussion and to make the staff report “less busy”, the proposed amendments set forth in the attached enabling ordinance remove the prescribed TDR minimum lot size, but the Council is welcome to add the minimum back [note: staff can recommend either scenario].

Supplemental Information

Enabling Ordinance

Respectfully Submitted



David Petersen
Community Development Director

Review & Concur



Shane Pace
City Manager

FARMINGTON, UTAH

ORDINANCE NO. 2020 -

AN ORDINANCE AMENDING SECTIONS 11-10-040 AND 11-11-050 OF THE ZONING ORDINANCE RELATED TO ALTERNATIVE LOTS SIZE (ZT-8-20).

WHEREAS, the Planning Commission has held a public hearing in which the proposed amendments for Sections 11-10-040 and 11-11-050 of the Farmington City Zoning Ordinance were thoroughly reviewed and the Planning Commission recommended that this ordinance be approved by the City Council; and

WHEREAS, the Farmington City Council held a public hearing pursuant to notice and as required by law and deems it to be in the best interest of the health, safety, and general welfare of the citizens of Farmington to make the changes proposed;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF FARMINGTON CITY, STATE OF UTAH:

Section 1. Amendment. Sections 11-10-040 and 11-11-050 of the Farmington City Zoning Ordinance are hereby amended as set forth in Exhibit "A" attached hereto and by this reference made a part hereof.

Section 2. Severability. If any provision of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 3. Effective Date. This ordinance shall take effect immediately upon publication or posting or 30 days after passage by the City Council, whichever comes first.

PASSED AND ADOPTED by the City Council of Farmington City, State of Utah, on this 5th day of May, 2020.

FARMINGTON CITY

H. James Talbot, Mayor

ATTEST:

Holly Gadd, City Recorder

EXHIBIT "A"

11-10-040: LOT AND SETBACK STANDARDS:

A. Minimum Standards: The following shall be the minimum lot areas, widths and main building setbacks in agricultural zones:

Zone	Conventional Lot Area	Alternative ^{1,2} Lot Size	Lot Width		Front	Side	Side Corner	Rear
			Interior	Corner				
AA	10 acre	5 acre	150'	160'	40'	15' minimum, total 30'	30'	40'
A	2 acre	1 acre	100'	110'	30'	10' minimum, total 24'	25'	30'
AE	1 acre	12,000 square feet ⁺	100'	110'	30'	10' minimum, total 24'	25'	30'

Notes:

1. The total number of lots in the subdivision shall not exceed the total number of lots allowed as per the yield plan process set forth in chapter 12 of this title in a conventional subdivision yield plan.
2. Lot width and setback standards for alternative lot areas may meet such standards set forth in Chapter 12 of this Title.

B. Additional Alternative Lots Size:

1. **Additional lots** The alternative lot size is limited to subdivisions whereby the City approves a transfer of development right as set forth in section 11-28-240 of this title; or obtains improved or unimproved land in fee title, or easement, for public purposes, such as parks, trails, detention basins, etc. The value of which, and the total number of lots related thereto, shall be determined by the City at its sole discretion as part of the subdivision process. Any applicant seeking a TDR must provide a yield plan consistent with the underlying zone and the conventional subdivision standards within that zone, and the yield plan must also conform to subsections 11-12-070A and B of this title. (Ord. 2015-16, 5-26-2015)
2. **Additional lots under this section are** The alternative lot size is not available for subdivisions consisting of five (5) acres or more, or for subdivisions located in the Conservation Subdivision Overlay Zone. (Ord. 2014-33, 10-7-2014)
3. Lot width and setback standards for alternative lot widths within the AE Zone may meet such standards as set forth in chapter 12 of this title. (Ord. 2015-16, 5-26-2015)

11-11-050: MINIMUM LOT AREA, WIDTH AND SETBACK STANDARDS:

A. Minimum Standards: The following shall be the minimum lot areas, widths and main building setbacks for conventional layout subdivision development in single-family residential zones:

Zone	Conventional Lot Area In Square Feet	Alternative ^{1,2} Lot Size Area In Square Feet	Lot Width		Front	Side	Side Corner	Rear
			Interior	Corner				
R	16,000	8,000	75'	85'	25'	8' minimum, total 18'	20'	30'
LR	20,000	10,000	85'	95'	25'	10' minimum, total 22'	20'	30'

S	30,000	15,000	95'	100'	25'	10' minimum, total 22'	20'	30'
LS	40,000	12,000 ⁺	100'	110'	30'	10' minimum, total 24'	25'	30'

Notes:

1. The total number of lots in the subdivision shall not exceed the total number of lots allowed as per the yield plan process set forth in chapter 12 of this title in a conventional subdivision yield plan.
2. Lot width and setback standards for alternative lot areas may meet such standards set forth in Chapter 12 of this Title.

B. Additional Alternative Lot Size:

1. **Additional lots** ~~The alternative lot size is limited to subdivisions~~ whereby the city approves a transfer of development right as set forth in section [11-28-240](#) of this title; or obtains improved or unimproved land in fee title, or easement, for public purposes, such as parks, trails, detention basins, etc. The value of which, and the total number of lots related thereto, shall be determined by the city at its sole discretion as part of the subdivision process. Any applicant seeking a TDR must provide a yield plan consistent with the underlying zone and the conventional subdivision standards within that zone, and the yield plan must also conform to subsections 11-12-070A and B of this title. (Ord. 2015-16, 5-26-2015)
2. **Additional lots under this section are** ~~The alternative lot size is not available for subdivisions consisting of ten (10) acres or more, or for subdivisions located in the conservation subdivision overlay zone.~~ (Ord. 2014-33, 10-7-2014)
3. ~~Lot width and setback standards for alternative lot widths within the LS zone may meet such standards set forth in chapter 12 of this title. (Ord. 2015-16, 5-26-2015)~~

CITY COUNCIL AGENDA

For Council Meeting:
May 5, 2020

PUBLIC HEARING: Zone Text Amendment – Accessory and Secondary Dwelling Units

ACTION TO BE CONSIDERED:

1. Hold Public Hearing.
2. Move that the City Council approve the enclosed ordinance amending the Zoning Ordinance related to accessory and secondary dwelling units and include Findings for Approval 1-4.

GENERAL INFORMATION:

See enclosed staff report prepared by Shannon Hansell, Planner/GIS Specialist.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

H. JAMES TALBOT
MAYOR

BRETT ANDERSON
SHAWN BEUS
SCOTT ISAACSON
AMY SHUMWAY
REBECCA WAYMENT
CITY COUNCIL

SHANE PACE
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: Shannon Hansell, Planner/GIS Specialist

Date: May 5, 2020

SUBJECT: **ZONE TEXT AMENDMENT— ACCESSORY AND SECONDARY DWELLING UNITS (ZT-9-20)**

RECOMMENDATION

1. Hold a public hearing.
2. Move that the City Council approve the enclosed ordinance amending the Zoning Ordinance related to Accessory and Secondary Dwelling units.

Findings:

1. The amendment fulfills a strategy from Farmington's moderate-income housing plan, in agreement with the General Plan.
2. The amendment creates rental flexibility in Farmington, providing moderate income housing options to more citizens.
3. The amendment would support consistency between Farmington zoning ordinance and other local municipalities.
4. On April 9, 2020, the Planning Commission recommended that the City Council approve the attached amendments.

BACKGROUND

On October 29, 2019, the City adopted a moderate-income housing plan, as part of the General Plan. This was in response to S.B. 34, approved by the state legislature earlier that year. As part of the bill, municipalities must implement at least three to four of 23 strategies set forth in the legislation. Farmington selected eight for its moderate-income housing plan. The proposed zone text amendment seeks to fulfill, in part, one of those strategies.

Most commonly, accessory dwelling units (ADU) are attached or detached dwelling units subordinate to single-family homes. However, Farmington's definition delineates detached units as an ADU, and attached units as secondary dwelling units (SDU). For both definitions, the owner must live on site. Only attached units (SDU) can be rented to non-family members, whereas detached units (ADU) can only be used by members of the owner's family. This amendment proposes amending the zoning ordinance to combine the definition of attached and

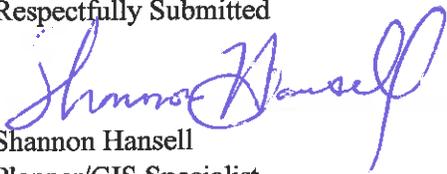
detached dwellings units to allow rental by non-family members. This is a step in implementing the moderate housing plan by allowing more rental opportunity within Farmington.

Additionally, this change would better align Farmington's accessory dwelling policy to that of other local municipalities, many of whom already implement this definition.

Supplemental Information

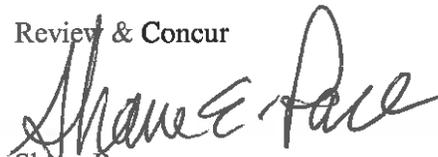
Enabling Ordinance

Respectfully Submitted



Shannon Hansell
Planner/GIS Specialist

Review & Concur



Shane Pace
City Manager

FARMINGTON, UTAH

ORDINANCE NO. 2020 -

AN ORDINANCE AMENDING SECTIONS 11-2-020, 11-10-020, 11-11-030, 11-13-020, 11-17-030, AND 11-28-200 OF THE ZONING ORDINANCE RELATED TO ACCESSORY AND SECONDARY DWELLING UNITS (ZT-9-20).

WHEREAS, the Planning Commission has held a public hearing in which the proposed amendments for Sections 11-2-020, 11-10-020, 11-11-030, 11-13-020, 11-17-030, and 11-28-200 of the Farmington City Zoning Ordinance were thoroughly reviewed and the Planning Commission recommended that this ordinance be approved by the City Council; and

WHEREAS, the Farmington City Council held a public hearing pursuant to notice and as required by law and deems it to be in the best interest of the health, safety, and general welfare of the citizens of Farmington to make the changes proposed;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF FARMINGTON CITY, STATE OF UTAH:

Section 1. Amendment. Sections 11-2-020, 11-10-020, 11-11-030, 11-13-020, 11-17-030, and 11-28-200 of the Farmington City Zoning Ordinance are hereby amended as set forth in Exhibit "A" attached hereto and by this reference made a part hereof..

Section 2. Severability. If any provision of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 3. Effective Date. This ordinance shall take effect immediately upon publication or posting or 30 days after passage by the City Council, whichever comes first.

PASSED AND ADOPTED by the City Council of Farmington City, State of Utah, on this 5th day of May, 2020.

FARMINGTON CITY

H. James Talbot, Mayor

ATTEST:

Holly Gadd, City Recorder

EXHIBIT “A”

11-2-020 Definitions of Words and Terms

~~DWELLING, ACCESSORY: A dwelling unit within an accessory building which is subordinate to a single-family dwelling located on the same lot and which, together with the single-family dwelling, is used exclusively for the occupancy of one (1) family. A maximum of one (1) accessory dwelling shall be allowed per lot and no rent or other compensation may be charged for occupants of the accessory dwelling. Any conditional use permit issued hereunder shall be recorded with the Davis County Recorder's Office.~~

DWELLING UNIT, SECONDARY ACCESSORY: A unit within an accessory building, which is subordinate to a single-family dwelling located on the same lot. Or, a second dwelling unit within a single-family dwelling which is accessory to the single-family dwelling and which is an architectural and integral part of a single-family dwelling. A maximum of one (1) secondary accessory dwelling unit shall be allowed per home, and the owner shall live on-site.

11-10-020 [Chapter 10 Agricultural Uses]

SCHEDULE OF USES:

The following table identifies permitted uses by the letter “P” and conditional uses by the letter “C”. The letter “X” indicates that the use is not allowed. Uses not listed shall not be allowed, except as provided in subsection 11-4-050F of this title:

Use	Agriculture Zones		
	AA	A	AE
Accessory dwellings	C	C	C
Accessory living quarters	C	X	X
Agriculture	P	P	P
Boarding kennel	X	C	X
Class A animals (small animals)	P	P	P
Class B animals (large animals)	P	P	P
Class C animals (commercial farming)	P	P	C
Class D animals (dangerous animals)	X	X	X
Commercial outdoor recreation, minor (i.e., family reunion center, outdoor reception facilities, equestrian facilities, picnic grounds, tennis courts, etc.)	C	C	C
Daycare, preschool	X	C	C
Fruit and vegetable stands for sale of produce grown on the premises	P	P	P
Greenhouse/garden center (retail or wholesale) less than 5 acres	C	C	C
Home occupations complying with provisions of the home occupation chapter of this title, except as specified in section <u>11-35-040</u> of this title	P	P	P

Home occupations specified in section 11-35-040 of this title	C	C	C
Private school, public school or hospital	X	C	C
Public uses	X	C	C
Public utility installations (not including lines and rights-of-way)	C	C	C
Quasi-public uses	X	C	C
Radio, television and telephone transmission and relay towers and facilities, except as specified in section 11-28-190 of this title	C	C	C
Residential facilities for the elderly	X	C	C
Residential facilities for the disabled	P	P	P
Secondary dwelling	C	C	C
Signs complying with title 15 of this Code	P	P	P
Single-family dwelling	P	P	P
Sportsman's kennel (3 to 5 dogs for noncommercial use)	C	C	C
Trails and parks	C	C	C
Uses customarily accessory to a listed conditional use	C	C	C
Uses customarily accessory to a listed permitted use	P	P	P
Veterinary clinic	C	C	C

11-11-030 [Single-Family Residential Zones]

CONDITIONAL USES:

The following are conditional uses in all single-family residential zones. No other conditional uses are allowed, except as provided by subsection 11-4-050F of this title:

Dwelling, accessory (except in the R Zone).

~~Dwelling, secondary (except in the R Zone).~~

Home occupations as identified in section 11-35-040 of this title.

Private school or hospital.

Public uses.

Public utility installations (except lines and rights-of- way).

Quasi-public uses.

Residential facilities for the elderly. (Ord. 2017-13, 5-16-2017)

11-13-020 [Multiple-Family Residential Zones]

PERMITTED USES:

The following are permitted uses in multiple-family residential zones. No other permitted uses are allowed, except as provided by subsection 11-4-050F of this title:

Agriculture.

Accessory dwelling unit.

Class A animals.

Home occupations complying with the home occupation chapter of this title, except as specified in section 11-13-030 of this chapter.

Residential facilities for the disabled.

~~Secondary dwelling unit.~~

Signs complying with title 15 of this Code.

Single-family dwellings.

Two-family dwellings.

Uses customarily accessory to a listed permitted use. (Ord. 2018-18, 5-15-2018)

11-17-030 [Original Townsite Residential Zone (OTR)]

CONDITIONAL USES:

The following are conditional uses in the OTR Zone. No other conditional uses are allowed, except as provided by subsection 11-4-050F of this title:

Class D animals.

Daycare center.

Dwelling, accessory.

~~Dwelling, secondary.~~

Greenhouses, private with no retail sales.

Home occupations requiring a conditional use permit under section 11-35-040 of this title.

Private school.

Public uses (as provided herein).

Public utility installations, except lines and rights-of-way (as provided herein).

Quasi-public uses (as provided herein).

Residential facilities for the elderly. (Ord. 2017-13, 5-16-2017)

11-28-200 [Supplementary and Qualifying Regulations]

SECONDARY ACCESSORY DWELLING UNITS:

Secondary Accessory dwelling units may be allowed as a permitted or conditional use in various zones as designated in this title.

- A. Purpose: The purposes of this section and an rules, regulations, standards and specifications adopted pursuant hereto are:
1. Minimal Impacts: To accommodate such housing in residential neighborhoods with minimal impacts on the neighborhood in terms of traffic, noise, parking, congestion and compatible scale and appearance of residential buildings.
 2. Decline In Quality: To prevent the proliferation of rental dwellings, absentee ownership, property disinvestment, Building Code violations and associated decline in quality of residential neighborhoods.

3. Terms And Conditions: To set forth standardized terms and conditions for secondary accessory dwellings and procedures for review and approval of the same.
- B. Conditional Use Permit: Secondary Accessory dwellings may be permitted as a conditional or a permitted use as designated by the underlying zone found in this title. In those zones where a secondary accessory dwelling unit requires conditional use permit approval, applications for an secondary accessory dwelling shall be submitted and reviewed as a conditional use permit in accordance with chapter 8 of this title.
- C. Standards: The following standards and conditions shall apply to all secondary accessory dwellings, in addition to any terms and conditions of approval as imposed by the Planning Commission during the conditional use permit process:
1. Location: A secondary accessory dwelling shall only be allowed as part of a single-family dwelling and shall be ~~secondary~~ and subordinate to such single-family dwelling.
 2. Number: A maximum of one secondary accessory dwelling shall be allowed per single-family home. Secondary Accessory dwellings shall contain no more than one dwelling unit.
 3. Parking: At least one off street parking stall shall be provided for the secondary accessory dwelling. Such parking stall shall be in addition to all off street parking requirements for the primary single-family dwelling on the lot and shall conform with the City parking standards specified in this title.
 4. Design And Character: The secondary accessory dwelling shall be clearly incidental ~~and secondary~~ to the single-family dwelling, there should be no significant alteration to the exterior of the single-family dwelling to accommodate the secondary accessory dwelling and such secondary accessory dwelling shall not adversely affect the residential character of the surrounding neighborhood. An secondary accessory dwelling shall be designed in such a way that neighbors or passersby would not, under normal circumstances, be aware of its existence.
 5. Size: The secondary accessory dwelling shall be equal to or subordinate in floor area to the remaining floor area occupied by the single- family dwelling.
 6. Construction Codes: The secondary accessory dwelling shall comply with all Construction, Housing and Building Codes in effect at the time the secondary dwelling is constructed and shall comply with all procedures and requirements of the City building regulations.
 7. Occupants: The secondary accessory dwelling shall be occupied exclusively by one family.
 8. Ownership: Either the single-family dwelling or secondary accessory dwelling shall be owner occupied.
 9. Absentee Owner: Temporary absentee property ownership may be allowed due to unforeseen circumstances, such as military assignments, employment commitments, family obligations and quasi-public service. Notwithstanding the foregoing, the maximum time period allowed for absentee property ownership shall not exceed four (4) years. In the event such absentee property

ownership occurs, the property owner may rent both the ~~secondary~~ secondary accessory dwelling and the primary dwelling.

- D. Site Development: Upon approval of a conditional use permit for an secondary accessory dwelling, an application for site development shall be submitted in accordance with the provisions of chapter 7 of this title. (Ord. 2018-18, 5-15-2018)

CITY COUNCIL AGENDA

For Council Meeting:
May 5, 2020

S U B J E C T: Master Agreement with UDOT for the West Davis Corridor City Utility Work

ACTION TO BE CONSIDERED:

Approve the Master Agreement with UDOT for the West Davis Corridor city utility work.

GENERAL INFORMATION:

See enclosed staff report prepared by Chad Boshell, City Engineer.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings: discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

H. JAMES TALBOT
BRIAN ANDERSON
SHAWN BEEB
SCOTT BRAYSON
AMY SHERIDAN
ROBERTA WYMAN
SHANE PACE

City Council Staff Report

To: Honorable Mayor and City Council

From: Chad Boshell, City Engineer

Date: May 5, 2020

SUBJECT: **CONSIDER APPROVAL OF A MASTER AGREEMENT WITH UDOT FOR THE WEST DAVIS CORRIDOR CITY UTILITY WORK**

RECOMMENDATION

Approve the Master Agreement with UDOT for the West Davis Corridor City utility work.

BACKGROUND

City Staff have been meeting regularly with UDOT to discuss the West Davis Corridor (WDC) design and how it affects City infrastructure. The WDC crosses many City storm drain and water lines that will need to be relocated, cased, and improved. UDOT wants to enter into a master agreement that sets forth the process to have a third-party contractor design and construct the work. The agreement dictates the process of design, review, and approval; establishes contact information; cost responsibilities; and it establishes that agreements for individual projects are to be supplemental agreements to this master agreement. City Staff and the City Attorney have reviewed the master agreement and recommends approving it with UDOT.

SUPPLEMENTAL INFORMATION

1. Master Agreement

Respectively Submitted

Chad Boshell, P.E.
City Engineer

Reviewed and Concur

Shane Pace
City Manager



FARMINGTON CITY MASTER AGREEMENT

THIS MASTER AGREEMENT, is made by and between the **Utah Department of Transportation**, ("UDOT"), and **Farmington City**, a Municipal Corporation of the State of Utah, ("City"). Each as party, ("Party") and together as parties, ("Parties").

RECITALS

WHEREAS, UDOT is preparing to request proposals for and award a design-build contract for the highway project identified as Project Number S-R199 (229), West Davis Corridor in Davis County, Utah, ("Project"). The Project will consist of constructing a new highway facility along the western side of Davis County. The Project will connect to I-15 & Legacy Parkway at approximately Glovers Lane in Farmington, extending west and north, terminating at 4500 West and the future extension of S.R. 193 in West Point; and

WHEREAS, the Design-Builder will complete the design and administer construction of the Project; and

WHEREAS, UDOT has identified City facilities ("Facility or Facilities") within the limits of the Project which may necessitate the relocation, protection, or adjustment of the Facilities, ("Third-Party Work"); and

WHEREAS, the City desires for UDOT to design and perform the Third-Party Work on the City's facilities necessitated by the Project; and

WHEREAS, the City will perform the necessary design review and inspection of the Third-Party Work to accommodate the Project; and

WHEREAS, for the purpose of expediting any required Third-Party Work and reimbursement, the Parties are entering into this Master Agreement with the understanding that future Project agreements as Supplements to this Agreement will be entered into covering the Third-Party Work to be accomplished by UDOT at specific Project locations.



THIS AGREEMENT is made to set out the terms and conditions for the Third-Party Work that shall be performed.

AGREEMENT

NOW THEREFORE, the Parties agree as follows:

1. PROJECT RESPONSIBLE FOR COST

UDOT is responsible for 100% of the cost of the Third-Party Work relating to the City's Facilities for those costs that comply with Utah Administrative Code R930-8 and are not located within the interstate system. Utah Code § 72-6-116(3)(a)(ii).

2. CONTACT INFORMATION

UDOT's Project Representative is J Tucker Doak telephone no. (801) 620-1660, email jdoak@utah.gov.

UDOT's Project Director is Rex Harris, telephone number (801) 791-3926, and e-mail rex.harris@utah.gov, or their designated representative, as assigned.

UDOT's Field Representative contact person will be identified in subsequent supplemental agreements.

City's contact person is Chad Boshell, telephone number (801) 939-9287, and e-mail cboshell@farmington.utah.gov.

After awarding the Project, UDOT will provide the City with the Design-Builder contact information, ("Design-Builder Project Representative").

3. AUTHORIZATION FOR DESIGN WORK

In order to facilitate coordination and obtain technical information about the City's Facilities and requirements for inclusion in this Agreement and the Request for Proposals, UDOT gave the City authorization for preliminary design engineering on December 14, 2018.

4. SUBSURFACE UTILITY ENGINEERING

UDOT has performed Subsurface Utility Engineering (SUE) within the limits of the Project. Additional SUE work to determine the precise location of underground facilities at specific, critical locations on the Project will be reviewed with the City.



5. PROJECT COORDINATION

The City requested that UDOT include items of Third-Party Work for relocating and adjusting City's Facilities in the Project.

During the development of the Project design, the City and UDOT, along with its Design-Build, shall consult as necessary in an effort to determine if conflicts with the City's Facilities can be avoided. If Third-Party Work for the City's Facilities is required by the Project, UDOT will be responsible to identify the conflicts and to design and construct the Third-Party Work of the City's Facilities. The City will perform the necessary design reviews prior to the start of Third-Party Work. UDOT's Project Representative will be responsible for coordinating with other Third-Parties as it relates to City's Facilities.

6. CITY REQUIREMENTS

UDOT will comply with the following City requirements:

- a. The City will require:
 - i. Review of Design plans: 2-weeks.
 - ii. Project Agreement review and signature routing: 2-weeks or as City Council schedule allows. Time will restart with each Project Agreement revision.
- b. UDOT will supply as-constructed plans, in a PDF format specified by the City, upon completion of any required Third-Party Work.

7. UDOT TO DESIGN AND CONSTRUCT CITY'S THIRD-PARTY WORK

UDOT will schedule and meet with the City to review the design and scheduling of the Third-Party Work for the City's Facilities at specific locations on the Project to ensure maximum lead time for advance order of materials and workforce scheduling.

- a. UDOT will design the Third-Party Work in accordance with City's standards regularly followed by the City in its own work and not considered a betterment. In the event of a conflict between UDOT and City standards, the higher standard will be applied.
- b. UDOT will secure permits required for Third-Party Work of City's Facilities.
- c. The City will review and provide comments and/or the approval of design plans within **2 weeks** from the time UDOT delivers the design plans or the corrected design plans to the City.
- d. UDOT will notify the City at least **2 business days** in advance of beginning any Third-Party Work covered by any Project agreements hereto, to allow the City time to schedule an inspector to be present during the Third-Party Work.



Subsequent notification of when and where Third-Party Work will be performed will be given on a day-to-day basis.

8. **RIGHT-OF-WAY**

Any easements or replacement right-of-way required in conjunction with the Third-Party Work of City's Facilities will be acquired by UDOT in accordance with the requirements of Utah Administrative Code R930-8.

9. **BETTERMENT WORK**

If the City desires to include betterment work in the Project at any specific location UDOT may agree to the betterment providing the difference in costs between the functionally equivalent required Third-Party Work and the City's desired betterment work that is not required by the Project shall be at the sole cost of the City and the betterment work can be accommodated without delaying UDOT's Project. The betterment work will be addressed by a separate local government betterment agreement between UDOT and the City.

Once a Design-Builder has been selected by UDOT, any betterment work request will be negotiated directly with the Design-Builder. However, UDOT has the sole discretion to determine whether the betterment work will be included in the Project.

In addition to betterment work to be determined in the future the City has determined they would like to include the following betterment work with the Project.

- Install approximately 300 feet of new curb and gutter and widen 650 West to the new curb and gutter. This betterment will begin where the existing curb and gutter currently end, just north of the Project and will extend south through the project. The new pavement section shall match the existing 650 West pavement section.

10. **PROJECT AGREEMENTS**

UDOT and the City shall enter into Project agreements to cover Third-Party Work at specific Project locations. UDOT will provide design plans and Third-Party Work schedules for review and comment and/or approval by the City prior to start of the Third-Party Work. A copy of the format of the proposed Project agreement is marked Exhibit "A" that is incorporated by reference.

The City will review and comment and/or approve any Project agreement submitted to the City by UDOT **within 2 weeks. Final approval is by the City Council and placed on the Council agenda for the first available meeting as soon as City staff approves the agreement..**

In the event there are changes in the scope of the Third-Party Work, extra Third-Party



Work, or changes in the planned Third-Party Work covered by a Project agreement, a modification to the Project agreement approved in writing by the Parties is required prior to the start of Third-Party Work on the changes or additions.

11. CITY TO NOTIFY UDOT

City's personnel shall notify UDOT's Field Representative upon arriving and leaving the Project site for verification of inspecting Third-Party Work. City's personnel will comply with all applicable OSHA and Project safety requirements while within the Project limits.

12. INSPECTION

The City shall provide on-call engineering support by the City engineer or appropriate representative for design review, schedule coordination, or to correct or clarify issues during Third-Party Work, and to perform the necessary inspection on the City's Facilities installed by UDOT.

- a. The City engineer and/or inspector shall work with and through UDOT's Field Representative and shall give no orders directly to UDOT's Design-Builder unless authorized in writing to do so. UDOT will accomplish the Third-Party Work covered herein on City's Facilities in accordance with the plans and specifications provided and/or approved by the City, including changes or additions to the plans and specifications, which are approved by the Parties hereto.
- b. The City shall immediately notify UDOT's Field Representative of any deficiencies in the Third-Party Work on the City's Facilities. The City shall follow up with written detail to UDOT's Project Representative of its findings within 24-hours of making its initial notification.
- c. UDOT will respond to City's concerns within 24-hours of written notification.
- d. The City, through its inspection of the Third-Party Work, will provide UDOT's Field Representative with information covering any problems or concerns the City may have with acceptance of the facilities upon completion of the Third-Party Work.
- e. Any periodic plan and specification review or construction inspection performed by UDOT arising out of the performance of the Third-Party Work does not relieve the City of its inspection requirements of the Third-Party Work or to ensure compliance with acceptable standards.

13. DAILY RECORDKEEPING

UDOT and the City will each keep daily records of onsite activities. The City's daily records will be completed on a form that has been preapproved by UDOT's Contracts, Compliance and Certification Manager. The daily records shall be signed by UDOT's Field Representative or their authorized representatives and by the City or its authorized



representatives. Copies of the daily records shall be retained by the Parties to this Agreement.

14. REIMBURSEMENT

UDOT will not reimburse the City for costs incurred by City personnel for design review, observation, inspection, and operation of valves performed as part of their regularly assigned duties. Should it become necessary for the City to procure outside professional services or to require overtime work of City employees to perform design review, observation, or inspection to accommodate the Third-Party Work and Project schedule, the City shall notify UDOT. Upon concurrence by UDOT, a A Project agreement for the cost of the services will be executed at which time the City may procure outside services or approve overtime work through appropriate authorization or procurement.

15. SUBMITTAL OF ITEMIZED BILLS

The City shall submit itemized bills covering the actual costs incurred for outside services to perform design review, oversight, and inspection work covered by Project agreements to:

UDOT Contracts and Compliance Specialist
4501 South 2700 West
Construction Office, Box 148220
Salt Lake City, Utah 84114-8220

Itemized bills shall bear the Project and Project agreement numbers, supporting sheets, and a complete billing statement of all actual costs incurred, following the order of the items in the detailed estimates contained in the Project agreement and be submitted to UDOT within **60 days** following completion of outside services by the City on the Project. Otherwise, previous payments to the City may be considered final, except as agreed to between the Parties in advance.

UDOT will reimburse the City within **60 days** after receipt of the billings, but only for items complying fully with the provisions of Utah Administrative Code R930-8. Failure on the part of the City to submit final billings within **6 months** of the completion of outside services will result in UDOT's disallowance of that portion of outside services performed by the City.

16. SALVAGED MATERIALS

All materials from City's existing Facilities which are recovered by UDOT while performing the Third-Party Work and not reused on this Project shall become the property of the Design-Builder unless otherwise agreed to in advance by the Parties hereto.



17. RIGHT TO AUDIT

UDOT and the Federal Highway Administration shall have the right to audit all cost records and accounts of the City pertaining to this Project in accordance with the auditing procedure of the Federal Highway Administration and 23 C.F.R. § 645, subpart A. Should this audit disclose that the City has been underpaid, the City will be reimbursed by UDOT within **60 days** upon submission of additional billing to cover the underpayment. Should this audit disclose that the City has been overpaid, the City will reimburse UDOT within **60 days** of notification of audit findings in the amount of the overpayment. For purpose of audit, the City is required to keep and maintain its records of outsides services covered herein for a minimum of **3** years after final payment is received by the City from UDOT.

18. ACCEPTANCE AND MAINTENANCE

UDOT will provide notification to the City for acceptance of the Third-Party Work upon completion of the final inspection. City will have **60 days** to respond in writing to UDOT with any additional comments in regards to the Third-Party Work. If the City does not respond within 60 days it will be deemed that the City accepts the Third-Party Work. Upon completion of the Third-Party Work of City Facilities by UDOT, the City will accept, own, and maintain its own Facilities. The City shall be the sole owner of the Facilities upon completion of the Project unless otherwise agreed to by the Parties in writing. UDOT shall require the Design-Builder to provide a warranty on the new Facilities and/or the work for a period of not less than 12 months **after** completion of the Project.

19. ACCESS

Access for maintenance and servicing of City's Facilities located on the right-of-way of the Project will be allowed only by permit issued by UDOT to the City, and that the City will obtain the permit and abide by conditions thereof for policing and other controls in conformance with Utah Administrative Code R930-7.

20. INDEMNIFICATION

UDOT and the City are both governmental entities subject to the Governmental Immunity Act. Each Party agrees to indemnify, defend, and save harmless the other from and against all claims, suits and costs, including attorneys' fees for injury or damage of any kind, arising out of its negligent acts, errors or omissions of its officers, agents, contractors or employees in the performance of this Agreement, and from and against all claims, suits, and costs, including attorneys' fees for injury or damage of any kind. Nothing in this paragraph is intended to create additional rights to third parties or to waive any of the provisions of the Governmental Immunity Act. The obligation to indemnify is limited to the dollar amounts set forth in the Governmental Immunity Act, provided the Act applies to the action or omission giving rise to the protections in this paragraph. The indemnification in this paragraph shall survive the expiration or termination of this Agreement.



21. MISCELLANEOUS

- a. Each Party agrees to undertake and perform all further acts that are reasonably necessary to carry out the intent and purpose of this Agreement at the request of the other Party.
- b. This Agreement in no way creates any type of agency relationship, joint venture, or partnership between UDOT and City.
- c. The failure of either Party to insist upon strict compliance of any of the terms and conditions, or failure or delay by either Party to exercise any rights or remedies provided in this Agreement, or by law, will not release either Party from any obligations arising under this Agreement.
- d. This Agreement shall be deemed to be made under and shall be governed by the laws of the State of Utah in all respects. Each person signing this Agreement warrants that the person has full legal capacity, power and authority to execute this Agreement for and on behalf of the respective Party and to bind such Party. This Agreement may be executed in one or more counterparts, each of which shall be an original, with the same effect as if the signatures were made upon the same instrument. This Agreement may be delivered by facsimile or electronic mail.
- e. If any provision or part of a provision of this agreement is held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision. Each provision shall be deemed to be enforceable to the fullest extent under applicable law.
- f. This Agreement may be executed in one or more counterparts, each of which shall be an original, with the same effect as if the signatures were made upon the same instrument. This Agreement may be delivered by facsimile or electronic mail.
- g. This Agreement shall constitute the entire agreement and understanding of the Parties with respect to the subject matter hereof, and shall supersede all offers, negotiations and other agreements with respect thereto. Any amendment to this Agreement must be in writing and executed by authorized representatives of each Party.
- h. The date of this agreement is the date this agreement is signed by the last Party.



IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their duly authorized officers as of the day and year first above written.

ATTEST:

Farmington City

Title: _____

Title: _____

Date: _____

Date: _____

(IMPRESS SEAL)

.....

Recommended For Approval:

Utah Department of Transportation

Title: Utility and Railroad Leader

Title: Project Director

Date: _____

Date: _____

Approved as to Form

Comptroller Office

Title: Assistant Attorney General

Title: Contract Administrator

Date: _____

Date: _____



**EXHIBIT A
FARMINGTON
PROJECT AGREEMENT NO. ____**

Supplement to UDOT Finance No. _____

THIS PROJECT AGREEMENT is made by and between the **Utah Department of Transportation**, ("UDOT"), and **Farmington**, a Municipal Corporation of the State of Utah, ("Third-Party"). Each as party, ("Party") and together as parties, ("Parties").

The Parties hereto entered into a Master Agreement (MA) dated _____, UDOT Finance No. _____. All the terms of the MA remain in full force and effect unless otherwise specified herein.

The Parties agree as follows:

1. Third-Party will perform the following described Third-Party Work in accordance with the terms and conditions of the MA:
 - a. Plan sheets depicting the Third-Party Work are shown in Exhibit "A" that is incorporated by reference and are described as:
 - b. The Third-Party special provisions described in Paragraph 6 of the MA – Third-Party Requirements, are modified as follows:
 - c. Third-Party Work will be completed between x and x. A schedule for the Third-Party work is shown in Exhibit "B" that is incorporated by reference.
 - d. Third-Party As-built survey responsibility: If the Design-Builder is responsible to collect the Third-Party As-built on behalf of the Third-Party it is the Third-Party's responsibility to notify the Design-Builder 48 hours in advance of beginning the Third-Party Work in order for the Design-Builder's surveyor to be present. Should the proper notification and coordination occur and if the Third-Party Work is performed without the Design-Builder's surveyor present to collect the As-built, UDOT may hire a Subsurface Utility Engineering (SUE) consultant to locate the facilities at the Third-Party's expense.
 - e. Total estimated cost of Third-Party's Work is shown in Exhibit "C" that is incorporated by reference.

TOTAL ESTIMATED COST OF PROJECT AGREEMENT _____	\$0.00
TOTAL ESTIMATED COST OF THIRD-PARTY-PERFORMED THIRD-PARTY WORK	\$0.00
TOTAL ESTIMATED COST OF THIRD-PARTY BETTERMENT WORK	\$0.00
TOTAL ESTIMATED COST OF UDOT-PERFORMED THIRD-PARTY WORK	\$0.00
COMBINED TOTAL ESTIMATED COST OF THIRD-PARTY WORK	\$0.00
TOTAL ESTIMATED AMOUNT OF THIRD-PARTY PARTICIPATION @ 50%	\$0.00
TOTAL ESTIMATED AMOUNT OF UDOT PARTICIPATION @ 50%	\$0.00



2. UDOT will notify the Third-Party's contact person Chad Boshell, telephone number (801) 939-9287, and e-mail cboshall@farmington.utah.gov at least **2 business days** in advance of beginning and completing its portion of the Third-Party Work covered herein.
3. Third-Party will notify UDOT's Project Director is Rex Harris, telephone number (801) 791-3926, and e-mail rex.harris@utah.gov, or their designated representative, as assigned at least **2 business days** in advance of beginning and completing its portion of the Third-Party Work covered herein.
4. The date of this Agreement is the date this Agreement is signed by the last Party.



IN WITNESS WHEREOF, the Parties hereto have caused these presents to be executed by their duly authorized officers as of the day and year first written above.

Farmington

Title: _____

Date: _____

Recommended For Approval:

Utah Department of Transportation

Title: Utility and Railroad Leader

Title: Project Director

Date: _____

Date: _____

Comptroller's Office

Title: Contract Administrator

Date: _____

CITY COUNCIL AGENDA

For Council Meeting:
May 5, 2020

SUBJECT: Minute Motion Approving Summary Action List

1. Approval of Minutes from February 18, 2020
2. Approval of Minutes from March 3, 2020
3. Approval of Minutes from April 7, 2020
4. Approval of Minutes from April 14, 2020
5. Red Barn Farms Improvements Agreement
6. Surplus Final Cache of Aging Extrication Equipment

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

FARMINGTON CITY – CITY COUNCIL MINUTES

FEBRUARY 18, 2020

WORK SESSION

Present: Mayor Jim Talbot; City Manager Shane Pace; City Councilmembers Brett Anderson, Shawn Beus, Amy Shumway, and Rebecca Wayment; City Recorder Holly Gadd; Community Development Director Dave Petersen; Finance Director Greg Davis; Economic Development Director Brigham Mellor; City Planner Meagan Booth; City Attorney Todd Godfrey; Cory Brazell with Public Works; and Recording Secretary Deanne Chaston.

FLAT ROCK RANCH STREET CROSS SECTION DISCUSSION WITH IVORY HOMES

City Manager **Shane Pace** offered the invocation. The work session was held to discuss Ivory Homes' Flat Rock Ranch Street Cross Section proposal. This is in southwest Farmington. Although City Staff is not in favor of it, **Pace** said it is fair to give Ivory Homes time with the City Council. The Planning Commission is considering the proposal, and the City Council will talk about it in the future.

Chase Freebairn with Ivory Homes said this project is 50 lots, after removing 10 to try to stick with the rural agricultural feel of the area. They want to keep lots to 1,800 square feet, or 0.67 acres at the largest. The community monument is planned to be done out of classic rock. They want trees, meandering roads similar to a country lane, and low impact development (LID) road sections. He said the State is pushing LIDs, and there will be more and more of these. LIDs include a 12-foot swell between two 4-foot sidewalks. The swell drains to the storm water system, which helps prevent the deterioration of the asphalt and fraying. He said that while they know City Staff is against it, they want to do something unique and aesthetically pleasing. He knows Staff's concerns are snow removal and the deterioration of asphalt. However, he said it has worked in West Bountiful and is something that looks more rural.

Councilman **Shawn Beus** said it has been difficult to have country lanes in suburban development, and he would like to get feedback from West Bountiful Public Works. **Pace** said he would coordinate that. City Engineer **Chad Boshell** could not attend tonight's meeting, but he wants his feedback as well. **Pace** said he was formally the Public Utilities Director in Sandy City and is familiar with this, and there is positive and negatives aspects associated with it. He said he will get back to the City Council about this at a later date.

QUESTIONS OR CONCERNS OF CITY COUNCIL

SPRING CLEAN-UP PROPOSALS

Pace said he has researched how other cities do spring clean-up, including making dumpsters available, doing it curb side, etc. Farmington has already advertised Spring Clean-Up. The City has had Bland Tree Experts do their Spring Clean-Up for 30 years now, and it has been a good relationship. However, Bland has now gone out of business. So, the City has been calling around to other entities to find another company to help out. Robinson Waste said they could do

it for the City, even though there is a short timeline to meet. **Pace** said the City doesn't have time to go through a formal bid process. He feels that Robinson Waste is the best option, since the City already has a contract with them for garbage. It would require \$125 an hour, three drivers, dumpsters, two back hoes, and one front end loader. The City may need to use some City employees, run one crew while Robinson Waste runs another crew, and rent a couple of front end loaders with claws built in. Doing this would mean the Clean-Up could be done in the two-week time frame, perhaps three, and could maybe cost less than the contract the City had in the past. Robinson does Spring Clean-Up for other cities as well. After this year's is done, **Pace** said it will give the City a year to decide what to do next. He said the City may not be able to do it curbside in the future, as it creates problems with storm water and other cities have been fined. He said that even Farmington has an ordinance that prohibits residents from putting dirt or other materials in the street. The City may have to use dumpsters in the future.

Isaacson said he has heard complaints from residents that the Spring Clean-Up comes too early in the year, and they may want to move it out a few weeks. **Cory Brazell** said that Robinson is booked out from March on, and the City can't push it back further this year. He said Spring Clean-Up typically is an average of 140 loads each year, with more participation from residents living on the east side of the City. **Mayor Talbot** said he has received few if any complaints about the waste removal as provided by Robinson, and they know the town. Also, he said many residents have mentioned to him over the years that Spring Clean-Up is a great benefit of living in the City. It also helps diminish fire hazard. He would like to see the service continue. **Pace** said Spring Clean-Up accepts green waste, which is chipped and recycled for mulch. Spring Clean-Up is paid for out of the garbage collection fund.

CLOSED SESSION

Motion:

Wayment made the motion to go into a closed meeting for the purpose of imminent litigation on two issues. **Beus** seconded the motion, which was unanimously approved.

Sworn Statement

I, **Jim Talbot**, Mayor of Farmington City, do hereby affirm that the items discussed in the closed meeting were as stated in the motion to go into closed session and that no other business was conducted while the council was so convened in a closed meeting.

Jim Talbot, Mayor

Motion:

Councilwoman Rebecca Wayment made a motion to reconvene to an open meeting. The motion was seconded by **Councilwoman Amy Shumway**, which was unanimously approved.

REGULAR SESSION

Present: Mayor Jim Talbot; City Manager Shane Pace; City Councilmembers Brett Anderson, Scott Isaacson, Shawn Beus, Amy Shumway, and Rebecca Wayment; City Recorder Holly Gadd; Community Development Director Dave Petersen; City Planner Meagan Booth; and Recording Secretary Deanne Chaston.

CALL TO ORDER:

Mayor **Jim Talbot** called the meeting to order at 7:00 p.m.

Roll Call (Opening Comments/Invocation/Pledge of Allegiance)

Mayor **Jim Talbot** offered the invocation, and the Pledge of Allegiance was led by City Councilwoman **Amy Shumway**.

PUBLIC HEARINGS:

Zoning Ordinance Amendment—Site Plan Expiration

City Planner **Meagan Booth** presented this item. The request is to amend Section 11-7-040 of the Zoning Ordinance to establish a one-year expiration date for site plan approval. The Planning Commission recommended the City Council approve the amendment on January 23, 2020.

Mayor Talbot opened the Public Hearing.

David Kirkham, 1085 N. Compton Road, questioned if the site plan would have to start over in a year, even if certain things are in motion. **Booth** said a 12-month extension on the site plan may be granted if the applicant petitions in writing. However, only one extension of the site plan may be granted. **Mayor Talbot** said the zone would remain. Councilman **Brett Anderson** mentioned that sometimes a zone change is tied to approvals. Community Development Director **Dave Petersen** said conditional zoning is generally frowned on.

Mayor Talbot closed the Public Hearing.

Isaacson suggested a grammatical change: instead of petitions, deliver a petition to the city along with the payment of any applicable fees before the expiration date of the site plan.

Motion:

Isaacson moved to approve the ordinance enacting 11-7-040H of the Zoning Ordinance establishing a one-year expiration date for site plan approval, including Findings for Approval 1 and 2, with the language modified as discussed.

Findings include:

1. No expiration period exists for site plan approval even though the Farmington City Code provides the same for most administrative actions such as subdivision approval, conditional use approval, etc. The proposed zone text change will establish an expiration time limit consistent with similar actions elsewhere in the zoning subdivision ordinances.
2. It is not good practice to allow entitlements to last indefinitely without an applicant obtaining a permit because external conditions and internal ordinances may change over time.

Shumway seconded the motion, which received a unanimous vote.

Zone Text Amendment—Final Planned Unit Development (PUD) Master Plan Approved by the Planning Commission

The request is to amend the text of the zoning ordinance to allow the Planning Commission to approve the Final PUD Master Plan, versus the City Council as part of the Planned Unit Development Process. The Planning Commission recommended the City Council approve the amendment on January 23, 2020.

Petersen said the proposed change would make the Planning Commission the action body for the administrative act of approving the Final PUD Master Plan, and take it off of the City Council's plate. **Mayor Talbot** said it would be nice to give the Planning Commission more authority on approvals.

Mayor Talbot opened the Public Hearing. Nobody signed up to address the Council on the issue. **Mayor Talbot** closed the Public Hearing.

Isaacson asked how different the final approval can be from the preliminary. He doesn't want to see the final approval be too different from what the City Council approved in the preliminary stage. **Petersen** said if it varies more than 10 percent, the applicant has to start all over again. He said he and his Department are comfortable with this ordinance amendment. He said there are more PUD ordinance changes the Department will be recommending in the future, including Transfer of Development Rights (TDR).

Councilman **Brett Anderson** said this amendment does make sense, and the City Council should trust the Planning Commission and City Staff. Once the City Council has approved the preliminary, it is hands off.

Petersen said that in the past, Staff kept the City Council updated on what the Planning Commission was doing by putting a report or memo in the Council packet. It may be good to get back to letting the City Council know what is happening on the Planning Commission level. He said part of the language of the amendment could be that any person who is aggrieved can appeal to the City Manager, and the City Manager can ask for an appeal. **Petersen** also said the language could include that the City Council has the authority to review Planning Commission decisions. **Pace** said it is important that the City Council watch that the Planning Commission is following the ordinance. If they go outside the ordinance with this process, it puts the City in liability. **Mayor Talbot** said it was good in the past when the City Council was apprised of what the Planning Commission was doing, and how they voted on items. It would give him comfort

to have that happen again in the future, and would make for a more cohesive relationship between the City Council and Planning Commission.

Motion:

Beus moved to approve the Ordinance amending section 11-27-100, repeal section 11-27-110 of the Zoning Ordinance, and include Findings for Approval 1, correcting the typo of double A's in Exhibit A as noted earlier by **Isaacson**.

The Finding for Approval included:

1. Consideration of the Preliminary PUD Master Plan is a legislative act and it is that portion of the process where the City Council enacts an overlay zone after receiving a recommendation from the Planning Commission. On the other hand, Final PUD Master plan approval is an administrative act to ensure the Preliminary PUD Master Plan is implemented appropriately, and as such should solely be reviewed by the Planning Commission with the City Council as the appeal authority—this is also consistent with the subdivision process, which often occurs concurrently with the PUD Process.

Wayment seconded the motion, which received a unanimous vote.

SUMMARY ACTION:

Minute Motion Approving Summary Action List

The Council considered the Summary Action List including approval of minutes from January 21, 2020, and February 4, 2020; Surplus Fire Apparatus and Equipment; and Bill of Sale between UTA and Farmington City for the Remaining Tiger Grant Project Improvements (including Station Parkway crosswalk, Clark Lane bike lanes, Frontage Road sidewalk, and 200 West pedestrian signal).

Shumway noted a correction on February 4's City Council Meeting Minutes about Patsy's Mine. **Isaacson** asked about a sentence about the bill of sale coming from UDOT. **Pace** said it was required in order to get the grant.

Motion:

Shumway moved to approve the Summary Action list items as noted in the staff report.

Beus seconded the motion, which was unanimously approved.

GOVERNING BODY REPORTS:

City Manager Report

Pace presented the Building Activity Report for January. He said STACK Development wanted to be on today's agenda to take the City Council on a tour in Lehi and South Jordan to see some transit-oriented developments they have done. However, **Pace** wanted to do it closer to regular City Council hours, and a few of the STACK employees got sick, so it will be rescheduled.

Mayor Talbot said that Farmington fits perfectly with what STACK Development wants to

accomplish. **Pace** mentioned the recent trip the City Council took to Denver, but said the STACK projects in Lehi and South Jordan would be closer to knowing how it would work for Farmington.

Mayor Talbot and City Council Reports

Beus reported on the 2019 Mosquito District Annual report, including an update on West Nile. There were 231 pools in Utah that tested positive, and 90 of those were in Davis County. Of the five deaths in the State of Utah from the virus, two of them were from Davis County.

Beus would like to have some discussion on affordable housing plans, and housing for varied income levels when talking with STACK in the future. He said it may be helpful to have **Mike Plaizier** from the Planning Commission provide feedback to the City Council regarding affordable housing. **Mayor Talbot** said while the City should continue looking at affordable housing, the focus should be on the business park. **Pace** said a better place for affordable housing is near the Front Runner.

Wayment would like to find out how on-street parking is enforced in the winter time. She wanted to know who to talk to if residents need a special exception. **Pace** said the City tries to not write tickets unless there are constant complaints from a neighbor, or the Public Works Department notices that it is a problem. Even then, notice is given so residents have a chance to move before getting a ticket. He said the Police Chief is the best person to speak with about exceptions.

Anderson asked about Ernie Hill's property on Glover's Lane and Sheep Road. A few months back, subdividing the land was approved. However, there is a question on the improvements required, and if it would be required on all sides. **Pace** said **Petersen** had given them the option to only improve in front of the existing home.

Shumway agreed with **Beus** about affordable housing. She said Rose Cove Apartments by Farmington Crossing have caused a lot of problems. The Trails Committee is sponsoring more hikes, with the first one that coming Saturday. She suggested the City Council get a new picture of themselves in the foyer soon. **Mayor Talbot** said it has been difficult for the last several years getting City Council photos done and installed at City Hall. He asked City Recorder **Holly Gadd** to follow up on that.

Pace commented on the swells mentioned by Ivory Homes in the work session. He said in the 1970s, many in the country were building swells. The problem is, they fill in over time, they don't stay a swell, and the homeowners have to go in and dig them out. A perforated pipe with a tree on top only lasts two years before they are full of roots. He said the City Engineer is concerned with the amount of clay soils out there, and is waiting on a soils report for the subdivision. Water will hit the clay and then run into the backyards of residents, causing a swamp in their backyards. **Mayor Talbot** said swells are difficult to mow.

ADJOURNMENT

Motion:

Wayment made a motion to adjourn the meeting. **Shumway** seconded the motion, which was unanimously approved.

Holly Gadd, Recorder

FARMINGTON CITY – CITY COUNCIL MINUTES

MARCH 3, 2020

WORK SESSION

Present: Mayor Jim Talbot; City Manager Shane Pace; City Councilmembers Brett Anderson, Scott Isaacson, Shawn Beus, Amy Shumway, and Rebecca Wayment; City Recorder Holly Gadd; City Parks and Recreation Director Neil Miller; Gym Manager Linda Weeks; Pool Manager Sylvia Clark; Recreation Coordinator Supervisor Brian White; Recreation Coordinator Jeff Sackolwitz; and Arts and Special Events Coordinator Tia Uzelac.

Councilman **Scott Isaacson** offered an invocation. **Mayor Jim Talbot** said it is necessary to raise prices in Parks and Recreation.

Councilwoman **Rebecca Wayment** said the Animal Control Contract with Davis County is a huge increase. She asked if this is the norm going forward, and if the budget is being planned for this to be an ongoing basis. **Mayor Talbot** said it is, as it is a contract. They have been losing money on it every year, and they need to build a new facility. City Manager **Shane Pace** said most facilities have moved away from being a kill facility, and Davis County needs to do the same.

Isaacson said the Zayo Franchise Agreement is a well done agreement, but questioned the indemnity portion. Three clauses don't seem to be consistent with each other. In one clause, the City has to tell them within 10 days of receiving a claim, while another says promptly without identifying the number of days. He would like the City Attorney to review this. He suggested a motion to approve subject to unifying the indemnity clause inconsistencies. **Pace** said that paragraph was discussed during negotiations.

Isaacson said that on the Interlocal Agreement with Weber Basin, he has some changes he will get to **Pace**. He questioned where Exhibit A and B are. He had a hard time identifying where the easement is.

Councilwoman **Amy Shumway** asked what is done with the raccoons that are removed by animal control. **Mayor Talbot** said they are killed.

UPDATE FROM PARKS AND RECREATION ON 2019 PROGRAMS

City Parks and Recreation Director **Neil Miller** introduced the Department. Gym Manager **Linda Weeks** said she was formerly employed as the Utah Recreation and Parks Association (URPA) health and wellness representative for the State. She is passionate about skin safety and the use of sunscreen, including sunscreen dispensing machines. She said daily admission at the Farmington gym has steadily increased over the years. Punch passes are the most popular. Day care has grown tremendously, including 4,000 children. They try to accommodate up to 35 children at a time, open 8:30 a.m. to noon. The children are not fed and their diapers are not changed while they are in the day care facility. Youth volleyball league participation went up tremendously the last few years. Coed volleyball numbers are about the same, after an increase in 2017. Pickleball has grown a lot. One tournament was eliminated because as the sport

continues to grow, other cities are offering tournaments as well. She said Farmington has the only indoor pickleball court in the county.

Pool Manager **Sylvia Clark** said they are looking at increasing admission prices. Swimming lessons went down but are coming back up again. Season passes sold went up in 2018, and down in 2019. Daily usage for the 90-100 days the pool is open is 13,600. Councilman **Brett Anderson** said perhaps the drop in 2019 is because residents feel the pool is overcrowded. **Clark** said she has had complaints about not having enough room for swimming lessons. Daily admission was 15,492 people paid, or 28,000 people that went through the pool in 2019. For pool rentals, they would have had 77 in 2019 if it hadn't have been for some rain out days. For 2020, pool rentals are already booked out with only five slots left. **Miller** said he is thinking of raising pool rental rates from \$400 to \$450, but he will bring that to the City Council in the fall. **Clark** said in recreation, soccer registration was down a bit in 2019 due to staffing changes. They had 38 junior high through high school basketball teams register this year.

Recreation Coordinator Supervisor **Brian White** does a lot of the outdoor sports. He said tackle football numbers have continued to go down, similar to a nationwide trend. Most in Farmington are fifth grade and up. They are working with the high school coach to coordinate the program. They anticipate using the new baseball complex, which will be available in August once the grass is ready for play, **Miller** said. **White** said numbers are up with fall baseball due to affiliation with the Bees. Some softball participants have to play in Kaysville and others in Farmington's South Park. In 2014, Super Sport started as an afterschool program. It has increased in popularity and allows youth to participate in many different sports. For \$25 three hours a day, Tuesday-Thursday, participants get to do three different sports each day. Ski and snowboard participants are bussed to Nordic for lessons, and numbers have stayed about the same. Tennis lessons for youth and adults are available spring, summer and fall. Adaptive programs are for children with special needs including Junior Jazz (43 participants), softball (28 participants, the most ever), and Super Sport. This is one of the only programs like it in the county. People from Brigham City to Provo come to Farmington for this program. Of the 43 adaptive Junior Jazz participants, only 9 are from Farmington, so there is a large percentage from out of the City. The cost is \$26 for residents and \$31 for nonresidents for six weeks of play. **White** would like to keep costs low for these children and their families.

Recreation Coordinator **Jeff Sackolwitz** helps with flag football, which has grown in numbers. They started spring in 2017, and also hold it in the fall. In 2020, there will be a team division. So far in 2020, 10 teams have signed up. They are considering Junior Phoenix reversible jerseys in the future. Camps in the summer at the Community Center are for three hours at a time. They appreciate the new gym for men's and women's basketball, including competition and recreation leagues. Adult coed soccer in the summer has 10-12 teams. The Music in Me program started three years ago. Art Attack art classes have been very popular. Chess Club is a class that started this winter. Track and field used to partner with Kaysville, but is now partnering with the new high school.

Arts and Special Events Coordinator **Tia Uzelac** said arts program numbers were up in 2015, and has come down in 2019. The City offers two youth theaters a year, including a musical and

dinner theater. Lunch with the Mayor is very popular. The Sweethearts Dance and Daddy Daughter Dance are new events. The Easter Egg Hunt, Volunteer Appreciation, Christmas with Santa, Christmas Concert, Letters from Santa, and Festival Days are other events. **Mayor Talbot** said constituents want to see the City Council members there at these events.

Miller, who has worked with the City for 27 years, spoke about parks and cemeteries including: acreage mowed, maintenance for parks and parking lots, number of trees, number of trails maintained, pavilion reservations, fields reserved, 10 different restrooms, burials dug weekly, and Community Arts Center reservations.

REGULAR SESSION

Present: Mayor Jim Talbot; City Manager Shane Pace; City Councilmembers Brett Anderson, Scott Isaacson, Shawn Beus, Amy Shumway, and Rebecca Wayment; City Recorder Holly Gadd; and City Parks and Recreation Director Neil Miller.

CALL TO ORDER:

Mayor **Jim Talbot** called the meeting to order at 7:00 p.m.

Roll Call (Opening Comments/Invocation/Pledge of Allegiance)

Councilman **Shawn Beus** offered the invocation, and the Pledge of Allegiance was led by **Mayor Talbot**.

PRESENTATIONS:

Mayor Talbot said the number of programs provided in Farmington as presented in the work session by the Parks and Recreation Department are incredible. The Youth Council helps with the Easter Egg Hunt, Festival Days, and youth musicals. **Emily Pace** started the Youth City Council years ago. **Deanna Carlisle** also works with **Emily** and is a liaison with the Mayor.

The new Youth City Council Members were introduced and administered the oath of office. The 30 youth on the 2020 Youth City Council include: Erik Baer, Emmaretta Barnett, Brecken Barnson, Corrienne Bice (Mayor), Sadie Bergen, Sterling Freebairn, Livy Hendricks, Jared Jardine, Megan Johnson, Rachel Lee, Katelyn Lemon, Andrew Manwaring, Emma May, Sarah Mceuen, Megan Mille, Avery Nobles, Maggie Paget, Logan Perez, Ethan Peterson, Ian Regis, Lauren Richardson, Zachary Shumway, Judson (JP) Stelter, Thomas Stratford, Taylor Thomas, Walker Tracy, Madeline Wayment, Sophie Wayment, Lauren Weddington, and Catherine "Catie" Wirz. City Recorder **Holly Gadd** administered the oath of office to the youth.

John Anderson, president of the Historic Preservation Commission, presented the new members, including **David Barney** and **Tiffany Ames**. **Ames** lives at 269 W. State Street in the Clark Lane Historic District. Her home was added to the Utah Historic Register, and was built by Annie Clark Tanner as a rental to support her when her husband fled due to the polygamy manifesto. She and her husband renovated it, and added on to the home using an architectural historian. She said she grew up in a Victorian historic home in Bountiful that was hot in the summer and cold in the winter. She grew up with constant renovation her whole life. She loves

the irreplaceable nature of history. She found a mummified cat in the crawl space of her home. **Barney** has lived in the Clark Lane neighborhood for 30 years in a historic home. He has worked to protect and preserve the neighborhood. **Barney** spent months building a website for the Commission, including a map with historic homes noted, pictured, and described. **Mayor Talbot** said he would hate to lose the aging trees in the historic district, as the tree canopy is picturesque. **Anderson** said there are 12 people on the Commission. Councilman **Shawn Beus** is the City Council liaison with the Commission. **Mayor Talbot** said formal ratification or approval from the City Council is not needed, but he wanted to extend his appreciation to the two new members.

PUBLIC HEARINGS:

Resolution Amending the Parks and Recreation Consolidated Fee Schedule

City Parks and Recreation Director **Neil Miller** said they realized there were programs that the Department was charging for that were not included on the fee schedule, so an update was needed. An example is food trucks and Super Sport. **Miller** said employees in his Department mow 126 acres of grass each week. Just this week about 1,300 children were registered for soccer, and about 700 for baseball. Some 28,000 people came to the City pool in 2019. Football fees were increased to cover the costs of uniforms. Baseball was rescheduled as the City is no longer affiliated with the Pony League. Adult programs such as men's and women's basketball are new programs. Super Sport has been around for four years. The volleyball league is new. Costs for renting the new fields is not included yet. Adult league programs still need to be addressed as well.

Mayor Talbot said the City pool is 21 years old, and has needed many repairs over the years. **Isaacson** asked what percentage of the Parks and Recreation budget is covered by the fees charged vs. the general fund. **Miller** said the employee wages are taken out of the general fund. Everything else like uniforms is covered by the fees. The problem with the pool is the capital maintenance. Aside from that, the pool does well.

Mayor Talbot opened the Public Hearing. Nobody signed up to address the Council on the issue. **Mayor Talbot** closed the Public Hearing. He said even at the increased rates, he feels the rates are still too low compared to neighboring cities. **Isaacson** noted that the date was wrong on the resolution, as it says the 18th day of February.

Motion:

Councilman **Brett Anderson** moved to approve the Resolution amending the Consolidated Fee Schedule to include all Parks and Recreation fees, to reflect new and current programs as set forth in the staff report.

Councilwoman **Rebecca Wayment** seconded the motion, which received a unanimous vote.

SUMMARY ACTION:

Minute Motion Approving Summary Action List

Mayor Talbot mentioned that the three attorneys on the City Council have thoroughly reviewed the items on the Summary Action List, and any corrections were noted in the previous work session. The Council considered the Summary Action List with four items including: Animal Control Contract with Davis County; Interlocal Agreement with Weber Basin for the Wasatch Front Regional Pipeline 950 N. Corridor Preservation and Easement; Zayo Franchise Agreement; and surplus aging extrication equipment and fire hose.

Motion:

Councilwoman **Amy Shumway** moved to approve the Summary Action list items as noted in the staff report.

Beus seconded the motion, which was unanimously approved.

GOVERNING BODY REPORTS:

City Manager Report

Pace presented the Monthly Fire Activity Report for January. March 17 is the scheduled tour of Lehi and South Jordan. The City is in the middle of a lot of work as STACK Development recently submitted a project master plan and proposed development agreement. It will require a lot of changes and work considering the agreement on zoning, housing and building heights. It will be a major project in the community. **Mayor Talbot** said it is complicated and would come before the City Council this month.

Mayor Talbot said the Council may not seek to make history, but they will make history with the City's business park. It is on their shoulders to keep the City solvent for the next 50 to 60 years.

Mayor Talbot and City Council Reports

Shumway said coworkers of her husband said they find it confusing when traveling north on what exit to take to go to Station Park. She suggested better signage. She attended the Athena luncheon with the Chamber of Commerce. The woman in charge of Minky Couture was honored, and she tries to keep her employees local rather than overseas. Shmway attended a ribbon cutting for Lakeview Medical at the Utah Cardiology Building. She will forward an email from **Jacob Johnson** to **Pace** to handle.

Isaacson would like uniformity in the business park with a unique feeling and architecture. He also would like signage to help keep the public informed about City events and issues. **Pace** said he and Community Development Director **David Petersen** have been looking at electronic signs at key locations in the community that are low-key to provide information about upcoming City events. **Mayor Talbot** said that would be brought to the City Council in the future.

The Newsletter Committee meets on Thursday, and **Mayor Talbot** said it may be worth writing something about the dog leash laws, as many dogs are on public trails.

Wayment said a bill is proposed to give more rights to the property rights ombudsman office. She is keeping an eye on that, and would like some training on what the City Council is allowed

to do under the law, vs. what they want to do, so that they don't find themselves on the wrong side of the law. This is a big issue as the development of the business park proceeds. **Pace** said the bill is aimed at those elected officials and staff members who would use their position to stop or delay a development that is allowed under law.

Beus said the Historic Preservation Commission would like to do an open house historic walking tour in May. They also want to extend the museum hours to one Saturday a month. A constituent asked some Airbnb questions, and he will refer those to **Petersen**.

ADJOURNMENT

Motion:

Beus made a motion to adjourn the meeting. **Shumway** seconded the motion, which was unanimously approved.

Holly Gadd, Recorder

FARMINGTON CITY – CITY COUNCIL WORKSESSION MINUTES

APRIL 7, 2020

WORK SESSION

Present: Mayor Jim Talbot; City Manager Shane Pace; City Councilmembers Brett Anderson, Scott Isaacson, Shawn Beus, Amy Shumway, and Rebecca Wayment; City Recorder Holly Gadd; Finance Director Greg Davis; City Parks and Recreation Director Neil Miller; and Planning and GIS Specialist Shannon Hansell.

COVID-10 ISSUES

The work session was held to consider a Covid-19 issues and the City's response.

CALL TO ORDER:

Mayor **Jim Talbot** called the work session to order at 7:00 p.m.

Mayor Jim Talbot said the world as we knew it is not the same now, as we are all going through some interesting times that we hope not to repeat again in our lifetimes. He, City Recorder **Holly Gadd**, and City Manager **Shane Pace** are all physically attending the meeting at City Hall, although they were 10 to 12 feet apart. Also, Finance Director **Greg Davis** and Planning and GIS Specialist **Shannon Hansell** were also physically attending in the audience area of City Hall. All others attended electronically. **Mayor Talbot** said this is the maiden voyage to see how public meetings can work over the Internet. He hopes to get back to business as normal as soon as possible, but in the meantime wanted to give the City Council an update of issues and concerns dealing with the Covid-19 pandemic. He has been in multiple Zoom meetings every day trying to keep informed of the evolving situation. He encouraged the City Council members to keep informed of the issues in order to keep residents updated.

City Manager **Shane Pace** presented a summary of the steps taken, and reviewed what needs to happen in the next few weeks.

Summary of what steps the City has taken

1. What is closed

The Gym, Community Center, Police and Fire Stations, playgrounds, pickleball courts, and basketball courts have been closed. **Pace** said that while communicating with the County Health Department and other cities, **Mayor Talbot** has been good at emphasizing that all the cities be consistent.

2. What is still open or partially open

At City Hall and Parks and Recreation, the doors are closed but people can call, make appointments, or drop things such as plans off. Building inspection appointment can be made, and building permits can be issued. City Staff are encouraging patrons to access Internet services first before in-person appointments are made.

3. What services are shut down

All recreation programs and arts programs, tours of police and fire buildings, Youth City Council, and some non-essential police responses (such as unlocking vehicles) have been shut down to minimize the interaction with the public. The Easter Egg Hunt has also been canceled.

4. What services continue

Services that are continuing include: essential police and fire response; weekly garbage pick-up; spring clean-up; planning and zoning; building permits and inspections; cemetery plots and burials; city park maintenance; utility billing; accounts receivable and accounts payable; budget preparation; and dissemination of information to City residents.

Pace said the spring clean-up had been completed before the pandemic hit, and it had gone well. The City had to scramble last minute this year when they found out their regular contractor had decided to stop his business. They cooperated with Robins Waste to step in this year. Planning and Zoning, building permits, and building inspections have been very busy lately. A lot of contractors and developers are trying to get things wrapped up, as they were worried that those services would be shut down by the County or the State. Building inspectors are wearing masks, asking groups to disperse before inspections are conducted, and requesting contractors make it safe for inspectors. Grave dedications are very brief with immediate family members only. Maintenance of City parks have ramped up, with recreation employees helping out, which made it necessary to have to hire only one temporary seasonal employee. Water services are not being shut off for lack of payment and no fines or penalties are being issued during the pandemic. However, utility billing will continue to accrue to be paid in full after things return to normal operations.

Finance Director **Greg Davis** is working heavily on the budget, as he has a month before bringing a tentative budget to the City Council. **Pace** said looking at revenues, it is hard to estimate the effect the pandemic has had on the City budget. Estimates put it at least at a 20 percent loss in sales tax revenue in the existing and upcoming budget. Councilwoman **Amy Shumway** asked if the City was keeping track of costs that have increased due to the pandemic, so that numbers can be reported back to measure the impact of the virus. **Pace** said he has advised all departments to do that, including reporting increased hours part-time employees have had to put in. He said he doesn't know if the State will provide municipalities with some of the federal money they are receiving. He said despite the increased costs attributable to the pandemic, the City is also saving money. In fact, the City is saving more overall than costs are increasing. However, there will be an attempt to recoup costs through federal funds.

Councilman **Scott Isaacson** asked if the City was freezing all discretionary spending. **Pace** said all City departments have been told to limit their discretionary spending. The Police Chief is not replacing two outgoing employees until at least July. There have been some increased costs associated with the virus such as gloves, face masks, and computer system upgrades necessary to run better and more efficiently. Those upgrades have made tonight's electronic meeting possible. Fuel costs have increased because instead of taking City vehicles to Public Works at the end of the day, employees are instead taking the vehicles home. This has made it so

employees are not congregating at Public Works to pick up their vehicles at the beginning of the day.

Councilwoman **Rebecca Wayment** asked if City employees—such as inspectors, those in Planning and Zoning, and those in the Water Department—are wearing protective gear if they are going in people’s homes or going in the public. She wants to make sure they are safe. **Pace** said face masks have been distributed to all departments, and building inspectors have been given gloves to change out routinely between jobs. Police and fire have very specific protocols they are following to stay safe. He said we don’t want to lose our police and fire employees to mandatory quarantines because they have been exposed to the virus, and we don’t want to lose them because of lack of personal protective equipment.

Mayor Talbot asked City Council members to be aware of the people who are out and around and be prepared to have answers for them. City employees will still be out mowing lawns and keeping the City parks up and going so residents can use them. He wants City Council members to be aware of the City’s response to the pandemic so they can inform residents. **Pace** said the worst thing the City could do right now is not maintain parks, as it would damage infrastructure and prove more expensive to retain it back to the state it was in to begin with. Because residents can’t go to gyms and they don’t feel safe walking on the streets, more and more are walking the trails in the City. **Pace** said information is being disseminated to residents through the City website, facebook and email. Using the email addresses in the utility billing system, a letter from the mayor to residents was sent to about 2,500 email addresses.

Steps taken with City employees

Pace said most non-critical employees are working from home. However, police, fire and public works employees are out in the field every day. He said it has been a priority that the main City phone lines are being answered by a live person, even if the person answering that phone is answering from home. Employees are forwarding their work phone to their cell phones and answering emails. A skeleton crew has remained at City Hall and at Parks and Recreation. Those coming to work are on staggered shifts to minimize the number of people in the building.

Any employees who are compromised by age or health issues are not at work or are responding to serious calls only. Some fire crew members are not sleeping at the station, but instead sleeping at their homes and responding from their home in a separate vehicle.

Some employees not working full shifts will be paid for full-time work, **Pace** said, because the City would like to retain employees over the next six weeks. He said it would be more expensive to do a reduction in force and try to recruit those employees back afterward. He said employees working from home are doing a good job working from home, as they respond to calls and emails immediately. He would like to show those employees some loyalty.

Pace said a policy entitled “Guidelines for Employees Associated with the Coronavirus” was developed last week, was sent out to departments, is in use, and now employees know the procedures. He said the City wants employees to be careful if they are not feeling well, avoid

coming to work if they are running a fever, seek testing if they or a family member has symptoms, stay home until symptoms go away, etc.

A Leave Request Form has been drafted for employees to request paid emergency leave and enhanced FMLA protections based on the Families First Bill. The City Attorney reviewed the form. Leaves of absence can be for personal sick leave; emergency sick leave; personal vacation; or FMLA. Sick leave is two weeks at full pay or two-thirds of regular pay if the employee is caring for a family member who has been subject to quarantine, or if the employee has a child whose school has closed. FMLA is 12 weeks at two-thirds regular pay. **Pace** said many other cities have called for a copy of Farmington's form. While the City hasn't had an employee submit a form yet, they anticipate its use in coming weeks.

Shumway asked if the City was eligible for the Paycheck Protection Plan through the federal government. **Pace** said municipalities do not qualify for that, as they will get stimulus money from the State. Councilman **Shawn Beus** said it is good to retain employees at this time, as it is a wise investment in the long run that will save future training costs.

Future actions and concerns

1. Community involvement

Since all Parks and Recreation activities have been cancelled, City Parks and Recreation Director **Neil Miller** is proposing alternate activities for City residents. He wanted the City Council's input on them. They can be run through social media to enhance social interaction and community perspective. He said the public needs some diversion while they are staying home, because people are reaching burn out. The prizes would be paid for through the Mayor's account. **Mayor Talbot** mentioned that depending on how long the quarantine lasts, there could be a regular spot in the newsletter to announce winners.

- a. Sidewalk Chalk Paintings. This has already been kicked off on social media and using a text list with numbers gleaned from recreation sports. The City gave out 78 boxes of sidewalk chalk and has had good participation. After two weeks, the Parks and Recreation Department will judge pictures of the sidewalk chalk are that are sent in to them. **Wayment** would like to see the winners highlighted somehow. **Miller** said winners could be posted on the City website, newsletter, facebook, Instagram, email, etc.
- b. Farmington Photo Contest. This would be a weekly photo contest to encourage people to document this time, have fun, and get creative. It would run as three weekly contests, followed by one grand prize contest winner on week 4. The photos must be taken during quarantine and with immediate family members, with no purchasing of props.
- c. Stay at Home Roadshow. A 10 to 15 minute video must be shot on the property where they are quarantining, with their quarantine crew, uploaded to Youtube, and judged by the Park and Recreation Staff at the end of a three to four-week period. **Mayor Talbot** liked this idea. **Shumway** said this would be a safe activity that could be done during quarantine and something she would like to do with her own family. **Wayment** agreed.
- d. Get Out and Hike. Of the City's 12 trails, they are encouraging residents to hike either Fab Five or Magnificent Seven City Trails between April 1 and May 3. Prizes will be

awarded for those who complete the challenge. **Shumway** had some corrections on the flyer **Miller** prepared, which she will provide to him. Also, she suggested that a link to the Farmington Trails website be provided for trail details and maps. **Miller** also mentioned that the Trails Committee gives out patches based on the number of miles hiked, and he would like to coordinate with them. **Mayor Talbot** asked **Shumway**, as the Council's liaison to the Trails Committee, to keep an eye on this and report back. **Wayment** thought it was a good idea to implement this during the quarantine.

- e. Farmington History Audio Car Tour. This would be a recorded audio tour to be adapted from a walking tour the Historic Preservation Commission has already produced. **Isaacson** questioned if this is a good idea because it would encourage people to leave their homes. **Shumway** said with this and the scavenger hunt, the City could emphasize the rule that participants must stay in their car even when scanning QR codes or taking pictures. **Wayment** suggested for both this and the scavenger hunt, that the City first get permission from property owners or individuals whose property this may affect. The City should encourage people to stay in their cars and not wander or impede property. She said it would be a great way to highlight hidden gems in the city that people are not aware of like Woodland Park and the cemetery. **Miller** said he would like to involve the Historical Preservation Commission. Councilman **Shawn Beus** said it would be nice to flesh it out later so that a video including an internal tour or more in depth history could be included on each historical site. **Shumway** agreed, saying a walking tour with QR codes on a plaque in front of historic homes would be a good idea.
- f. The Great Farmington Scavenger Hunt. This would be a weekly scavenger hunt on Tuesdays and Thursdays for random QR codes placed around the City. **Isaacson** also questioned if this is a good idea because it would encourage people to leave their homes. **Mayor Talbot** said other cities such as North Salt Lake and Woods Cross are doing a scavenger hunt, and perhaps Farmington could wait for feedback from those cities to see if it is worth doing, then do Farmington's after restrictions loosen in the future. **Pace** saw a concern on social media regarding an Orem scavenger hunt where residents kept showing up in someone's front yard.

2. Enforcement of County Health Order on staying home (unofficial gatherings)

Pace said that once playgrounds and basketball courts were closed, and the pickleball nets went down, there has been good cooperation with the public to comply with County Health orders. Community involvement such as the items **Miller** listed could help enhance social interaction and community perspective. However, there is still a need to continue discouraging unofficial gatherings. The Parks and Recreation Department has been patrolling parks to make sure compliance is occurring. If they see a gathering, they have been asked to disperse. If cooperation is not achieved, the Police Department is ready and willing to help out. However, the City hasn't had many situations of this.

3. Finalize an Official Disaster Declaration

After consulting with the City Attorney, **Pace** said he felt it was a good idea to have an Official Disaster Declaration requiring the mayor's signature ready to go just in case. **Mayor Talbot** has

been discussing the issue with other mayors in the county about the need to officially declare a state of emergency. It may be needed to obtain federal funds in the future. So far it has not been needed, but **Pace** wanted the City Council to read the prepared draft in case it does become necessary in the future. **Mayor Talbot** said he understood that when Davis County made their declaration, that it trickled down to all the cities.

Councilman **Beus** asked if the City should close the tennis courts. **Mayor Talbot** said they have been monitored, but he has not seen the need to shut them down yet. However, he will check with other neighboring cities to see if they have shut down their tennis courts. It would be a good idea to be consistent with neighboring sister cities.

GOVERNING BODY REPORTS:

Mayor Talbot and City Council Reports

Mayor Talbot asked City Council members to report on their committee assignments over the last four weeks. **Isaacson** said the photo of the Youth Council looked good in the newsletter, but had nothing else to report.

Shumway said the Trails Committee had canceled their meeting and social hike. She has been attending many Chamber of Commerce Zoom meetings about financial assistance for area businesses. She also asked about the landfill being closed.

She has heard that there has been a dramatic increase in the number of trucks going down Sheep Road with full trucks and then coming back with empty trucks. She wondered if the City should make a large dumpster available at City Hall. **Mayor Talbot** said this has been a health issue decided on by County Commissioner **Bob Stevenson** and Wasatch Integrated Waste for the safety of their employees. **Mayor Talbot** said he would follow up with **Stevenson**. **Pace** said he hasn't received complaints from residents yet, but probably because the City just barely finished spring clean-up. He thinks the landfill may change their stance by Friday. **Wayment** said the City should make a conscious effort to remind residents of the extra garbage day on April 18. **Shumway** added that the extra garbage day should be posted on Facebook.

Beus said he had a procedural question regarding the Historic Preservation Committee that he will email to **Pace**.

Wayment said she was disappointed that the Utah League of Cities and Towns event in St. George had been canceled, especially after all Council members had committed to attend.

Mayor Talbot said he hoped all could attend next year, or during a fall event in Salt Lake City. He said was going to the first time in seven years that the entire Council would attend the event.

Mayor Talbot encouraged City Council members and residents to consult reliable Covid-19 data, the best of which could be found on the Davis County Health Department website. He also asked that Council members go through the **Mayor** and **Pace** with questions first before going to department heads, because they are busy handling employees at the moment.

CLOSED SESSION

Motion:

Councilman Brett Anderson made the motion to go into a closed meeting for the purpose of real estate transactions (strategy on lease options), and the character and competence of individuals. **Councilman Beus** seconded the motion, which was unanimously approved.

Sworn Statement

I. **Jim Talbot**, Mayor of Farmington City, do hereby affirm that the items discussed in the closed meeting were as stated in the motion to go into closed session and that no other business was conducted while the council was so convened in a closed meeting.

Jim Talbot, Mayor

Motion:

Brett Anderson made a motion to reconvene to an open meeting. The motion was seconded by **Shawn Beus**, which was unanimously approved.

ADJOURNMENT

Motion:

Scott Isaacson made a motion to adjourn the meeting. **Shawn Beus** seconded the motion, which was unanimously approved.

Holly Gadd, Recorder

FARMINGTON CITY – CITY COUNCIL MINUTES

APRIL 14, 2020

WORK SESSION

Present: City Manager Shane Pace; City Councilmembers Brett Anderson, Scott Isaacson, Shawn Beus, Amy Shumway, and Rebecca Wayment; City Recorder Holly Gadd; Community Development Director Dave Petersen; Finance Director Greg Davis; City Engineer Chad Boshell; City Water Superintendent Larry Famuliner; and Recording Secretary Deanne Chaston.

The work session was held to discuss concerns the City Council may have on agenda items, the water rate study, and paramedic services.

WATER RATE STUDY

Finance Director **Greg Davis** presented the Water Rate Study prepared by Zions. The study used a revenue sufficiency model approach with funding all expenses in operating and capital, rates covering annual expenses including sufficient debt service resources, keeping 180 days' worth of cash for operations in the water utility fund, and water utility fund assets. Because the City is responsible for those valuable assets found under the streets, the City needs to be financially sound in their water fund. The study took into account current conditions in the water fund including inflation costs and increased operational expenses, considering regular ongoing funding sources and one-time sources.

City water rates have two components: a base rate and usage rate, both of which have not changed since 2010. Costs include staffing (including on-call positions), well operation, and outstanding debt, although the City currently does not have any debt. To address capital projects, the city could bond. The study included a list of capital projects needed to keep the existing service going as well as address future usages. The starting cash balance is \$1.5 million, or 298 days' worth of cash on hand, while the modeling is keeping 180 days' cash on hand. It is the City's policy decision on what level of cash on hand to maintain.

The Zions study looked at four different rate scenarios that would keep the City's water fund afloat in the coming years:

Option 1-An increase of \$18.25 per month to come to a \$34 monthly rate.

Option 2-A 10 percent increase in 2021, followed by an annual increase of 3 percent through 2026. This would include a \$4 million bond in 2021 and a \$4.75 million bond in 2024 to maintain financial stability.

Option 3-A 10 percent immediate increase in 2021, followed by an annual increase of 10 percent in later years.

Option 4-Bond issues in 2021 and 2024, with a 5 percent up front in 2021, another 5 percent increase in 2022, followed by an annual increase of 3 percent through 2026.

Option 5-With the current Coronavirus pandemic, City administration considered a fifth option that eased off of Option 4's rate increases in the first year. Instead of a 5 percent increase in the first year, the administration proposed a 3 percent increase in the first year. **Davis** said a 2 to 3 percent annual increase is needed just to keep pace with inflation and operating costs, and is not putting the city in a better situation overall. Bonds address capital outlay projects, not operating costs, spreading the cost out over several years.

Councilman **Scott Isaacson** asked about the added expenses for bonding, and how necessary the projects on the capital projects list are. Many seemed to be significant, and he wanted the burden to be shifted to commercial water users instead of residential residents of the City.

Davis said the bonding process will have some costs of issuance that don't increase in the same proportion as the amount the City is bonding. For example, \$75,000 would be the cost of issuance for a bond, with an annual bond payment of between \$161,000 to \$327,000, which is 2.5 to 3 percent. City Manager **Shane Pace** noted that current rates are lower than 2 percent. **Davis** said with favorable interest rates and the concern about construction costs going up, the school of thought is to get going on construction. He noted that construction costs are rising at a rate higher than what it is costing the City, so it would be better to move forward with construction projects than wait while building up cash. He said that the list of capital projects applies to the business park area of the City.

City Engineer **Chad Boshell** said the City is currently working on the capital facilities plan, hiring JUB Engineers to model the City's system. The CRS Engineers work done previously was accurate and on par with growth. He said he is comfortable with the infrastructure the City has put in in the past, as well as with where the City is headed. Some water projects, especially in the old part of town, are undersized and old, with 4 inch water lines servicing the area. Other projects are related to growth such as the business park with a 10 inch loop. The upsize and loop in the 300 acres are needed, as the City has only three crossing under Interstate 15 and needs flow capacity from east to west in order to maintain fire flow capacities. A negative pressure can crush the pipes. A fourth crossing is vital even without growth, he said. The I-15 crossing project is major, as it crosses gas lines, the Union Pacific, county wetlands, etc.

Pace noted that the growth-related costs could be addressed through impact fees. City Staff is planning to bring the impact fee issue to the City Council in the future.

Councilman **Brett Anderson** noted that the base rate and usage rate could be increased at different levels. Increasing the usage rate may motivate residents to conserve water.

City Water Superintendent **Larry Famuliner** said there are State requirements the City will need to meet in the future. The City currently has three to four tiers of an overage rate. These could be increased 5 percent annually to encourage conservation while keeping the base rate even smaller.

Pace said that in his past experience in Sandy, increasing water rates 6.5 percent for 10 years resulted in a concerted conservation effort while revenues still went as high as was needed.

Mayor **Jim Talbot** wanted to stress that new water capital projects are not needed just for the business park, but that the City is behind in the water rate increases they should have been doing to also update water infrastructure in the old part of town, as well as to help water flow into the west part of town.

Famuliner said that water infrastructure on Main Street is 100 years old. As time goes on, the City is having more problems with the undersized pipes of 4 to 6 inches in diameter. The size is often choked down to half due to corrosion and mineral deposits. He said it is way past time to change them out. **Pace** said 4 inch pipe does not work well today. The demand is too high, making them overworked and more susceptible to damage.

Isaacson said he hates to raise rates on citizens unless necessary, but he doesn't feel going from \$18.25 to \$20 a month is asking too much. He hopes the rate increase can be explained to residents so they can be properly educated about the facts. If the City can secure a bond with a good rate, they should do so. **Mayor Talbot** said he thinks citizens will be fine with a price increase meant to keep water and wells clean. Councilwoman **Rebecca Wayment** said her monthly water bill is always in the overage rates, even when her household has tried to figure out why. She doesn't think the residents will have a problem with an increase of a dollar or two on the base rate. **Anderson** said it is a disservice to future councilmembers to have to force a large future rate increase down the throats of residents.

Pace said after discussing the issue with City Staff, he thought it is better to do regular, ongoing inflationary increases instead of none for a while, followed by a large increase. Large increases cause residents to lose trust in City government. He saw this in Sandy with the fluoride issue it recently grappled with. Water is something people tend to ignore until something goes wrong, **Pace** said. It is important to keep the system in good shape, along with maintaining adequate staffing to regularly inspect and test the system. He worries that not having an increase in 10 years has stressed the City's water system.

Councilwoman **Amy Shumway** asked how the City will pay for the bond issuance and payments. **Pace** answered that the general fund is not used for this, but that water rates and water impact fees would.

PARAMEDIC SERVICES

Pace said along with city managers and fire chiefs from other municipalities, he has been working for nine months on the idea of transferring paramedic services from the Sheriff Department to the municipalities, including Farmington, Kaysville and Fruit Heights sharing joint paramedic services. Davis County Commissioner Randy Elliott has been involved as well. **Pace** said the paramedic services for the cooperating cities could be handled through the two existing Farmington and Kaysville fire stations. He thinks it is a good idea, and numbers are being developed to take back to a subcommittee. In addition, Farmington, Kaysville and Fruit Heights may want to also join fire and EMT departments to create a tri-city department or district that may become known as Central Davis Fire Department. Fruit Heights does not have their own fire department, and Kaysville is currently providing this service for them. As there are advantages and disadvantages to creating joint paramedic services and tri-city fire/EMT

department, **Pace** said he is asking for feedback from the elected officials. So far the staff and city managers of the other two cities are open to it.

Councilman **Anderson** asked what the Fire Chief thinks about it. He said that he is worried that as things are spread out, one city may lose control.

Pace agreed that the loss of control is an issue that must be considered. One way other cooperatives have mitigated that is to have two boards: an administrative board and an elective board. He said he has seen such a loss of control in Salt Lake County, where the fire services were able to assess taxes without input from the participating cities.

Pace said advantages include staffing. Kaysville's staffing is a bit larger than Farmington's. However, combining them would allow more flexibility and keep shift slots full. Another advantage is coverage with a lot more fluidity. The closest paramedic service would respond to a call, regardless of what city the call originated from. Funding is a third advantage. For example, both Kaysville and Farmington have been discussing the need for a second station on the west side. Now, there may be a possibility that there would only have to be one west side station between the two cities, on the northwest part of Farmington and the southwest part of Kaysville. This would result in an infrastructure cost savings. Also, there would be more equipment between the two stations, allowing for valuable backup equipment.

Councilwoman **Shunway** asked if it was possible to try a test run of it for a year before committing beyond that. **Pace** said that is what is intended: to try it with paramedic services first before a decision is made for fire and EMT services. Councilwoman **Wayment** asked how the other cities are feeling about this. **Pace** said all three cities want to try. They got good feedback from South Davis Metro Fire, one entity serving 90,000 to 95,000 people from four stations. South Davis Metro Fire is made up of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross, and unincorporated South Davis City. **Pace** said that it took South Davis Metro eight years to function the way it does today; they took it one step at a time and didn't rush it. He said the fire chief would rather report to one board, not two boards, both legislative and administrative.

Councilman **Shawn Beus** it would be worth pursuing because it is fiscally responsible. Councilman **Anderson** said Farmington has put a lot of money into its equipment, and he wants to make sure that cost is equalized so Farmington tax payers don't bear the burden for the entire newly formed department. **Pace** said that is an issue that South Davis Metro had to deal with as well. He said Kaysville has as much or more equipment than Farmington does, and their equipment is much newer. **Isaacson** said there should be an evaluation of equipment going in to try to equalize it going forward. He said cost savings and efficiencies are a factor, including the avoidance of the duplication of services. He wants to see a spreadsheet of possible savings. **Pace** said that **Mayor Talbot** had shared some of his concerns, which had to do with the loss of control and tradition. Farmington has had a tradition since 1903 of a volunteer force until 10 years ago. Kaysville has similar traditions.

REGULAR SESSION

Present: Mayor Jim Talbot; City Manager Shane Pace; City Councilmembers Brett Anderson, Scott Isaacson, Shawn Beus, Amy Shumway, and Rebecca Wayment; City Recorder Holly Gadd; Community Development Director Dave Petersen; City Planner Meagan Booth; City Attorney Todd Godfrey; Planning and GIS Specialist Shannon Hansell; Recording Secretary Deanne Chaston; and applicants Greg Gardner; Jim, Jeanne and Hyrum Bosserman; Guy Haskell; and Taylor Spendlove.

CALL TO ORDER:

Mayor **Jim Talbot** called the meeting to order at 7:00 p.m. He said it has been an undertaking to hold these meetings electronically. It has had its challenges, and he appreciates IT Administrator **Dennis Allen** and City Recorder **Holly Gadd** for helping in this regard.

Roll Call (Opening Comments/Invocation/Pledge of Allegiance)

Councilwoman **Rebecca Wayment** offered the invocation virtually, and the Pledge of Allegiance was led by City Manager **Shane Pace**.

PUBLIC HEARINGS:

Sydney's Corner Subdivision Phase 2 Schematic Plan

City Planner **Meagan Booth** presented this item. **Gadd** said no public had submitted comment on this item.

Applicant **Guy Haskell** is requesting schematic plan approval for four lots on 0.94 acres of property located on the southwest corner of 650 West and Glovers Lane to create Sydney's Corner Phase 2 Subdivision. The property is zoned Agriculture Estates (AE). The subdivision is planned to mirror the Sydney's Corner Subdivision across the street to the east. The minimum lot size for a conventional subdivision in the AE zone is 1 acre. Therefore, the applicant is entitled to his one (nonconforming) lot. However, an existing dilapidated home exists onsite and the land may be blighted. In an effort to clean up the property to benefit the community, the applicant is requesting three additional lots via a Transfer of Development Rights (TDR) transaction to make his deal work with the property owner. The concept of such TDRs being used for blight rather than open space may only be approved by the Planning Commission as a special exception. If approved as such by the Planning Commission, the TDR transaction is subject to the review and approval by the City Council, by agreement and at the sole discretion of the City Council. The proposed average lot size for the project is 0.22 acres (or 9,583.2 square feet), which also requires a special exception because each lot is less than the minimum alternative lot size of 12,000 square feet as set forth in the AE Zone.

On March 5, 2020, the Planning Commission recommended that the City Council approve the schematic plan for the subdivision. The Commission also approved a special exception for the TDR lots because of blight, subject to approval by the City Council. The City Council previously approved an identical request for the Sydney's Corner Subdivision Phase 1 across the street on the east side of 650 West, which included three TDR lots for the purpose of removing

blight. The Planning Commission also approved a special exception for the smaller lots size during their March 5, 2020, meeting.

Mayor Talbot said Sydney's Corner Subdivision Phase 1 is better than what was there before, and it is nice to have that corner all taken care of. Councilwoman **Amy Shumway** asked what the TDRs would go towards in the future. **Mayor Talbot** said the City Council has struggled with doing TDRs to the point that the former Council did not even want to do it anymore.

Community Development Director **Dave Petersen** said the City's TDR bank is the land meant for parks, and it doesn't make sense to sell lots the City has to help clean up blight. While he knows the Council may like the schematic plan in concept, he would like to see if there is a way to allow an exception in order to clean up blight. In the past, the City instituted demolition by neglect. When people take advantage of this to "reward" neglect, it is a violation of the ordinance. Blight is similar. He would like to see an incentive to clean up blight, although the City does not have very many areas that are blighted. It is easy to meet requirements to set up a Redevelopment Agency, at the discretion of the Council.

Councilwoman **Rebecca Wayment** said the City Council can't change the definition of blight, as it is defined by state ordinance. There is a difference between neglect and blight. She said she likes Sydney's Corner Subdivision Phase 1 across the street.

Guy Haskell, the applicant, said when the property became available, he made an offer on it based on the City Council giving approval for four lots. He said the lots as designed in Phase 2 are slightly larger than those in Phase 1.

Mayor Talbot opened the Public Hearing. Nobody signed up to address the Council on the issue. The deadline for public comment was today at noon. **Mayor Talbot** said the City Attorney is confident in how the City is calling for public comment while the City Council meetings are being conducted online during the pandemic. **Mayor Talbot** closed the Public Hearing.

Councilman **Anderson** said he and Councilwoman **Wayment** were both on the council when they developed Phase 1 across the street. At the time, he recused himself because the developer was a client of his. He has been in the neglected/blighted home in Phase 1 several times, and it certainly qualified as blight due to the number of semi trucks full of garbage that were hauled off from there and shovels full of cat feces that were inside the front room of the home. That was part of the consideration the past Council wrestled with when they decided to grant the TDRs. He said the house in Phase 2 is not as bad as that in Phase 1. It has been uninhabited for two years, since the Sanchez family moved. However, it would look nice to have something similar to the row of houses in the development of Phase 1 on the other corner. **Anderson** said a row of four on each side would look great.

Petersen said the City building official could assess if the home is blighted or not. Councilman **Scott Isaacson** said he has seen the house in question, which is certainly run down, but blight is hard to define. **Booth** mentioned that one of the conditions is that a blight study is performed. Councilwoman **Amy Shumway** said she would like to have the building official assess the home

for blight. Councilwoman **Wayment** said she liked the suggestion of the building official assessing the home as well. She said she has heartburn giving away TDRs when it doesn't make sense and would like another mechanism to use to be able to give the developer what he is looking for. She would like to have the property cleaned up and work with the developer, but doesn't think doing it through blight is the proper way to do it.

Pace asked if the City Council could approve the schematic plan and then have the applicant come back for a traditional rezone. **Isaacson** said he was going to suggest a rezone as well. **Petersen** said it would be just as quick to change from a TDR to an incentive to clean up blight using a modification to city ordinances. **Petersen** said a rezone would be inconsistent with the City's General Plan, which is used as a guide. Therefore it would be considered spot zoning. Mayor **Talbot** said the City tries not to do spot zoning. Councilman **Anderson** said the City pays allegiance to the General Plan, including with the development just to the north. We go to the General Plan as doctrine, he said, and to ignore it when they don't like it is wishy-washy. As far as Phase 1, the city got a benefit for the TDR transfer, which was to have blight removed. For Phase 2 in question, he would like to see the City get something for granting additional building lots, not just let it go.

Approving the schematic plan at this point does not give vesting, **Petersen** said. The applicant wants something in concept for a jumping off point to reduce his uncertainty. **Isaacson** said he hates making exceptions, but this is an appropriate place to consider it.

Motion:

Isaacson moved that the City Council approve the schematic plan for the Sydney's Corner Phase 2 Subdivision subject to all applicable Farmington City development standards and Findings for Approval 1-5. He also included conditions that the building inspector inspect the property and provide the Council with a report, and that City staff explore a mechanism other than the TDR.

Findings for Approval include:

1. The City will receive compensation for at least one of the additional lots in the form of a TDR transaction through cash payment or some other mechanism.
2. All lots front an existing fully improved public Right of Way (650 West and Glover Lane).
3. The development mirrors the development across the street and is consistent with the General Plan, which development the City also approved three TDR lots to help clean up blight.
4. The subdivision will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.
5. The parcel size is comparable to the existing Sydney's Corner Subdivision.

Councilman **Shawn Beus** seconded the motion. Councilwoman **Wayment** cast the only nay vote, which she amended to an aye vote later on in the meeting. Councilman **Anderson** cast an aye vote "for now," he said.

Gardner Conservation Easement Amendment Request

Community Development Director **David Petersen** presented. The subject property, which is unplatted, was set aside as open space in conjunction with the Farmington Ranches development. It is not owned by the Homeowner's Association, but was retained in private ownership. Farmington Ranches Phase 8 wraps around the southern half. The Conservation Easement encompasses 26.28 acres of open space property at approximately 375 South 1875 West so the land can be set aside for pasture and agricultural uses. Conservation Easements exist in perpetuity and are intended to provide permanent protection and preservation of the encumbered property, and may be amended under only a few conditions. Applicant **Greg Gardner** has asked to build a barn in the southwest corner. **Petersen** recommended a simple amendment of the easement with a few recitals, allowing accessory buildings with flexible setbacks in the southwest corner. He said it would limit accessory buildings in all other areas but that one corner, leaving the bulk of the property as open space for crops and animals. It wouldn't be able to be divided into residential lots. The proposed building meets the building height ordinance of 25 feet.

Councilman **Anderson** asked if this could have unintended consequences for other Conservations Easements within the City. **Pace** said Conservation Easements already allow for such a use as **Gardner** is asking for. For example, the Buffalo Ranches Subdivision has horses and barns in an agricultural setting. City Attorney **Todd Godfrey** said there are always concerns when a perpetual easement is amended, as retention of the character and use of the property is important. **Mayor Talbot** said he is nervous to amendment, as Conservation Easements are really special in the City. He wants the City Council to be very comfortable with their decision.

Applicant **Greg Gardner**, 1955 East Laird Drive, Salt Lake City, said he works for the Boyer Company, a real estate development company, and can understand why some may have underlying concerns about his plans with the property. However, he bought the land as an individual and it is in his individual trust. He was a former resident of Farmington before relocating to Salt Lake City. However, he bought the property in question because he needs a place for his horses. He has built a three rail cedar fence on the trail on the south, and rebuilt most of all the other fences around the property. He wants to build a barn to store equipment, hay, and tack. He wants to restore the soil, which may take a couple of years. He has grandchildren nearby and wants this to be a conservation piece with nice pastures fenced off, so the neighbors will look at it as an amenity.

Mayor Talbot opened the Public Hearing. Nobody signed up to address the Council on the issue. **Mayor Talbot** closed the Public Hearing.

Councilwoman **Wayment** said a barn would be a nice addition to the area, and she is thrilled someone is willing to fix this property up to be a more appealing neighborhood amenity. Councilman **Beus**, who lives in Farmington Ranches, said this is near his home and he would love to see something done about goat heads on the trails there. He suggested implementing Farmington rock in the design of the barn. Applicant **Greg Gardner** said it would expensive to add that, and may look at a wainscoting piece on the front of the barn. Councilwoman

Shumway, who has been on the trail committee, says that even though the trails are sprayed annually, goat heads are eliminated when hay is grown in the area, as goat heads don't like water and only grow in extreme dryness.

Councilman **Beus** moved that the City Council approve the first amendment to the conservation easement document, which will provide a use map for the Conservation Easement. The easement encompasses 26.28 acres of property and is located at approximately 375 South 1875 West. The motion includes Findings for Approval 1-9, adding out buildings and equestrian facilities must be located in southwest portion of the property, with 150 feet area instead of the 100 feet.

Findings for Approval include that the amendment to the Conservation Easement is:

1. A minor or incidental change, which is not inconsistent with the conservation values or purposes of the Conservation Easement and/or provides clarification to aid in the interpretation of the document;
2. Consistent with the overall purpose of the Conservation easement and will not be detrimental to or compromise the protection of the stated conservation values of the property;
3. Substantially equivalent to or enhances the conservation values of the Property;
4. Consistent with the City's goals for conservation of land under the Farmington City Conservation Subdivision Ordinance and will not undermine the City's obligation to preserve and enforce other conservation easements it has accepted;
5. Minimum change necessary to achieve the desired and acceptable purpose;
6. Clearly warranted and in the best interest of the public and the subject property;
7. The granting of the amendment will not set an unfavorable precedent for future amendment requests;
8. The amendment does not adversely affect the City's qualification as a holder of conservation easements or any claimed deduction for donation of the conservation easement; and
9. The amendment does not provide a private benefit for the landowner or any private party or parties no greater than found elsewhere in the community under similar circumstances.

Shumway seconded the motion, which received a unanimous vote.

NEW BUSINESS:

Plat Amendment – Lot 708 Farmington Ranches Phase 7A

Planning GIS Specialist **Shannon Hansell** presented this item. Applicants **Jim and Jeanne Bosserman** submitted a petition for approval to amend the Farmington Ranches 7A by subdividing 1.39 acres of property, Lot 708, and creating one additional lot in the subdivision. A mailer was sent to all property owners regarding protest and no letter of protest was received. In fact, all but one neighboring property owner signed a petition in support of the subdivision. The owner of Lot 707 did not sign. The applicants, **Jim and Jeanne Bosserman**, 103 S. Buffalo Ranch Road, along with their son, **Hyrum Bosserman**, addressed the Council. **Hyrum** said one

entire side of his parents' home is sodded, and his parents are no longer able to care for that much grass after purchasing the lot four year ago. The plat amendment would not change the character of the neighborhood, and the two lots would be similar in size to the surrounding lots. The proposed second lot has access, with sidewalks and curbing already in place. The lot would be divided north to south.

City Record **Holly Gadd** noted that the City Council received comments supporting the amendment as submitted earlier by Todd and Valerie Bertosh, Coleen Wall, Mike Wall, Thomas and Tish Lund, and Roger Hall. There were no opposing comments submitted to the Council. Councilman **Isaacson** said the **Bossermans** must be good people to have the support of so many neighbors.

Councilwoman **Wayment** moved that the City Council approve the proposed plat amendment to the Farmington Ranches Phase 7A, thereby subdividing Lot 708 and creating one additional lot as requested by the applicant, subject to all applicable Farmington City standards and ordinances, including the Finding for Approval and that the applicant continue to work with the City and other agencies to address any outstanding issues remaining with regard to the plat prior to recordation.

The Finding for Approval includes: There is good cause to approve the amendment because no public easement, right-of-way, or easement will be vacated or amended.

Isaacson seconded the motion, which received a unanimous vote.

OLD BUSINESS:

Rezone Enabling Ordinance and Subdivision Schematic Plan for Cook Property

Community Development Director **David Petersen** presented. This item was part of an agenda that was recently cancelled due to new restrictions on public gatherings. **Mayor Talbot** apologized for the delay getting this agenda item before the City Council. **Petersen** said it also previously came to the City Council December 17, 2019. This is an application to rezone the Cook property of 8.41 acres located on the southwest corner of Station Parkway and Burke Lane. The request included rezoning land on both sides of Shepard Creek from Agriculture (A) to Open Space (OS), property located north of a proposed east-to-west street from A to Office Mixed Use (OMU), and land south of the road from A to General Mixed Use (GMU). The Council also elected to rezone all other remaining property west of the OS designation as A. Therefore, everything south of the road is GMU and everything north is OMU. Since, the applicant shimmied the road further to the south, dropped the number of townhome units from 60 to 50, and designated hotel and office space to the north. The area around the creek would be open space.

The Council originally directed staff to draft an enabling ordinance for their consideration at an upcoming meeting, saying nothing would move forward until the road right of way was set and the open space boundary is established. The Planning Commission recently approved the development plan review schematic plan for the townhome portion of the project, and the right of way is now set. The applicant staked the proposed location of the trail and eastern boundary

of the OS area, after which staff walked and verified this as an acceptable boundary for the OS zone. The schematic subdivision plan is now ready for the Council's consideration.

Applicant **Taylor Spendlove** with Brighton Homes Utah spoke about the trail coming off of Station Parkway along the creek. They plan to pave and widen the trail from 8 to 20 feet when the initial buildings are being built there. The paved and widened trail would be drivable for emergency access on a temporary basis until future development occurs to the west, creating a secondary emergency access. The trail goes almost to the new City park. Improvements will be made where the creek turns into the property to the west. This will be public open space to accommodate the trail. **Spendlove** said they have a contract for a hotel to build on the site.

Councilwoman **Wayment** said she was previously uneasy about the density of the townhome housing of the plan, so she appreciates the decrease in the number of proposed townhomes. **Mayor Talbot** said the first plan was difficult to swallow. He is happy with the current plan, and it is a good gateway to the business park.

Isaacson asked what is allowed in the OMU zone. **Petersen** answered office and commercial, but not residential and not a big box store. He noted that when this proposal first came to the City in November, plans included almost entirely townhomes on the whole site. The City Council pushed to have more OMU for commercial use following form-based code, built to the street with parking tucked behind. The current proposal is now one-third townhomes and two-thirds other uses, a positive ratio when considering the Council's request. **Mayor Talbot** added that the road meandered at first, and the Council asked to have it straightened out.

Councilman **Anderson** said whenever there is a proposal that land be turned to a commercial use, he gets emails from people who just want to see a residential use instead. He asked how many houses could be built on the 8 acres. **Petersen** answered it would be 14 to 15 houses in an agricultural residential zone, or 32 homes if it was zoned single family. Councilwoman **Shumway** asked who will maintain the trail that the City has an easement on. **Petersen** said the site plan review will consider that later. **Shumway** asked if the hotel would need on-street parking. **Petersen** said the hotel won't need on-street parking, as they have enough parking on site. However, after consulting with other cities, he has found hotels need some kind of parking in the front such as a pull in, although there will be attempts to locate a majority of parking in the back. **Spendlove** mentioned a shared easement that the office would use in the daytime hours, and the hotel would use in the evening.

Wayment asked if, based on the Community Reinvestment Act (CRA) designation of the area, this is approaching the residential cap. **Petersen** answered that it will go toward the cap, although the cap has not been exceeded yet. **Pace** said that cap as agreed to by the school district will be reached quickly in the next couple of years. He explained that once the 150 housing unit cap was reached, the school district's contribution would reduce from 70 percent to 60 percent.

Councilman **Anderson** moved that the City Council adopt the enabling ordinance, which enacts the zone change previously approved by the City Council on December 17, 2019; with Findings 1-5 as previously approved.

Wayment seconded the motion, which received a unanimous vote.

Councilman **Isaacson** moved to approve the subdivision schematic plan consisting of a future dedicated Right of Way and six parcels subject to all applicable Farmington City Development standards and ordinances, including Findings 1-2.

Findings include:

1. The motion is consistent with the goals and purposes of the General Plan and Zoning Ordinance, including, but not limited to, the City's Regulating plan for the area.
2. Section 12-7-040 D of the City's Subdivision Ordinance states, in part, "Street patterns in the subdivision shall be in conformity with a master street plan for the most advantageous development of adjoining areas and the entire neighborhood for district."

Wayment seconded the motion, which received a unanimous vote.

GOVERNING BODY REPORTS:

City Manager Report

Pace presented the Monthly Fire Activity Report for February, Building Activity Report for February, and Building Activity Report for March.

Mayor Talbot and City Council Reports

Councilwoman **Shumway** mentioned that the Farmington Trail Guide had been put out recently. The Trail Committee purposely left the Lagoon Farmington Creek Trail off because it is so heavily used, and they wanted to encourage the use of other trails. She mentioned that a lot of residents aren't aware that kayaks and boats are not allowed on Farmington Pond, although nothing is posted at the pond to inform the public of this. The dam is not secure, and kayaks could go over it if the water level was high enough. She is hoping to have the restriction posted.

Mayor Talbot said putting a sign at the pond is a good idea. **Pace** said he would coordinate the effort with City Parks and Recreation Director **Neil Miller**.

Councilwoman **Wayment** asked to amend her vote from a nay to an aye vote on the Sydney's Corner Subdivision Phase 2 Schematic Plan issue earlier on the agenda. She also wanted to voice her support of residents practicing social distancing and making a concerted effort to flatten the curve. She expressed her appreciation of the Parks and Recreation Department for keeping things safe when residents get cabin fever during the quarantine and want to get out in nature.

Councilman **Isaacson** said he would like to analyze the financial impact of the pandemic on the City. **Mayor Talbot** said that **Pace** and Finance Director **Greg Davis** would work on getting that to the Council. He noted that these are strange times, as even that day during the electronic meeting, a 4.2 magnitude earthquake aftershock in Magna was felt in Farmington.

CLOSED SESSION

Motion:

Brett Anderson made the motion to go into a closed meeting for the purpose of acquisition of real property. **Wayment** seconded the motion, which was unanimously approved. Economic Development Director **Brigham Mellor** joined the meeting electronically.

Sworn Statement

I, **Jim Talbot**, Mayor of Farmington City, do hereby affirm that the items discussed in the closed meeting were as stated in the motion to go into closed session and that no other business was conducted while the council was so convened in a closed meeting.

Jim Talbot, Mayor

Motion:

Isaacson made a motion to reconvene to an open meeting. The motion was seconded by **Shumway**, which was unanimously approved.

ADJOURNMENT

Motion:

Wayment made a motion to adjourn the meeting. **Anderson** seconded the motion, which was unanimously approved.

Holly Gadd, Recorder



FARMINGTON CITY

H. JAMES TALBOT
MAYOR

BRETT ANDERSON
SHAWN BEUS
SCOTT ISAACSON
AMY SHUMWAY
REBECCA WAYMENT
CITY COUNCIL

SHANE PACE
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council
From: Shannon Hansell, Planning Department
Date: May 5, 2020
SUBJECT: **RED BARN FARMS IMPROVEMENTS AGREEMENT (CASH FORM)**

RECOMMENDATION:

Approve the Farmington City Improvements Agreement (Cash Form) between Red Barn Farms, LLC and Zions Bank Corporation, N.A. dba Zions First National Bank for the above listed development.

BACKGROUND

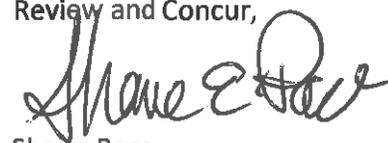
The bond estimate for the Red Barn Farms Bunkhouse #2 is \$40,397.50, which includes a 10% warranty bond. Red Barn Farms has submitted Cash Form Improvements Agreement with Zions Bank Corporation, N.A. dba Zions First National Bank to administer a cash form account for this project in the same amount.

This bond will be released as improvements are installed by the developer and inspected by the City. Once all improvements are installed and inspected, all the bond except the warranty amount will be released. After a warranty period of one year, the warranty bond will be released once all items are accepted as satisfactory by the City.

Respectfully Submitted,


Shannon Hansell
Planning Department

Review and Concur,


Shane Pace
City Manager

FARMINGTON CITY

IMPROVEMENTS AGREEMENT

(CASH FORM)

THIS AGREEMENT is made by and between Red Barn Farms (hereinafter "Developer"), whose address is 1200 W. Red Barn Lane S4025, and Farmington City Corporation, a municipal corporation of the State of Utah, (hereinafter "City"), whose address is 160 South Main, P.O. Box 160, Farmington, Utah, 84025-0160.

WHEREAS, Developer desires to subdivide and/or to receive a permit to develop certain property located within the City, said project to be known as Red Barn Farms Bunkhouse #2, located at approximately 1200 W. Red Barn Ln., in Farmington City; and

WHEREAS, the City will not approve the subdivision or issue a permit unless Developer promise to install and warrant certain improvements as herein provided and security is provided for that promise in the amount of \$ 40,397.50.

NOW, THEREFORE, in consideration of the mutual promises contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

- 1. Installation of Improvements.** The Developer agrees to install all improvements required by the City as specified in the bond estimate prepared by the City for Developer's project which shall be an Exhibit hereto, (the "Improvements"), precisely as shown on the plans, specifications, and drawings previously reviewed and approved by the City in connection with the above-described project, and in accordance with the standards and specifications established by the City, within _____ months from the date of this Agreement. Developer further agrees to pay the total cost of obtaining and installing the Improvements, including the cost of acquiring easements.
- 2. Dedication.** Where dedication is required by the City, the Developer shall dedicate to the City the areas shown on the subdivision or development plat as public streets and as public easements, provided however, that Developer shall indemnify the City and its representatives from all liability, claims, costs, and expenses of every nature, including attorneys fees which may be incurred by the City in connection with such public streets and public easements until the same are accepted by the City following installation and final inspection of all of the Improvements and approval thereof by the City.
- 3. Cash Deposit.** The Developer has delivered to the City cash or a cashier's check in the aggregate amount of \$ 40,397.50 for deposit with the City in its accounts (the "deposit"), which the Developer and the City stipulate to be a

herein provided, and any withdrawals from the Deposit by the city shall not constitute a waiver or estoppels against the City and shall not release or relieve the Developer from its obligation to install and fully pay for the Improvements as required in paragraph 1 above, and the right of the City to withdraw from the Deposit shall not affect any rights and remedies of the City against the Developer for breach of any covenant herein, including the covenants of paragraph 1 of this Agreement. Further, the Developer agrees that if the City withdraws from the Deposit and performs or causes to be performed the installation or any other work required of the Developer hereunder, then any and all costs incurred by the City in so doing which are not collected by the City by withdrawing from the Deposit shall be paid by the Developer, including administrative, engineering, legal and procurement fees and costs.

9. **Connection and Maintenance.** Upon performance by Developer of all obligations set forth in this Agreement and compliance with all applicable ordinances, resolutions, rules, and regulations of the City, whether now or hereafter in force, including payment of all connection, review and inspection fees, the City shall permit the Developer to connect the Improvements to the City's water and storm drainage systems and shall thereafter utilize and maintain the Improvements to the extent and in the manner now or hereafter provided in the City's regulations.
10. **Inspection.** The Improvements, their installation, and all other work performed by the Developer or its agents pursuant to this Agreement shall be inspected at such times as the City may reasonably require and prior to closing any trench containing such Improvements. The City shall have a reasonable time of not less than 24 hours after notice in which to send its representatives to inspect the improvements. Any required connection and impact fees shall be paid by the Developer prior to such inspection. In addition, all inspection fees required by the ordinances and resolutions shall be paid to the City by the Developer prior to inspection.
11. **Ownership.** The Improvements covered herein shall become the property of the City upon final inspection and approval of the Improvements by the City, and the Developer shall thereafter advance no claim or right of ownership, possession, or control of the Improvements.
12. **As-Built Drawings.** The Developer shall furnish to the City, upon completion of the improvements, drawings showing the Improvements, actual location of water and sewer laterals including survey references, and any related structures or materials as such have actually been constructed by the Developer. The City shall not be obligated to release the Deposit until these drawings have been provided to the City.

13. **Amendment.** Any amendment, modification, termination, or rescission (other than by operation of law) which affects this Agreement shall be made in writing, signed by the parties, and attached hereto.
14. **Successors.** No party shall assign or transfer any rights under this Agreement without the prior written consent of the other first obtained, which consent shall not be unreasonably withheld. When validly assigned or transferred, this Agreement shall be binding upon and inure to the benefit of the legal representatives, successors and assigns of the parties hereto.
15. **Notices.** Any notice required or desired to be given hereunder shall be deemed sufficient if sent by certified mail, postage prepaid, addressed to the respective parties at the addresses shown in the preamble.
16. **Severability.** Should any portion of this Agreement for any reason be declared invalid or unenforceable, the invalidity or unenforceability of such portion shall not affect the validity of any of the remaining portions and the same shall be deemed in full force and effect as is this Agreement had been executed with the invalid portions eliminated.
17. **Governing Law.** This Agreement and the performance hereunder shall be governed by the laws of the State of Utah.
18. **Counterparts.** The fact that the parties hereto execute multiple but identical counterparts of this Agreement shall not affect the validity or efficacy of their execution, and such counterparts, taken together, shall constitute one and the same instruments, and each such counterpart shall be deemed an original.
19. **Waiver.** No waiver of any of the provisions of this Agreement shall operate as a waiver of any other provision, regardless of any similarity that may exist between such provisions, nor shall a waiver in one instance operate as a waiver in any future event. No waiver shall be binding unless executed in writing by the waiving party.
20. **Captions.** The captions preceding the paragraphs of this Agreement are for convenience only and shall not affect the interpretation of any provision herein.
21. **Integration.** This Agreement, together with its exhibits and the approved plans and specifications referred to, contains the entire and integrated agreement of the parties as of its date, and no prior or contemporaneous promises, representations, warranties, inducements, or understandings between the parties pertaining to the subject matter hereof which are not contained herein shall be of any force or effect.
22. **Attorney's Fees.** In the event either party hereto defaults in any of the covenants or agreements contained herein, the defaulting party shall pay all costs and

expenses, including a reasonable attorney's fee, incurred by the other party in enforcing its rights hereunder whether incurred through litigation or otherwise.

23. **Other Bonds.** This Agreement and the Deposit do not alter the obligation of Developer to provide other bonds under applicable ordinances or rules of any other governmental entity having jurisdiction over Developer. The furnishing of security in compliance with the requirements of the ordinances or rules of other jurisdictions shall not adversely affect the ability of the City to draw on the Deposit as provided herein.
24. **Time of Essence.** The parties agree that time is of the essence in the performance of all duties herein.
25. **Exhibits.** Any exhibit(s) to this Agreement are incorporated herein by this reference, and failure to attach any such exhibit shall not affect the validity of this Agreement or of such exhibit. An unattached exhibit is available from the records of the parties.
26. **Warranty.** The Developer hereby warrants that the Improvements installed, and every part hereof, together with the surface of the land and any improvements thereon restored by the Developer, shall remain in good condition and free from all defects in materials, and/or workmanship during the Warranty Period, and the Developer shall promptly make all repairs, corrections, and/or replacements for all defects in workmanship, materials, or equipment during the Warranty Period, without charge or cost to the City. The City may at any time or times during the Warranty Period inspect, photograph, or televise the Improvements and notify the Developer of the condition of the Improvements. The Developer shall thereupon immediately make any repairs or corrections required by this paragraph. For purposes of this paragraph, "Warranty Period" means the one-year period beginning on the date on which the Improvements are certified complete by the City.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their respective duly authorized representatives this ____ day of _____, 20____

CITY:

FARMINGTON CITY CORPORATION

By: _____
H. James Talbot, Mayor

ATTEST:

Holly Gadd, City Recorder

DEVELOPER:

Red Barn Farms
By: *Widow Qites*
Its: *CEO*

DEVELOPERS ACKNOWLEDGEMENT

(Complete if Developer is an Individual)

STATE OF UTAH)
)
 :ss.
COUNTY OF _____)

On this _____ day of _____, 20____, personally appeared before me, _____, the signer(s) of the foregoing instrument who duly acknowledged to me that he/she/they executed the same.

NOTARY PUBLIC
Residing in _____ County, _____.

(Complete if Developer is a Corporation)

X
STATE OF UTAH .)
)
 :ss.
COUNTY OF Davis)

On this 7th day of April, 2020, personally appeared before me, Michael Haws, who being by me duly sworn did say that he/she is the CEO of Red barn Farms a Utah corporation, and that the foregoing instrument was signed on behalf of said corporation by authority of its Board of Directors, and he/she acknowledged to me that said corporation executed the same.

[Signature]
NOTARY PUBLIC City St
Residing in Centerville, Davis County, Utah
Davis



(Complete if Developer is a Partnership)

STATE OF UTAH)
 :ss.
COUNTY OF _____)

On this _____ day of _____, 20____, personally appeared before me, _____, who being by me duly sworn did say that he/she/they is/are the _____ of _____, a partnership, and that the foregoing instrument was duly authorized by the partnership at a lawful meeting held by authority of its by-laws and signed in behalf of said partnership.

NOTARY PUBLIC
Residing in _____ County, _____.

(Complete if Developer is a Limited Liability Company)

STATE OF UTAH)
 : ss.
COUNTY OF _____)

On this _____ day of _____, 20____, personally appeared before me _____ who being by me duly sworn did say that he or she is the _____ of _____, a limited liability company, and that the foregoing instrument was duly authorized by the Members/Managers of said limited liability company.

NOTARY PUBLIC
Residing in _____ County, _____.

CITY ACKNOWLEDGEMENT

STATE OF UTAH)
 : ss.
COUNTY OF _____)

On the _____ day of _____, 20____, personally appeared before me H. James Talbot and Holly Gadd who, being by me duly sworn, did say that they are the Mayor and City Recorder, respectively, of Farmington City Corporation, and said persons acknowledged to me that said corporation executed the foregoing instrument.

NOTARY PUBLIC
Residing in _____ County, _____.

Red Barn Bunkhouse #2
Bond Estimate
4-6-20

Storm Drain									
Item	Quantity	Unit	Unit Cost	Bond Amount	System	Bond Released	Current Draw	%	
SWPPP	1	LS	\$ 4,000.00	\$ 4,000.00		0	0	0	
Detention Basin Resize	1	LS	\$ -	\$ -		0	0	#DIV/0!	
Subtotal				\$ 4,000.00					
10% Warranty Bond				\$ 400.00					
Total				\$ 4,400.00					

Sanitary Sewer									
Item	Quantity	Unit	Unit Cost	Bond Amount	System	Bond Released	Current Draw	%	
Sewer Lateral	0	EA	\$ 3,000.00	\$ -		0	0	#DIV/0!	
Connect to Existing	0	EA	\$ 3,000.00	\$ -		0	0	#DIV/0!	
Grease Trap	0	EA	\$ 6,000.00	\$ -		0	0	#DIV/0!	
Sewer Cleanout	0	EA	\$ 1,000.00	\$ -		0	0	#DIV/0!	
4" PVC SDR-35	0	LF	\$ 35.00	\$ -		0	0	#DIV/0!	
Subtotal				\$ -					
10% Warranty Bond				\$ -					
Total				\$ -					

Culinary Water									
Item	Quantity	Unit	Unit Cost	Bond Amount	System	Bond Released	Current Draw	%	
Connect to Existing	1	EA	\$ 4,000.00	\$ 4,000.00		0	0	0	
6" PVC C-900 DR 14 Culinary Water	80	LF	\$ 38.00	\$ 3,040.00		0	0	0	
6" Gate Valve	1	EA	\$ 2,100.00	\$ 2,100.00		0	0	0	
6" Fittings	1	EA	\$ 800.00	\$ 800.00		0	0	0	
Water Lateral	1	EA	\$ 3,000.00	\$ 3,000.00		0	0	0	
Fire Hydrant	1	EA	\$ 4,700.00	\$ 4,700.00		0	0	0	
Subtotal				\$ 17,640.00					
10% Warranty Bond				\$ 1,764.00					
Total				\$ 19,404.00					

Road Improvements									
Item	Quantity	Unit	Unit Cost	Bond Amount	System	Bond Released	Current Draw	%	
Clear and Grub	0	LS	\$ 4,000.00	\$ -		0	0	#DIV/0!	
Rough Grade	0	LS	\$ 8,000.00	\$ -		0	0	#DIV/0!	
ADA Ramp	0	EA	\$ 2,500.00	\$ -		0	0	#DIV/0!	
Sawcut Asphalt	10	LF	\$ 10.00	\$ 100.00					
8" Road Base	4050	SF	\$ 1.60	\$ 6,480.00		0	0	0	
3" Asphalt Trail	4050	SF	\$ 2.10	\$ 8,505.00		0	0	0	
Subtotal				\$ 15,085.00					
10% Warranty Bond				\$ 1,508.50					
Total				\$ 16,593.50					

Total Bond				\$ 40,397.50					
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Cash Deposits					
Item	Quantity	Unit	Unit Cost	Bond Amount	
Slurry Seal	0	SF	\$ 0.20	\$ -	
Street Signs	0	EA	\$ 300.00	\$ -	
Street Lights	0	EA	\$ 4,500.00	\$ -	

FURNITURE CO. INC.
164 SOUTH MAIN
P.O. BOX 140
FARMINGTON CT 06030

421-3383

Receipt No. F80671

Apr 9, 2028

1245 W XEE BORN LN/RED BARN FARM

Previous Balance .00
PLUMBING & TILING 40,297.50
CASH BOND / SQUELDER
18-225580
TELETYPE JONES WELD & FISHALE

Total 40,297.50

Check
Check No. 415 40,297.50
Payee

1245 W XEE BORN LN/RED BARN FARM
Total Applied 40,297.50

Change Tendered: .00

4/9/2028 10:51 AM

FARMINGTON CITY FIRE DEPARTMENT

82 North 100 East
P.O. Box 160
Farmington, Utah 84025
Tel. (801) 451-2842
Fax (801) 451-7865

Proud Protectors of Your Life and Property - Since 1907



CITY COUNCIL STAFF REPORT

To: Honorable Mayor and City Council

From: Guido Smith, Fire Chief

Date: April 8, 2020

SUBJECT: SURPLUS FINAL CACHE OF AGING EXTRICATION EQUIPMENT AND APPLY REVENUES TOWARD EQUIPMENT & MAINTENANCE FUND.

RECOMMENDATIONS:

- a. Request the City Council declare listed extrication equipment as surplus with the intent to sell to Plain City Corporation.
- b. Request the City Council approve surplus revenues be applied toward the department Equipment & Maintenance Fund# 10-530-250.

BACKGROUND:

In January 2020, the department received approval to pursue a lightly used and newer Heavy Rescue Tender (HRT). This truck is capable of meeting the department's growing needs for rescue operations to include expanded water / foam delivery, updated extrication equipment, scene lighting, upgraded lifting bags and improved cribbing capacity. With the successful acquisition of the HRT, the department is now in a position to surplus older extrication equipment (2nd part of equipment cache) as listed.

FFD Surplus Extrication Equipment Descriptions

Holmatro Hydraulic Extrication / 6-Piece Kit:

1 Portable Gas Powered / Dual Tool Hydraulic Pump Unit
Model No. DPU-30
S/N: DPU3000026

1 Large Hydraulic Spreader
Model No. 3260-UL
S/N: 326000045

1 Large Hydraulic Cutter
Model No.4550 NCT
S/N: 4055NCT00146

1 Micro Hydraulic Cutter
Model No. 3005
S/N: 300500311

2 Holmatro HP Lumen Hoses
Model No. Not Applicable
S/N: Not Applicable

Combined Sell Price: \$3,500



Respectfully Submitted,



Guido Smith
Fire Chief

Reviewed & Concur



Shane Pace
City Manager

CITY COUNCIL AGENDA

For Council Meeting:
May 5, 2020

S U B J E C T: Sydney Corner Phase 2 – Additional Lots

ACTION TO BE CONSIDERED:

See enclosed staff report for recommendation.

GENERAL INFORMATION:

See enclosed staff report prepared by David Petersen, Community Development Director.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

H. JAMES TALBOT
MAYOR

BRETT ANDERSON
SHAWN BEUS
SCOTT ISAACSON
AMY SHUMWAY
REBECCA WAYMENT
CITY COUNCIL

SHANE PACE
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council
From: David E. Petersen, Community Development Director
Date: May 5, 2020
SUBJECT: **SYDNEY CORNER PHASE 2 – ADDITIONAL LOTS**

RECOMMENDATION

- A. Move that the City Council approve the enclosed TDR agreement for the Sydney Corner Phase 2 Subdivision.

Findings:

1. The Farmington City Building Official, Eric Miller, performed an inspection of the existing home on-site and determined that the dwelling/property constitutes blight pursuant to the building code and the state code.
2. Approval of 3 TDRs is consistent with the previous action of the City Council related to Sydney Corner Phase 1.

- OR -

- B. Move that the City Council table consideration of this item to allow time for the Planning Commission to forward their recommendation to the Council regarding a zone text amendment enabling the City to provide additional lots/dwelling units as an incentive to mitigate blight.

Findings:

1. The Farmington City Building Official, Eric Miller, performed an inspection of the existing home on-site and determined that the dwelling/property constitutes blight pursuant to the building code and state code.
2. The City may have the ability to use its police powers (to help clean up blight) i) without receiving payment from the property owner to do so, ii) it will not reduce the number of TDRs in the "TDR Bank", and iii) such action will not constitute a "spot zone" because it is not a rezone of the property---but an amendment to the text of the Zoning Ordinance.

BACKGROUND

On April 14, 2020, the City Council approved the schematic plan for the Sydney's Corner Phase 2 Subdivision [see attached] with the conditions that the building inspector inspect the property and provide the Council with a report, and that City staff explore a mechanism other than the TDR.

Findings for Approval included the following:

1. The City will receive compensation for at least one of the additional lots in the form of a TDR transaction through cash payment or some other mechanism.
2. All lots front an existing fully improved public Right of Way (650 West and Glover Lane).
3. The development mirrors the development across the street and is consistent with the General Plan, which development the City also approved three TDR lots to help clean up blight.
4. The subdivision will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.
5. The parcel size is comparable to the existing Sydney's Corner Subdivision.

Supplementary Information

1. Vicinity Map
2. Approved Schematic Plan
3. Memo on Preliminary Finding of Blight for the Sanchez Property Located at 653 West Glover Lane, April 21, 2020.
4. Draft TDR Agreement

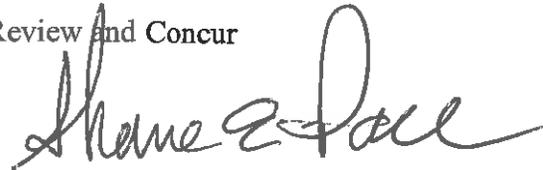
Respectively Submitted



David Petersen

Community Development Director

Review and Concur



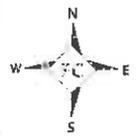
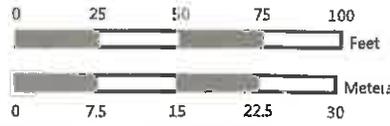
Shane Pace

City Manager



VICINITY MAP

Parcel ID 08-079-0008



Disclaimer: This map was produced by Farmington City GIS and is for reference only. The information contained on this map is believed to be accurate and suitable for limited uses. Farmington City makes no warranty as to the accuracy of the information contained for any other purpose.



EN SIGN
THE STANDARD IN ENGINEERING

LAYTON
1000 WEST 1000 SOUTH, SUITE 200
LAYTON, UT 84041
Phone: 801.972.1100

SALT LAKE CITY
1000 WEST 1000 SOUTH
SALT LAKE CITY, UT 84119
Phone: 801.972.1100

TORRELLA
1000 WEST 1000 SOUTH
SALT LAKE CITY, UT 84119
Phone: 801.972.1100

PROSPERITY
1000 WEST 1000 SOUTH
SALT LAKE CITY, UT 84119
Phone: 801.972.1100

SYDNEY CORNER SUBDIVISION
650 WEST GLOVERS LANE
FARMINGTON, UTAH

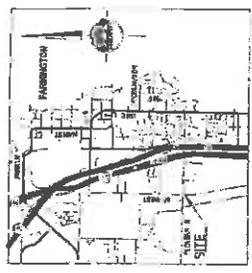
SYDNEY CORNER SUBDIVISION
PHASE 2
650 WEST GLOVERS LANE
FARMINGTON, UTAH



BOUNDARY TOPOGRAPHY SURVEY

DATE: 10/15/2010
BY: DAVID L. SMITH
SCALE: AS SHOWN

1 OF 1



SYDNEY CORNER SUBDIVISION
650 WEST GLOVERS LANE
FARMINGTON, UTAH

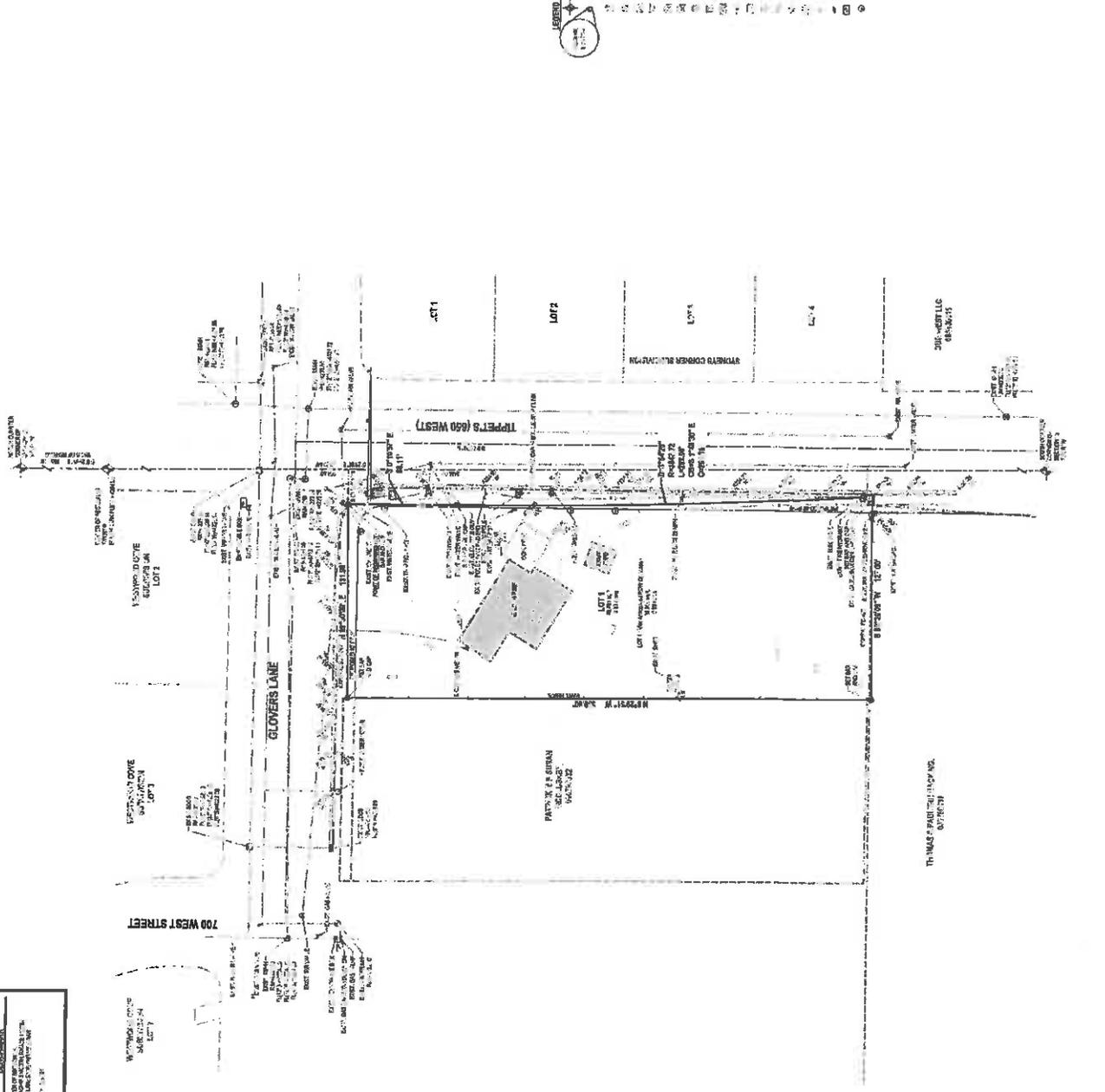
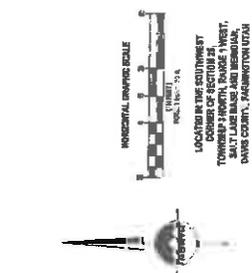
SECTION 1
GENERAL NOTES

1. The owner warrants that the information provided in this plan is true and correct.
2. The owner warrants that the information provided in this plan is true and correct.
3. The owner warrants that the information provided in this plan is true and correct.
4. The owner warrants that the information provided in this plan is true and correct.
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10. The owner warrants that the information provided in this plan is true and correct.

SYDNEY CORNER SUBDIVISION
650 WEST GLOVERS LANE
FARMINGTON, UTAH

SECTION 2
SYMBOLS

1	PROPERTY LINE
2	ADJACENT PROPERTY
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SYDNEY CORNER SUBDIVISION
650 WEST GLOVERS LANE
FARMINGTON, UTAH

SYDNEY CORNER SUBDIVISION
650 WEST GLOVERS LANE
FARMINGTON, UTAH

SYDNEY CORNER SUBDIVISION
650 WEST GLOVERS LANE
FARMINGTON, UTAH



FARMINGTON CITY

H. JAMES TALBOT
MAYOR

BRETT ANDERSON
SHAWN BEUS
SCOTT ISAACSON
AMY SHUMWAY
REBECCA WAYMENT
CITY COUNCIL

SHANE PACE
CITY MANAGER

MEMO

To: Honorable Mayor, City Council, and Planning Commission

From: Eric Miller, Building Official

Date: April 21, 2020

SUBJECT: MEMO ON PRELIMINARY FINDING OF BLIGHT FOR THE SANCHEZ PROPERTY LOCATED AT 653 WEST GLOVER LANE

RECOMMENDATION

No Action Necessary

BACKGROUND

On April 20, 2020, James Day, the City's Building Inspector and I did a preliminary inspection with Fred Sanchez owner of the said property located at 653 West Glover Lane. The purpose of this preliminary inspection was to determine if the property could meet a finding of blight as set forth in Section 17C-2-303 of the Utah State Code. While walking through the Sanchez home I found the following:

1. Debris scattered throughout the property
2. Fence post half cut off around property
3. Dilapidated sheds on property and non-conforming to city setbacks
4. Facial boards and soffit are rotten around the roof line
5. Abandoned swimming pool platform that is rotten and has no guardrail
6. Trees have dead and rotten branches that can fall on house during windstorms
7. Untreated exterior timbers
8. Front landing is broken up and not level.
9. Brick is falling off the structure
10. Romex wiring exposed on exterior of house with bare wires showing
11. No landing at the bottom of walkout stairs.
12. No handrail on any of the interior or exterior flight of stairs. (3 Sets)
13. Structure has non-reinforced masonry walls that are cracking and failing

14. Unsupported gas line around house and in basement/crawl space.
15. Stairs to walk out are not code compliant. (rise and run are not consistent)
16. Buckled rotten wood in bathroom from leaking shower/tub. Current floor condition would not support the tub.
17. Faulty electrical in house with exposed wiring, open conductors, and smoke detectors missing
18. Stairs in house are non-compliant. Rise and run not consistent with some steps being more than 14" tall. (Max in residential is 8" rise)
19. No insulation in the attic or rafters
20. Wood burning fireplace in master bedroom. Code no longer allows due to carbon monoxide poisoning in sleeping rooms
21. Many walls are not finished or are just 2X4 studs
22. Dead mice in mechanical room
23. Must have 6" clearance on single wall pipe and 1" clearance on b-vent for water heater.
24. Many heat vents are not hooked up and or are unsupported in ceiling joist.
25. Floor joist are on brick ledges with without treated or material used to prevent decay.
26. Many floor joist have been cut and notched in basement that have exceeded their spans
27. Basement/crawl space has been used for habitable use such as a bedroom and does not have the proper ceiling heights and egress requirements
28. Water heater not strapped for seismic conditions
29. Water heater does not have expansion tank
30. Dissimilar metals on water heater piping is causing bad electrolysis and decay to pipe
31. Guardrail in family room is missing many vertical spindles
32. No headroom on family room stairs. Minimum headroom height is 6'8".
33. Kitchen and front entry is settling that is causing walls to crack, and lean out of plumb
34. Lots of ceiling and wall water damage from leaking roof.
35. Broken and cracked window on east kitchen window
36. Electrical mass is not anchored per the National Electrical Code.
37. The carpet is so torn and loose that it does not provide adequate means of exit in case of fire or panic.
38. Building can become an attractive nuisance to children, a harbor for vagrants, criminals, or immoral persons; or as to enable persons to resort thereto for the purpose of committing unlawful or immoral acts.
39. This dwelling lacks inadequate maintenance, dilapidation, decay, damage, and is unfit for human habitation that can likely cause sickness or disease.
40. Building is not occupied at time of inspection.

The conditions for a board determination of blight according to state code, must meet the following four criteria:

1. The property must not be greenfield;
2. The property must be zoned for urban purposes and served by utilities, i.e. zoned to be developed for residential, commercial, or industrial uses;
3. The property must contain at least 50% non-agricultural uses;
4. The property must be shown to be detrimental to public health, safety, and welfare as shown by the following four conditions:

- A. Either substantial physical dilapidation, deterioration, or defective construction of buildings or infrastructure, OR significant non-compliance with current building, fire, safety, and/or health codes;
- B. Unsanitary or unsafe conditions;
- C. Environmental hazards, as defined by state or federal law;
- D. Excessive vacancy, abandoned buildings, or vacant lots within an area zoned for urban use and served by utilities;
- E. Abandoned or outdated facilities that pose a threat to public health, safety, or welfare;
- F. Criminal activity in the project area.

In my opinion, after walking through the home, the subject property meets criteria 1-3, and criteria 4 (meets 4A, 4B, 4D, 4E, and 4F). The condition of property consist blight as set forth in the state code.

Respectfully Submitted



Eric Miller
Building Official

c.c. Shane Pace
City Manager

David Petersen
Community Development Director

DRAFT

TDR AGREEMENT Sydney Corner Subdivision Phase 2

THIS AGREEMENT is made and entered into this ____ day of _____, 2020, by and between _____, (hereinafter “Owner”) and FARMINGTON CITY, a Utah Municipal Corporation (hereinafter the “City”).

RECITALS

WHEREAS, Owner own property located within Farmington City, which property is located at 653 West Glovers Lane, containing approximately .94 acres (Davis County Tax I.D. #08-079-0008, more particularly described in Exhibit “A”, attached hereto and incorporated herein by this reference (hereinafter the “Property”); and

WHEREAS, Owner’s Property is zoned AE (Agriculture Estates); and Owner desires to develop a subdivision containing 4 lots, known as Sydney Corner Subdivision Phase 2, and the City approved a schematic plan (the “Schematic Plan”) for the same on April 14, 2020, which is set forth herein as Exhibit “B”, attached hereto and by this reference made a part hereof (the “Project”); and

WHEREAS, Owner is proposing that 3 of the 4 lots shall consist of transfer lots, or Transfer of Development Right (“TDR”) lots; and

WHEREAS, Section 11-28-240 of the City’s Zoning Ordinance enables the transaction of TDR’s, at the sole discretion of the City, and the City desires to approve such transfer;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. TDR. Concurrent with the execution of this agreement, the City passed resolution ____ attached hereto as Exhibit “C” and by this reference made a part hereof establishing the exchange of 3 TDR’s whereby the sending zone is property owned by the City at _____ (Davis County Tax I.D. #08-076-0116) and the receiving zone is the Property referenced herein.

2. TDR Value and Payment. The value of each TDR is \$_____ the total value of which for all 3 TDR’s is \$_____ (the “TDR Amount”). The owner must pay the TDR Amount to the City prior to the recordation of the final plat (the “Final Plat”) of the Project.

3. Default. This agreement becomes null and void and hereby terminated in the event the City’s approval of the Minor Plat, or Final Plat, expires--the timing of each respective expiration period is set forth in the City’s Subdivision Ordinance.

4. Binding Effect. The covenants contained within this Agreement shall run with the land, shall be recorded with the Davis County Recorder’s Office, and shall be binding upon the officers, employees, agents, representatives, successors in interest and the assigns of the parties.

5. Assignment. Owner shall not assign this Agreement or any rights or interests herein without the prior written consent of the City, which consent shall not be unreasonably withheld.

6. Notice. Any notices, requests and/or demands required or desired to be given hereunder shall be in writing and shall be served personally upon the party for whom intended, or if mailed, by certified mail, return receipt requested, postage prepaid, to its address shown below:

To the Owner:

To the City:

Farmington City
Attention: City Manager
160 South Main
P.O. Box 160
Farmington, Utah 84025

Any party may change its address or notice by giving written notice to the other party in accordance with the provisions of this section.

7. Amendments. Any amendments to this Agreement must be in writing and signed by the respective parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their respective duly authorized representatives as of the day and year first hereinabove written.

"CITY"
FARMINGTON CITY

By _____
Mayor

ATTEST:

City Recorder

"OWNER"

By: _____

CITY ACKNOWLEDGEMENT

STATE OF UTAH)
 :ss.
COUNTY OF DAVIS)

On the ____ day of _____, _____, personally appeared before me _____, who being by me duly sworn, did say that he is the Mayor of Farmington City, a municipal corporation, and that said instrument was signed in behalf of the City by authority of its governing body and said Mayor acknowledged to me that the City executed the same.

NOTARY PUBLIC

My Commission Expires:

Residing at:

OWNERS ACKNOWLEDGEMENT

STATE OF UTAH)
 :ss.
COUNTY OF DAVIS)

On the ____ day of _____, _____, personally appeared before me _____, who being by me duly sworn, did say that they are the record property owner of the subject property and acknowledged to me that they executed the foregoing Agreement.

NOTARY PUBLIC

My Commission Expires:

Residing at:

CITY COUNCIL AGENDA

For Council Meeting:
May 5, 2020

SUBJECT: City Manager Report

1. Fire Monthly Activity Report for March

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



Farmington City Fire Department

Monthly Activity Report



March 2020

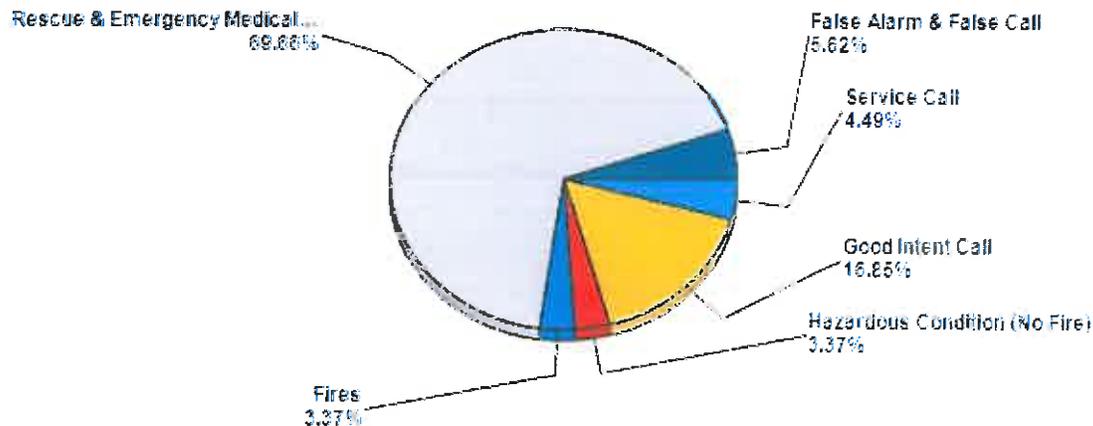


Emergency Services

Fire / Rescue Related Calls: **30**
All Fires, Rescues, Haz-Mat, Vehicle Accidents, CO Calls, Brush Fires, EMS Scene Support, False Alarms, etc.

Ambulance / EMS Related Calls: **62 / Transported 39 (63%)**
Medicals, Traumatic Incidents, Transfers, CO Calls w/ Symptomatic Patients, Medical Alarms, etc.

Calls Missed / Unable to Adequately Staff: **6 (2.1 %) 17 YTD (4.9%)**
Overlapping Calls: **4 (4.3 %) 39 YTD (11.7%)**



On-Duty Crew / Shift Dynamic Data / March:

Emergent Incident / On-Scene Hours / Month Total: **28.2 Hrs. (Approximate 113 Man Hours)**
EMS Transport / Turn-Around Hours / Month Total: **78 Hrs. (Approximate 156 Man Hours)**

Urgent EMS Related Response Times (average): **5:34 Min/Sec GOAL 5 minutes or less (+ 0.34)**
Urgent Fire Related Response Times (average): **6.56 Min/Sec GOAL 5 minutes or less (+ 1.56)**

Part-Time Man-Hours (based on the following 28-day pay periods) March 13th and March 27th

Part-Time Shift Coverage / Staffing:	662	Budgeted 672	Variance -10
Training & Drill Hours:	102.5	1,729.5 (FY20)	
Emergency Calls/ Station Staffing:	1.5	FIRE 1.5 Hrs. / EMS 0 Hrs. (12.5 YTD)	
Special Event Hours:	0	12 (FY20)	
Part-Time Fire Marshal:	80	Budgeted 120	Variance - 40
Part-Time Fire Inspector	32	Budgeted 90	Variance - 58
Total PT Staffing Hours:	876.5	9,214 (FY20)	
Career Fire Chief:	N/A	Salary Exempt	Overtime N/A
Career Administrative Asst. x 1	N/A	40 Hour Reg.	Overtime + 0
Career Captains, Engineers & FF's x 9 Monthly Officers Meetings	N/A	48/96 Hour Rotation	Overtime + 16

Revenues & Grant / Donation Activity YTD:

Ambulance Revenue February 2020:

	Month	Calendar Year	FY 2020
Ambulance Services Billed	\$72,833.81	\$150,738.96	\$589,387.02
Ambulance Billing Collected	\$49,526.66	\$85,635.09	\$340,635.42
Variiances:	\$23,307.15	\$65,103.87	\$248,751.60
Collection Percentages	68%	57%	58%

Grant / Donation Activity "Requests":

NONE \$4,200 \$9,450 YTD

Grant / Donation Activity "Received":

N95 Masks – Sherwin Williams & Community Members \$300 \$7,050 YTD

Department Training & Man-Hours

Monthly Staff Meeting & Leadership Training	15	
Shift Drill #1 – FIRE – Hydraulics	24	
Shift Drill #2 – EMS – Heart Failure	24	
Shift Drill #3 – FIRE – Rapid Intervention Team (RIT)	24	
Shift Drill #4 – EMS – Traumatic Brain Injury (TBI)	24	
Shift Drill #5 – FIRE – Breaching Walls	24	
Pandemic / COVID-19 Multiple Trainings	60	
Extrication Training / HRT New Equipment – Small Groups	48	
Buddy to Boss Seminar / Captains & Engineers x 5	80	
Actual Training Hours:	323	734 HRS YTD

Fire Prevention & Inspection Activities

	QTY	
New & Existing Business Inspections:	18	
Re-Inspections:	12	
Fire Plan Reviews & Related:	13	
Consultations & Construction Meetings:	1	
Station Tours & Public Education Sessions:	0 COVID-19	15 YTD

Health, Wellness & Safety Activities

	QTY	
Reportable Injuries:	0	0 YTD
Physical Fitness / Gym Membership Participation %:	100%	(Station COVID-19)
Chaplaincy Events:	1	3 YTD

Process Improvement Activities:

	QTY	
Process Improvement Program (PIP) Submittals:	0	0 YTD

Monthly Activity Narrative:

Emergent response times averaged 5.3 minutes for EMS calls and 6.5 minutes for Fire calls. Emergent incidents included medical responses (to include COVID-19), earthquake, vehicle fires, vehicle rescue, structure fire, etc. Two percent of calls resulted in “no-staffing” or “short-staffing” of apparatus (on-duty crew attending to other calls and/or part-time staffing not available due to lack of availability). This percentage was attributed (in part) by crews attending to over 4.3% of overlapping calls. Sixty three percent of all Ambulance calls resulted in transporting patients to hospitals. Ambulance collection revenues continue with little predictability due to mandated billing variables. FFD monthly training encompassed Hydraulics, Heart Failure, Rapid Intervention Team (RIT), Traumatic Brain Injury (TBI), Breaching Walls, Multiple COVID-19 Trainings, HRT / Multi-Vehicle Extrication Trainings (All Shifts), Buddy to Boss Seminar for Career Captains and Engineers.

*With the development of COVID-19, FFD spent an inordinate amount of time and energy preparing and responding to the first wave of challenges and adjustments as outlined by regional and national mandates. FFD also made every attempt to help facilitate other departments throughout the city with a basic cache of protection equipment. In an effort to provide adequate protection for our personnel, we moved forward with the purchase of isolation equipment not previously budgeted for; however, should receive 70% cost share / reimbursement through FEMA (unknown timeline). This equipment is essential for our EMS providers as we are already transporting COVID-19 positive patients. As part of the Pandemic preparation, FFD also completed the implementation of the Relief Ambulance Operator (RAO) program with one team ready for deployment. In the event EMS services become compromised due lack of available medical responders, the Utah Bureau of Emergency Medical Services (UBEMS) provides exceptions that allow EMS agencies to modify staffing. These staffing modifications include utilizing specially trained non-EMS personnel to operate / drive Ambulances. The first team (“RAO TEAM 1”) is comprised of existing Farmington City employees from other departments to include Eric Miller – Building Official, Cody Nelson – Mechanic, Tia Uzelac and Bryan White – Parks & Rec. Pending EMS surge demands, the second team (“RAO TEAM 2”) will consist of Farmington Community Emergency Response Team (CERT) members. The UBEMS has not yet activated this level of the pandemic plan; however, is only a step away. As stated in the February’s activity report, FFD will continue to adjust operational practices with a well-balanced and pro-active approach. Finally, FFD modified its staffing model to facilitate Administrative Asst. Mandice Stokes to work remotely 50% of the week. Two Shift Captains (with high-risk indicators) are also working remotely 50% of their scheduled shifts; however, required to respond in department vehicle during evening hours. **Note: All FFD personnel are practicing workplace social distancing with mandated / documented monitoring every 12-hours, while maintaining and upbeat and positive environment**☺*

Please feel free to visit or contact myself at your convenience with questions, comments or concerns:
Office 801-939-9260 or email gsmith@farmington.utah.gov – Fire Chief Guido Smith

March 2020 Photos:

COVID-19 Transports, Multiple Pandemic Meetings & Trainings, Relief Ambulance Operator (RAO) In-Service Training (1st team of 2), Extrication Training w/ Updated Equipment – All Shifts x 3 Vehicles, Isolation Pod & Equipment for COVID-19 Patients



FARMINGTON CITY FIRE DEPARTMENT

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CITY COUNCIL AGENDA

For Council Meeting:
May 5, 2020

SUBJECT: Mayor Talbot & City Council Reports

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.