IVINS
CITY COUNCIL
MINUTES
June 2, 2022

NOTICE: This meeting was held electronically and in person. City Hall was the anchor location for the electronic meeting. You may listen to the audio feed by going to www.ivins.com **under "City Council" on the right of the home page and selecting "Audio".**

1) WELCOME AND CALL TO ORDER

MAYOR AND COUNCIL: The meeting was called to order at 5:30 p.m. and announced there was a quorum present.
All present included Mayor Chris Hart, Council Member Scott, Council Member Mehr, Council Member Johnson, Council Member Murphy and Council Member Anderson.
STAFF: City Manager/Attorney Dale Coulam, from Building and Zoning Fred Castagne, Parks and Recreation Director Benny Sorensen, Public Safety Director Bob Flowers, Fire Chief Andy Parker, Public Works Director/City Engineer Chuck Gillette, Director of Finance Cade Visser, and City Recorder Kari Jimenez.
EXCUSED: None.
Audience: James Barden, Laela Gaylord, Chris Haddad, Patrick Manning, Claudette Larsen, Jon & Barb Erwin, Helen & Dean Cavaletto, Louis & Elaine Baldwin, Dave Appel, Geoff Schmidt, Becky & Chuck Warren, Sharon Barton, Randy Johnson, Christa Hinton, Michael Hinton, Richard Bryant and others who did not sign in.

A. Acknowledgement of Quorum

Mayor Hart acknowledged that there was a quorum present.

B. Flag Salute

Council Member Murphy led the Flag Salute

C. Invocation

Council Member Murphy gave the Invocation

D. Disclosures

There were no disclosures or conflicts of interest with items on this meeting's agenda.

2) REPORTS, PRESENTATIONS AND APPOINTMENTS

A. Presentation regarding UTOPIA Fiber

Mayor Hart introduced Roger Timmerman, Executive Director of UTOPIA (Utah Telecommunication Open Infrastructure Agency) Fiber. **Roger Timmerman** provided a presentation to the Mayor and City Council, a copy of which is available as an attachment to this agenda. He reported that UTOPIA Fiber is not a business and he was not there to sell anything. UTOPIA Fiber is a consortium of cities and is an interlocal entity that works in partnership with cities building municipal fiber networks. The founding member cities are Brigham City, Centerville, Layton, Lindon, Midvale, Murray, Orem, Payson, Perry, Tremonton and West Valley City. There were some difficulties in the beginning but they have since had a lot of success and established a model for new partnerships. Once UTOPIA demonstrated that it could finance, build and have successful networks that didn't fall back onto the taxpayers, new cities began participating and it has been successful. In Phase one, which was through 2008, there were $185 million dollars of fiber projects where revenues covered the operating costs and

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cities paid a portion of the bond debt. Since 2009, there have been $450 million dollars of fiber projects where revenues are covering the operating costs and paying off debt with no cost to participating cities. Those communities benefit from the best Internet in the country and in the most competitive environment. They build fiber networks that allow Utah based providers to compete. It's not just about the providers, it's also about the City. Part of this would be Ivins' system where Ivins becomes its own anchor system on the network where City offices, parks and facilities are connected. UTOPIA has a Smart City team in-house where they work with cities to deploy various Smart City applications. Things like weather-caused outages, buffering, surprise rate-hikes, early termination fees, overage charges, installation fees and similar become nonexistent. UTOPIA fiber is the number one provider for air quality data to in the State of Utah because they have the connectivity. They also have an early detection wildfire system that they put in. That is something core that makes them different from other fiber providers. They work to provide and demonstrate that every single home or business gets its own dedicated fiber connection in UTOPIA's system. The benefit of having dedicated connections is dedicated capacity that is 24/7. Most providers are using GPON technology, which is shared capacity and uses timeslots and splitters to connect groups of customers on shared fiber, resulting in slower speeds during peak hours because they are literally sharing with the entire neighborhood. When the UTOPIA system is built for a City, UTOPIA builds and finances the project and then charges $30 to the end user for the fiber connection. The end user can then pick and choose from a menu of service options. Those options start at about $60 a month for 250 megabits, which is the $30 UTOPIA fiber connection charge, plus the $30 that a provider would charge. A gigabit starts at $70 and 10 gigabits starts at $200 a month. Every location in the system supports 10 gig from day one, which is a full generation ahead of anybody else in the State. Everything is symmetrical in speed with dedicated connections, unlimited usage, no installation charges, no promotional rates, contracts or termination fees. There is increasing demand for this and they are growing very fast because people are realizing that DSL and cable cannot keep up so they are switching to fiber. UTOPIA works with cities to figure out what it is going to take to make this happen and what the terms look like. The Utah Infrastructure Agency (UIA) issues the debt, finances the project, and handles the Public Hearing process. There is a services agreement with the City that is based on a revenue pledge. If UTOPIA obtains enough money from subscribers, there is no cost to the City. Since 2009, 100% of these projects have been no cost to the cities that have done this. UTOPIA's side of the project is the debt, building the system, taking care of it, repairing it, upgrading it and expanding the system over time. Expanding the system is an important point, especially in a City that is growing so fast because the City will have more development and more customers over time. The partnership risk is that UIA is going to guarantee the performance of the project, guarantee the cost of the project and issue the debt for the project. The City then provides a backstop to the financing where there is a revenue guarantee tied to the financing cost with 45% subscriber installations. There is a risk to the City but it is worth the risk because the entire project is paid for by the voluntary subscription fees of those who choose to sign up for a better and lower cost service than what they currently have. The project is financed, designed, built, operated and maintained by UIA. The average savings a month, per household, is $27 just on their broadband. There is no privatization of the internet. It is an open and free internet, as opposed to a manipulated or filtered version. UTOPIA is comprised of cities that believe this is an essential service to everyone in their communities. When they build these projects, unless directed otherwise by the City, they cover every address in the City. They don't see any other project that cities do, that bring such a

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dramatic impact or improvement to the quality of life to their residents, than bringing in a high speed internet. Regarding the take-rate, a breakeven scenario is three (3) to four (4) years before a City really needs to have the take-rate and revenues coming in. Any revenue that comes in the first couple of years is aggregated, accumulates and acts as a buffer but ultimately there needs to be enough customers on the system. If this project were to be financed today, it would be approximately a 12.5 million dollar project and that comes out to approximately 72,500 a month. You divide that by $30 and that's how many subscriptions Ivins City would need but as businesses in Ivins become subscribers, Ivins City would need fewer subscribers because businesses and schools pay more than residential subscribers. The approximately take-rate for Ivins City is 50.4% but when they make some assumptions about the other types of connections that usually occur, the take-rate is approximately 47% without adding any new homes. If the City were to add 500 new subscribers over the next couple of years, that would reduce the take-rate that Ivins City would need but UTOPIA would pay the cost to extend to those new homes as they're built. As far as urgency, interest rates are going up and it's always better to bond when interest rates are lower so there is some urgency. Ivins City conducted a survey regarding UTOPIA fiber and as he understood it, it came back very positive as to the residents wanting it. Regarding the next steps, a draft agreement could be put together for the Council vote on or some cities choose to issue an RFP (Request for Proposals) to obtain different options but that takes time.

Mayor Hart referred to a provider saying they have fiber to a home and inquired how fiber to the home was different in UTOPIA's architecture, versus what is already there. **Roger Timmerman** clarified that when UTOPIA'S fiber comes in, there are 16 different options to choose from but UTOPIA also provides a dedicated connection to the home. You get that dedicated connection 24/7 and it never slows down. **Mayor Hart** requested an explanation as to the dedicated line because he has heard the term "fiber" referred to as a "node". **Roger Timmerman** clarified that fiber to the node is where the fiber doesn't actually go to the house. Fiber to the node is usually cable and means that the provider upgraded from their cable to fiber with a splitter. There could still be hundreds of homes that share that connection. **Council Member Mehr** commented that Mr. Timmerman has said that UTOPIA is not a business and they are not there to sell Ivins a product but inquired how UTOPIA benefits from having Ivins join. **Roger Timmerman** clarified that UTOPIA benefits through economies of scale. When they do these projects, they basically say that they have a price structure where they charge the end user for the financing cost. They also have a charge that they charge the service providers for using the system and that is what UTOPIA lives on. UTOPIA has not raised the rate in over ten (10) years and they do not plan to. UTOPIA is not paying investors or stockholders. It all stays into the interlocal entity which maintains the same price structure for all of the projects. **Council Member Johnson** inquired what other municipalities in Southern Utah were signing on, or are hoping to sign on, other than the City of Santa Clara? **Roger Timmerman** indicated that UTOPIA is in active discussions with almost all Southern Utah municipalities. He just provided a presentation to Toquerville and is presenting to Springdale next week. **Council Member Murphy** referred to the consumer side and inquired how they keep the $30 charge from not going up because typically with service providers, every time you turn around, the price goes up. **Roger Timmerman** clarified that it could go up but while they're looking at bonds and infrastructure and hoping to lower the cost, it is very possible that they could raise rates but he has not seen them raise rates in a very long time and has actually seen some of the costs go down. UTOPIA is the wholesale piece of this and they allow the

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private sector companies to compete and market up whatever they can and still be successful. **Mayor Hart** commented that if one raises their price, they run the risk of losing that hookup or hook ups to others who are on UTOPIA's system. **Council Member Mehr** referred to the bond term being 30 years. **Roger Timmerman** indicated that it is two (2) years capitalized interest with no payments and then payments that are made by subscriber revenues, for a total 30 years. **Mayor Hart** clarified that Ivins City would not be making the payments, UTOPIA would be. **Roger Timmerman** stated that was correct. **Council Member Mehr** inquired why they couldn't design a system where Ivins City residents are just paying the fee to UTOPIA, rather than paying the additional $30 or $40 per month to a service provider. **Roger Timmerman** indicated that from a financial model perspective, that's a great way to go but politically and legally, that would be challenging. Utah Code prohibits cities from providing internet service. Cities can only do that in partnership with a private provider, otherwise it could be considered a monopoly. There is also the possibility of anti-competitive legal challenges. If they allow this to be available to any provider that wants to use it, then it works. **Council Member Scott** had a concern with the long-term commitment because technology changes really quickly. He commented that in the future fiber may not be the technology used and may be some type of connectivity like satellite or something that they are not even aware of right now. If Ivins' customer base dwindled, the City would be stuck with a monthly debt obligation that it has to pay. **Roger Timmerman** stated that UTOPIA does not position themselves as a technology company or entity. They are an infrastructure provider and fiber connectivity is what they provide. Fiber connectivity is what enables various technology innovations. He had a lot of information on why satellite could never compete with fiber but the main reason is it is too expensive and has a five (5) year shelf life. It costs a lot more to do satellite than fiber, it underperforms and the science doesn't change regarding that. Fiber is the most futureproof and most value fiber's asset lifespan at 50 years or more. They have been deploying these networks 20 years ago and they have only seen demand go up consistently over the last 20 years. **Council Member Scott** understood what he was saying but still had a concern because it's based on the best information that they are aware of today. He referred to examples of how this performed really well in other cities and inquired why Ivins or the other cities need to be on the hook at all if revenues are exceeding the debt requirements. **Roger Timmerman** indicated that they receive a better interest rate when they seek financing. It helps them obtain an A-plus or similar rated bond. If they do not have a guarantee from the City, that pushes them into much worse financing terms, which then brings in a much higher cost of debt and a much higher take-rate requirement of approximately 60%.The projects work very well if they can stay in the 40% to 50% take-rate. Additionally, UTOPIA consists of a group of cities and if one City doesn't provide that guarantee, that City is essentially asking the other cities to guarantee and take on that debt for that City. **Council Member Mehr** referred to the founding member cities as well as expanding members and inquired what of those fees are going to the founding members? As the debt is paid off by other cities, are they paying down sort of UTOPIA core debt where UTOPIA is getting a benefit on the coattails of those you're having join? **Roger Timmerman** stated that it's actually the other way around. The new City partnerships are heavily subsidized by the founding member cities. The founding member cities made $185 million investment in UTOPIA and are paying on the bonds for that, without asking anything of the partnering cities. UTOPIA is a separate legal entity, with its own financials, its own board and is independent from UIA and the City would be partnering with UIA.UIA's goal would be to pay off bonds early if it is in a position to do so. **Council Member Scott** inquired if Ivins has

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enough subscriptions that the revenue exceeds the monthly debt payment, does that excess revenue go solely to paying off Ivins' debt, or is it just distributed out to the broader group? **Roger Timmerman** indicated that is to be determined because there might be a priority elsewhere but they seek out the benefit of all cities and the decisions that are made are designed to benefit all of the cities, whether you have a high take-rate or not. As all of the cities do well, all of the cities benefit together. From a revenue and cost perspective and if pricing affects everybody, they would likely pay off the bonds that are at a higher interest rate, before they would pay off bonds at a lower interest rate because that would be in the best interests of all of the cities. That would be a decision of the board, which is made up of cities. **Council Member Anderson** inquired if Ivins City signs on, if the City gets to be part of the board. **Roger Timmerman** clarified that there are member cities and there are partner cities. If Ivins joined today, Ivins would be a partner city. Partner cities are invited to all of the meetings and asked to participate there. They also receive reports and updates but there are items like budgets and other things that require a board vote of the member cities. There are voting items that partner cities do not get to vote on. That is the structure that was created but he would encourage them to talk to other partner cities and ask them if they feel like their input is received, if they have a say in this organization. He would expect that all of them would say "yes" because they are very much involved. **Council Member Anderson** inquired if UTOPIA has to follow the public finance rules. **Roger Timmerman** stated that they do and that all of their financial statements are on the State sites. They are a political subdivision of the State of Utah and have to follow all of those rules. The next step would be to review with Ivins' Staff and go through the map and the coverage area and make sure they didn't miss anything and then come up with a draft agreement if the Council decides this is something they would like to do. **Mayor Hart** commented that he was sure that he and the Council would receive emails and questions regarding this and inquired if those could be referred to Mr. Timmerman. **Roger Timmerman** indicated that they could and his contact information is on the presentation that has been provided.

B. Concept Plan Report for Falcon Park Subdivision, located at approximately 225 East 800 South. Kevin Peterson—Owner/Applicant

Fred Castagne reported that this subdivision consists of two (2) lots on 1.01 acres. The Land Use is Medium Density Residential and the property is zoned R-1-7.5, which is one of the zones allowed for Medium Density Residential. The proposed density and use is consistent with the General Plan.

C. Concept Plan Report for Black Stone Subdivision (Hafen Parcel), located at approximately Red Mountain Blvd/200 East and Hamblin Parkway. John and Ellen White-Owner. Jon Crockett-Applicant

Fred Castagne reported that this subdivision consists of nine (9) lots on 3.29 acres. The Land Use is Medium Residential and the property is zoned R-1-7.5, which is one of the zones allowed for Medium Density Residential. The proposed density and use is consistent with the General Plan.

D. Department Reports: Parks and Recreation and Public Safety

Benny Sorensen reported that the splash pad is currently closed because a controller was damaged and when the parts arrived, there were missing parts so they are waiting on the parts, which he is being told could take up to six (6) weeks to get. Fire Lake Park is crazy busy. There were two (2) burials in May and they currently have 34 burial plots available but hope to get

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section five (5) of the cemetery going. He reported that the City lost the playground at Mohave Estates due to a fire.

Fire Chief Parker provided a written report. A copy of the report is available as an attachment to this agenda. He reported that they are working with Dammeron Valley Fire to finalize a Mutual Aid Agreement. They have finalized a Kayenta hydrant agreement, hired several personnel and repaired multiple vehicles.

Chief Flowers provided a written report, a copy of which is available as attachment to this agenda. He reported that the Public Safety Department has received a lot of inquiries about school security and safety. He reminded the public that SCIPD is exceeding all training requirements and thanked everyone for the support they receive. The Canyon Crossing gas station and Lightfoot's gas station were both burglarized and just two days ago, arrests were made for those thanks to the businesses having great security cameras.

E. Planning Commission Report

Commissioner Morris reported that the Planning Commission received the same reports for the Concept Plans on the Falcon Park and Black Stone subdivisions as we presented to the City Council tonight. The Planning Commission also held a Public Hearing on the Preliminary Plan for The Crossings at Red Desert and recommended approval of an Amended Final Plats for lots 18, 19 and 20 in Palisades at Snow Canyon Phase 8 and lot 226 in Palisades at Snow Canyon Phase 6. They also approved Taviawk Phase 12-H and continued the discussion regarding a Final Plat road dedication for Black Desert Resort.

3) CITIZEN REQUEST FOR FUTURE AGENDA ITEMS REGARDING ORDINANCES, POLICIES OR OTHER LEGISLATIVE ITEMS - None

Due to technical difficulties, the audio-visual system was restarted at 6:50 p.m. The City Council meeting was in recess from 6:50 p.m. to 6:56 p.m. **Mayor Hart** called the City Council meeting back into session at 6:56 p.m.

Mayor Hart requested that the rules be suspended to bring forward agenda item 5)A to this point in the agenda.

MOTION: Council Member Murphy moved to suspend the rules and move agenda item 5)A to this point in the agenda
SECOND: Council Member Johnson
VOTE: The motion carried.

Council Member Scott	AYE
Council Member Mehr	AYE
Council Member Johnson	AYE
Council Member Murphy	AYE
Council Member Anderson	AYE

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Presentation and discussion by Fire Chief Parker regarding fire operations and fire budget

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Mayor Hart indicated that the Brock Jacobson, the City Manager for the City of Santa Clara was present, as well as some members of their City Council and Fire Chief Parker. He stated that not everyone understands the relationship that Ivins City has with the City of Santa Clara for both Law Enforcement and for Fire and EMS. Ivins City and the City of Santa Clara have entered into Interlocal Agreements with each other, to provide those services under the following conditions: Law enforcement remains under the supervision, management, budgeting and similar, of Ivins City. Law Enforcement was the first of these services that was merged. Both cities found that to be successful and decided that it would also be a successful thing for both cities to do the same with Fire and EMS services. Those services are under the direction and management of the City of Santa Clara, including budgeting and similar. The City of Santa Clara City writes a check to Ivins City for their proportionate share of Law Enforcement services and Ivins City does the same thing for Fire and EMS services. A number of Ivins' residents are concerned from a personal property insurance standpoint, and from a response time standpoint, over the fact that in the consolidation, the central location for the department is the fire station on Rachel Drive, near Harmon's grocery store in the City of Santa Clara. Ivins Fire Department building on Center Street is not in full service at this time. That has prompted a discussion as it relates to the budget, as well as a number of other issues. He and Ivins City Manager have spoken with Mayor Rosenberg, their City Manager and Fire Chief Parker, regarding some ideas to try and satisfy the concerns that Ivins City has. **Mayor Hart** invited Chief Parker and Brock Jacobson, the City Manager of Santa Clara, to the podium. **Brock Jacobson** referred to a presentation that was provided to Mayor Hart, Mayor Rosenberg and City Manager Dale Coulam last week and was presented to the City Council for the City of Santa Clara last night. A copy of the presentation is available as an attachment to this agenda. The City of Santa Clara operates by trying to make decisions that are best for the whole. The Interlocal Agreement talks about a central location and in that agreement a remodel of the Rachel station needed to be done to make it operational for 24 hour living quarters. It was supposed to be done within one year of the agreement but that didn't happen until the fall of 2021. Since then, it has created some concern within Ivins City. The Interlocal Agreement with law enforcement occurred in 2012 and the agreement regarding fire and EMS occurred in 2018. These have been a great benefit to both communities, for what the cost would be trying to operate separately. The cost would be substantially more to residents and they would not be able to provide the same quality of service. **Chief Parker** introduced himself. He has been with Santa Clara Ivins Fire for three (3) months. The First Fire department he worked for was the Los Angeles Fire Department and then he worked in Rancho Cucamonga before coming to Santa Clara Ivins. He worked as a volunteer first in Rancho Cucamonga and then moved into the full-time position as a firefighter. He has gone on a lot of large fires in California and has a diverse background and experience, which helps to figure out the deployment modeling. That is important because that's where Santa Clara Ivins Fire suffers, in the ISO (Insurance Services Office) rating is in deployment and staffing. **Chief Parker** referred to Exhibit C to his presentation regarding NFPA (National Fire Protection Association) Standard 1710. A copy of the Exhibit is available as an attachment to this agenda. Throughout the nation, different Chiefs, Specialists and Engineers come together for the different NFPA standard numbers and they all stand for certain things. One could be fire suppression systems where there are Engineers with a background of inspection that would be on that committee. The committee is for deployment suppression operations for career departments and there may be 20 members on the committee that come up with the standards. ISO uses the standards to determine their staffing models and for their rating system and they are the standard

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throughout the nation. They do over 40,000 cities and provide that for city businesses and residents insurance rates, which is for fire protection but does not have anything to do with EMS. It's all fire and that is where the standard 1710 comes from, which is career. The 1720 standard is a volunteer standard. The Santa Clara Ivins Fire ISO rating from the last few years has been based on the 1710 standard. As cities grow, Santa Clara Ivins Fire is looking to the NFPA 1710 Standard because that is very important when it comes to the ISO rating. **Council Member Johnson** inquired why Chief Parker chose to go with the career standard, as opposed to the volunteer standard. She was partial to the volunteer system because she spent 27 years in that system and saw it work very effectively. **Chief Parker** clarified that the ISO rating that the Santa Clara Ivins Fire has is based on the 1710 standard and to go to the 1720 volunteer standard, the Santa Clara Ivins Fire would not meet the ISO rating. **Mayor Hart** inquired as to an explanation that could be understood, as to why the rating of the Santa Clara Ivins Fire response system drops, if the standard is moved to the 1720 standard. **Chief Parker** clarified that for every three (3) volunteers, you get credit for one (1) career firefighter. The standards are different because the training and the qualifications are different. ISO looks at it as if you have a full-time career firefighter getting all of the training, they're there constantly on a 48-96 hour shift and 2000 hours a year. They're working, they're training, they're becoming experts with their equipment so there is more credit for that individual. Santa Clara Ivins Fire is a combination department and there are still volunteers that are being used and deployed. A 1710 standard is a better and more efficient deployment standard from his experience. It is a higher quality of service, with fully staffed personnel in the firehouse that are ready to go. As an example, sometimes there are only two (2) people when a call comes in. Those individuals have to decide if they want to take the fire engine or the ambulance. If it's a medical call, they take the ambulance but then they are gone for an hour on transport and that delays a response. If a fire call comes in or another medical call comes in, people must respond from their residence or wherever they're at and if those calls occur during the week, it's tough. If they have staff at the station, they respond from the station, they're out on the call and providing treatment. That is the way that the nation is moving, regardless of where the Santa Clara Ivins Fire is at. It is a professional deployment that provides better service, with people that are in the firehouse with dedicated training. **Council Member Mehr** inquired if the new 1710 standard is being applying to the Santa Clara Ivins Fire and indicated that from past discussions, SCI Fire is a subdivision of the State of Utah and SCI Fire has State guidelines and State regulations for various things but he has not heard of the ISO until now and inquired if this is a new standard. **Council Member Johnson** clarified that it is not a new standard. It is a change in standard. She inquired how SCI Fire has been using the 1710 standard, as opposed to the 1720 standard because it was the 1720 standard when the cities were separate. **Chief Parker** he did not have that information but that it was former Fire Chief Randy Hancey that performed the last ISO inspection in 2020 and it was his understanding that they have been that way since 1998 because there cannot be businesses in town without that ISO rating due to their insurance being based on that rating. If the rating is less than five (5), that's when the commercial occupancies are concerned. If the rating is a two, that's better. The lower the number, the better. **Mayor Hart** inquired if the ISO rating changes from the 1710 to the 1720 standard. **Chief Parker** clarified that the ISO rating is coming from the 1710 response model and is for safety deployment. **Council Member Johnson** stated that the standards are different. **Mayor Hart** referred to the time when Ivins City was on its own and inquired if the standard they used was based on the 1720 standard. **Chief Parker** indicated that he could not verify that because he did not have any documentation. **Mayor Hart** stated it was a

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basically volunteer Fire Department. **Council Member Anderson** commented that when he was part of the Fire Department, they used the ISO rating and there was a committee that was part of it. **Chief Parker** clarified there is just one ISO rating and a Fire Department receives different points if they are on the career standard. **Council Member Scott** commented that standard 1710 versus standard 1720, dictates a different way of operating. **Chief Parker** stated exactly but a department is going to get a higher or lower score, depending on the standard being used. **Council Member Scott** stated that the differences are a different kind of staffing model, a different kind of deployment model and a different kind of expense model. **Chief Parker** indicated that was correct and clarified that it was a different ISO rating as well, which is lower with the 1720 standard. **Chief Parker** referred to an engine company. An engine company is looking for four (4) people but most cities don't obtain four (4) people, even large cities don't. Most will compromise because staffing that is the most expensive part. At the last City Council meeting, there was a comment that Ivins needs to pay its employees well so that they retain those employees but that is expensive. Most cities will use three (3) people on an engine company and very rural areas sometimes only use two (2). They would be sacrificing the ISO rating but may be able to get a higher rating in water supply communications. He referred to Appendix A showing the ISO rating system for SCI Fire and the categories. A copy of the Appendix is available as an attachment to this agenda. SCI Fire has improved the dispatching alerting where money was used to coordinate with neighboring cities, because they all use the same dispatch center. The cost for that was $28,000. The station alerting components was $50,000 for the Santa Clara Station and $48,000 for the Ivins station. That is used when the call goes out instead of just using a vibrating pager. The new system is audible that goes through the building, turns the lights on, shuts off the gas or electric stove if they were in use at the time and there is a screen with a timer in the station that tells the number of seconds for response and they receive information on the call. **Council Member Johnson** referred to the $50,000 system that has been implemented and inquired if the Santa Clara Ivins Fire Department is the only agency currently using that. **Chief Parker** stated no, SCI Fire was the only agency in the county not using it. Under section 2 "Fire department" of the Appendix, a review of the fire department scored 23.31 out of 50 points. There is a need to pick up points in that area but that is where most of the fire departments in Washington County are at. Over the last three (3) months SCI Fire has taken several actions to improve this including having a 2 person dedicated engine/brush engine company, 2 person ambulance; improving training records; Ivins station deployment for part-time and volunteer staff; moving apparatus to Ivins that allows for a realistic, legal and safe volunteer and part-time staff response; and 2 person cross dedicated staff engine response at Ivins station planned for 2023. Section 3- is "Water supply". SCI Fire scored 34.36 out of 40 points so SCI Fire is doing good there and making improvements over the last three (3) months in this area by signing a Hydrant Agreement with Kayenta and hydrant GPS sourcing through active 911. Section 4 is "Community risk reduction". SCI Fire has taken the following actions in the last three (3) months to improve in this area: scheduling for defensible space site review; developing wildfire defense pre-plans; training a full-time arson investigation specialist; and applied for fuels modification grant for the Kayenta area. All of these things make up the ISO rating where a consultant from ISO comes out and pulls data and looks at everything to determine the ISO rating.

Chief Parker referred to Appendix B, a copy of which is available as an attachment to this agenda, and stated that whether the standard is the 1710 professional standard or the 1720 volunteer standard, firefighters are always moving towards the professional response, because it

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is for their safety. Fire Departments want a coordinated, effective response model that's timely and provides the "2 in/2 out" per OSHA regulations. The regulation requires that if firefighters are in a smoky environment, they must have a respirator on two (2) people inside and two (2) people outside. He indicated that the three (3) people that SCI Fire just hired will be put on the engine as firefighters and that will help with the "2 in/2 out" model. Part-time staff was moved to full-time, now filling the 24-hour shifts. The ambulance will have two (2) people in it and if a call comes in at 2 a.m. there will be five (5) people on scene. There will be an officer, another firefighter, a person at the pump panel operating the pump and two (2) on the outside from the ambulance, and then the Battalion Chief or himself. Each of these positions are positions that require certifications. That is the basic standard to meet the intent of Title 29 of the Code of Federal Regulations (CFR). Previously, if that was violated, a notification report had to be done and OSHA would need to be notified every time. He referred to the information on the left of Appendix B and indicated that is the goal for the year 2030 if both stations are up and running. **Mayor Hart** inquired if that was 24/7. **Chief Parker** stated yes. For the Rachel Station, the goal is to have three (3) people on the engine and two (2) people on the ambulance. **Mayor Hart** inquired if OSHA regulates the safety of firefighters just like they do for construction workers and if SCI Fire is in violation with OSHA, he inquired if they could be cited and penalized. **Chief Parker** indicated that was correct. As an example, masks were just purchased for each individual because they were being shared. Aside from the health reasons, masks should be fitted annually to each individual, tested and documented through a machine that says that the respirator is sufficient. There are other professional standards like driving and there is a requirement to have a medical file with the State of Utah. Those medical files were not on file with the State until recently. Those things must be done to get to the professional standards. He is trying to provide a professional environment for highly qualified and experienced people coming in. Regarding medics and EMT, SCI Fire has some great people. They do a phenomenal job and work extremely hard. Santa Clara Ivins Fire also has a Mutual Aid Agreement. **Council Member Johnson** referred to the Mutual Aid Agreement and stated that was a concern that she had as it related to the new policy. If they are staffing five (5) by July then after the five (5), if more are required, they need outside sources to come in, instead of depending on volunteers. She inquired how those being pulled from outside the area felt about the Mutual Aid situation and if it was pulling resources from other communities. **Chief Parker** indicated that the intent is to have the best coverage for Santa Clara and Ivins. There is a Mutual Aid Agreement signed by the City of Santa Clara where mutual aid is provided to Gold Cross. Santa Clara Ivins EMS will continue to do that with their medics but will not deplete the entire City by responding on an ambulance. They are keeping services in Santa Clara and Ivins. There was a request recently for two (2) responses to go into the City of St. George with two (2) ambulances. One (1) was given but the second was declined and he would do that again. If the second ambulance was sent to the City of St. George to back up a private ambulance company that is for profit, it would be putting the Santa Clara and Ivins residents at risk. Those ambulances are out of service for about an hour and there is nobody in the City to provide an immediate and timely response. **Mayor Hart** commented that his concern was that St. George area is underserved by Gold Cross and Ivins Santa Clara Fire and EMS may be plugging a gap. **Chief Parker** indicated he has been through all of this and it is nothing new. **Council Member Johnson** stated that her concern is not sharing Santa Clara Ivins EMS with other communities, it was what are the other communities benefiting, sharing the little that they have, with Santa Clara Ivins and what that does for response times? She was trying to understand why

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Santa Clara Ivins EMS can't continue to run two (2) ambulances and why that is not a good thing for the Santa Clara Ivins community anymore. **Chief Parker** clarified that it is a great thing for the Santa Clara and Ivins community. It is at the Ivins station, it is available and Medic 32 is accredited for. If needed, it would just be kept for Santa Clara Ivins. **Council Member Johnson** indicated that the new protocol states that if the first ambulance is busy, Gold Cross is called to assist and the second ambulance is not being used. She did not understand why that is being done instead of utilizing the second ambulance. **Chief Parker** indicated that they are that engine in service. As of a couple of months ago, it is EMS medically certified. If a second medical call comes in the City of Santa Clara or Ivins, that engine would be sent and it's going to provide the exact same level of care. **Council Member Johnson** clarified that it was not a transport. **Chief Parker** stated that was correct. The EMS would wait for the transport. The whole purpose of that is to keep the fire apparatus in service. Santa Clara Ivins Fire EMS must do both to maintain the ISO rating. If the ambulances are sent out, he inquired where the fire response was? The City of St. George and Washington City do not have that problem because they do not transport. Their engine is always available in their City unless it is already on a fire. The whole point is to keep a fire engine staffed in the City ready to go, plus provide EMS. His intent is to provide the best service to the Santa Clara and Ivins residents, which includes fire response. He was shocked when he came to SCI Fire because there were three (3) people - two (2) on an ambulance and one (1) in an F-150 pickup truck and then the Battalion Chief would come from his house at 2 a.m. to the station, to run that ambulance call. He inquired why Santa Clara Ivins would delay a response, when Gold Cross could be asked to pick it up because Santa Clara Ivins offered them service as well? It works both ways. The engine should be ready to go 24/7. There are things that come up and that is why it is staffed for medical response. Both Engines 31 and 32 are medical EMT capable. **Mayor Hart** inquired if staff is cross-trained or if there was a plan to cross-train them, to have everybody able to do everything? **Chief Parker** stated yes and indicated that they will all be Wildland, Structure firefighting and EMS. He would love to have everyone up to the Paramedic level but that is something to work with the State to get more certificate-based programs as opposed to a more Advanced Paramedic at the State College level. **Council Member Johnson** inquired how Chief Parker's personal certification transfers over from California because she knew that a lot of states don't transfer immediately. There is a time where they have to go through some other training and if any of the other new hires are in the same situation. **Chief Parker** clarified that was correct. Individuals have to take the test and then they will get their certificate. He is certified as a Paramedic in the State of California but not in Utah. **Council Member Johnson** inquired if the new hires were currently certified Paramedics. **Chief Parker** stated that the Captain is not but he is an EMT Advanced. He will need to take the test and obtain his certificate. **Council Member Johnson** inquired how many total Paramedics are currently on the roster right now that were certified? **Chief Parker** stated of the new hires, there are three (3) coming on and then they have four (4) that are Paramedics. **Council Member Scott** inquired as to Gold Cross and their response time, compared to calling in volunteers that are locally based. **Chief Parker** clarified that Gold Cross moves their units around to posting locations and those vary on the usage levels. Santa Clara Ivins recently had a call in Kayenta for a stroke. Santa Clara Ivins has two (2) staff and rigs respond and Gold Cross quickly responded as well. **Council Member Anderson** inquired if Santa Clara Ivins Fire currently had a Wildland crew. **Chief Parker** stated no and indicated that currently there are personnel that are still certified. Captain Hansen will be handling that, doing single resource deployments and if they can provide that staffing, Santa

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Clara Ivins Fire will respond. Chief Parker would not send out more than one (1) or two (2) staff members so that the coverage can be kept in Santa Clara and Ivins. **Council Member Anderson** referred to the Wildland crew and inquired if that meant that the crew goes out and helps fight wildland fires? **Chief Parker** indicated that was correct. There are five (5) part-time individuals who work 40-hour work weeks or full-time during the wildland fire season. They go out and do fuel modifications, brush clearing, and the City of Santa Clara receives a reimbursement for that. That is the crew that the Santa Clara Ivins Fire does not currently have. **Council Member Johnson** referred to wildland fires and inquired if there was a fire in Kayenta, if that is when volunteers would be pulled in because they do not have a full staff of wildland and still have coverage for an ambulance or is that when they absolutely depend on the Mutual Aid? **Chief Parker** stated that for the initial attack, the five (5) personnel that are on, would take out the wildland equipment to response and begin the process of mitigating, depending on the size. If it went to an extended attack like a large fire, the Mutual Aid color country would be used. Station 32 in Ivins has all of the brush equipment. They provide a response and the goal of the staff coming, responds out of the station and not responding in their privately owned vehicles, for liability reasons. They then form up in a company to get credit for that ISO. They would hopefully get three (3) of those either part-time individuals or volunteers on that rig with a leader. They need to have somebody in charge and then they'll respond. They also need to be in their PPE. (Personal Protective Equipment) **Council Member Johnson** inquired what would happen if they are responding to wildland fire in Kayenta and then it turns into a structure fire? As an example, if St. George Station 7 has all their crew fighting something else, what would that do to Santa Clara Ivins response time and getting help on that structure fire? **Chief Parker** indicated that it would reduce it, just like it would in a big city. When you have ISO class one, everybody's running mutual aid. If you have a small City, they are reliant on mutual aid. They do not have one station like what is being presented. A structure fire in their City is immediately mutual aid. Santa Clara Ivins would immediately use mutual aid. Mutual aid is pretty much required on every major structure fire, just to meet mandates and provide effective fire ground operations. **Council Member Johnson** inquired if volunteers are not used unless they are on a shift? **Chief Parker** stated no. Volunteers are not on a shift. There are some part-time individuals who are in a reserve status that are not on the ambulance shift. The intent is to have volunteers responding out of the station so if there is a major fire, they would go to the station and respond.

Chief Parker referred to slide 2 in the presentation and indicated that the fire service 3 to 5 person team response was essential for Santa Clara Ivins Fire. It is concentrated, coordinated and effective. He was concerned with concentration and then distribution - what team members do they have?; what team are they putting together?; and then once they get those players, do they have extra? They then distribute. Slide 4 showed an auto extraction where the Captain provides safety to the firefighters, they are working with EMS personnel for transport and that is another example of the 3 to 5 person deployment. Slide 5 referred to a rooftop ventilation operation where a three (3) person engine company could do that, or they could use a ladder company. The Firefighter, Engineer and then a Captain provide oversight that helps the interior fire crews. Slide 6 showed a fire attack. 90% of residential structure fires are out in 10 minutes or less and 90% crews are where there are two (2) inside and two (2) outside. An aggressive fire attack is where they put the fire out quickly, using aggressive water on the fire, which is why team deployment is needed. The people on the NFPA committee came up with this and it has worked for over 200 years. The models have been put together based on experience. Slide 7

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referred to the current ISO deployment rating where SCI Fire is 4.66 out of 10 and 4.44 out of 15 for the current staffing ISO rating. Three (3) volunteers or part-time individuals equal a credit for one (1). Moving towards full-time would be a better staffing ISO rating. Slide 8 showed a timeline of the status of the Rachel Drive station in Santa Clara. He has been with Santa Clara Ivins Fire for three (3) months but last spring/summer the Center Street station in Ivins was moved down to Rachel station in the City of Santa Clara, with two (2) full-time employees and one (1) part-time employee. If someone took time off, that left only two (2), while still having to maintain the ambulance service. As of March of this year, the engine was put into service and two (2) more full-time employees were added - two (2) on the engine and two (2) on the ambulance. He is trying to get SCI Fire to the national standard but it is difficult to get the staffing needed when they are doing both Fire and EMS, which is why the shifts where changed to 24-hour shifts. **Council Member Scott** referred to the fourth (4th) bullet point on slide 9 and inquired if the 90% meant that 90% of all of the calls or all of the incidents where EMS rather than fire incidents? **Chief Parker** stated no. It had nothing to do with the incidents, just the staffing. Currently there are only two (2) people on the roster, meaning if Santa Clara Ivins Fire takes a medical call, they take the ambulance. Once that ambulance goes out of service, then there is no fire response from full-time staff, just part-time and volunteers. If they can get the people on the fire engine, then they have that fire capability available. Depending on the call, they can jump back and forth with two (2) people. If there are only two (2) people, then medical coverage is the primary. If there is a third person, then the third person is available to take the fire engine to respond. The third person is only part-time so they are not there all of the time. If the ambulance is at Intermountain Hospital, then there is only one (1) person at the station with the engine to respond to a call. Depending on if it's a weekend or a weekday, they may have help with volunteers or part-time individuals. If another medical call came in, they would only have one (1) person who would drive to that call. **Council Member Johnson** clarified that the numbers are based on the full-time situation, before with only three (3) employees, it is only 10% coverage. **Chief Parker** referred to slide 10 and indicated that there are quite a few personnel including part-time and volunteers. The need for volunteers is more because if it is a weekday, only certain people are available. That is also the challenge with the part-time individuals. Slide 11 referred to the status of the station on Center Street in Ivins. He and another individual have moved into the Ivins station and they are there Monday through Friday with varying hours. As it related to the timeline on the Center Street station, it was staffed up until the spring/summer of 2021 but was moved to the Rachel station in August 2021. The Ivins Center Street station was unstaffed until he and another individual moved there in February, 2022. He moved the part-time captain to train with the volunteers monthly because you can have a response, but if it's not coordinated and the volunteers haven't trained together and tested the equipment, it won't work. Slide 12 referred to staffing at the Center Street station. Slides 13 and 14 referred to staffing at the Circle Street Station in Santa Clara, which is where the wildland team would meet. Currently that station is staffing a parade truck and a third ambulance, which SCI Fire and Rescue is required to have for special events. Slide 15 referred to four (4) different solutions to the problem of having no full-time EMS or Fire crews at the Ivins station on Center Street. Solution #1 would move the ambulance crew to the Ivins station during day operations until accommodations could be made to house the crew. Crews could cross staff equipment for fire calls if they are not on a medical call. They would not have supervision and that cost of solution #1 would cost approximately $6,000 for interior finishing's, to make the station livable. A crew could go there at zero cost but with his deployment modeling, it would be those that are

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usually the least experienced. He would like them to have a supervisor. Solution #2 would be to hire a second ambulance crew with 12 part-time staff who can be housed at the Ivins station 24/7 365 days a year. The cost for that would be roughly $290,000 or $330,000 for three (3) full-time people. Solution #3 would be to hire a second ambulance crew as in solution #2 and hire three (3) full-time supervisors for a limited fire response. The cost would be approximately $620,000. Solution #4 is the Vision 2030 vision where they would hire a second ambulance crew and nine (9) full-time personnel to match the Rachel station. The cost of that would be approximately $1.28 million. Brock Jacobson has been working with the County Commissioners because approximately 10% of the calls are out in the county. This is not a call volume problem, it is a geography problem. Comparing Santa Clara Ivins to Brigham City, Brigham City has approximately 19,000 residents and is roughly 29 square miles. They have a full-time engine, a three (3) person full-time engine and two (2) part-time ambulance crews. It is about the same size as Santa Clara Ivins running one station. One station should suffice but the geography is a problem. Santa Clara Ivins is working with some funding mechanisms as well. It is recommended that there be 1.52 firefighters for every 1,000 residents, which would put Santa Clara Ivins at about 28 firefighters but they are shooting for approximately 18 for every 1,000 residents. **Council Member Scott** referred to the Ivins Center Street station and inquired if it could be operable as a 24-hour station with approximately $6,000 in renovations? **Chief Parker** stated yes. **Council Member Scott** commented that solution #2 would give the bulk of Ivins a very good response time for EMS on a 24/7. **Chief Parker** indicated it would but based on the heat map, the majority of Ivins residents would benefit from the Rachel station. **Council Member Scott** indicated that solution #2 would give Ivins that and it could happen quickly. **Chief Parker** clarified that it is roughly about a six (6) month window for the recruitment process but he thought he could get that process done in 60 days. **Council Member Scott** indicated that the solutions could be done in phases, starting with solution #1. Solution #1 could be done immediately, then solution #2 could be running in maybe 60 days and then they would just need to figure out how far in the future solution #3 could be implemented. Solution #3 is expensive, but it is also safety and that is important. Solution #4 would be the fourth phase. **Council Member Anderson** inquired if the cost would be split between Ivins and Santa Clara? **Brock Jacobson** shook his head in the affirmative. **Council Member Mehr** commented that this all assumed a professional staff and could be augmented if a hybrid was done. **Chief Parker** indicated absolutely. There are some creative ideas from a lot of people, but he was trying to maintain the regulations and standards from the federal government and similar. **Mayor Hart** commented that when he moved here, Ivins Fire Department was basically a volunteer Fire Department and Council Member Johnson was a part of that. He was curios if that was even a feasible thing anymore or to what extent could they count on volunteers anymore? He has received emails from residents wondering why more isn't being done with volunteers. **Chief Parker** stated that from the history of the fire service, it is talked about in studies within big disasters, that the community members are the ones who perform most of the rescues. Most patients get off scene quickly because of humanity's need to want to do good. If you look back into the beginning of the fire service in Cincinnati and those areas, it was all volunteer but as cities grow, things develop and professional standards develop for safety. A lot of firefighters perished because of unsafe standards but a volunteer fire department can be done in smaller communities. **Council Member Anderson** indicated that when he was a volunteer for the fire department, he noticed at times there was a very active volunteer group but then at other times, not so much. He liked the idea to still have some volunteers and to not quit training people

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if they're willing to be trained but the City also needs full-time fire employees. **Council Member Johnson** stated that it was important for Santa Clara Ivins to try to do some type of a hybrid. She didn't think that Santa Clara and Ivins are so big that there can't be some volunteer work. That may not occur as much as it has in the past because things are changing, and Ivins is growing, but it is important to maintain some of the volunteer aspects of the departments and not just for fire, but for EMS as well. **Chief Parker** indicated that his job was to provide the Council with the information. They represent Ivins residents and decide. **Council Member Johnson** stated that what the Council has seen, not being a part in the operating aspects of it, she wasn't ready to give that up yet. The cost increases are huge. She was looking at the budget from 2018 at $371,000, compared to the upcoming budget for 2023 of just under $1.5 million. That's a huge jump in five (5) years. There needs to be a way to maintain some of the volunteer lifestyle, and still have the ISO ratings. She appreciated what he was trying to accomplish but she wasn't ready to give up the volunteer community. **Chief Parker** indicated that there is a plan for the part-time Captain to get the volunteers trained. **Council Member Johnson** stated that she has heard from many of the volunteers on the Santa Clara Ivins Fire department who have been hurt to see this change and have been very dedicated over the years. It would be doing the community a disservice when that opportunity is not provided. **Chief Parker** indicated that the whole point of this is for safety, insurance and similar. **Council Member Johnson** stated that the volunteers have done a really good job. The firefighters and medics have been required to be certified in all the same things as the full-time people. **Council Member Anderson** indicated that Ivins is changing and growing and whatever the solution, the volunteers are important to have. He supported Chief Parker in what he's trying to do because 24/7 full-time staff is needed. Volunteers do a great job but sometimes they are out of town or working. They need to be trained so that maybe one day they can be full-time firefighters. **Mayor Hart** commented that this was really a complicated balancing act. On one hand, there is the ISO rating, which impacts everybody that pays insurance and the only way to control that is to look at the rules and find the best way to achieve a rating that is adequate. This is an unusual situation because when Santa Clara and Ivins merged, there were two (2) stations. The Rachel station in the City of Santa Clara turned out to be the most central but it left a part of Ivins City underserved. On the other hand, there is quality of service. Historically the volunteers did a great job. He has received a lot of letters and emails from residents expressing their gratitude for the volunteer system that served Ivins for a lot of years. Things have changed, the world is changing. There are both federal regulations and OSHA regulations that need to be taken into consideration when planning and training, that allow a qualified crew to be sent out to attack a fire or to take care of a medical emergency. There are residents who live in Ivins that are frightened, especially in a year like this year where it is nothing but wind and a lot of fuel and they are worried that the response time may be too long. **Chief Parker** stated that they have a list of officers ready to go that will do both Captain and Engineer responsibilities, and then given a partner for their safety. That would be his solution, as of July 1st of the next fiscal year. **Mayor Hart** inquired if that was solution #3? **Chief Parker** indicated that it was. Solution #3 includes one (1) Captain. **Mayor Hart** commented that this is a challenge for the City of Santa Clara and Brock Jacobson. There is some income from Ivins but both cities struggle with how to make budgets balance. **Brock Jacobson** referred to Council Member Johnson pointing out the cost of $380,000 for the 2018 budget and clarified that the combining of the Santa Clara Ivins Fire and Rescue was in January, so the $380,000 was only half a year of a budget, January to July, so that figure really would have been $760,000 for a full year. Santa

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Clara Ivins Fire and Rescue is trying to be fiscally responsible to the residents of Santa Clara and Ivins, and to provide a quality of service. Trying to do that is a difficult one. The comments he has heard over the years even before he was City Manager, was the struggle of filling shifts and getting people to be able to provide that service. It's a struggle for volunteers that work a full-time job. That was the problem even before Chief Parker was with Santa Clara Ivins Fire. Chief Hancey was trying to get people to commit to a shift so there was coverage every day but that was a struggle with volunteers. To bring motivation, they tried part time, paying the volunteers so they could get paid for their time but some did not like that because they felt that cheapened their service to their community. As Chief Parker came on, he brought a different look at things from what his experiences were. A lot of things were really eye opening. Chief Parker has tried to create a staffing model to provide that service, but it comes at an extreme cost. Solution #4 says $1.3 million, but that is just personnel and does not consider the equipment that will be needed for both stations. Jumping back to the $6,000 for the Ivins Center Street station, they need to add $48,000 on top of that for the station alerting system, making that amount $54,000. He has been trying to find ways through grants, to get more personnel. The other option that Santa Clara Ivins Fire Rescue has been working on, is with Washington County. Santa Clara Ivins Fire Rescue runs a lot of calls based on the EMS boundaries that have been dictated by the State. Santa Clara Ivins Fire Rescue covers everything west, to the State line. When going to those calls, EMS is gone for a few hours , leaving the cities vulnerable. In the 2020 legislative session, a former Fire Chief of Ivins, Brad Hannig, who is the Fire Chief for Logan City, brought this to a head. He was upset because Logan as the medical provider, had to cover North Logan, Smithfield and all of that. Logan was covering all of those people in the county but for no compensation. The Santa Clara and Ivins residents are footing the bill to cover the county. Brad Hannig got in the legislative session, House Bill 303 from the 2020 session that said if you don't provide the service, you need to contract with somebody to provide that EMS service for you. Santa Clara is working with the County, trying to say, hey, you don't provide this service so you need a contract. Santa Clara Ivins Fire Rescue is still getting a lot of calls and in the last month, there were two (2) fatality accidents on Highway 91, close to the Arizona border. He told the Santa Clara City Council a few months ago that before going to the County he needed $1,000,000 from the County. That may be an unrealistic number and the County will likely say no but that would staff another station and crews could be sent out and Santa Clara and Ivins would still be fully serviceable. He instead went to the County and offered them roughly three (3) more full-time positions with $330,000 as a base fee to cover the personnel, and then have an additional fee on top, based on the calls for mileage because of wear and tear on the apparatuses. He had a good discussion a few weeks ago with the County Commissioners and County representatives but he hasn't heard back from them. He is going to keep pushing to try to get something from the County to help get another station. There are still other hurdles to get over but that is a start. It might end up with Santa Clara and Ivins going to the State and saying let's bring the Santa Clara Ivins Fire boundaries back, and that's what will be covered, then the County will be forced to come to the table by either contracting with Santa Clara Ivins Fire Rescue or with Gold Cross. **Mayor Hart** commented that the County has imposed the rest of the West County on Santa Clara Ivins Fire Rescue. It started out with just Santa Clara and Ivins boundaries and Highway 91. With both cities finalizing budgets right now, he inquired if the City of Santa Clara had any of the suggested solutions in their budget? **Brock Jacobson** stated no but they do have three (3) new full-time Paramedic Firefighters in the budget for the Rachel station. **Mayor Hart** commented that doing any of these things, even solution #2 would be

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another $150,000, plus some remodel work to make that happen. That's a chunk of change to add to both cities budgets. **Brock Jacobson** indicated yes it was and that the General Fund budgets were tight. The City of Santa Clara's City Council has looked at all of the solutions and to them, all of the solutions are favorable but they didn't pick just one. The County is a very big key to this solution.

Mayor Hart stated that Ivins has talked about the idea of a Fire District because it is its own taxing entity and budgets are less impacted but residents are paying more because it is a new district tax that is added on top everything else. **Brock Jacobson** indicated that districts can do good things. He wasn't against or in favor of them. Usually in a district, they have what they want in equipment and staffing because they tax the residents and usually at the highest possible rate that they can. **Dale Coulam** stated that he has communicated with an Attorney who is a specialist on districts and that Attorney indicated that the County would be involved in forming and creating a district that option would still involves the County as well. The plan is to get both cities to where response time is good and an ISO rating that covers the entire boundary of both cities. **Brock Jacobson** indicated that in the future, the City of Santa Clara may run into a coverage issue with the Rachel station, as the South Hills develop. The Rachel station may not fit the parameters to provide the coverage, forcing Santa Clara to look at a new location for a station in the City of Santa Clara but before doing that, if there is the ability to man a second station, the second station will be in Ivins. There will not be two in Santa Clara, with nothing in Ivins. As soon as it can be budgeted for, it will be in Ivins, whether it is on Center Street or whether it is somewhere else in Ivins. **Council Member Anderson** stated that people are also worried about response times with the ambulance. He favored solution #2 and putting it in effect immediately. **Council Member Scott** commented that solution #3 would be the best immediately, but it is expensive. It is life and safety. ISO ratings are important for insurance purposes, but life and safety are number one. **Mayor Hart** indicated according to the heat map, it was suggested that even though it leaves some of the City of Santa Clara and Ivins City residents without adequate response times, the Rachel station is what covers most of the population in both cities. **Chief Parker** stated that was correct. **Council Member Scott** commented about the presentation and the great information, data and potential solutions. He appreciated Chief Parker for the information and indicated that the best solutions are within the confines of the budget. Looking at the heat map, the Rachel station makes sense but in looking at the five (5) minute response time, only half of Ivins City has a five (5) minute response time. Getting the Center Street station operational, for both fire and EMS, is important. It probably requires solution #3, which may be too much to bite off immediately, but solution #2 should be workable. **Council Member Anderson** referred to solution #3 and the expense of that number being cut back. **Mayor Hart** commented that if the County stepped up and did what Brock is requesting, the budget would be there. **Brock Jacobson** indicated that solutions #3 would be $620,000 but if the County provided $330,000, that would cover three (3) full-time positions, leaving $290,000 still needed for the part-time positions. **Council Member Anderson** stated that he would like to see what the City of Santa Clara Council Members think about that. **Brock Jacobson** indicated that the City of Santa Clara is adopting their budget next week and has been finalized, submitted and sent out but he had no problem going back to the City of Santa Clara's City Council. **Mayor Hart** stated that this is a collaboration and it depends on what the City of Santa Clara was willing to do. **Brock Jacobson** indicated that the partnerships have been great. Budgets usually get a little bit hard because there might be times where one City feels one way and the other one feels another way, or one has more revenue than the other. **Mayor**

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Hart stated that he could guarantee that if it went back to each City having its own department, it would be a whole lot more than the Ivins half. **Dale Coulam** agreed. **Mayor Hart** indicated that the way he looked at it, there weren't a lot of options. There are concerned residents and it is the Council's obligation to respond. This is a number one priority for both the City of Santa Clara and Ivins City Councils. They are responsible for providing an adequate level of service to all areas of each City, which includes Kayenta. **Brock Jacobson** stated that the City of Santa Clara feels like they are trying to provide a quality service. When the Ivins station shut down, he understood the agreement was stated that the station on Rachel Drive would be the central station. The City of Santa Clara's Council Members were present tonight and have heard the presentation and will be well versed when this is discussed again next week. **Mayor Hart** thanked the City of Santa Clara's City Council and the Firefighters for being present. **Council Member Johnson** indicated that more communication between the City of Santa Clara and Ivins City was important and she hoped that the Councils continue to improve and have good communication. She was still in favor of trying to keep the volunteers involved, to give them an opportunity to serve the communities. **Brock Jacobson** commented that the way he understood it, the volunteers are still very much involved. They can still be a volunteer, but they're not given a shift because they don't want to take a shift. **Council Member Johnson** clarified that there are reasons for that. It is hard when they have another job, to commit to a shift. There needs to be a balance. **Brock Jacobson** stated that is the hard part. The manpower is needed. The City of St. George has volunteers but it is very small and is dwindling every single year. He would love the volunteers to stay and be involved. As far as communication, there was a meeting with Ivins City Mayor Hart, Dale Coulam the City of Santa Clara Mayor Rosenberg and himself and they discussed meeting on a quarterly basis and having both City Councils get together at least once or twice a year, specifically around December or January when the budget discussions begin. **Council Member Anderson** indicated that he had a lot of comments from residents that were concerned about the response time for EMS and solutions #2 or #3 would help with that. He wanted to make sure they were aware of that concern. **Mayor Hart** thanked Brock for all he has done and the City of Santa Clara for managing this extremely important service to the Ivins residents. Chief Parker has been a great hire and inspires great confidence. **Chief Parker** referred to the necessity of a new ladder truck for Santa Clara Ivins Fire Rescue. He referred to Slide 17 depicting the Tuacahn Actor housing and indicated that SCI Fire does not have anything that could reach the upper floors of that building. If there were a technician working on the HVAC system on the building that had a cardiac arrest event, he inquired how SCI Fire would get them down? Using a ladder truck like the one he is proposing, has a lot of uses. Smoke is what kills people, not the fire. A lot of buildings have a fire suppression system that will put the fire out but the resulting smoke is what drives residents to balconies. Santa Clara Ivins Fire Rescue wants to provide a platform to provide those rescues. The ladder truck he is proposing has ladders in the bed that are typically 235-foot ground ladders. The tallest ladder that SCI Fire currently has is an extension ladder that is 24 feet which barely reaches a second story window of a home. They have nothing for apartments. The ground ladders are used routinely. He referred to slide 18 that showed the Crimson Cliffs high-density residential housing that is just east of Rocky Vista University. There are other residents that live in those buildings, not just university students attending Rocky Vista. The way the ladder truck that he is proposing is designed, is it has offset approaches. Slide 19 is a photo of vehicles parked in a parking lot. SCI Fire would not be able to park right next to the building and put a ladder right up if there are vehicles parked in that

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area. The offset is a considerable distance away, which is why the 100-foot platform is standard to reach in. Slides 20, 21, 22, 23, 24 and 25 referenced Movara Fitness, Red Mountain Resort, Lava Ridge Intermediate School, Harmons grocery store, Santa Clara City Hall and an existing church. The ladder truck could be used for those buildings as well. It is common to have HVAC fires in the summer and most of those units are located on the roof tops. To get up to those HVAC systems, SCI Fire would need to get up on the roof. The quickest way to do that is to get those hose lines up off the ladder truck and onto the roof. The current ladder truck that SCI Fire has is not necessarily designated as a ladder so they receive zero points for that. He referred to the fire truck on slide 26. That model is called a quint or squirt engine but is not an adequate ladder truck because it has a high center of gravity, has a pump and a water tank that need to be maintained and the tank is typically a 500-gallon tank, which adds weight. The way the boom sits on the cab, it causes cracks in the cabs and there are issues with the braking system. Chief Parker referred to slides 27 through 29 depicting various ladder truck styles and explained each. The ladder truck that he recommended was depicted on slide 29. It is the lightest model, is hoist capable, no water tank or pump to maintain, jack-knife maneuverability, easy rescue and the most compartment space. If individuals are trained on this ladder truck, a rescue can be done with three (3) people, in under 15 minutes. The ladder goes up and the piping and hose go up the ladder and then they are applying the water and using the engine to pump it. There is a basket for lifting operations but it can still be used for regular firefighting. The purpose of the ladder truck that he's recommending is for the life safety profile with the large buildings in Ivins and the City of Santa Clara. Typically a City the size of Santa Clara and Ivins would not have a ladder truck like he's recommending but because of the profiles of the buildings in both cities, it is recommended, especially with the Black Desert Resort going in. It is costly but prior to his time with the City of Santa Clara, a process was already in place with the Five County Association of Governments CIB (Community Impact Fund Board) for a funding request of $1.4 million. Five County would cover half of the cost and then the City of Santa Clara and Ivins City would split the other half. The SCI Fire application is currently number eight on the list, which means SCI Fire would apply in February of 2023 for the ladder truck. One issue with a ladder truck, is housing it, which is where the station comes in and that would be a package deal through the Five County Association. From the two (2) meetings he has attended, it is a package deal where they build a station and get the ladder truck. Most of the large buildings that would benefit from the ladder truck, are located in Ivins. **Council Member Scott** referred to there being $500,000 earmarked in 2025 for a ladder truck in the Ivins 5 year plan. The issue being stated is that for anything over a two-story building, Santa Clara Ivins Fire Rescue doesn't have adequate capability now for even two-story buildings and if there is landscaping, parked cars, or other obstacles in the way, the second or third story or the roof is going to be a problem. He commented that this is not a wish list. It is necessary because there are buildings in both cities that the Santa Clara Ivins Fire Rescue can't service. **Chief Parker** stated that was correct. Another option would be a lease option rather than a purchase and that would drastically reduce the cost. **Mayor Hart and the City Council** thanked Chief Parker, Brock Jacobson, the Fire Fighters who were present and the City of Santa Clara Council members who were present, for being in attendance and providing this information.

4) PUBLIC HEARING AND ACTION ITEMS

A. Public Hearing on proposed Ordinance No. 2022-06 adopting a water conservation code for new construction

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Mayor Hart indicated that Ivins has patterned this ordinance, with some variations based on the specific conditions and needs of Ivins City, to comply with the Washington County Water Conservancy District's request that all the cities in the County adopt a conservation ordinance, as a mechanism to extend the water supply through conservation. **Mayor Hart** opened the Public Hearing. **Stacey Young**, a Land Use Attorney representing and directing the government affairs function for the Southern Utah Homebuilders Association commented that SUBA supports this initiative. He appreciated Ivin's participation in this conservation effort and indicated that this is an easy ordinance for the SUBA membership to support. He stated that it is noteworthy that last year, countywide, we used approximately 3% less water, yet the County grew by 5% so the County actually used less water last year than the prior year so they are seeing the results of this effort.

Dave Appel resides in Ivins and commented that he has been a landscaper for more than 30 years. The biggest headache has been the snowbirds that came down here and want the greenest grass they can possibly have. They need to be educated on that but did not know how best to do that. He suggested advertising or education to help with that and to let people know that we can't afford to water everything. Those have been his worst customers because they don't understand that we don't have the water. If those customers don't have green grass when they come to visit, they get after the landscapers so what do the landscapers do? They pour more water on it to keep the grass green and it is a vicious cycle for the landscapers who are still in the business because it is a matter of keeping their job as the landscaper. Some of the HOA's (Home Owner Associations) are forcing the landscapers to keep the lawns green. He suggested that they start with the start with builders and landscapers who put in the yard.

Council Member Mehr commented that he was aware of three (3) people that were present for this Public Hearing but left due to the length of time it took to discuss the fire operations and fire budget. He texted one of those individuals and she responded. The individual is Lori Morris who resides at 134 West 200 South in Ivins. The points she wanted to make were: 1) do we need more regulations that will not be enforced evenly?; 2) do we need more regulations that continue to increase the cost of construction? 3) would a tiered payment plan encourage conservation without having to increase regulations?; 4) technology doesn't have to be mandated when it pays for itself – no one has to tell her to buy LED lamps; 5) shouldn't we spend more time on capturing the water that we do get?. She commented that she knows she will see the water flow over the Gunlock Dam again and suggested that the City take steps to keep what they receive because the one thing they know about weather is that it is going to change. She commented about the City making people pay for all of the cutting edge water conservation items that do not pay for themselves that cost more and don't work well. She inquired that if you have to flush the toilet three (3) times, how does that save water? Adding a water circulation pump is expensive and uses power to run it. It all adds up with all the City's special standards, including lighting and now maybe plumbing, water requirements and specific pool covers. All of these things decrease the ability to buy on the open market and unnecessarily increases the cost of building. There being no other comments, **Mayor Hart** closed the Public Hearing.

B. Discuss and consider approval of Ordinance No. 2022-06, an Ordinance of Ivins City, Utah, adopting and implementing regulations for landscaping and water conservation for developing loan in Ivins City, Utah

Council Member Scott had three (3) suggestions for changes, the first being on line 456 regarding time of day and month watering. He referred to a recent presentation at the Utah League of Cities and Towns mid-year meeting where Dr. Kelly Kopp, who is a water

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conservationist, discussed some of her research findings, where she determined that prohibiting daytime watering in the summer was not effective at reducing evaporation. He suggested that the Council look into that and determine the best timing requirements, but do not delay passing this ordinance. The City has times for watering in other rules or advisories that the City puts out and inquired if that even belongs in this ordinance. **Mayor Hart** stated that he took that information to the Water Conservancy District and they rebut her statement and have indicated that they have significant other data that suggests in a region like Washington County, what the District has requested with regarding to watering, is valid. In Northern Utah and in cooler climates, that may be less applicable. **Council Member Scott** commented that it sounded counter-intuitive and was inclined to go with what the District has recommended and not make a change with regard to that. **Council Member Anderson** commented that having everybody water at the same time, puts an undue burden on system. **Mayor Hart** commented that it seems to be unenforceable and wasn't sure polices that, other than neighbors calling it in.

Council Member Johnson was excused at 9:23 p.m.

Mayor Hart indicated that he submitted this ordinance to the department at Utah State University that is doing all of this research. They have a couple of individuals who review ordinances and Ivins ordinance is on the list for their review and hopefully in six (6) months when the Council reviews this ordinance, they will have the information from Utah State University as well. The **Mayor and City Council** agreed to not make any changes to the time of day and month watering and review it as part of this ordinance in six (6) months. **Council Member Scott** referred to the Council previously talking about if the City should meter water in individual apartment units and at that time, the Council agreed that townhome and condominium units should be metered separately, but the Council excluded apartments. He did some research and contacted approximately a dozen apartment developers who are active throughout the western United States and have built thousands and tens of thousands of apartment units. They reported that a lot of them have been metering both and the cost to do that varied from developer to developer but ranged from $325 to $900, with an average around the $500 per unit range. He referred to line 280 and recommended that instead of saying all townhome and condominium units shall be separately metered, that it just say “all units”, which also means multi-family, including apartments. **Council Member Anderson** did not agree with that as it related to apartments or townhomes. He requested that he be able to ask Mr. Young a question regarding this. **Stacey Young** commented that a meter is usually associated with an impact fee so the cost is higher and stated that frankly, if a City is allowing those types of units, the City has achieved water conservation. The reality is that those units are going to use a fraction of the amount of water as the typical single family home because the water use for those units are almost all indoor use only and whatever outdoor irrigation use would be spread across multiple units. There is value in the feedback loop of people knowing how much water they're using, so metering each unit is not without some merit, but having those units without metering each one, has already achieved the water conservation goal and metering each unit is very cost prohibitive. The **Mayor and City Council** agreed to not make any changes to line 280 regarding metering and leave the language as it is. **Council Member Scott** referred to line 235 regarding the grass area percentage and maximum square footage of the grass area and stated that 2,000 feet of grass is too much. The Conservancy district has a percentage formula of 12% for small lots and then 10% and 8% as the lots get bigger but questioned the 8% because there

may be a fairness issue to address. As an example, 5,000 square foot would only get 400 square feet of grass and a 20,000 square foot lot would be allowed 1,600 square feet of grass. Chances are that a young family with kids is probably going to buy a smaller home on a smaller lot but have a greater need for grass. He understood that we are all paying the same impact fee, regardless of how much water we use. **Council Member Anderson** clarified that the fee is based on the percentage of watering of the yard and although the source fee from the District is based on lot size, everyone has to sign a conservation agreement that limits the amount of irrigated landscape or they pay more. **Mayor Hart** agreed that 2,000 square feet was too much and suggested 1,500 square feet instead. **Council Member Scott** indicated that 1,500 square feet was in line with what he was seeing elsewhere but still questioned the 8% formula. **Council Member Mehr** had a differing viewpoint on this. His general mindset was that he did not want to close the door on families coming to events with children. He inquired what 8% would actually looks like on a lot. **Council Member Anderson** clarified that if they think about an 8000 square foot lot, that is 400 square feet of grass, which is 20 feet by 20 feet and commented that he did not have that much grass in his back yard. **Mayor Hart** commented that a way to look at this is what is an adequate grass area for the kids to go out and play on? He commented that given the realities of the geometry of a lot, 8% is probably not too far off. After a lengthy discussion, the **Mayor and City Council** agreed to the following language of adding "However, all lots are permitted 600 square feet of grass even if the 8% calculation is less."
Council Member Mehr referred to sections in the ordinance as it related to fruit and nut trees being allowed and commented that those may not be considered water-efficient but wanted to see fruit and nut trees allowed. The **Mayor and City Council** agreed to make changes to lines 307, 368, 530, 564 and add "however, fruit and nut trees are allowed." The **Mayor and City Council** discussed landscape standards for different types of schools and their use of water. They agreed that K-12 schools were exempt from the provisions of this ordinance and determined that additional language would be added to the ordinance at line 78 under the "Applicability" section, to read "and excepting K-12 schools." after the words "Conditional Use Permit".
Mayor Hart referred to the changes discussed tonight and inquired if the Council had enough information to adopt this ordinance tonight as amended. **Dale Coulam** indicated yes and stated that the City Council could adopt this ordinance as amended.

MOTION: Council Member Murphy moved to approve Ordinance No. 2022-06, an Ordinance of Ivins City, Utah, adopting and implementing regulations for landscaping and water conservation for developing loan in Ivins City, Utah, as amended
SECOND: Council Member Scott
VOTE: The motion carried.

Council Member Scott	AYE
Council Member Murphy	AYE
Council Member Anderson	AYE
Council Member Mehr	NAY
Council Member Johnson	ABSENT

Three (3) Council Members voted in the affirmative, one (1) Council Member voted in opposition and one (1) Council Member absent. The Motion carried.

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5) DISCUSSION AND POTENTIAL ACTION ITEMS

B. Discuss and consider approval of Resolution No. 2022-10R, a Resolution of Ivins City, Utah, amending the Governing Document of Black Desert Public Infrastructure District and Interlocal Agreement related thereto and related matters

Randy Larsen indicated that the proposed resolution authorizes an amendment to the governing document. The governing document is a statutory name for the charter that created the Black Desert PID. The amendment would allow the PID to issue C-PACE bonds that authorize a governmental lien, with the consent of the property owner, for improvements that save water, are energy related, earthquake proofing, parking garages because that removes asphalt surface parking and things like that. It is property by property specific and has to be for commercial property. It would not be allowed by state law on residential homes. The Black Desert PID has a hierarchy of improvements and how those can be financed and part of that would include the parking structure. It is more narrow than the general public improvements and has no impact on the tax rate or mill rate that was discussed when the Black Desert PID was created. This is an assessment and the nice part about the PID is that this would allow the debt to not have any involvement with the City and would be the PIDs responsibility. **Mayor Hart** commented that Randy Larsen was Ivins' advisor and inquired if he participated in drafting the documents before the Council. **Randy Larsen** stated that he did. **Mayor Hart** inquired in Randy Larsen's opinion, if the documents were acceptable for the City to enter into. **Randy Larsen** indicated that it is at the City's discretion but he cannot think of one City that has objected to a PID having C-PACE bonding authority. **Council Member Mehr** commented that the PID would be the issuer of the bonds so the way he viewed this is that the PID is Black Desert Resort, and as the owner, the owner is issuing itself bonds. Whether real or perceived, he viewed that as a conflict of interest. He did not feel that it was the intent of the C-PACE bond funding. He felt that the market should bear what occurs and was not in favor of this action. **Council Member Anderson** commented that if he were to go out and get a bond for a job he'd be getting a bond for himself to do the job, which is exactly what Black Desert would be doing and that's how bonds work. They're getting a bond from somebody willing to put up the money to help fill a loan. **Randy Larsen** clarified that this is not a federal subsidy and is taxable. It is a superior financing instrument and a governmental lien would trump a mortgage, which incentivizes lenders to give a lower rate than a traditional lender would give it. It requires consent, cannot be imposed on someone without their consent, is for commercial purposes, has to be disclosed and is recorded against the property. **Council Member Mehr** commented that this goes back to what was discussed originally. He's remaining consistent in position and was concerned with what precedent this would be setting by allowing every developer to take this approach. He did not feel that was the Council's role. **Council Member Scott** researched this and commented that it looked like there was the potential to ensure that there is a savings to investment ratio that's greater than one and a certain loan to value could be required for all financing in the development. **Randy Larsen** stated that the bond investors accept whatever risk loan to value there is for C-PACE. There is not a loan to value minimum requirement, but he indicated that lenders are not going to give 100% value, even with a primary governmental lien. The market regulates that. Typically there is not a governmental constraint because everyone who would ever make a loan to utilize the commercial property, would be fully on notice of the existing structure it's intended to incentivize. This is a limited universe of improvements that that any lender or buyer would be well aware of. **Council Member Scott** was concerned that they would be overleveraged. **Randy Larsen** commented that the market would govern that. No one is

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going to give a loan, knowing it's overleveraged. If they made a loan and something didn't work out, that property could be subject to foreclosure but those making the loans are the big boys making investments in property. The energy savings would be built into the building, adding value to whoever ends up getting that after foreclosure. The City could certainly place constraints on this but he stated that the market will regulate itself because the people who make these loans know what they're doing. They're in it to make money, not to lose money. **Council Member Scott** inquired that the investors who are going to buy, basically provide the money for the bond? **Randy Larsen** stated yes. **Council Member Scott** inquired if the investors would require a loan to value ratio for the total debt on the total project? **Randy Larsen** stated yes and indicated that the investor will because it will be on their investment. **Council Member Scott** inquired if the City approves this resolution, the City would not be setting any funding limit, that it would be wide open for whatever amount of money. **Randy Larsen** clarified that it would be limited to the value of the improvements that qualify. It would never finance an entire building and never be a replacement for a commercial loan. **Council Member Scott** was surprised that a parking structure could qualify because it would eliminate asphalt. He saw how that was an energy savings factor but did not understand what improvements they were talking about that wouldn't just happen anyway. **Randy Larsen** clarified that the Legislature made up the rules for what qualifies and the reason that they found a parking structure to qualify is that it is a lot more money than asphalt and asphalt adds to, especially in Washington County, heating and reflection onto adjacent buildings. The legislature decided that parking structures, to the extent that they reduce asphalt and reduce heat, qualify. All of the improvements that qualify would be things that are done above code. These are the types of improvements that exceed the standard building code. **Council Member Scott** indicated that he was not a fan of the PID but does like that the improvements that qualify would be above code and did like what C-PACE funds could do, although he was a little nervous that the City does not have any say in how much debt and what actually is going to be done with that debt. **Randy Larsen** clarified that was because the City has no responsibility for it and it is not the City's burden and there is no liability for the City. **Council Member Murphy** clarified that this is allowed by the legislature and there's no risk to the City. **Mayor Hart** commented that this project will be a major contributor to Ivins' future revenue streams and they are trying to do things that are beyond what is required. It is extraordinary what they are trying to accomplish there. The levels of efficiency, both with water and power and so forth, are extraordinary. **Council Member Scott** stated that he was concerned and trying to get this defined a little bit better but understood and his concerns have been addressed. **Patrick Manning** stated that he saw the C-PACE lending being akin completely to Ivins' story going forward with conservancy and night sky. Regarding setting a precedent, Ivins hopes to set a precedent that others who come after this project do what they are doing. Black Desert Resort wants to conserve electricity – Rocky Mountain Power is telling the developers that they are only going to need approximately 20 percent of the grid because they will not be using the power that they normally would. **Mayor Hart** commented that what they are doing is consistent with other things that Ivins wants. They are only using 50 of the 300 acres and employing significant water conservation measures.

MOTION: Council Member Murphy moved to approve Resolution No. 2022-10R, a Resolution of Ivins City, Utah, amending the Governing Document of Black Desert Public Infrastructure District and Interlocal Agreement related thereto and related matters

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SECOND: Council Member Anderson
VOTE: The motion carried.

Council Member Scott	AYE
Council Member Mehr	AYE
Council Member Murphy	AYE
Council Member Anderson	AYE
Council Member Johnson	ABSENT

Roll call vote. **Council Member Anderson** and **Council Member Murphy** voted "aye". **Council Member Mehr** voted "aye" with the following explanation: in general he was opposed to the PID, that ship has sailed and to Council Member Murphy's point, the C-PACE funding is put in place for these kinds of purposes and it is in the best interest of the property owner. **Council Member Scott** indicated that he felt exactly the same as Council Member Mehr and voted "aye".

*C. Presentation and discussion on the Planning Commission's recommendation on the city-wide Sandbox Land Use Map. Applicant-Ivins City

Council Member Anderson requested that this agenda item be tabled to a time when the Building and Zoning Administrator and all Council Members could be present.

MOTION: Council Member Anderson moved to table
SECOND: Council Member Murphy
VOTE: The motion carried.

Council Member Scott	AYE
Council Member Mehr	AYE
Council Member Murphy	AYE
Council Member Anderson	AYE
Council Member Johnson	ABSENT

D. Discussion regarding availability of water and approval of Acknowledgement of Water Supply form

Mayor Hart stated that other cities in Washington county, beginning with the City of St. George, are requiring a developer who is applying for a development to sign an agreement acknowledging that they understand that the City is not guaranteeing water for the project. There have been several discussions at the Water Conservancy District about what happens when we get to the end of the water. He has been lobbying the District and other Mayors to come up with a formula to allocate the water. The District understands the connections and those connections are translated into what is called ERC's (equivalent residential connection). Ivins City is going to receive their share of the remaining available ERC's but we don't know exactly what that number is going to be because the formula has not been agreed upon by the various cities. He requested that Chuck Gillette provide a brief explanation as to what might go into the formula to determine what Ivin's is going to have to work with for the immediate future. **Chuck Gillette** indicated that there's a certain amount of water available to the District that the District is saying after a certain amount of time of approximately five (5) to eight (8) years, depending on current growth rates, of water that's available for future growth. There is a discussion of how the water is going to be proportioned. Mayor Hart attended the meeting at the District and they discussed five (5) different methods. They talked about 1) proportioning the water; 2)

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calculating it by population; 3) how much a City was developed and if the City had a higher percentage that was undeveloped, that City would receive a bigger portion of what's available; 4) how many impact fees has each City paid since the regional systems came together; and 5) where is the recent growth occurring? They also talked about who has the most water rights because maybe people that have more of their own water rights should get more of a share because they have been less reliant on the Water District. He referred to a slide that was based off of four (4) of those five (5) ways because he was not sure how to apply the water rights proportionate method, but it was easy to come up with the other methods. A copy of the slide is available as an attachment to this agenda. If the District were to proportion the water by the existing population and ERC's, Ivins would receive 798 ERC's. If they were to proportion the water by the percentage of undeveloped land, Ivins would receive 427 ERC's. If they were to proportion the water for impact fees, Ivins City would receive 916 ERC's and if they were to proportion the water by recent growth that has occurred over the last three (3) years, Ivins City would receive 929 ERC's. There has also been discussions that cities that are more water efficient or have better water conservation may receive more ERC's. If you look at the four (4) methods, Ivins City ranges the lowest if the water is proportioned based on percentage of undeveloped land. **Mayor Hart** clarified that this is a temporary situation that we're facing. The fact is that that the Washington County Water Conservation Conservancy District has one water source, that being the Virgin River Basin and that is fully allocated. The only additional water that the County is going to get, without a pipeline, is to improve the efficiency of the way we use that water, which adds up to conservation and improving reuse water where we are maximizing the reuse water similar to cities like Las Vegas where every drop that goes through the system, is processed, put into storage and reused. That is where the Washington County Water Conservancy District is headed. As the City Council thinks about this, they need to think in terms how they achieve efficiency. The Mayors have already met once and will be meeting again in a few weeks to try and hammer out the formula and then go back to their City Councils and say this is what the proposal is. They will likely end up with some kind of a hybrid of these options, which ends up being between 700 and 850 ERC's for Ivins City. He was going to have Chuck Gillette provide this information to the District and to the other Mayors so they can see how this might work out. The significant thing is the Will Serve letters and how those are going to be obtained. The discussion is centered on Preliminary Plat or Final Plat but that conversation has been directed to a much more practical set of milestones or steps. That will alleviate us from the burden of deciding what day the City cuts off permits, refuses to rezone or refuses a subdivision application. The purpose of this letter is that the City absolves itself from the responsibility of providing water. Providing water would happen when a developer or an individual obtains a Will Serve letter from the District, which Ivins City does not control. When a developer has an approved set of working engineered drawings on a development, that's what allows them to go to the District and obtain Will Serve letters. This has been thought through so carefully so that the national builders or major developers can't just go in and buy all the water because they do that right now. They have to be ready to build the subdivision and the next key thing is that within one (1) year, substantial completion has to have occurred on the development or that water goes away and they go to the bottom of the line. It is intended to assign the water to real developed property and that is what's going to keep a large scale developer from obtaining all of the water. **Council Member Anderson** commented that they would not be able to have a phased subdivision anymore. **Mayor Hart** stated that they will only get the water to the phase that they are ready to build within one (1) year. He has been involved

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in many meetings trying to hammer all of this out. He wanted the Council to understand that Ivins City is going to end up with an allocation of water to carry us for the next period of time. The available water, based on recent levels of growth and the number of permits issued across the county, the available time period is approximately five (5) years and will likely be on a first come, first serve basis. **Council Member Anderson** inquired if this form has not been adopted by the Water Conservancy District yet, isn't the City going ahead of the District with this? **Mayor Hart** clarified that the form certifies that the City is not guaranteeing water. **Council Member Scott** referred to paragraph two (2) where it says "prior to receiving final approval for the application and/or any building permit, the applicant may be required by Ivins City to provide a guarantee of water service." He suggested that it should read "shall be required" and not "may". The **Mayor and City Council** agreed. The **Mayor and City Council** discussed the form further and agreed that until the Water Conservancy District adopts this form or a similar form, this would be tabled for further discussion.

MOTION: Council Member Mehr moved to continue
SECOND: Council Member Scott
VOTE: The motion carried.

Council Member Scott	AYE
Council Member Mehr	AYE
Council Member Murphy	AYE
Council Member Anderson	AYE
Council Member Johnson	ABSENT

Council Member Anderson requested a discussion and commented that the wording of "final approval for the application..." if he's reading that, he interprets that as meaning "and/or the building permit" and he would like that defined to say that once the construction plans are approved from the Preliminary Plan, they are able to get what's needed because it takes the homeowner completely out of it. That is when the Will Serve letter comes in. They need to define that in a future conversation. **Mayor Hart** commented that certain things need to be in place by the Washington County Conservancy District of what they're going to adopt, the cities agreeing on the distribution of water and all of those things first. **Council Member Anderson** stated that this form should state that it only relates to the portion of Ivins that it serves the water to.

E. Discussion regarding pickleball courts

Benny Sorensen reported that he had a colleague who is building a pickleball park for the City of St. George in the Ledges subdivision. It is a larger park, similar to the Ivins Park in the Desert Rose subdivision, consisting of approximately 2.5 acres. The cost sheet that the colleague provided included four (4) pickleball courts that are lighted. The current costs as they are being built right now, is just over $250,000 but that does not include the land, it is only for the pickleball courts, lights and fencing. It also does not include anything else that may be needed on the property like water, sewer and a bathroom. The City of St. George is paying an extra $200,000 just for the bathroom. The entire St. George City Park is $1.6 million. **Council Member Mehr** commented that the point is, this is going to be hard to swallow as it relates to the budget. He would love to see Ivins be creative and partner with the 300 enthusiasts who signed the petition and any private donors. **Benny Sorensen** indicated that there is a private business that does pickleball indoors that just opened on St. George Boulevard in St. George. Ivins City has a total of 18 pickleball courts, with some of those being private. The

colleague suggested that the City not build anything right now with this market because it is difficult to get concrete and the colleague has asked the City of St. George for an additional three (3) months to complete the Ledges Park project. **Mayor Hart** stated that after the fire discussion tonight, he did not know where the money would be coming from. **Benny Sorensen** indicated that Ivins City has a Master Plan that will be presented in the near future to get things back in place to be able to proceed with planning for pickleball courts. **Mayor Hart** stated that even though some of the pickleball courts in Ivins are private, they are still serving part of the Ivins population. **Dale Coulam** indicated that when Cade Visser provides his presentation on the budget, he has factored in the cost of the Santa Clara Ivins Fire Rescue with several alternatives. The City Council will need to decide what affect Pickleball would have at a quarter of a million dollars and what that would do to the Ivins City budget. **Mayor Hart** stated that what is being talked about half a million dollars for the courts. **Dale Coulam** indicated that adding pickleball courts, in addition to the increase in Santa Clara Ivins Fire Rescue, increased the slope of the downward trend, doubling that. **Council Member Mehr** inquired if pickleball courts should be identified as an amenity to incentivize credit, similar to when developers receive credits for density. **Council Member Anderson** stated that is already an option. **Mayor Hart** inquired if Ivins City had the land for pickleball courts. **Benny Sorensen** stated no, unless they go in a detention basin, which was decided wouldn't be good for the concrete. **Mayor Hart** indicated that would not be a practical solution because they would be jeopardizing a significant investment that could have water on it during the monsoon season.

F. Continued discussion on the proposed and/or amended FYE (Fiscal Year Ending) 2022 Budgets to complete and FYE (Fiscal Year Ending) 2023 Budgets

Cade Visser reported that the new mill levy rate came in at 0.09%, dollar wise that is $1,946,000, a 7% increase in property revenue from 2022 to 2023. The City of Santa Clara gave him an updated budget where the previous budget was $2.6 million and the updated one is $2.3 million. There will be a drop in fiscal year 2023's operating budget that is not reflected in any of the figures he sent to the Council or in the presentation and the conversation has been brought up for the last two (2) or three (3) years by previous Finance Directors, which is that expenditures are outpacing revenues. He has looked at all of the data from the past few years, gone over each account line by line, and did his best to forecast what the revenues and expenditures would look like. He had four (4) different economic scenarios and water scenarios. One of the scenarios assumed that water was going to be scarce and there would be very limited growth in Ivins. He referred to the Holistic Forecasted Analysis and the change in net position. If Ivins City does not take on any new debt projects moving forward, starting with fiscal year 2023, and going all the way to fiscal year 2028, Ivins City will be operating in the red. The biggest driver in all of that is what the Fire Department talked about with regard to operating expenditures. The career versus volunteer route for Santa Clara Ivins Fire Rescue is going to be really expensive, factoring in a $750,000 increase. In Fiscal Year 2023, you would see the Fire budget increase and then in Fiscal Year 2024, they would see another increase, to continue to try and get the Center Street station fully operational and then that would continue. It is expected that in Fiscal Year 2023, they will dip into reserve funds. As funds continue to decrease, that is based on inflation and increased costs for the fire station. In all of the slides in the presentation, there is a prevailing factor: there is a little orange line that goes up a little higher and that is if the City continues to invite in commercial growth, bringing in other revenue streams other than property tax. As Ivins continues to bring in more commercial growth, that is what would help save the City. With no new debt, based on limited growth and the inability to use impact fees to assist with any new

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capital projects, 2026 is alarming. The City would be dipping into the reserve funds every year and then by the year 2026 the reserve fund would run dry, based on the projected revenues and expenditures. Regarding debt capacity, there are significant known projects that are coming up. A fire bond, whether it's for a new building, a ladder truck, or a remodel, there would be some sort of fire bond in the budget for $2.5 million. Chuck Gillette may have found some help with finishing off Highway 91 but if that does not work out and Ivins City needs to come up with another bond to finish off Highway 91 to completion, that would be roughly $3.5 million over ten (10) years and Ivins would need to come up with an additional $500,000.00 of debt service payments each year. There wouldn't be any impact fees based on the limited growth to help pay that off. Depending on where the water situation goes and related projects, an irrigation project or secondary water project could be a $10 million bond for that to be paid over 30 years and Ivins would need to come up with an additional $576,000 a year to pay that bond. If Ivins City were to take on all of these significant projects, it would be close to tripling the Ivins City outstanding debt as of right now. What that looks like is instead of the year 2026, reserve funds dry up in 2025. It is not a good time to take on any new debt right now unless it is an absolute necessity. His advice would be, as a City, to apply for more grants. **Council Member Scott** referred to one of the slides showing that after 2026, an improving situation and inquired if that was because of sales tax and room tax? **Cade Visser** indicated that was correct with Black Desert Resort. **Council Member Scott** referred to no additional commercial with what is already planned and inquired if the graph depicting commercial revenue if that was starting to take Ivins back up towards a balanced position? **Cade Visser** clarified that the orange bar in the presentation is the extra jump and that is if Ivins City were to do a new downtown and receive more transient room tax from Sentierre there would be a 10% increase in transient room tax and a 10% increase in sales and use tax from the additional commercial that would be brought on. **Council Member Scott** inquired if after 2028 the trend would be expecting to go up? **Cade Visser** clarified that that first year Ivins City would see a bigger jump but even in that scenario, in fiscal year 2028 Ivins City would still be operating half a million dollars in the red. **Council Member Anderson** referred to the Highway 91 project and inquired what kind of impact fees were available for that? **Dale Coulam** stated that street impact fees may be available and there may be a new funding opportunity if Congress passes it. **Council Member Anderson** referred to Ivins City's impact fees and increasing those. **Dale Coulam** clarified that Ivins City needs to redo those studies sooner rather than later. Benny Sorenson, the Parks Director, has a study wrapping up to include some pickleball courts because right now those are not in the study and impact fees cannot be used for anything that is not in the study. Anything that is not in the study is paid for from the General fund. **Council Member Anderson** commented that if Ivins City were to redo the impact fee studies, that could help with the trend because those that are building are still going to pay the impact fees and everything has gone up 20 to 30%. **Dale Coulam** stated that could also help with the building of a new fire station and the purchase of a fire truck. That was added to the last study but there will not be enough collected to be able to do either one of those within the near future. **Cade Visser** stated another scenario is continued growth reflected on slides 7 through 11 of the analysis. Assuming they are making the Center Street Fire Station operational, with continued growth there is sufficient water and builders continue to build. Those slides depict what that scenario would look like. It still is not a great picture but after fiscal year 2024 it is not continuing to decrease, it is staying level and then slowly going back up again based on the commercial growth that Black Desert Resort brings. Assuming there is a new downtown with commercial in Ivins and Sentierre comes on board, the City gains

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traction and would see a 10% increase in transit room tax as well as a 10% increase in the sales and use tax. That scenario was specifically forecasted with those specific commercial projects in mind. Similar to the previous scenario, instead of being 2026 or 2025 with no new debt, Ivins City would be able to make it until 2028. If Ivins City continues growth and impact fees, those can be used to pay off debt. The difference is Ivins City would only need to draw from the General fund to help pay off the Fire bond, but it would be using all the impact fees as a debt service payment. The same would occur with the Highway 91 project where impact fees would be used to help pay off any sort of bond that Ivins City had, along with some money from the General fund. That could drastically change if Ivins City were able to obtain a $2 million dollar grant. **Council Member Mehr** inquired if Ivins could obtain help from the County for the Highway 91 project. **Mayor Hart** stated no. **Cade Visser** indicated that if Ivins City were to stay the course and get more volunteers rather than fully staff the Center Street fire station, things look a little different. Fiscal year 2023 would have a dip because of the purchase for a street sweeper and Ivins City would be operating for the first few years at net zero, which is a lot better than operating in the red zone. The biggest drivers in these different scenarios are the new fire costs and the potential commercial revenue that's coming later with Black Desert Resort. The last scenario is a property tax increase. Property tax doesn't have a COLA so all of these years expenditures have continued to increase and Ivins City's property tax has not. That scenario is approximately a 40% increase in property tax. Ivins City could bring in enough money to operate, build up a reserve and help pay off debt as needed or bring on new debt for capital projects. **Council Member Murphy** clarified that 40% increase is not as bad as it sounds because it would be raising the Ivins rate, which is not a large rate on the property tax. Schools are 68% of the property tax but Ivins is just a portion of what is being paid. **Council Member Scott** commented that in looking at his property tax bill from last year, the Ivins rate going up to 40% would equate to approximately 5.2% higher that he would pay. **Council Member Murphy** inquired what that would be in dollars? **Council Member Scott** clarified that instead of paying $670, it would be increased by $254 increase because Ivins tax portion is 13.7% of his total tax bill. **Mayor Hart** stated that the City would have to go through the process of Truth in Taxation. **Council Member Murphy** stated that that is why you do tax increases every year, a little bit at a time. **Cade Visser** indicated that raising the property tax would change the budget scenario dramatically. If Ivins we were to take on all of the new debt that was discussed and raise property taxes, the Ivins City portion would be around zero for a few years and then slowly build the reserve fund back up again. **Council Member Murphy** referred to impact fees and building permits and stated that she was looking at some building permits from Ivins and there's a value on top of the building permits. The money Ivins collects comes off of that number. She wanted to know where those numbers come from because they are not representative of the cost. As an example, a permit that has a 2,500 square foot house with a permit value of $318,000 is not representative of what it costs to build that because nothing is being built for that price. That is something Ivins City is missing out on. **Mayor Hart** stated that the permit cost itself is a negligible part of this. The impact fees are the big deal and those are fixed numbers. **Council Member Murphy** indicated it would not be a lot, but there is still some revenue there. **Mayor Hart** stated that for a while the City tried to evaluate a plan but received pushback because an appraiser wasn't the one giving the valuation so valuation on building permits went back to square footage and a multiplier. **Cade Visser** indicated that the biggest driver in all of the downturns is the unforeseen cost of the fire station and what it will cost to operate. **Mayor Hart** stated that for 20 years or more the Legislature has imposed a fixed

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amount, rather than a rate and just looking at the impact of inflation over 20 years. If Ivins City raised Ivins' portion of property taxes 40%, that probably doesn't even bring Ivins City up to what the actual property taxes were back then. In other words, if it had been a rate instead of the nonsense that the Legislature adopted with no COLA (Cost of Living Adjustment), leaving the City stuck to absorb all of the inflation, with the expectation among residents for increases. Ivins City is doing more now than before, with less people, and less money. **Council Member Murphy** commented the Ivins City receives more revenue on the property tax from new growth. Once new growth starts going down, there will be less tax. **Mayor Hart** indicated that without commercial development, every bedroom City is destined to crash. **Dale Coulam** reminded the City Council that when the previous Finance Director, Wally Ritchie was with Ivins City, he had said a property tax increase was inevitable in the next few years and the whole time that Lane Mecham was the Finance Director after Wally, he advised the Council to raise property taxes and now, the current Finance Director, Cade Visser, has shown the Council that a property tax increase in the immediate future is warranted but would be a higher increase than it would have been if it were to have been done sooner or in smaller amounts over time. **Mayor Hart** stated if a Fire District had its own taxing authority for a very specific function, Ivins City would not have to do anything and it would take away all of these burdens. **Council Member Anderson** stated that it would cost more. **Dale Coulam** clarified that would also involve the County. **Council Member Anderson** indicated that it would be giving more authority to somebody else. Ivins City needs to raise property taxes. **Cade Visser** stated that for the upcoming Fiscal Year 2023, Ivins City is okay and will not run out of money in the next year, but it is something that needs to be addressed. **Mayor Hart** stated that this needed to be acted upon. **Dale Coulam** clarified that the property tax increase would not be in this Fiscal Year because it is past the time to do. **Council Member Mehr** inquired if limited growth seems likely because of the water issues? **Council Member Anderson** indicated yes, and the economy. **Cade Visser** stated that even if there was continued growth without any new debt, it is still trending downwards. If growth is limited or continued, the biggest driver is if Ivins City wants to increase services at the Center Street fire station, which Ivins City does. **Council Member Scott** commented that when he asked Cade to prepare this analysis, he had an idea of what it would look like but indicated that Cade has done what he expected and more by taking every line item in the Ivins City budget and created the scenarios detailed line-by-line. It was very impressive.

MOTION: Council Member Mehr moved to continue this discussion to the next City Council meeting
SECOND: Council Member Anderson
VOTE: The motion carried.

Council Member Scott	AYE
Council Member Mehr	AYE
Council Member Murphy	AYE
Council Member Anderson	AYE
Council Member Johnson	ABSENT

G. Discussion regarding ideas and activities to celebrate Ivins City's 100 year anniversary

MOTION: Council Member Mehr moved to continue discussion regarding ideas and activities to celebrate Ivins City's 100 year anniversary

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SECOND: Council Member Anderson
VOTE: The motion carried.

Council Member Scott	AYE
Council Member Mehr	AYE
Council Member Murphy	AYE
Council Member Anderson	AYE
Council Member Johnson	ABSENT

6) CONSENT AGENDA

A. Approval of expenditure for 2022 streets pavement maintenance 800 South asphalt overlay
B. Approve contract with State of Utah Division of Water Resources and grant pass-through expenditure for transparency billing pilot project

Council Member Mehr inquired if Ivins City is keeping the referenced $10,000. Chuck Gillette stated no and indicated that it would be providing things in-kind.

C. Approval of City Council Meeting Minutes for May 19, 2022

MOTION: Council Member Mehr moved to continue Consent Agenda item C to the next City Council meeting and approve Consent Agenda items A & B
SECOND: Council Member Scott
VOTE: The motion carried.

Council Member Scott	AYE
Council Member Mehr	AYE
Council Member Murphy	AYE
Council Member Anderson	AYE
Council Member Johnson	ABSENT

7) CONSENT AGENDA ITEMS FOR DISCUSSION

8) REPORTS

A. Council

Council Member Mehr reported that he learned this week that Rocky Vista University is building a third campus in Billings, Montana. He referred to the citizen request for benches throughout the City and inquired if that was something that could be done as an Eagle Scot project and some City in-kind support. **Mayor Hart** requested Benny Sorensen provide a picture of the concrete benches to the Council.

There were no other reports.

B. Mayor

No report

C. City Manager/Attorney Dale Coulam

No report

D. Items to be placed on future agendas

9) CLOSED MEETING

10) ADJOURNMENT

MOTION: Council Member Anderson moved to adjourn
SECOND: Council Member Scott
VOTE: The motion carried.

Council Member Scott	AYE
Council Member Mehr	AYE
Council Member Murphy	AYE

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Council Member Anderson	AYE
Council Member Johnson	ABSENT

The meeting adjourned at 11:57 p.m.

Respectfully,

Kari Jimenez
Ivins City Recorder

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