



MINUTES – CITY COUNCIL

Tuesday, January 7, 2020

City of Saratoga Springs City Offices

1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

Public Reception and City Council Oath of Office

Following a public reception, elected Council Members Chris Porter, Ryan Poduska, and Christopher Carn took the Oath of Office.

City Council Policy Meeting

Call to Order: Mayor Jim Miller called the Policy Meeting to order at 5:50 p.m.

Roll Call:

Present Mayor Jim Miller, Council Members Stephen Willden, Michael McOmber, Chris Porter, Ryan Poduska, and Christopher Carn.

Staff Present City Manager Mark Christensen, City Attorney Kevin Thurman, Assistant City Manager Owen Jackson, City Engineer Gordon Miner, Planning Director David Stroud, Public Works Director Jeremy Lapin, Police Chief Andrew Burton, Civic Events Coordinator AnnElise Harrison, and City Recorder Cindy LoPiccolo.

Invocation by Council Member McOmber.

Pledge of Allegiance led by Council Member Carn.

Public Input: Shellie Baertsch commented requesting inclusion of the trail as shown in the current Master Trails Plan into the 2250 North Redwood Road site plan, and into the Master Trails Plan currently being updated. Planning Director Stroud advised the trail requirement is also included within the Development Agreement.

SPECIAL PRESENTATION:

Timpanogos Special Service District (TSSD). District Manager Richard Mickelsen presented information and handout concerning District capital facility master plans and studies, presented water samples and reviewed current and future requirements for phosphorous levels effecting Utah Lake, TSSD water treatment, and clean water. He advised they will be recommending the Board adopt the federal clean water guidelines for recreational water, and thanked City Manager Christensen for his service on the Board.

REPORTS:

Council Member Carn reported he attended the Utah League of Cities and Towns Council training, and today's Chamber lunch for the State of the City noting David Johnson did a great job presenting City information.

46 City Manager Christensen gave a reminder the Council Retreat is scheduled for this upcoming weekend,
47 January 9th, 10th, and 11th.

48

49 **PUBLIC HEARING:**

50

51 1) **Boundary Adjustment with the City of Lehi, Edge Homes Applicant, ~ 2582 Redwood Road; Ordinance**
52 **20-1 (1-7-20)**. Planning Director David Stroud presented the staff report and recommendation concerning
53 the requested boundary adjustment with the City of Lehi. The applicant requests the City adjust a portion of
54 the common boundary with Lehi City, this request affects approximately 90.15 acres, and the boundary line
55 would run along the east side of the canal easement.

56

57 Council Member McOmber noted although this land could have been developed in the City of Saratoga
58 Springs, discussion and analysis of infrastructure costs shows provision of services by Lehi at lower cost and a
59 better use of tax public funds in fairness to the landowner and future homeowners.

60

61 Mayor Miller opened the public hearing and invited public comment. There being no public comment, Mayor
62 Miller closed the public hearing.

63

64 Motion by Council Member Willden to approve the Boundary Adjustment with the City of Lehi, Ordinance 20-
65 1 (1-7-20), including all staff findings and conditions, was seconded by Council Member Porter.

66 Vote: Council Members Carn, Porter, Willden, McOmber, and Poduska – Aye

67 Motion carried unanimously.

68

69 **BUSINESS ITEMS:**

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71 1) **Award of Contract for Redwood Road Landscaping; Resolution R20-1 (1-7-20)**. Public Works Director
72 Jeremy Lapin presented the staff report and recommendation to award contract to the low bidder Brightview
73 Land Development. Council Member McOmber clarified the options and staff recommendation; Director
74 Lapin confirmed Brightview was the low bidder for both bid options.

75

76 Motion by Council Member Poduska to approve the award of contract to Brightview Land Development for
77 the Redwood Road Landscaping Restoration Project in the total amount of \$630,432 for Base Bid and Alternate
78 No. 1, Resolution R20-1 (1-7-20), was seconded by Council Member McOmber.

79 Vote: Council Members Poduska, Carn, Mcomber, Porter, and Willden – Aye.

80 Motion carried unanimously.

81

82 2) **Wildflower Special Assessment Area Developer Request**. City Manager Mark Christensen reported the
83 developer of Wildflower has asked the City to create a Special Assessment Area (SAA) and issue bonds for
84 infrastructure projects benefitting the project area. He advised Staff needs direction from the Council if a
85 there is willingness to participate in a special assessment area for Wildflower development, and what is the
86 highest amount Council will consider. If there is decision to proceed Staff will bring back a parameters
87 resolution. He advised the Wildflower SAA would be set up comparable with the recent SAA for Mt. Saratoga
88 (2016 for approximately \$5,000,000) which was used to build infrastructure for that project and has been paid
89 in full. Wildflower is requesting the City create a SAA for approximately \$14 million for capital facilities using
90 the property as collateral to secure the bonds. The terms would be comparable to Mt. Saratoga which would
91 require the bonds to be retired prior to a subdivision being recorded and would further require if a default in
92 payment occurs the City would begin foreclosure on behalf of the lender and sign over the property to the

93 lender to fully satisfy the outstanding bonds. Under these terms the City has limited the liability and risk
94 exposure.

95

96 Applicant representative Nate Shipp, DAI Utah, commented the principal mission of the request is to fund
97 infrastructure that is listed on the City's Capital Facilities Plan. He noted construction costs are increasing, the
98 assessment would be well secured by their property at three times the worth, and they are comfortable with
99 the City's requirements to protect the City.

100

101 Council Member Willden clarified this will not impact the City's bond rating, that it be conditioned incremental
102 costs will be born by the applicant, and that this is not secured by any City revenue stream so if there is default
103 there is no moral obligation from the City. From a risk standpoint he is comfortable moving forward. He noted
104 there should be a condition the community plan and master development agreement (MDA) are approved
105 first before moving forward, and look to staff what amount is reasonable based on the infrastructure cost. He
106 further noted he is giving this consideration as creation of the assessment district would provide greater
107 benefit to current and future residents especially if tied to the community plan in view of water and sewer
108 infrastructure, open space coming into the City, possible future cemetery or other.

109

110 Council Member McOmber noted Council Member Willden's expertise and agreed with the specified
111 conditions, however, pointed out concern the assessment amount looks to be substantially higher than what
112 the City has done in the past and he would not want this to preclude similar assistance to smaller developers.
113 City Manager Christensen noted the Wildflower development is unique in that the water and sewer
114 infrastructure will additionally assist and provide economic benefit to the rest of the City's residents and
115 commercial areas. He advised staff will review the applicant's numbers again noting an amount over 10 million
116 would not be bank qualified, however, looking into the future there are more large projects that would require
117 going out of the bank qualified range, and there is not a technical reason the City would not want to go out of
118 the bank qualified range. The City wants to make sure what is approved is on the Capital Facility Plan and
119 beneficial for the City as a whole.

120

121 Council Member Porter clarified there will be further information and discussion during Retreat, with
122 incremental costs the developer would know what they would be on the hook for, with Foothill Boulevard
123 could be approximately \$16 million. He is willing to participate as this benefits the greater City outside the
124 development. Applicant Attorney Bruce Baird commented this is the start and they are recommending starting
125 at \$14 million, are asking only for system improvement funds not project improvements. Council Member
126 Carn concurred. City Manager Christensen advised staff will return with a parameters resolution that has an
127 upper amount not to exceed, can go less, however, cannot do more, and can do the planning and once
128 complete the City can work with them.

129

130 Council Member Poduska clarified process for future developers. City Manager Christensen advised there
131 would be cost benefit analysis, some projects are valuable to the greater community. Mr. Baird commented
132 the development cost savings to the developer would fundamentally be passed to the homebuyer. City
133 Manager Christensen advised when Staff returns there will be a better specific answer how those funds will
134 be used and justification.

135

136 Motion by Council Member McOmber to give direction to Staff on the Wildflower Special Assessment Area
137 discussion to bring back potential parameters resolution not to exceed \$14 million, and not to bring back any
138 kind of resolution until after Council has its retreat and any other discussion that might come from that retreat
139 if we do not come to a final decision on some of our chief projects so that the developer is aware what kind of

140 added costs might arise because of the City being held harmless from the negotiations, was seconded by
141 Council Member Carn
142 Vote: Council Members Poduska, Porter, Willden, Carn, and McOmber
143 Motion carried unanimously.
144

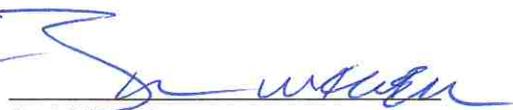
145 **MINUTES:**

146
147 1. December 3, 2019.

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149 Motion by Council Member Porter to approve the Minutes of December 3, 2019, was seconded by Council
150 Member Poduska
151 Motion carried unanimously.
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153 **ADJOURNMENT:**

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155 There being no further business, Mayor Miller adjourned the meeting at 6:50 p.m.

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158 
159 Jim Miller, Mayor

160
161 Attest:

162
163 
164 Cindy LoPiccolo, City Recorder

165
166 Approved: 1-21-20

