Regular Meeting & Attendance: The Moab City Council held its Regular Meeting on the above date in the Council Chambers at the Moab City Center, located at 217 East Center Street, Moab, Utah. A recording of the meeting is archived at http://www.utah.gov/pmn/index.html.

Pre-Council Workshop: Mayor David Sakrison called the Workshop to order at 5:30 PM. In attendance were Councilmembers Rani Derasary, Heila Ershadi, Tawny Knuteson-Boyid, Kyle Bailey and Kalen Jones. Also in attendance were City Manager David Everitt, City Recorder/Assistant City Manager Rachel Stenta, City Attorney Chris McAnany, Public Works Director Pat Dean, City Treasurer Jennie Ross, Planning Director Jeff Reinhart, Recorder Assistant Eve Tallman, Water Superintendent Levi Jones, Assistant City Engineer Eric Johanson, and Water Conservation Board Members Kara Dohrenwend, Mike Duncan, Arne Hultquist and Jeremy Lynch.

The Workshop began with an update on the United States Geological Survey (USGS) Groundwater Study. Marc Stilson, Regional Engineer for the Utah Division of Water Rights, presented the findings, which are in a preliminary state. He reported that the groundwater discharge consists of 10,000 to 13,000 acre feet (AF) for the Moab/Spanish Valley, and 12,000 to 14,000 AF for the total watershed. This amount differs, he explained, from the previously-reported 14,000 AF discharge for the Valley and 22,000 AF for the total watershed. The prior numbers were first reported by Sumsion in 1971, Stilson said, and until this study, other research built on the Sumsion numbers.

Mayor Sakrison asked what the findings signify for San Juan County. Stilson explained that earliest rights prevail. He also noted that if a primary water right holder is not using their allotment, they might lose it. He went on to clarify that 20,000 AF of water rights have been allotted on paper, and he reported that usage is currently as follows: approximately 1800 for Moab City, 900 for Grand Water and Sewer Services Agency (GWSSA), 800 for irrigation, and 400 for small domestic users. The total water currently in use is approximately 4,000 AF.

City Manager Everitt clarified that if a water right is not being used, a junior water right holder can use the water. Discussion ensued about forfeiture of water rights, and Stilson explained that in 2008 the state legislature passed protections for municipalities. Mayor Sakrison brought up the 5,000 AF requested by San Juan County. Stilson explained that if that water is developed, they may have to shut off as Moab and Grand County, as senior water rights holders, develop their own water.

Mayor Sakrison asked if the practice of transferring water rights on paper, as happened in San Juan County, will end. Stilson explained that the draft groundwater management plan can defend against this practice. He said the State will give pause to grant any more water rights because the data shows the water isn’t available.

The discussion shifted to next steps recommended by the USGS plan. Installation of water gauges was considered. Councilmember Jones asked about the benefit of installing a high-priced gauge available from the USGS versus a simpler string gauge. Stilson stated the State can help.
Mayor Sakrison asked about the quality of the water, and Stilson explained it is better to have more strategic tests. He explained that excessive drawdown will show in brine levels. He noted that the Glen Canyon Group water is very good and there is evidence that the aquifers are linked. Councilmember Jones asked if brine from the wetlands will intrude upstream.

It was noted that Ken’s Lake diversion was not measured. Stilson stated that there is a lot of water at this time, and the key is to plan for when there will be a need to treat the surface water. Mayor Sakrison asked if climate change would impact the water supply and Stilson replied that it depends on continuing trends.

Councilmember Jones asked about the process for the groundwater management plan. Stilson explained that the State takes the lead, all water users are stakeholders, and the plan will take two to three years to develop. It was started in 2014. It was pointed out that population growth projections will come into play.

Stilson reported that the City’s water rights are all proven (perfected). It was asked if the legislature can take water rights away, and Stilson commented that Utah cities have a strong lobby.

It was noted that there has been no impact on increased water usage on wells that are monitored by Grand County. Councilmember Jones asked about stream health. Stilson stated that irrigation efficiency could keep more water in the creeks. He added that this is probably not in the groundwater plan.

Audience member Gerrish Willis asked what was meant in the report by “safe yield” in the report. Stilson stated this is defined in section 73-5-15 of the Utah Code. It limits withdrawal of water to a safe yield as related to recharge rates and the physical and chemical attributes of the water. Stilson also noted that the groundwater levels are not impacted and there is no deficit spending.

Assistant City Engineer Johanson asked about models, and it was explained the State would participate. Audience member Jeff Adams asked about Ken’s Lake and Stilson explained that what was counted was the base flow into the Lake and not snowmelt.

Water Board member Duncan asked if the base flows are diverted, and it was explained the Bureau of Land Management (SLM) requires three cubic feet per second (cfs) must always flow in the creek.

The workshop continued with the annual report by the City Manager. Everitt outlined progress of the City in three areas: people, plans, and projects. He detailed hires and noted thirty people were placed in the past year. He touched on the various plans addressed by the City in the past year, including the General Plan, the Downtown Plan, and the upgrade of the City Code. Projects outlined included the improvements to water and wastewater infrastructure and mentioned the ten-year capital improvement plan. He noted the City is in a decent position financially, and mentioned the sustainability plan, the communications strategy, and touched on upcoming infrastructure projects regarding paving, striping, drainage, Utah State University, sewer replacement, stormwater management at Stewart Canyon, installing a bathroom at the bike park, upgrades at the bark park, an overhaul of police department procedures, issues surrounding homelessness, urban trails, firearms
enforcement, water and sewer rates, and expanding programs at the Moab Arts and Recreation Center (MARC).

The workshop concluded with questions from Council members. Councilmember Knuteson-Boyd asked about recent Pride Week activities and whether it was a City event. City Manager Everitt explained that the City’s venue was rented to the Pride Week organizers.

**Regular Meeting Called to Order:** *(1:20 on recording)*
Mayor Sakrison called the Regular City Council Meeting to order at 6:58 PM and led the Pledge of Allegiance. Fifty-eight members of the public and media were present.

**Approval of Minutes:** Councilmember Derasary moved to approve the minutes of the September 26 and October 4, 2017 meetings with corrections. Councilmember Bailey seconded the motion. The motion carried 5-0 aye, with Councilmembers Bailey, Ershadi, Jones, Derasary and Knuteson-Boyd voting aye.

**Citizens to be Heard:**
Charlotte Mates announced the Moab People Mover, a shuttle that will travel a route from the Spanish Trail Arena to Lions Park, seven days a week from 7:00 AM to 10:00 PM. She also announced the election night dinner at the Grand Center.

Kenneth Robbins spoke regarding the proposed annexation, detailed below.

**Student of the Month:** Mayor Sakrison presented Jason McKinney with the Mayor’s Student Citizenship of the Month Award for September, 2017 for Helen M. Knight School.

**Public Hearing:** *(1:32 on recording)*
At 7:11 PM, Mayor Sakrison opened a public hearing concerning Proposed Ordinance #2017-33 – An Ordinance of the Governing Body of Moab Annexing Property to the City of Moab Located at approximately 1001 North and 500 West and 967 North and 500 West.

The following citizens were heard:
Kenneth Robbins spoke in opposition of the proposed zoning of the Shumway Annexation.

Mike Duncan spoke about the proposed C-4 zoning, and stated feedback he has gotten from residents is for no more hotels.

Kara Dohrenwend spoke about the need to look at what is next door to the proposed annexation and noted that more housing is needed.

Allison Brown spoke about the City’s General Plan and noted that it did not have an affordable hotel plan but rather has an affordable housing plan. More housing is needed, she said.

Russell Facente spoke in favor of affordable housing. He referenced an earlier meeting at which Dr. Ray Andrew spoke about the difficulty of finding affordable housing for his employees. Facente stated the proposed commercial zone will make the housing problem worse. He also noted the recent candidate
forum hosted by the League of Women Voters at which candidates spoke about the need for affordable housing. Facente stated this is an opportunity to develop housing in an R-3 zone. He noted R-4 may be too dense. He added that the developers could built to the densest standard allowed.

Rhonda Cowern stated she was opposed to the proposed C-4 zoning and is in favor of R-3 or R-4 zoning. She noted she is treating more stress-related injuries in her physical therapy practice. She stated that residents who are surrounded by nightly rentals and noise are affected. She said that anger, not kindness, is spreading.

Kya Marienfield spoke in favor of more housing and fewer hotels. He said the community lacks workforce housing. She urged Council to designate residential zoning and to not permit industrial or commercial uses for the community benefit. She added that Council represents citizens and should not rubber stamp the annexation application.

Star Kolb spoke in favor of residential zoning to serve as a buffer from the commercial zone.

Karen Guzman-Newton spoke about the vision for the City. She stated that, if we have a plan, developers know what is acceptable, and residents know what to expect.

Applicant Kelly Shumway spoke about the plan established by the City to promote the general welfare of present and future inhabitants. She said that tourism will experience increases and workforce housing is a priority. She noted the housing shortfall. She added that the proposed annexation properties have been used for non-conforming industrial business.

Applicant’s Representative Tim Keogh spoke about the annexation requirements being met. He stated the proposed R-4 zoning accomplishes the density needs of the City.

Maureen Clapper spoke about the increase in traffic on 500 West and stated a need for a buffer between commercial and residential neighborhoods. She added Moab has more hotels than needed. She noted the growth has been too fast and the City cannot sustain this.

At 7:56 PM, the Mayor announced he would keep the public hearing open in case there were more citizens to be heard and continued to Old Business.

**Old Business:**  
(2:18 on recording)

**Solid Waste Collection Franchise Agreement**

**Motion and Vote:** Councilmember Jones moved to approve Proposed Resolution # 55-2017 – A Resolution Approving an Extension of the Existing Solid Waste Collection Franchise Agreement. Councilmember Derasary seconded the motion. The motion passed 5-0 with Councilmembers Bailey, Jones, Knuteson-Boyd, Ershadi and Derasary voting aye.

**New Business:**

**Deferred Action for Childhood Arrivals (DACA)**

**Motion and Vote:** Councilmember Knuteson-Boyd moved to approve Proposed Resolution # 56-2017 –
A Resolution In Support of Extension of the Deferred Action for Childhood Arrivals (DACA) Program; Permanent Legal Status for Dreamers; and Urging Utah’s Entire Congressional Delegation to Support the Passage of Permanent Dream Act Legislation within Six Months. Councilmember Derasary seconded the motion and noted that Senator Hatch stood up for DACA. The motion passed 5-0 with Councilmembers Bailey, Jones, Knuteson-Boyd, Ershadi and Derasary voting aye.

Victim Targeting  
Motion and Vote: Councilmember Derasary moved to approve Proposed Resolution # 57-2017 – A Resolution Concerning Victim Targeting. Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 with Councilmembers Bailey, Jones, Knuteson-Boyd, Ershadi and Derasary voting aye.

Fiscal Year 2016-2017 Budget Closeout Report  
(2:25 on recording)  
City Manager Everitt distributed the budget summary to Council. He stated that, as forecast, the City underspent its budget. He reported that the fund balance is healthy and revenue came in as projected. He noted that the budget was underspent by 13% in the general fund.

Setting Public Hearing for Budget Amendment  
Motion and Vote: Councilmember Knuteson-Boyd moved to approve a Request to Send Proposed Resolution # 58-2017 – A Resolution Amending the Fiscal Year 2017-2018 Annual Budget to Public Hearing on November 14, 2017 at Approximately 7:15 PM. Councilmember Bailey seconded the motion. The motion passed 5-0 with Councilmembers Bailey, Jones, Knuteson-Boyd, Ershadi and Derasary voting aye.

LED Speed Limit Signs  
Motion and Vote: Councilmember Bailey moved to approve a Competitive Proposal/Bid – as outlined in Moab Municipal Code 2.28.050 for the Purchase of Eight LED Speed Limit Signs in an amount not to exceed $30,800.00. Councilmember Jones seconded the motion. The motion passed 5-0 with Councilmembers Bailey, Jones, Knuteson-Boyd, Ershadi and Derasary voting aye.

Public Hearing Resumed  
(2:32 on recording)  
The Mayor recognized additional persons who wished to be heard.

Megan Macomber acknowledged that Moab is tourist-dependent and noted we live in a valley with finite land. She stated her concern that Moab is not yet built to capacity and fears we will overbuild. She urged Council to not allow more hotels and to keep this parcel residential. She noted too much traffic and too many hotels in the area already. She added there are not enough EMTs to handle the tourism and urged Council to not add more commercial.

Jerry Shue noted that all discussion regarding the annexation referred to residential use, not commercial. He asked Council, why not zone the whole property as residential.

Brian Hays supported the annexation and noted his opposition to commercial zoning. He stated his desire for all residential zoning in this annexation. He expressed the City needs more residential housing, not another hotel.
Ray Andrew spoke about there being too many hotels. He mentioned the difficulty in getting staff and added there is not enough affordable housing. He asked if it is relevant to find out what is planned. He added that the annexation could become a noise and traffic factory.

The Mayor closed the public hearing at 8:17 PM. The following citizens presented written comments during the hearing: David A. Quinn, Diane Quinn, Katrina Lund (opposed to C-4 zoning and urged council to keep the area residential) and T.J. Cowern (against the Shumway annexation).

Citizen Jim Blazik was heard on the topic of water rates. City Manager Everitt noted there was a misunderstanding with the owners of Grand Oasis and a review of pricing and water meter designations was proposed.

**Mayor and Council Reports:** (2:49 on recording)
Councilmember Jones reported that the housing task force plans to make recommendations to the local governing councils regarding zone changes, annexations, and housing implications. He also reported he attended a Solid Waste District workshop on recycling.

Councilmember Knuteson-Boyd noted she had lunch with the Governor. She also added she will be working with Molly McLish and Marcy Till on youth outreach for the Pride effort.

Councilmember Derasary reported she attended a land trust meeting and she had gotten a lot of feedback from citizens concerned about boarding houses in the R-2 neighborhoods. She added that employers want to discuss the issue.

**Approval of Bills Against the City of Moab:** Councilmember Derasary moved to pay the bills against the City of Moab in the amount of $283,391.11. Councilmember Jones seconded the motion. The motion carried 5-0 aye, with Councilmembers Bailey, Ershadi, Jones, Derasary and Knuteson-Boyd voting aye.

**Executive Session:** At 8:35 PM, Councilmember Jones moved to enter an Executive Closed Session to Discuss the Character, Professional Competence, or Physical or Mental Health of an Individual. Councilmember Derasary seconded the motion. The motion passed 5-0 with Councilmembers Bailey, Jones, Knuteson-Boyd, Ershadi, and Derasary voting aye. The Executive Closed Session was entered into at 8:41 PM.

Councilmember Knuteson-Boyd moved to end the Executive Closed Session and enter into open session. Councilmember Bailey seconded the motion. The motion passed 5-0 with Councilmembers Bailey, Jones, Knuteson-Boyd, Ershadi and Derasary voting aye. The Executive Closed Session ended at 9:52 PM.

**Adjournment:** Councilmember Jones moved to adjourn the meeting. Councilmember Bailey seconded the motion. The motion passed 5-0 with Councilmembers Bailey, Jones, Knuteson-Boyd, Ershadi and Derasary voting aye. Mayor Sakrison adjourned the meeting at 9:53 PM.

APPROVED: ___________________________  ATTEST: ___________________________
David L. Sakrison, Mayor  Rachel E. Stenta, City Recorder

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