

1 Minutes of the  
2 BOUNTIFUL CITY COUNCIL

3 November 10, 2020  
4 6:30 p.m. – Work Session  
5 7:00 p.m. – Regular Session  
6

7 Present:

8 Mayor	Randy Lewis
9 Councilmembers	Millie Segura Bahr, Kate Bradshaw, Kendalyn 10 Harris, Richard Higginson, Chris R. Simonsen
11 City Manager	Gary Hill
12 Asst. City Manager	Galen Rasmussen
13 City Engineer	Lloyd Cheney
14 Planning Director	Francisco Astorga
15 City Attorney	Clinton Drake
16 IT Director	Alan West
17 Finance Director	Tyson Beck
18 Parks Director	Brock Hill
19 Director of Streets, Sanitation	Charles Benson
20 Recording Secretary	Maranda Hilton

21

22 Official notice of the City Council Meeting was given by posting agendas at the temporary City  
23 Hall locations (805 South and 150 North Main Street), on the Bountiful City Website and the  
24 Utah Public Notice Website and by providing copies to the following newspapers of general  
25 circulation: Davis County Clipper and Standard Examiner.  
26

27 **Work Session – 6:30 p.m.**  
28 **South Davis Metro Fire Station Conference Room**  
29

30 Mayor Lewis called the meeting to order at 6:32 p.m. and welcomed those in attendance.  
31

32 **BAR J WRANGLERS CONCERT DISCUSSION – MR. GARY HILL**

33 Mr. Gary Hill explained that two performances are planned on December 8<sup>th</sup> for the Bar J  
34 Wranglers at Woods Cross High School. He asked Council if they would like to move forward  
35 with the shows at this point or if they would rather cancel. Under the Governor’s current  
36 executive order these gatherings would be allowed, but it is unknown what kind of restrictions  
37 will be in place on December 8<sup>th</sup>. Also, the school district could decide to close the school at any  
38 time if at least 15 students test positive for COVID-19 in a 14-day period. Staff’s only concern is  
39 going ahead with selling tickets and then have to cancel the concert at the last second.

40 Mr. Richard Watson (Bountiful Community Service Council) said he talked to the school  
41 today and everything is still open and that they would let the City know if that changed.

42 Councilman Higginson said he feels comfortable cancelling the performances as long as  
43 the City will still provide funding for the Concert in the Park series, which is usually funded  
44 from the Bar J Wranglers revenue. Mr. Hill said that the funding for the Concerts in the Park is  
45 already budgeted for, so that will not be a problem.

1 Councilman Simonsen said he would like to move forward and sell tickets for the Bar J  
2 Wranglers even if it ends up being cancelled last minute. He feels people need get out of their  
3 houses and have something to look forward to. The Mayor agreed.

4 Councilwoman Bahr asked if refunds would be issued if the concert is cancelled. The  
5 answer is yes. Councilman Higginson asked if the City will still owe the Bar J Wranglers their  
6 fee if the show is cancelled. The answer is no.

7 Councilwoman Harris said she was conflicted about whether the City should still have  
8 the performances. It is nice to go to these events as long as people will wear masks and socially  
9 distance, but she also knows the healthcare system is already overwhelmed and this is a scary  
10 time.

11 Council reached the consensus to move forward with the concert and that they will cancel  
12 if they must and provide refunds for tickets if that is the case.

13  
14 **BOUNTIFUL TOWN SQUARE GRAND OPENING DISCUSSION – MR. GARY HILL**

15 Mr. Hill explained that he has talked with South Davis Recreation District Director Mr.  
16 Tif Miller about the opening of the new Town Square and the ice ribbon. Mr. Miller said they  
17 will likely create an online reservation system to limit the number of people on the ice ribbon at  
18 one time. In an effort to not have large crowds, Mr. Hill suggested they have an Opening Day on  
19 December 5<sup>th</sup> with events scheduled throughout the day in lieu of having a Grand Opening  
20 ceremony. He asked the Council for input on that idea. Councilmembers all agreed that it was a  
21 good idea.

22  
23 The work session was closed at 6:58 p.m.

24  
25 **Regular Meeting – 7:00 p.m.**  
26 **South Davis Metro Fire Station Conference Room**

27  
28 **WELCOME, PLEDGE OF ALLEGIANCE AND THOUGHT/PRAYER**

29 Mayor Lewis called the meeting to order at 7:02 p.m. and welcomed those in attendance.  
30 Lincoln Maxwell led the Pledge of Allegiance and Mr. Greg Maxwell, 2<sup>nd</sup> Counselor in the  
31 Bountiful LDS North Stake presidency, offered a prayer.

32  
33 **PUBLIC COMMENT**

34 The public comment section was started at 7:06 p.m.

35  
36 Mr. Richard Watson (90 East 1100 South) informed the Council that Mr. Bernell  
37 Loveridge, one of the longstanding members of the Bountiful Community Service Council,  
38 passed away last week. He wished to pay tribute to Mr. Loveridge and the many years of service  
39 he gave to the Service Council and for the many donations he gave to the Food Pantry.

40  
41 Ms. Kathleen Bailey (1272 East North Ridge Drive) asked the Mayor if he would be  
42 willing to reopen the public hearing regarding ADU's when it came time for that agenda item.

43  
44 The public comment section was ended at 7:08 p.m.

45 **CONSIDER APPROVAL OF MINUTES OF PREVIOUS MEETINGS HELD**  
46 **SEPTEMBER 29 & OCTOBER 13 & 27, 2020**

1 Councilwoman Bradshaw asked if Councilwoman Harris' proposed changes were  
2 included in the minutes as written and Councilwoman Harris said they were.

3 Councilwoman Bradshaw made a motion to approve the minutes of the previous  
4 meetings and Councilman Simonsen seconded the motion. The motion was approved with  
5 Councilmembers Bahr, Bradshaw, Harris, Higginson and Simonsen voting "aye".  
6

7 **CONSIDER APPROVAL OF RESOLUTION 2020-20 WHICH ALLOWS MEMBERS OF**  
8 **THE BOUNTIFUL CITY COUNCIL, PLANNING COMMISSION, POWER**  
9 **COMMISSION AND ADMINISTRATIVE COMMITTEE TO ELECTRONICALLY**  
10 **ATTEND ALL PUBLIC MEETINGS FROM NOVEMBER 2020 THROUGH JUNE 2021**  
11 **– MR. CLINTON DRAKE**

12 Mr. Clint Drake explained that this resolution is the same as the previous two resolutions  
13 allowing for electronic attendance, it simply extends the time period that allows electronic  
14 attendance through June of 2021.

15 Councilwoman Harris made a motion to continue to approve Resolution 2020-20 and  
16 Councilwoman Bradshaw seconded the motion. The motion was approved with Councilmembers  
17 Bahr, Bradshaw, Harris, Higginson and Simonsen voting "aye".  
18

19 **COUNCIL REPORTS**

20 Councilwoman Bahr did not have a report.

21 Councilman Higginson did not have a report.

22 Councilwoman Harris did not have a report.

23 Councilman Simonsen reported that the Veterans Park received its final inspection  
24 completion report from the City today. He explained that instead of having a large gathering for  
25 the grand opening as originally planned, they will have a small dedication ceremony tomorrow  
26 which will be live broadcast so that more people can watch. They hope that they can safely have  
27 a big celebration on Memorial Day 2021.

28 Councilwoman Bradshaw did not have a report.  
29

30 **CONSIDER APPROVAL OF:**

31 **A. EXPENDITURES GREATER THAN \$1,000 PAID OCTOBER 26, 2020**

32 **B. SEPTEMBER 2020 FINANCIAL REPORT**

33 Councilman Higginson made a motion to approve the expenditures paid October 26,  
34 2020 and the September 2020 financial report and Councilwoman Bahr seconded the motion  
35 which passed with Councilmembers Bahr, Bradshaw, Harris, Higginson and Simonsen voting  
36 "aye".  
37

38 **CONSIDER APPROVAL OF RESOLUTION 2020-16 RE-APPOINTING MAYOR**  
39 **RANDY LEWIS TO THE SOUTH DAVIS SEWER DISTRICT BOARD OF TRUSTEES –**  
40 **MR. GARY HILL**

41 Mr. Gary Hill explained that the Mayor has been serving on the Sewer District's Board of  
42 Trustees and his term is coming to an end. He has indicated that he would like to continue  
43 serving, so staff recommends re-appointing him for another four years.

44 Councilman Higginson made a motion to approve Resolution 2020-16 and  
45 Councilwoman Harris seconded the motion. The motion passed with Councilmembers Bahr,  
46 Bradshaw, Harris, Higginson and Simonsen voting "aye".

1  
2 **CONSIDER APPROVAL OF A CONTRACT WITH THE TANNER COMPANY TO**  
3 **PERFORM A COMPREHENSIVE NETWORK SECURITY AUDIT IN THE AMOUNT**  
4 **OF \$21,550 – MR. ALAN WEST**

5 Mr. Alan West explained that four to five years ago the Tanner Company came and did a  
6 cybersecurity audit for the City and identified some vulnerabilities that were then addressed.  
7 Lately several big cities have been hit with cybersecurity attacks and crypto attacks. In this kind  
8 of attack, all the City’s information gets encrypted and the City must pay a lot of money to get it  
9 back. He explained that it is time to conduct another comprehensive cybersecurity audit,  
10 especially since more points of vulnerability have introduced this last year with network updates.  
11 They reached out to several vendors and the Tanner Company came back with the best solution  
12 and the lowest bid, so staff recommends the contract be approved with them to conduct the audit.

13 Councilwoman Harris made a motion to approve the contract with Tanner Company and  
14 Councilman Higginson seconded the motion. The motion passed with Councilmembers Bahr,  
15 Bradshaw, Harris, Higginson and Simonsen voting “aye”.

16  
17 **CONSIDER APPROVAL OF:**

18 **A. RESOLUTION 2020-17 APPROVING AN INTERLOCAL AGREEMENT WITH**  
19 **THE SOUTH DAVIS RECREATION DISTRICT TO SHARE CARES ACT**  
20 **FUNDING**

21 **B. RESOLUTION 2020-18 APPROVING AN INTERLOCAL AGREEMENT WITH**  
22 **THE MOSQUITO ABATEMENT DISTRICT-DAVIS TO SHARE CARES ACT**  
23 **FUNDING - MR. GALEN RASMUSSEN**

24 Mr. Galen Rasmussen explained that as requested by the Council, CARES Act funding  
25 has been shared with some other entities. So far, the City has given \$130,910 to South Davis  
26 Metro Fire and \$352,516 to the Davis Cares Program. By approving the sharing of \$45,000 with  
27 the South Davis Recreation District and \$1,739 with the Mosquito Abatement District, it will  
28 complete the task of distributing the CARES Act funding. All four entities will be required to  
29 report back about how they used the funding. The City has received \$3,773,239 in total for  
30 COVID relief and protection.

31 Councilman Higginson made a motion to approve Resolutions 2020-17 & 2020-18 to  
32 share the City’s CARES Act funding and Councilwoman Bahr seconded the motion which  
33 passed with Councilmembers Bahr, Bradshaw, Harris, Higginson and Simonsen voting “aye”.

34  
35 **FISCAL YEAR 2020 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR)**

36 **A. PRESENTATION OF THE FY2020 CAFR – MR. TYSON BECK**

37 Mr. Tyson Beck explained that the presentation tonight is the culmination of  
38 many months of work. The Finance Department prepared a Comprehensive Annual Financial  
39 Report (CAFR) for the FY2020 which is a financial report that has enough detail, transparency,  
40 and accuracy to qualify for a specific award from the Government Finance Officers Association  
41 (GFOA). If the City receives the award this year it will be the 40<sup>th</sup> consecutive year that  
42 Bountiful has achieved that distinction. He also explained that all cities who have over  
43 \$1,000,000 in revenue must have an external audit performed each year. Keddington and  
44 Christensen performed the audit for us this year, and Marcus Arbuckle will present the findings  
45 from the audit tonight.

1 Mr. Beck reported that the net position of the City grew by \$5,029,000 in FY2020 and  
2 that good cash balances were maintained. At the end of FY2020 there was an outstanding bonded  
3 debt of \$9,300,000, but as of last Monday that has been fully paid off and the City is currently  
4 debt free. He explained that there were specific funds that had a difficult year, namely the Light  
5 & Power Fund and the Capital Projects Fund. The Power Department experienced a difficult  
6 year with several large repairs being required at the Echo Hydro Plant and some turbines that had  
7 to be rebuilt and replaced. The Capital Projects Fund also experienced a net loss this year due to  
8 the expenses associated with completing the Town Square and the remodeling of City Hall. They  
9 also used funds for redoing sections of the street on 200 North and 100 North.

10 Councilman Simonsen asked how many cities are debt-free. Mr. Beck and Mr. Arbuckle  
11 both said they did not know of any others in the state and that it was a very rare situation.

12 Councilwoman Bradshaw asked if the recent bond payoff will have any effect on the  
13 bond rating the City receives on the new parks and trails bond. Mr. Beck said he did not know  
14 for sure, it is possible, but they generally base the rating off revenue streams.

15  
16 **B. INDEPENDENT FINANCIAL STATEMENT AUDIT PRESENTATION FY 2020 –**  
17 **MR. GARY KEDDINGTON**

18 Mr. Marcus Arbuckle, partner at Keddington and Christensen, explained that as part of an  
19 independent audit they are required to report the findings to the City’s governance (City  
20 Council). He stated that they simply provide an opinion on the financial statements of the City,  
21 and that the audit does not relieve Governance or City management of their respective  
22 responsibilities as they pertain to the finances of the City. He said that they have issued an  
23 “unmodified opinion”, which means they feel the financial statements are materially correct.  
24 They also reviewed the internal controls that are in place in the following areas: cash receiving,  
25 cash disbursement, payroll, and financial close and reporting; and feel the City has adequate  
26 separation of duties and is in compliance.

27 Mr. Arbuckle said they tested the following areas of State compliance given by the State  
28 Auditor’s Office: budgetary compliance, the Utah Retirement System, the Open and Public  
29 Meetings Act, cash management, fund balance, restricted taxes, fraud risk assessment, and  
30 impact fee schedule. They had one finding regarding the Worker’s Compensation Fund being  
31 overbudget because of not knowing how much the expense would be until after the deadline for  
32 amending the budget. Additional checks and balances have now been put in place to prevent that  
33 from happening in the future.

34 The final portion of the audit was a review of federal awards, which Bountiful was  
35 required to complete this year after receiving CARES Act funding. They found the City was in  
36 compliance with how that money was spent.

37  
38 **CONSIDER APPROVAL OF THE PURCHASE OF THREE 2021 KAWASAKI 750**  
39 **FOUR-WHEELERS FROM RENEGADE SPORTS IN THE AMOUNT OF \$33,039 – MR.**  
40 **BROCK HILL**

41 As a side note, Councilman Higginson wished to thank Councilwomen Bradshaw and  
42 Bahr for their work helping promote the Parks and Trails Bond. They made sure people had all  
43 the information and that this issue received enough attention.

44 Mr. Brock Hill explained that due to COVID-19 his department has had increased  
45 sanitation protocols and a big increase in work trying to keep the parks and restrooms clean. He  
46 said they would like to purchase some new four-wheelers that will help them in this endeavor

1 and that will replace some aging four-wheelers that are past their usefulness. After doing some  
2 research they feel that purchasing from a local dealer will be less expensive than purchasing  
3 from state-contracted dealers, so they recommend buying from Renegade Sports in Centerville.

4 Councilman Higginson made a motion to approve the purchase and Councilwoman  
5 Bradshaw seconded the motion. The motion passed with Councilmembers Bahr, Bradshaw,  
6 Harris, Higginson and Simonsen voting “aye”.

7  
8 **CONSIDER APPROVAL OF A TWO-YEAR RESIDENTIAL CURBSIDE RECYCLING**  
9 **SERVICE AGREEMENT EXTENSION WITH ACE RECYCLING – MR. CHARLES**  
10 **BENSON**

11 Mr. Charles Benson explained that the current contract with Ace Recycling expires at the  
12 end of this month (November). The City has contracted with them for the curbside collection of  
13 the City’s recycling since 2013 and have had good results, so they eagerly recommend extending  
14 the contract with them. The contract includes a 1.6% cost of living increase which would raise  
15 rates from \$2.79 to \$2.83 per collection. Residents are currently charged \$2.75 and are looking  
16 into increasing rates in the next budget year to cover the cost of collection more fully.

17 Councilwoman Harris asked how the recycling industry is doing currently. Mr. Benson  
18 said that they had started to see lower costs and more opportunities at the beginning of the year,  
19 but COVID-19 has impacted the industry and now it is a “wait and see” situation. Staff feels  
20 strongly that the recycling program should continue to be offered to residents, however.

21 Councilman Higginson asked if that was due to the benefit for the landfill. Mr. Benson  
22 answered yes and said that 2,587 tons of waste were diverted from the landfill in 2018 to be  
23 recycled. They cannot guarantee that the industry will recover but they still have high hopes that  
24 it will.

25 Councilwoman Bahr made a motion to approve the service agreement with Ace  
26 Recycling and Councilman Higginson seconded the motion. The motion passed with  
27 Councilmembers Bahr, Bradshaw, Harris, Higginson and Simonsen voting “aye”.

28  
29 **CONSIDER APPROVAL OF ORDINANCE 2020-10 AMENDING THE LAND USE**  
30 **CODE REGARDING ADUs – MR. FRANCISCO ASTORGA**

31 Mr. Astorga reminded the Council that they reviewed this item at the City Council  
32 meeting on October 13<sup>th</sup> and gave staff direction regarding parking and square footage  
33 requirements. He explained that after hearing their recommendations, City staff feels  
34 comfortable simply requiring one additional parking space to a home’s original parking  
35 requirement. They feel this will alleviate concerns about parking for owners of older houses who  
36 wish to apply for an ADU. They also analyzed the square footage restrictions and felt that the  
37 60/40 split was inconsequential since owners may live in the primary residence or in the ADU,  
38 so they want to remove that language in the code. They also advise that additional language is  
39 not added regarding a square footage cap. He explained that they have been seeing applications  
40 with large closets inside the ADU floorplan that are assigned to the primary residence to stay at  
41 or under 40% of the total square footage. Staff feels that this is arbitrary and that a better solution  
42 would be to strengthen the language regarding separate entrances and “self-contained” units. The  
43 final issue they want to change has to do with the definition of a “family” as it pertains to ADUs.  
44 They felt they should make it the same as the single family residential definition of family, “An  
45 individual, or two (2) or more persons related by blood, marriage, or adoption, or a group of not  
46 more than four (4) persons who are not related.”

1  
2 The Mayor re-opened the Public Hearing on this item at 7:56 p.m.  
3

4 Mr. Tim Jones (1385 East North Ridge Drive) said he is concerned about corporate  
5 purchasers turning homes into rental units and duplexes. He asked that the language regarding  
6 the primary owner living on site be cleaned up in the code to help prevent this from happening.  
7

8 Ms. Kendalyn Hill (no address given) said that because people cannot foresee all of life's  
9 phases when they decide to purchase a home, it is important to have ordinances in place that can  
10 help them move through those phases with ease. She said property owners should have the right  
11 to rent their homes to anyone they choose. She feels if the City helps property owners be self-  
12 sufficient, they in turn can help others and build a better community for everyone.  
13

14 Mr. David Hill (no address given) said he feels older people living on a limited income  
15 would benefit from this ordinance, as would people saving for retirement or trying to maintain  
16 their properties. He feels property owners have a vested interest in finding law-abiding renters,  
17 which will make ADUs self-regulating. He feels strongly that the power of the bureaucracy  
18 should be limited, and property owners should be allowed to regulate their own ADUs with  
19 private agreements between them and renters. The City should not be involved unless the  
20 neighbors have a complaint. He is also troubled by the requirement to change and record your  
21 title with the county to have an ADU.  
22

23 Mr. Astorga summarized an e-mail he received from Mr. Jace Riley, "I am in full support  
24 of this updated proposal."  
25

26 The Public Hearing was closed at 8:07 p.m.  
27

28 Councilman Simonsen asked for clarification regarding the deed restriction that Mr.  
29 David Hill referred to. Staff explained that the deed restriction makes a record with the county  
30 that your property has a legal ADU permit which acts as a protection for the property owner in  
31 case that is ever challenged. It helps keep properties from becoming duplexes and makes  
32 information about the property readily available to realtors. They feel this requirement will also  
33 help bring non-compliant properties into compliance.

34 Councilwoman Bradshaw said she was surprised that a square footage cap and a 55/45%  
35 rule was not implemented after their previous discussion. Staff noted that as they evaluated  
36 having square footage regulations, they felt it would not have any impact on neighborhoods but  
37 would only increase the work for staff. Having the regulations seemed to encourage dishonesty  
38 among the applicants. Mr. Drake stated that the 55/45% rule could prevent most rambler style  
39 homes in Bountiful from applying for an upstairs/downstairs ADU since the basement is the  
40 same footprint as the main floor.

41 Councilwoman Bradshaw said she feels that three things will affect the quality of  
42 neighborhoods: owners living on site, size of the ADU being restricted and off-street parking  
43 being provided. She feels if ADUs can be just as large as the principal residence then they will  
44 become more like duplexes.

1 Councilwoman Harris said she feels the interior footprint of the home, and how it is split  
2 between the main residence and ADU, doesn't impact the neighborhood. She feels parking and  
3 preserving the look of a single-family residence is what will matter most.

4 The Mayor asked each Councilmember how they feel about the changes and to give  
5 direction to staff.

6 Councilman Higginson agreed that a square footage restriction does not benefit anyone,  
7 and accepted the proposed changes as is.

8 Councilwoman Bahr said she prefers the previous draft better. She feels strongly that  
9 square footage restrictions are necessary to protect our communities and without them the code  
10 will be abused. She supports renters being able to find affordable housing, but feels that a  
11 3,000sf ADU is not the kind of rental that should be encouraged.

12 Councilwoman Harris said it is not perfect, but she is happy to support the changes. As  
13 long as there is adequate parking, the look of the home is not altered, and the owner lives on-site  
14 then she likes giving people the freedom to have an ADU in their homes.

15 Councilman Simonsen said he likes the simplicity of the changes and is in favor of them.

16 Councilwoman Bradshaw said she is not comfortable with the changes and feels the  
17 percentage restrictions are needed in order to protect our single-family neighborhoods.

18 Councilman Higginson said he felt square footage restrictions would mostly affect  
19 detached structure ADUs and asked if they are putting a restriction on those. Mr. Astorga said  
20 that detached structures already have a restriction imposed on them in general, which is that they  
21 cannot exceed 10% of the lot, however he was happy to put a cap of 1250sf on detached ADUs.

22 Councilwoman Bahr said she thinks a square footage requirement is needed.

23 Councilman Higginson asked staff what their opinions are. Mr. Astorga, Mr. Hill, and  
24 Mr. Drake all said they favored the changes as presented but that they are happy to make any  
25 changes the Council decides are best.

26 Councilwoman Harris made a motion to approve the changes as drafted.

27 Councilwoman Bradshaw made a sub-motion to adopt sections A, B and C of the code,  
28 and to push sections D and E until a later date. Councilwoman Bahr seconded the sub-motion.  
29 Councilmembers Bahr, Bradshaw and Simonsen voted "aye".

30 Mr. Drake said partial adoption is problematic and advised the Council to either adopt it  
31 in its entirety or table it to a future date. If they adopt only sections A, B and C, that would either  
32 mean that only those changes are current and applicants could get approval with only those  
33 regulations or the entire change is still pending and nothing could be approved. Mr. Astorga  
34 explained that there are four applicants currently waiting for a decision who cannot move  
35 forward until the code is finalized.

36 Councilmembers Harris and Higginson suggested adding a square footage cap for all  
37 ADUs except basement ADUs and finalizing the code tonight if the rest of the Council was in  
38 favor.

39 Councilwoman Bahr made a motion to table the adoption and Councilman Simonsen  
40 seconded the motion.

41 Council discussed the possibility of drafting new changes during the meeting and  
42 adopting the new changes tonight. Staff said they could do that if they had a brief recess to  
43 prepare.

44 Councilwoman Bahr withdrew her motion.

45 Mr. Hill suggested they move on to the next agenda item and the come back to this one  
46 afterward.



1  
2 **CONSIDER APPROVAL OF RESOLUTION 2020-19 AUTHORIZING THE RE-**  
3 **APPOINTMENT OF GLENN BRONSON AS THE BOUNTIFUL CITY**  
4 **ADMINISTRATIVE LAW JUDGE – MR. CLINTON DRAKE**

5 Mr. Drake explained that Judge Glenn Bronson is up for reappointment as the City’s  
6 administrative law judge and the reappointment would authorizing him to serve until June of  
7 2022.

8 Councilman Higginson expressed his dissatisfaction with a ruling Judge Bronson made  
9 regarding the interpretation of City land use code. Mr. Drake said they can find other candidates  
10 if the Council prefers to do that. They do not have to make the decision tonight.

11 Councilman Higginson made a motion to table this item to get additional  
12 recommendations from staff and Councilman Simonsen seconded the motion. The motion passed  
13 with Councilmembers Bahr, Bradshaw, Harris, Higginson and Simonsen voting “aye”.

14  
15 The Mayor announced a short recess at 9:11 p.m.

16  
17 The meeting reconvened at 9:23 p.m.

18  
19 **CONSIDER APPROVAL OF ORDINANCE 2020-10 AMENDING THE LAND USE**  
20 **CODE REGARDING ADUs (CONTINUED)– MR. FRANCISCO ASTORGA**

21 Mr. Astorga read the new changes made to the land use code. Regarding square footage  
22 restrictions, “Shall be at least three hundred fifty (350) sq. ft. in size and shall not exceed one  
23 thousand two hundred fifty (1,250) sq. ft., however accessory dwelling units located in a  
24 basement may occupy the entire basement of the principal unit.”

25 Councilwomen Bahr and Bradshaw asked for clarification about the definition of  
26 basement in the code.

27 Councilwoman Harris made a motion to accept Ordinance 2020-10 with these new  
28 additions and Councilman Higginson seconded the motion.

29 Councilwoman Bahr said she is still concerned about ADUs and principal units being the  
30 same size and transitioning into being duplexes. She feels stricter regulations are needed and  
31 55/45% language so that the City can plan for the worst and hope for the best.

32 Councilwoman Harris said that duplexes do not require an owner to live on-site and have  
33 separate utilities, so she does not feel ADUs as defined in the code will become duplexes.

34 The motion passed with Councilmembers Harris, Higginson and Simonsen voting “aye”  
35 and Councilmembers Bahr and Bradshaw voting ‘nay’.

36  
37 **ADJOURN**

38 Councilman Higginson made a motion to adjourn the meeting and Councilwoman Harris  
39 seconded the motion. The motion passed with Councilmembers Bahr, Bradshaw, Harris,  
40 Higginson and Simonsen voting “aye”.

41  
42 The regular session of City Council was adjourned at 9:36 p.m.

  
City Recorder

  
Mayor