CENTERVILLE CITY

250 North Main • Centerville, Utah 84014-1824 • (801) 295-3477 • Fax: (801) 292-8034

Incorporated in 1915

Mayor
Paul A. Cutler

City Council
Ken S. Averett
Tamilyn Fillmore
John T. Higginson
Stephanie Ivie
Lawrence Wright

City Manager
Steve H. Thacker

interoffice MEMORANDUM

to: Mayor Cutler
City Council
cc: Department Heads
Planning Commission
from: Steve H. Thacker, City Manager S. Thacker
subject: City Manager's Summary of May 19, 2015 Council Meetings
date: May 15, 2015

5:00 **Budget Work Session** – The City Council will meet at 5:00 p.m. for an hour to discuss FY 2016 budget issues. In particular, the Council will review staff's justification for recommending a 5% increase in culinary water rates before a Budget Newsletter is prepared for insertion in the utility bills at the end of May. Dinner will be available beginning at 4:45 p.m.

6:00 **Closed meeting** – City Attorney Lisa Romney recommends a closed meeting at 6:00 p.m. to meet with attorney Heather White and Libby Lowther of URMMA to discuss the claim relating to the police-involved shooting a year ago.

7:00 **Regular City Council Meeting**

E.1. **Recognition of Youth City Council Members** – Youth Mayor Jessica Greer will report on the activities of the Youth City Council during the past year. Those Youth City Council members who will not be continuing on the Council—due to graduation or other reasons—will also be recognized and thanked for their service.

E.2. **Summerfest Invitation** – Emma Dougal, Executive Director of the Bountiful Davis Arts Council, will make her annual appearance to invite the Council and general public to attend the Summerfest activities in Bountiful this summer.

E.3. **Minutes Review and Acceptance** – The minutes to be approved are enclosed. The minutes of the special council meeting on May 12 may be attached to Novus online on Monday if ready for Council's review by then.

E.4. **Summary Action Calendar**

a. Independent Auditor's Contract – In an earlier meeting, the City Council seemed receptive to staff's recommendation to extend the contract with the current auditors to include FY 2015, to minimize the impact on staff in the Finance Department at this time. The City's current auditors—the CPA firm of Hansen, Bradshaw, Malmrose & Erickson—have submitted an engagement letter for the Council's acceptance. Their "not to exceed" fee would be the same as for the FY 2014 audit: $19,600.

MAKING Life BETTER
Centerville City

b. Warranty Period for Chick-Fil-A – This development project is ready to begin its warranty period.

E.5. **Municipal Code Amendment re Campaign Finance Disclosure** – At their May 5 meeting, the City Council agreed to repeal the City's own campaign finance reporting regulations and let the recently-improved State laws govern this matter in city elections, with one exception. The Council asked that the ordinance be brought back in the May 19 meeting with a requirement that the candidates be required to submit a report prior to the Primary Election, in addition to the reports required later—i.e., before and after General Elections.

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E.7. **Municipal Code Amendments re Street Name and Addressing Regulations** – Staff received a request for adding an alias name to the existing numeric name of a local street. Since there are no procedures currently in the City Code pertaining to such requests, staff have recommended procedures for this purpose. In addition, the recommended Ordinance also formalizes in Code the house addressing system that has been used for many years. If the Council approves the proposed Ordinance, in their June 2 meeting they will consider the specific street name request that initiated this matter.

E.8. **South Main Street Corridor** – In an earlier meeting, the City Council directed staff to recommend a scope of work relating to the review of the South Main Street Corridor (SMSC) Plan and Overlay Zone regulations. The staff report includes my recommended process, including opportunities to listen to the general public and property/business owners, as well as proceeding with the two actions agreed upon by a majority of the City Council in their May 12 special meeting—i.e. capping residential density at Residential-Medium in this zone and amending the Zoning Code to allow the Planned Development Overlay option to be used for an area less than five acres in size.

E.9. **Complete Streets Policy** – This matter was tabled from the April 21 and May 5 Council meetings. In November and December 2014, a working group of City staff and two Council Members—with assistance from WFRC and consultants—drafted a Complete Streets Policy for consideration by the City Council. The Council was briefed on the "Complete Streets" concept in an earlier meeting. The intent of this policy is to encourage the consideration of all types of mobility when constructing, improving or maintaining the public roadways—subject to financial constraints and other limiting factors.

E.10. **Financial Report** – The report for the 10-month period ending April 30, 2015 is enclosed. Blaine Lutz, Assistant City Manager/Finance Director, can answer questions either in advance or at the meeting.

F.11. **Mayor's Report** – Mayor Cutler will report on those topics showing on the agenda—Centennial Celebration, Fire Agency and UTOPIA. The latest financial reports for UTOPIA and UIA are attached to Novus online.

E.12. **City Manager's Report** – I have enclosed a schedule of proposed work session dates and topics for the next month. A date for the public hearing on the FY 2016 Tentative Budget needs to be determined so it can be advertised in the upcoming Budget Newsletter.

E.13. **Miscellaneous Business** – At this time, no topics are showing under this heading.

E.14. **Closed Meeting, if necessary** – I am not aware of a need for a closed meeting, other than the one scheduled for 6 p.m. However, this agenda item allows for the possibility of another closed meeting, if needed.

E.15. **Appointments to City Boards/Committees** – Mayor Cutler may recommend appointments to boards/committees.

E.16. **Adjourn to RDA meeting** – The agenda shows the Council adjourning into an RDA meeting after the regular City Council meeting, to discuss potential enhancements or "betterments" for the 1250 West/Parrish Lane intersection in connection with UDOT's installation of traffic signals, and to set a date for a public hearing on the RDA's FY 2016 Tentative Budget.

Potential Agenda Items for June 2, 2015 City Council meetings (subject to change):

- Budget Work Session
- Fireworks restrictions
- Final Plat for Mikelson Meadows Subdivision
- Final Plat for Miles Manor Subdivision
- Council Liaison Report – Councilwoman Fillmore
- Street name request
- Award bid for Frontage Road Sidewalk Project
- RDA: funding for betterments at 1250 West/Parrish Lane intersection

mlm

CENTERVILLE CITY COUNCIL AGENDA

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY COUNCIL WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 P.M. ON TUESDAY, MAY 19, 2015 AT THE CENTERVILLE CITY COMMUNITY CENTER AND CITY HALL COUNCIL CHAMBERS, 250 NORTH MAIN STREET, CENTERVILLE, UTAH. THE AGENDA IS SHOWN BELOW.

Meetings of the City Council of Centerville City may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

Centerville City, in compliance with the Americans With Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance, including hearing devices. Persons requesting these accommodations for City-sponsored public meetings, services, programs, or events should call Blaine Lutz, Centerville Finance Director, at 295-3477, giving at least 24 hours notice prior to the meeting.

A notebook containing supporting materials for the business agenda items is available for public inspection and review at City Hall and will be available for review at the meeting. Upon request, a citizen may obtain (without charge) the City Manager's memo summarizing the agenda business, **or may read this memo on the City's website: http://centerville.novusagenda.com/agendapublic.**

Tentative Time: - The times shown below are tentative and are subject to change during the meeting.

5:00 Budget Work Session to discuss FY 2016 Budget issues

6:00 Closed meeting to discuss pending or reasonably imminent litigation as allowed by state law, including, but not limited to, the provisions of Section 52-4-205 of the Utah Open and Public Meetings Act, and for attorney-client matters that are privileged pursuant to Utah Code Ann. § 78B-1-137, as amended

7:00 **A. ROLL CALL**
(See City Manager's Memo for summary of meeting business)

B. PLEDGE OF ALLEGIANCE

C. PRAYER OR THOUGHT
Councilwoman Stephanie Ivie

7:05 **D. OPEN SESSION (This item allows for the public to comment on any subject of municipal concern, including agenda items that are not scheduled for a public hearing. Citizens are encouraged to limit their comments to two (2) minutes per person. Citizens may request a time to speak during Open Session by calling the City Recorder's office at 801-295-3477, or may make such request at the beginning of Open Session.) Please state your name and city of residence.**

E. BUSINESS

7:10 1. Recognition of outgoing Youth City Council Members

7:20 2. Summerfest Invitation from Bountiful Davis Arts Council

(OVER)

7:30	3.	**MINUTES REVIEW AND ACCEPTANCE** May 5, 2015 work session and regular Council meeting
7:35	4.	Summary Action Calendar a. Approve extension of Independent Auditor's contract b. Begin warranty period for Chick-Fil-A
7:40	5.	Municipal Code Amendment - Section 2-03-110 - Campaign Finance Disclosure Statements – Ordinance No. 2015-07 Consider Municipal Code Amendments to Section 2-03-110 regarding Campaign Finance Disclosure Statements - Ordinance No. 2015-07
7:45	6.	Public Hearing – Zoning Ordinance Text Amendments – Signs Permitted in All Zones - Ordinance No. 2015-08 Consider Zoning Ordinance Text Amendments regarding signs permitted in all zones, amending Section 12-54-080 - Ordinance No. 2015-08
8:00	7.	Municipal Code Amendments – Section 11-01-160 – Street Name and Addressing Regulations – Ordinance No. 2015-09 Consider Municipal Code Amendments to enact Section 11-01-160 regarding Street Name and Addressing Regulations - Ordinance No. 2015-09
8:15	8.	South Main Street Corridor Review and discuss scope of work and use of consultants relating to South Main Street Corridor Overlay Zone and Proposed Zoning Ordinance Amendments
8:30	9.	Discuss proposed Complete Streets Policy
9:00	10.	Financial Report for period ending April 30, 2015
9:10	11.	Mayor's Report a. Centennial Celebration b. Fire Agency c. UTOPIA
9:25	12.	City Manager's Report a. Set dates and topics for work sessions in May and June
9:30	13.	Miscellaneous Business
9:30	14.	Closed meeting, if necessary, for reasons allowed by state law , including, but not limited to, the provisions of Section 52-4-205 of the Utah Open and Public Meetings Act, and for attorney-client matters that are privileged pursuant to *Utah Code Ann.* § 78B-1-137, as amended.
9:30	15.	Possible action following closed meeting, including appointments to boards and committees

9:30 16. Adjourn to RDA meeting

F. ADJOURNMENT

(Items of Interest (i.e., newspaper articles, items not on agenda); Posted in-meeting information

Marsha L. Morrow, MMC
Centerville City Recorder

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CENTERVILLE
CITY COUNCIL
Staff Backup Report
5/19/2015

Item No.

Short Title: Budget Work Session to discuss FY 2016 Budget Issues

Initiated By:

Scheduled Time: 5:00

SUBJECT

RECOMMENDATION

Allow staff to brief the Council on the Water Fund's financial position and staff's recommendation for a 5% increase in water rates.

BACKGROUND

Before including this proposed rate increase in the Budget Newsletter that will be inserted with the utility bills at the end of May, the City Council should indicate whether they are supportive of this proposal. Staff are still preparing their analysis of the Water Fund's financial position and its ability to fund water main replacements over the next several years; so there may be no advance documents on this matter prior to the work session.

This budget-related discussion will take the first hour of the work session. The second hour--beginning at 6 p.m.--the Council will be in a closed meeting.

CENTERVILLE
WORK SESSION
Staff Backup Report
5/19/2015

Item No.

Short Title: Closed meeting to discuss pending or reasonably imminent litigation as allowed by state law, including, but not limited to, the provisions of Section 52-4-205 of the Utah Open and Public Meetings Act, and for attorney-client matters that are privileged pursuant to Utah Code Ann. § 78B-1-137, as amended

Initiated By: City Attorney

Scheduled Time: 6:00

SUBJECT

Closed meeting to discuss Farrand v. Centerville City

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- Confidential Letter from Attorney
- Notice of Claim-Farrand

CENTERVILLE

Staff Backup Report
5/19/2015

Item No.

Short Title: (See City Manager's Memo for summary of meeting business)

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- City Manager Summary of May 19, 2015 Council meetings

CENTERVILLE CITY

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Incorporated in 1915

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interoffice MEMORANDUM

[redacted]

to: Mayor Cutler
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cc: Department Heads
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from: Steve H. Thacker, City Manager S. Thacker
subject: City Manager's Summary of May 19, 2015 Council Meetings
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- Award bid for Frontage Road Sidewalk Project
- RDA: funding for betterments at 1250 West/Parrish Lane intersection

mlm

CENTERVILLE
CITY COUNCIL
Staff Backup Report
5/19/2015

Item No.

Short Title: Councilwoman Stephanie Ivie

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

CENTERVILLE
CITY COUNCIL
Staff Backup Report
5/19/2015

Item No. 1.

Short Title: Recognition of outgoing Youth City Council Members

Initiated By: Lisa Summers, Youth City Council Advisor

Scheduled Time: 7:10

SUBJECT

RECOMMENDATION

Allow the Youth Mayor, Jessica Greer, to give a report on the activities of the Youth City Council over the past year. Also recognize and thank the Youth City Council members whose terms are ending.

BACKGROUND

About half of the current Youth City Council Members will be continuing in this role next year. However, some are graduating or are not continuing for other reasons. These will be recognized at the Council meeting.

ATTACHMENTS:

Description

- Outgoing Youth Council

Out Going Youth Council

Jessica Greer

Abbie Hodgson

Abigail Wadley

Brenna Wilkinson

Brittney McDonald

Hannah Klein

Jens Fillmore

Jenna Lewis

Jeremiah Moore

Jordan Hawkes

Rachel Creer

Spencer Vorgrinec

Valarie Beer

CENTERVILLE
CITY COUNCIL
Staff Backup Report
5/19/2015

Item No. 2.

Short Title: Summerfest Invitation from Bountiful Davis Arts Council

Initiated By:

Scheduled Time: 7:20

SUBJECT

RECOMMENDATION

Allow Emma Dugal, Executive Director of the BDAC, to extend an invitation to Centerville officials and residents to attend the annual Summerfest activities in Bountiful.

BACKGROUND

Traditionally Emma has come to a council meeting each year to extend this invitation, and to request financial support from Centerville City for this festival. In recent years the City Council has approved a $500 contribution as they approved the annual budget. The FY 2016 Tentative Budget again includes $500 for this purpose, Therefore, if the City Council does not remove that amount from the Tentative Budget when adopting the Final Budget on June 16, this amount will be sent to the BDAC after July 1.

CENTERVILLE
CITY COUNCIL
Staff Backup Report
5/19/2015

Item No. 3.

Short Title: Minutes Review and Acceptance

Initiated By:

Scheduled Time: 7:30

SUBJECT

May 5, 2015 work session and regular Council meeting

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- May 5, 2015 work session minutes
- May 5, 2015 regular meeting minutes

Minutes of the Centerville City Council **work session** held Tuesday, May 5, 2015 at 5:30 p.m. at the City Hall Council Chambers, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

Mayor	Paul A. Cutler
Council Members	Ken S. Averett
	Tamilyn Fillmore
	John T. Higginson
	Stephanie Ivie
	Lawrence Wright

STAFF PRESENT

Steve Thacker, City Manager
Blaine Lutz, Finance Director/Assistant City Manager
Cory Snyder, Community Development Director
Lisa Romney, City Attorney
Katie Rust, Recording Secretary

SOUTH MAIN STREET CORRIDOR

At the April 21 Council meeting, the City Council agreed to meet in a work session to discuss the scope of work relating to a review of the South Main Street Corridor Plan/Ordinances, and the potential use of consultants in this review process. Mayor Cutler recommended the Council define the scope of work for an independent consultant regarding the viability of commercial development on Main Street, particularly between 300 South and Porter Lane, and obtain the information in a short time period to make decisions regarding that portion of Main Street. The existing South Main Street Corridor Plan is based on the assumption that commercial is viable on Main Street. Councilwoman Fillmore pointed out that this could be an opportunity to combine some of the goals prioritized by the Council for 2015 – conduct a study regarding the economic feasibility of an RDA, and finish the public space portion of the Plan – with the desire to re-evaluate and tweak the Plan. Mayor Cutler stated he would be interested in phasing or separating the different components for study in the interest of time. Councilwoman Ivie said she would prefer to keep the study broad, looking at the whole overlay area.

Councilman Wright stated that most of the public comments have been focused on residential density. He read aloud a portion of the Plan regarding the purpose, and commented that he does not feel the existing application submitted by Brighton Homes is in line with the stated goals, primarily the goal to "foster a small town atmosphere". Councilman Wright said the Council should first gather public opinion regarding what citizens would like to have in that part of the community for a baseline. Mr. Snyder explained that the basic purpose of form-based code is to recreate the street-scape in small-town America, and reminded the Council that the existing application has not been approved and may change before the process is completed. Councilman Higginson commented that a lot has changed since the Plan was put in place in 2007. He said he is in favor of looking at the economic feasibility of different commercial land types, as well as what the citizens would like to see happen. Councilman Higginson added that he does not think the South Main Street Corridor will ever become the commercial heart of Centerville. Councilwoman Fillmore said she feels the Council should have data regarding what could be successful before making changes. Councilwoman Ivie said she feels the Council should place a moratorium on further development to allow time to gather the data and really look at it. Councilman Averett said that, regardless of the extent of the evaluation, a key component is the viability of commercial. If it is deemed not viable, the zoning should be changed. Councilman Averett said he thinks a study could be done quickly. He

stated he feels the City owes an economic feasibility analysis to both the citizens and the property owners before changes are made to the Plan. Mayor Cutler agreed that it makes sense to first obtain data regarding economic feasibility, and then use the data when gathering public opinion. Councilman Wright disagreed, stating that gathering public opinion regarding residential density should come first. Councilman Averett pointed out that the City cannot ignore the rights of the property owners. The Council would need to have evidence to back up removing commercial from the Plan, whether the citizens want it or not.

Councilwoman Ivie said she feels it would be in the best interest of the citizens and the City to place a TZRO to allow time to get more information. Councilman Wright agreed with Councilwoman Ivie, adding that the major objective is to place the citizens' needs first. He suggested both types of data be collected simultaneously. Councilwoman Fillmore suggested the Council first let the existing application process play out, gather market data, and then gather public input. Councilwoman Ivie suggested the Council place a moratorium, ask residents what they would accept, and then find out the feasibility of commercial. The Council and staff discussed the challenges regarding density posed by the existing Plan. Councilwoman Fillmore stated she would be in favor of a TZRO if the public space plan could be put in place and a RDA feasibility study accomplished in the same time period. Councilman Higginson said he has been opposed to a TZRO because he has felt it would accelerate the Brighton Homes project. Mayor Cutler stated that the Brighton Homes representatives have expressed a willingness to negotiate. Councilman Higginson said he would like the City to be in the best negotiating position possible with Brighton Homes. If a TZRO would not affect negotiating ability with the builder, he would be okay with a TZRO, as long as Brighton Homes does not feel pushed into a corner. Councilwoman Fillmore added that, with the applicant willing to negotiate, placing the TZRO before negotiations are resolved would tie the Council's hands, since text amendments would not be possible without lifting the TZRO.

Councilman Wright said he thinks the moratorium might only be necessary for a month or a month and a half. Mr. Snyder and Councilman Averett said they do not think it would be realistic to expect less than six months. Council members discussed the probability of additional applications for development on Main Street in the near future. Mr. Snyder said he does not think there is a high risk of a developer making application soon. He pointed out that a TZRO is not without risk, with a perception similar to that of condemnation from a land-use control and rights perspective. The Council would also need to be able to justify a TZRO from a legal perspective since the existing Plan was adopted fairly recently.

Council members Ivie and Wright repeated their desire to place a TZRO, gather economic data, and collect citizen feedback all at the same time. Councilman Higginson said he is okay with a TZRO. Councilwoman Fillmore said she would want to use a TZRO strategically, and accomplish the other goals at the same time. Mayor Cutler said he feels there is a chance of negotiating a better development than has been proposed, and mentioned that Brighton Homes has financing deadlines. He added that property owners have rights, and the Council has the same obligation to be fair with them as with the residents. Councilwoman Fillmore suggested the Council hold off on the TZRO to allow time for negotiations, and direct staff to draft an ordinance amendment that would limit density by number. The Brighton Homes application will be presented to the Planning Commission on May 13th.

Councilwoman Ivie expressed concern about traffic in the area of 300 South and 400 South on Main Street. She said she would like to see a traffic study before anything else. The Council discussed traffic study options.

A majority of the Council agreed with placing the TZRO on the May 19th agenda for implementation. Councilwoman Ivie expressed a desire to implement a TZRO sooner. Council members Fillmore, Ivie, Averett, and Higginson agreed with starting the process to obtain economic feasibility data. The Mayor suggested initially limiting the scope of work to between 300 South and 400 South on Main Street, and extending the scope during the TZRO. Staff was directed to draft a TZRO for the May 19th meeting, and also a proposed scope of work for review of the South Main Street Corridor Plan/Ordinance. Mr. Thacker suggested the Council wait until the scope and timeline of a review are defined before hiring consultants. A majority of the Council was in agreement.

ADJOURNMENT

Mayor Cutler adjourned the work session at 6:57 p.m.

_____ _____

Marsha L. Morrow, City Recorder Date Approved

_____

Katie Rust, Recording Secretary

Minutes of the Centerville **City Council** meeting held Tuesday, May 5, 2015 at 7:09 p.m. in the Centerville City Hall Council Chambers, 250 North Main Street, Centerville, Utah.

MEMBERS PRESENT

Mayor	Paul A. Cutler
Council Members	Ken S. Averett Tamilyn Fillmore John T. Higginson Stephanie Ivie Lawrence Wright
STAFF PRESENT	Steve Thacker, City Manager Blaine Lutz, Finance Director/Assistant City Manager Lisa Romney, City Attorney Cory Snyder, Community Development Director Katie Rust, Recording Secretary
VISITORS	Interested citizens (see attached sign-in sheet)

PLEDGE OF ALLEGIANCE

PRAYER OR THOUGHT Councilman Averett

OPEN SESSION

Dale McIntyre – Mr. McIntyre referred to the campaign finance item on the agenda, and suggested that campaign contribution disclosure be required prior to a primary election. He expressed his desire to know who is paying for the candidates before he votes in the primary election.

Marti Money – Ms. Money is a resident of the Shaela Park neighborhood. She expressed concern regarding proposed high-density development directly north of Shaela Park. She said she and her neighbors would support medium density, but not high density. Ms. Money informed the Council that a petition is being circulated that addresses both proposed developments on Porter Lane.

Robyn Mecham – Ms. Mecham said that listening to the Council during the work session, she got the impression that some Council members believe the citizens would like to remove commercial from the South Main Street Corridor Plan. She stated that no one is trying to take commercial away from the property owners. Property owners have a right to the commercial component, but the City should not give them the density to make commercial successful. If commercial is not viable without the high density, she expressed confidence that the property owners will be willing to accept a different density. Ms. Mecham also pointed out that the Council has no way of knowing if developers are negotiating with other property owners on Main Street. She stated that the Council needs to work as fast as possible to lower the density. She said she is not sure it is necessary to pay a consultant to study commercial viability, because no one is trying to take commercial away.

Brita Johnson – Ms. Johnson expressed concern with the proposed higher-density development just west of 400 West on Porter Lane. She said she saw high-density development cause problems with schools in Logan, and also expressed concern with traffic/pedestrian safety.

Jeff Thomas – Regarding the campaign finance item on the agenda, Mr. Thomas encouraged the Council to make sure whatever is adopted is as transparent as possible. He said he likes to see who is supporting the candidates.

Kyle Green – Mr. Green said he also likes to see who is financially supporting the candidates in an election. He stated he is in support of transparency at every level, and that every penny should be accounted for. Regarding the South Main Street Corridor Plan, Mr. Green said it is the developer/property owner who should pay for a study to determine if commercial is viable, not the City. He agreed with Ms. Mecham that it is not the City's responsibility to provide the density to make commercial work.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the April 21, 2015 work session and regular Council meeting were reviewed. Mayor Cutler requested a change to the regular meeting minutes. Councilman Higginson made a **motion** to approve the April 21, 2015 work session minutes, and the regular meeting minutes as amended. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

URMMA PRESENTATION

Paul Johnson, Executive Director of the Utah Risk Management Mutual Association (URMMA), explained a proposal to open up URMMA membership to special service districts. The Interlocal Agreement specifically only includes municipalities. An amendment to the Agreement would require approval of each member city council. Mr. Johnson said he does not anticipate that many special service districts would want to join. The requesting district is a relatively small fire district. Service districts, generally speaking, are sued less than municipalities. Mr. Johnson stated that allowing service districts to join would most likely not have a financial effect on Centerville. All applicants are thoroughly vetted prior to acceptance by URMMA. The Council seemed to indicate support.

FINANCIAL REPORT

Blaine Lutz, Finance Director/Assistant City Manager, answered questions from the Council related to the Financial Report for the period ending March 31, 2015.

AMEND FY 2015 BUDGET

Mr. Lutz explained proposed FY 2015 Budget amendments included in Resolution No. 2015-06. At 7:51 p.m. Mayor Cutler opened a public hearing regarding the proposed amendments.

William Ince, Centerville Planning Commission – Commissioner Ince expressed surprise that the City Hall roof already requires replacement. Mr. Lutz responded that City Hall is 21 years old, and explained the roofing changes/improvements that will be made.

Mayor Cutler closed the public hearing at 7:54 p.m. Councilman Wright made a **motion** to adopt Resolution No. 2015-06 amending the Fiscal Year 2015 Budget of Funds and Accounts for Centerville City and giving an effective date of May 5, 2015. Councilman Higginson seconded the motion, which passed by unanimous vote (5-0).

SUMMARY ACTION CALENDAR

a. Award bid for re-roofing City Hall
b. Award bid for the 2015 Street Overlay Project
c. Accept Public Utility Easements for Island Parcel lot split

Lisa Romney, City Attorney, explained item (c) on the Summary Action Calendar. Councilman Wright made a **motion** to approve all three items on the Summary Action Calendar. Councilman Higginson seconded the motion, which passed by unanimous vote (5-0).

MUNICIPAL CODE AMENDMENT – REPEAL SECTION 2-03-110 – CAMPAIGN FINANCE STATEMENT

The Council discussed campaign finance requirements with Ms. Romney. Ms. Romney recommended the Council adopt State law in place of the outdated City Ordinance. State law currently requires financial disclosure after a primary election, and no later than seven days prior to a general election. Councilwoman Fillmore stated she understands the benefits of adopting the State Code for uniformity, but stated that the question of financial disclosure prior to a primary election is a valid point. She suggested that those wanting to see the requirement in the State Code for State elections could lobby at the State level.

Councilman Wright made a **motion** directing staff to draft an ordinance that adopts State law regarding campaign finance with the addition of a municipal reporting requirement prior to primary elections. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

PUBLIC HEARING – ZONING CODE TEXT AMENDMENT, CHAPTER 12-60, ACCESSORY DWELLING UNITS (ADUs)

On March 25, 2015, the Planning Commission reviewed and recommended approval of proposed amendments to the Centerville Zoning Ordinance regarding Accessory Dwelling Units (ADUs) by majority vote. Cory Snyder, Community Development Director, briefly explained the proposed amendments. The size and occupancy component is based on the International Building Code occupancy limit of 200 square feet per resident. The owner occupancy component would allow the homeowner to occupy either the primary residence or the ADU. The Council discussed whether ADUs should be a conditional use, with Planning Commission review, or a permitted use. Impact fees are an unresolved matter. Mr. Snyder explained Planning Commission recommendations, and Ms. Romney recommended the Council direct staff to review impact fee studies before making changes.

Mayor Cutler opened a public hearing at 8:27 p.m.

Nancy Smith – Ms. Smith asked if ADUs could also be allowed on single-family dwellings in Residential-Medium Zones, rather than restricting to Agricultural and Residential-Low Zones.

Kyle Green – Regarding impact fees, Mr. Green stated that increased use of services would be offset by increased utility fees. He also suggested that all parking should take place off the street to maintain the appearance of single-family neighborhoods.

William Ince – As a member of the Planning Commission, Commissioner Ince voted against the 25% size restriction because he believes more flexibility should be given – i.e. allowing more than 25% of floor area to be used for an ADU.

Lee Skabelund – Mr. Skabelund stated he is in favor of ADUs. He said he feels the 25% limit is too restrictive. He agreed that off-street parking should be provided. He is not in favor of impact fees, because increased use is paid for with increased utility fees. Mr. Skabelund cautioned against micromanaging, and added that there is no better landlord than an owner-occupant.

At 8:39 p.m. the Mayor closed the public hearing.

Steve Thacker, City Manager, stated that the different impact fees should be considered separately, giving thought to the rationale behind each impact fee. Responding to Ms. Smith's comment, Mr. Snyder stated that Residential-Medium Zones are already multi-family zones. ADUs are meant for single-family neighborhoods. The 25% size restriction is the controlling unit for occupancy and parking. Councilman Averett stated that parking is the biggest issue. Mr. Snyder added that the proposed ordinance is not intended to put all existing units in compliance. Councilwoman Fillmore suggested the size restrictions could be different for attached units and detached units. Mr. Snyder responded that different size allowances would add complications. The Mayor invited two additional public comments.

Kyle Green – Mr. Green mentioned that in Logan up to three unrelated individuals are allowed to live in the same unit. He said he believes parking restrictions would be the easiest way to mitigate the occupancy issue.

Nancy Smith – Ms. Smith asked if an ADU would be allowed on a duplex or a fourplex property.

The Council and staff discussed impact fees. Councilman Wright made a **motion** to table the issue and schedule a work session for staff to make a report and recommendation within the next two months. Councilwoman Ivie seconded the motion, and requested an additional public hearing following the work session. The motion passed by unanimous vote (5-0). Mayor Cutler expressed appreciation for the time spent by the Planning Commission on this issue.

At 9:06 p.m. the Council took a break, returning at 9:11 p.m.

FY 2016 BUDGET

Mr. Thacker presented the City Manager's Proposed Budget for FY 2016. Councilman Wright made a **motion** to adopt the Proposed Budget as the FY 2016 Tentative Budget, and allow the Mayor and City Manager to recommend a meeting schedule and public hearing date at the May 19th meeting. Councilman Higginson seconded the motion, which passed by unanimous vote (5-0).

RDA MEETING

At 9:20 p.m. Councilman Wright made a **motion** to adjourn to a meeting of the Redevelopment Agency of Centerville. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0). In attendance were: Paul A. Cutler, Chair; John T. Higginson, Vice

Chair; Directors Averett, Fillmore, Ivie, and Wright; Steve Thacker, Executive Director; Blaine Lutz, Finance Director; Lisa Romney, City Attorney; and Katie Rust, Recording Secretary.

The Council returned to regular meeting at 9:21 p.m.

COMPLETE STREETS POLICY

Councilman Wright made a **motion** to table discussion of the Complete Streets Policy. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

MAYOR'S REPORT

- Mayor Cutler reported that he recently participated in a Gigabit Networks in Utah panel discussion with Google.
- The Fire Agency Board has been working diligently on the Fire District proposal. Ideas are being discussed regarding oversight.
- The Mayor reported on the progress of the Centennial Celebration. Council members are encouraged to participate in the Day of Service on May 9th, and in the adult choir for the May 17th event.
- The Council appeared to agree with the Mayor's suggestion that the City extend the existing contract for independent auditing services, to minimize the impact on Finance staff this year.

CITY COUNCIL LIAISON REPORT

Councilman Higginson gave a brief update on the Mosquito Abatement District and the Wasatch Integrated Waste Management District.

CITY MANAGER'S REPORT

Mr. Thacker reported that UDOT is moving ahead with installation of traffic signals at the 1250 West/Parrish Lane intersection. Councilwoman Fillmore offered to research betterment possibilities and report on this at the May 19th meeting. The Centerville Community Foundation Chair has solicited an in-kind donation of a concrete sign. Mr. Thacker suggested the 1250 West/Parrish Lane intersection would be a good location for a "Welcome to Centerville" sign.

APPOINTMENT

Mayor Cutler recommended Laura Toney be appointed to the Whitaker Museum Board. Councilman Wright made a **motion** to appoint Laura Toney to the Whitaker Museum Board. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

ADJOURNMENT

At 9:45 p.m. Councilman Averett made a **motion** to adjourn the meeting. Councilwoman Ivie seconded the motion, which passed by unanimous vote (5-0).

_____ _____

Marsha L. Morrow, City Recorder Date Approved

_____

Katie Rust, Recording Secretary

Hansen, Bradshaw, Malmrose & Erickson

A Professional Corporation

CERTIFIED PUBLIC ACCOUNTANTS

559 West 500 South
Bountiful, Utah 84010
801-296-0200
Fax 801-296-1218

E. Lynn Hansen, CPA
Clarke R. Bradshaw, CPA
Gary E. Malmrose, CPA
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Michael L. Smith, CPA
Jason L. Tanner, CPA

Robert D. Wood, CPA
Aaron R. Hixson, CPA
Ted C. Gardiner, CPA
Jeffrey B. Miles, CPA

Members of the American Institute of Certified Public Accountants

Members of the Private Company Practice Section

May 14, 2015

Mr. Steve Thacker, City Manager
Centerville City Corporation
250 North Main Street
Centerville, UT 84014

Dear Mr. Thacker:

The following represents our understanding of the services we will provide Centerville City Corporation.

You have requested that we audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of Centerville City Corporation ("the City"), as of June 30, 2015, and for the year then ended and the related notes to the financial statements, which collectively comprise Centerville City Corporation's basic financial statements as listed in the table of contents. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter. Our audit will be conducted with the objective of our expressing an opinion on each opinion unit.

Accounting principles generally accepted in the United States of America require that management's discussion and analysis and budgetary comparison information be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the required supplementary information (RSI) in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist primarily of inquiries of management regarding their methods of measurement and presentation, and comparing the information for consistency with management's responses to our inquiries. We will not express an opinion or provide any form of assurance on the RSI. The following RSI is required by accounting principles generally accepted in the United States of America. This RSI will be subjected to certain limited procedures but will not be audited:

Management's Discussion and Analysis

Supplementary information other than RSI will accompany Centerville City Corporation's basic financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the basic financial statements and perform certain additional procedures, including comparing and reconciling the supplementary information to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and additional procedures in accordance with auditing standards generally accepted in the United States of America. We intend to provide an opinion on the following supplementary information in relation to the financial statements as a whole:

Budgetary Comparison Schedules

Also, the document we submit to you will include the following other additional information that will not be subjected to the auditing procedures applied in our audit of the financial statements:

Statistical Data

The Objective of an Audit

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and will include tests of the accounting records and other procedures we consider necessary to enable us to express such opinions. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions on the financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

General Audit Procedures

We will conduct our audit in accordance with auditing standards generally accepted in the United States of America (U.S. GAAS) and Government Auditing Standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the basic financial statements are free from material misstatement. An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to error, fraudulent financial reporting, misappropriation of assets, or violations of laws, governmental regulations, grant agreements, or contractual agreements. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

Internal Control Audit Procedures

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatements may not be detected exists, even though the audit is properly planned and performed in accordance with U.S. GAAS and Government Auditing Standards.

In making our risk assessments, we consider internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. However, we will communicate to you in writing concerning any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit.

Compliance with Laws and Regulations

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of Centerville City Corporation's compliance with the provisions of applicable laws, regulations, contracts, and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

Management Responsibilities

Our audit will be conducted on the basis that management and, when appropriate, those charged with governance acknowledge and understand that they have responsibility:

a. For the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America;
b. For the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to error, fraudulent financial reporting, misappropriation of assets, or violations of laws, governmental regulations, grant agreements, or contractual agreements; and
c. To provide us with:
    i. Access to all information of which management is aware that is relevant to the preparation and fair presentation of the financial statements such as records, documentation, and other matters;
    ii. Additional information that we may request from management for the purpose of the audit; and
    iii. Unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence.
d. For including the auditor's report in any document containing financial statements that indicates that such financial statements have been audited by the entity's auditor;
e. For identifying and ensuring that the entity complies with the laws and regulations applicable to its activities; and

f. For adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the current year period(s) under audit are immaterial, both individually and in the aggregate, to the financial statements as a whole.

With regard to the supplementary information referred to above, you acknowledge and understand your responsibility: (a) for the preparation of the supplementary information in accordance with the applicable criteria; (b) to provide us with the appropriate written representations regarding supplementary information; (c) to include our report on the supplementary information in any document that contains the supplementary information and that indicates that we have reported on such supplementary information; and (d) to present the supplementary information with the audited financial statements, or if the supplementary information will not be presented with the audited financial statements, to make the audited financial statements readily available to the intended users of the supplementary information no later than the date of issuance by you of the supplementary information and our report thereon.

As part of our audit process, we will request from management and, when appropriate, those charged with governance, written confirmation concerning representations made to us in connection with the audit.

Reporting

We will issue a written report upon completion of our audit of Centerville City Corporation's basic financial statements. Our report will be addressed to the governing body of Centerville City Corporation. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions, add an emphasis-of-matter or other-matter paragraph(s), or withdraw from the engagement.

In accordance with the requirements of Government Auditing Standards, we will also issue a written report describing the scope of our testing over internal control over financial reporting and over compliance with laws, regulations, and provisions of grants and contracts, including the results of that testing. However, providing an opinion on internal control and compliance over financial reporting will not be an objective of the audit and, therefore, no such opinion will be expressed.

We also will issue a written report on compliance with Utah State Compliance Audit requirements upon completion of our audit.

Other

We understand that your employees will prepare all confirmations we request and will locate any documents or invoices selected by us for testing.

If you intend to publish or otherwise reproduce the financial statements and make reference to our firm, you agree to provide us with printers' proofs or masters for our review and approval before printing. You also agree to provide us with a copy of the final reproduced material for our approval before it is distributed.

Provisions of Engagement Administration, Timing and Fees

During the course of the engagement, we may communicate with you or your personnel via fax or e-mail, and you should be aware that communication in those mediums contains a risk of misdirected or intercepted communications.

Edwin L. Erickson, CPA, is the engagement partner for the audit services specified in this letter. His responsibilities include supervising Hansen, Bradshaw, Malmrose & Erickson, P.C.'s (HBME) services performed as part of this engagement and signing or authorizing another qualified firm representative to sign the audit report.

Our fees are based on the amount of time required at various levels of responsibility, plus actual out-of-pocket expenses. Invoices will be rendered monthly and are payable upon presentation. We estimate that our fee for the audit will not exceed $19,600. We will notify you immediately of any circumstances we encounter that could significantly affect this initial fee estimate. Whenever possible, we will attempt to use Centerville City Corporation's personnel to assist in the preparation of schedules and analyses of accounts. This effort could substantially reduce our time requirements and facilitate the timely conclusion of the audit. Further, we will be available during the year to consult with you on financial management and accounting matters of a routine nature.

During the course of the audit we may observe opportunities for economy in, or improved controls over, your operations. We will bring such matters to the attention of the appropriate level of management, either orally or in writing.

We agree to retain our audit documentation or work papers for a period of at least five years from the date of our report.

At the conclusion of our audit engagement, we will communicate to management and the City Council the following significant findings from the audit:

- Our view about the qualitative aspects of the entity's significant accounting practices;
- Significant difficulties, if any, encountered during the audit;
- Uncorrected misstatements, other than those we believe are trivial, if any;
- Disagreements with management, if any;
- Other findings or issues, if any, arising from the audit that are, in our professional judgment, significant and relevant to those charged with governance regarding their oversight of the financial reporting process;

- Material, corrected misstatements that were brought to the attention of management as a result of our audit procedures;
- Representations we requested from management;
- Management's consultations with other accountants, if any; and
- Significant issues, if any, arising from the audit that were discussed, or the subject of correspondence, with management.

The audit documentation for this engagement is the property of HBME and constitutes confidential information. However, we may be requested to make certain audit documentation available to state and federal agencies and the U.S. Government Accountability Office pursuant to authority given to it by law or regulation, or to peer reviewers. If requested, access to such audit documentation will be provided under the supervision of HBME's personnel. Furthermore, upon request, we may provide copies of selected audit documentation to these agencies and regulators. The agencies and regulators may intend, or decide, to distribute the copies of information contained therein to others, including other governmental agencies.

Please sign and return the attached copy of this letter to indicate your acknowledgment of, and agreement with, the arrangements for our audit of the financial statements including our respective responsibilities.

We appreciate the opportunity to be your financial statement auditors and look forward to working with you and your staff.

Respectfully,

Edwin Erickson

Edwin L. Erickson, CPA

****

RESPONSE:

This letter correctly sets forth our understanding.

Acknowledged and agreed on behalf of Centerville City Corporation:

By: _____

Title: _____

Date: _____

WIGGINS & CO. P.C.
CERTIFIED PUBLIC ACCOUNTANTS

SYSTEM REVIEW REPORT

January 18, 2012

To the Shareholders of
Hansen, Bradshaw, Malmrose & Erickson, PC
And the Peer Review Committee of the Nevada Society of Certified Public Accountants

We have reviewed the system of quality control for the accounting and auditing practice of Hansen, Bradshaw, Malmrose & Erickson, PC (the firm) in effect for the year ended August 31, 2011. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants. The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review. The nature, objectives, scope, limitations of, and the procedures performed in a System Review are described in the standards at www.aicpa.org/prsummary.

As required by the standards, engagements selected for review included engagements performed under *ERISA* and *Government Auditing Standards*.

In our opinion, the system of quality control for the accounting and auditing practice of Hansen, Bradshaw, Malmrose & Erickson, PC in effect for the year ended August 31, 2011, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiencies*, or *fail*. Hansen, Bradshaw, Malmrose & Erickson, PC has received a peer review rating of *pass*.

Wiggins & Co., PC

Wiggins & Co., PC

P.O. DRAWER 577 • 205 NORTH MAIN
BRIGHAM CITY, UTAH 84302 • (435) 723-8563 • FAX (435) 723-8565

Marsha Morrow

From: kevin campbell <kevin.campbell@esieng.com>
Sent: Thursday, May 14, 2015 11:44 AM
To: Steve Thacker
Cc: Marsha Morrow; Randy Randall; ryan.mcleod@esieng.com; Ryan Robinson
Subject: Chick-Fil-A - Bond Reduction #2 (Begin Warranty)
Attachments: Chick-Fil-A Bond Reduction #2 (Begin Warranty).pdf

Steve -

The attached bond reduction and start of one year warranty is recommended for the Chick-Fil-A site.

The streetlights are hooked up and they replaced the busted sections of sidewalk.

Let me know if additional info is needed.

Kevin

Kevin Campbell, P.E.
Centerville City Engineer

Kevin Campbell, P.E.
ESI Engineering, Inc
3500 S. Main St.
SLC, Ut 84115
801.263.1752

CENTERVILLE
CITY COUNCIL
Staff Backup Report
5/19/2015

Item No. 5.

Short Title: Municipal Code Amendment - Section 2-03-110 - Campaign Finance Disclosure Statements - Ordinance No. 2015-07

Initiated By: City Attorney

Scheduled Time: 7:40

SUBJECT

Consider Municipal Code Amendments to Section 2-03-110 regarding Campaign Finance Disclosure Statements - Ordinance No. 2015-07

RECOMMENDATION

Approve Ordinance No. 2015-07 amending Section 2-03-110 of the Centerville Municipal Code regarding municipal campaign finance disclosure statements.

BACKGROUND

The City Council recently discussed State law amendments to municipal campaign finance statements and disclosure requirements, including amendments adopted in HB 32 and HB 91 during the 2015 General Legislative Session. In light of the extensive amendments to State law and more comprehensive campaign finance regulations at the State level, the City Council desires to rely substantially on State law provisions for municipal campaign finance requirements, but directed Staff to bring back an Ordinance requiring an additional campaign finance disclosure statement to be filed prior to the municipal primary election. Ordinance No. 2015-07 has been revised to reflect this change as directed.

Enrolled copies of HB 32 and HB 91 are attached. Please refer to previous Staff Reports and Minutes regarding this matter as discussed and reviewed by the City Council on April 21, 2015 and May 5, 2015.

ATTACHMENTS:

Description

- Ordinance No. 2015-05-Campaign Finance
- HB 32 (2015)-Municipal Campaign Finance
- HB 91 (2015)-Municipal Campaign Finance

ORDINANCE NO. 2015-07

AN ORDINANCE AMENDING SECTION 2-03-110 OF THE CENTERVILLE MUNICIPAL CODE REGARDING CAMPAIGN FINANCE DISCLOSURE STATEMENTS

WHEREAS, the Utah Legislature adopted HB 32 and HB 91 during the 2015 Legislative Session amending *Utah Code Ann.* § 10-3-208 regarding campaign finance disclosure requirements for municipal elections; and

WHEREAS, HB 32 and HB 91 add a number of new defined terms, amend existing terms, clarify certain campaign finance filing deadlines, add new provisions prohibiting municipal candidates from making a personal use expenditure from campaign funds, and add new provisions regarding anonymous donations; and

WHEREAS, given the extensive amendments to Section 10-3-208 of the Utah Code and the more comprehensive statutory provisions regarding municipal campaign finance disclosure statements and filing requirements under State law, the City Council desires to amend Section 2-03-110 of the Centerville Municipal Code regarding campaign finance statements as more particularly provided herein; and

WHEREAS, the City Council has determined that the proposed amendments to Section 2-03-110 of the Centerville Municipal Code and the substantial reliance on *Utah Code Ann.* § 10-3-208 for campaign finance disclosure requirements is in the best interest of the City, candidates for public office, and the public which it serves, by providing consistent statutory interpretation of campaign finance requirements, reasonable and simplified campaign finance disclosure requirements for candidates, and reasonable and sufficient disclosure of campaign finance contributions and expenditures for the voters.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. **Amendment.** Section 2-03-110 of the Centerville Municipal Code regarding campaign finance disclosure statements is hereby amended to read in its entirety as follows:

2-03-110. Campaign Finance Disclosure Statements.

Any candidate for municipal office shall comply with the campaign finance disclosure requirements set forth in *Utah Code Ann.* 10-3-208. In addition to the campaign finance disclosure requirements set forth in Section 10-3-208, any candidate for municipal office shall also file with the City Recorder a campaign finance disclosure statement no later than seven (7) days before the day on which the municipal primary election is held. Such campaign finance disclosure statement filed before the municipal primary election shall comply with all applicable provisions of Section 10-3-208 regarding campaign finance disclosure statements and any reference to "campaign finance statement" set forth in Section 10-3-208 shall be deemed to refer to the municipally required campaign finance disclosure statement due prior to the municipal primary election as set forth herein.

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

Section 3. **Omission Not a Waiver.** The omission to specify or enumerate in this ordinance those provisions of general law applicable to all cities shall not be construed as a waiver of the benefits of any such provisions.

Section 4. **Effective Date.** This Ordinance shall become effective immediately upon publication or posting, or thirty (30) days after passage, whichever occurs first.

PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, THIS _____ DAY OF MAY, 2015.

ATTEST: **CENTERVILLE CITY**

_____ By:_____
Marsha L. Morrow, City Recorder Mayor Paul A. Cutler

Voting by the City Council:

	"AYE"	"NAY"
Councilmember Averett	_____	_____
Councilmember Fillmore	_____	_____
Councilmember Higginson	_____	_____
Councilmember Ivie	_____	_____
Councilmember Wright	_____	_____

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published, or posted at: (1) 250 North Main; (2) 655 North 1250 West; and (3) RB's Gas Station, on the foregoing referenced dates.

_____ DATE: _____
MARSHA L. MORROW, City Recorder

RECORDED this ____ day of _____, 20___.

PUBLISHED OR POSTED this ____ of _____, 20___.

LOCAL GOVERNMENT DISCLOSURE AND CAMPAIGN FINANCE AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jack R. Draxler

Senate Sponsor: Margaret Dayton

LONG TITLE

General Description:

This bill amends provisions related to municipal candidate campaign finance disclosures and personal use expenditures.

Highlighted Provisions:

This bill:

- defines terms;
- authorizes a municipality to adopt more stringent campaign finance disclosure requirements and definitions;
- clarifies campaign finance filing deadlines;
- authorizes a municipality to adopt more stringent personal use expenditure requirements and definitions;
- prohibits a municipal candidate from making a personal use expenditure;
- provides that a municipality may adopt an ordinance to identify personal use expenditure violations and enforce prohibitions; and
- makes technical and conforming amendments.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

10-3-208, as last amended by Laws of Utah 2012, Chapters 190, 190, 230, and 230

ENACTS:

10-3-209, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **10-3-208** is amended to read:

10-3-208. Campaign finance disclosure in municipal election.

(1) [~~As used in~~] Unless a municipality adopts by ordinance more stringent definitions, the following are defined terms for purposes of this section:

[~~(a) "Reporting date" means:~~]

[~~(i) 10 days before a municipal general election, for a campaign finance statement required to be filed no later than seven days before a municipal general election; and~~]

[~~(ii) the day of filing, for a campaign finance statement required to be filed no later than 30 days after a municipal primary or general election.~~]

(a) "Agent of a candidate" means:

(i) a person acting on behalf of a candidate at the direction of the reporting entity;

(ii) a person employed by a candidate in the candidate's capacity as a candidate;

(iii) the personal campaign committee of a candidate;

(iv) a member of the personal campaign committee of a candidate in the member's capacity as a member of the personal campaign committee of the candidate; or

(v) a political consultant of a candidate.

(b) (i) "Candidate" means a person who:

(A) files a declaration of candidacy for municipal office; or

(B) receives contributions, makes expenditures, or gives consent for any other person to receive contributions or make expenditures to bring about the person's nomination or election to a municipal office.

(ii) "Candidate" does not mean a person who files for the office of judge.

(c) (i) "Contribution" means any of the following when done for political purposes:

(A) a gift, subscription, donation, loan, advance, or deposit of money or anything of value given to a candidate;

(B) an express, legally enforceable contract, promise, or agreement to make a gift, subscription, donation, unpaid or partially unpaid loan, advance, or deposit of money or anything of value to the candidate;

(C) any transfer of funds from another reporting entity to the candidate;

(D) compensation paid by any person or reporting entity other than the candidate for personal services provided without charge to the candidate;

(E) a loan made by a candidate deposited to the candidate's own campaign; and

(F) an in-kind contribution.

(ii) "Contribution" does not include:

(A) services provided by an individual volunteering a portion or all of the individual's time on behalf of the candidate if the services are provided without compensation by the candidate or any other person;

(B) money lent to the candidate by a financial institution in the ordinary course of business; or

(C) goods or services provided for the benefit of a candidate at less than fair market value that are not authorized by or coordinated with the candidate.

(d) "Coordinated with" means that goods or services provided for the benefit of a candidate are provided:

(i) with the candidate's prior knowledge, if the candidate does not object;

(ii) by agreement with the candidate;

(iii) in coordination with the candidate; or

(iv) using official logos, slogans, and similar elements belonging to a candidate.

(e) (i) "Expenditure" means any of the following made by a candidate or an agent of the candidate on behalf of the candidate:

(A) any disbursement from contributions, receipts, or from an account described in Subsection (3)(a)(i);

(B) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of value made for political purposes;

(C) an express, legally enforceable contract, promise, or agreement to make any purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of value for a political purpose;

(D) compensation paid by a candidate for personal services rendered by a person without charge to a reporting entity;

(E) a transfer of funds between the candidate and a candidate's personal campaign committee as defined in Section 20A-11-101; or

(F) goods or services provided by a reporting entity to or for the benefit of the candidate for political purposes at less than fair market value.

(ii) "Expenditure" does not include:

(A) services provided without compensation by an individual volunteering a portion or all of the individual's time on behalf of a candidate; or

(B) money lent to a candidate by a financial institution in the ordinary course of business.

(f) "In-kind contribution" means anything of value other than money, that is accepted by or coordinated with a candidate.

(g) (i) "Political consultant" means a person who is paid by a candidate, or paid by another person on behalf of and with the knowledge of the candidate, to provide political advice to the candidate.

(ii) "Political consultant" includes a circumstance described in Subsection (1)(g)(i), where the person:

(A) has already been paid, with money or other consideration;

(B) expects to be paid in the future, with money or other consideration; or

(C) understands that the person may, in the discretion of the candidate or another person on behalf of and with the knowledge of the candidate, be paid in the future, with money or other consideration.

(h) "Political purposes" means an act done with the intent or in a way to influence or tend to influence, directly or indirectly, any person to refrain from voting or to vote for or against any candidate or a person seeking a municipal office at any caucus, political convention, or election.

(i) "Reporting entity" means:

(i) a candidate;

(ii) a committee appointed by a candidate to act for the candidate;

(iii) a person who holds an elected municipal office;

(iv) a party committee as defined in Section 20A-11-101;

(v) a political action committee as defined in Section 20A-11-101;

(vi) a political issues committee as defined in Section 20A-11-101;

(vii) a corporation as defined in Section 20A-11-101; or

(viii) a labor organization as defined in Section 20A-11-1501.

[~~(b)~~] (j) "Reporting limit" means for each calendar year:

(i) $50; or

(ii) an amount lower than $50 that is specified in an ordinance of the municipality.

(2) (a) A municipality may adopt an ordinance establishing campaign finance disclosure requirements for a candidate that are more stringent than the requirements provided in Subsections (3) and (4).

(b) The municipality may adopt definitions that are more stringent than those provided in Subsection (1).

(c) If a municipality fails to adopt a campaign finance disclosure ordinance described in Subsection (2)(a), a candidate shall comply with financial reporting requirements contained in Subsections (3) and (4).

[~~(2)~~] (3) (a) [~~(i)~~] Each candidate [~~for municipal office~~]:

[~~(A)~~] (i) shall deposit a [~~campaign~~] contribution in a separate campaign account in a financial institution; and

[~~(B)~~] (ii) may not deposit or mingle any campaign contributions received into a

personal or business account.

[~~(ii)~~] (b) Each candidate [~~for municipal office~~] who is not eliminated at a municipal primary election shall file with the municipal clerk or recorder a campaign finance statement:

[~~(A)~~] (i) no later than seven days before the [~~date of~~] day on which the municipal general election is held; and

[~~(B)~~] (ii) no later than 30 days after the [~~date of~~] day on which the municipal general election is held.

[~~(iii)~~] (c) Each candidate for municipal office who is eliminated at a municipal primary election shall file with the municipal clerk or recorder a campaign finance statement [~~no later than~~] 30 days after the [~~date of~~] day on which the municipal primary election is held.

[~~(b)~~] (4) Each campaign finance statement under Subsection [~~(2)(a)~~] (3)(b) or (c) shall:

[~~(i)~~] (a) except as provided in Subsection [~~(2)(b)(ii)~~] (4)(b):

[~~(A)~~] (i) report all of the candidate's itemized and total:

[~~(I) campaign~~] (A) contributions, including in-kind and other nonmonetary contributions, received [~~before the close of the reporting date~~] up to and including five days before the campaign finance statement is due, excluding a contribution previously reported; and

[~~(II) campaign~~] (B) expenditures made [~~through the close of the reporting date~~] up to and including five days before the campaign finance statement is due, excluding an expenditure previously reported; and

[~~(B)~~] (ii) identify:

[~~(I)~~] (A) for each contribution that exceeds the reporting limit, the amount of the contribution and the name of the donor;

[~~(II)~~] (B) the aggregate total of all contributions that individually do not exceed the reporting limit; and

[~~(III)~~] (C) for each [~~campaign~~] expenditure, the amount of the expenditure and the name of the recipient of the expenditure; or

[~~(ii)~~] (b) report the total amount of all [~~campaign~~] contributions and expenditures if the

candidate receives $500 or less in [~~campaign~~] contributions and spends $500 or less on the candidate's campaign.

[~~(3) (a) As used in this Subsection (3), "account" means an account in a financial institution:~~]

[~~(i) that is not described in Subsection (2)(a)(i)(A); and~~]

[~~(ii) into which or from which a person who, as a candidate for an office, other than a municipal office for which the person files a declaration of candidacy or federal office, or as a holder of an office, other than a municipal office for which the person files a declaration of candidacy or federal office, deposits a contribution or makes an expenditure.~~]

[~~(b) A municipal office candidate shall include on any campaign finance statement filed in accordance with this section:~~]

[~~(i) a contribution deposited in an account:~~]

[~~(A) since the last campaign finance statement was filed; or~~]

[~~(B) that has not been reported under a statute or ordinance that governs the account; or~~]

[~~(ii) an expenditure made from an account:~~]

[~~(A) since the last campaign finance statement was filed; or~~]

[~~(B) that has not been reported under a statute or ordinance that governs the account.~~]

[~~(4)~~] (5) (a) A municipality may, by ordinance:

(i) provide a reporting limit lower than $50;

(ii) require greater disclosure of [~~campaign~~] contributions [~~and~~] or expenditures than is required in this section; and

(iii) impose additional penalties on candidates who fail to comply with the applicable requirements beyond those imposed by this section.

(b) A candidate [~~for municipal office~~] is subject to the provisions of this section and not the provisions of an ordinance adopted by the municipality under Subsection [~~(4)~~] (5)(a) if:

(i) the municipal ordinance establishes requirements or penalties that differ from those established in this section; and

(ii) the municipal clerk or recorder fails to notify the candidate of the provisions of the ordinance as required in Subsection [~~(5)~~] (6).

[~~(5)~~] (6) Each municipal clerk or recorder shall, at the time the candidate for municipal office files a declaration of candidacy, and again 14 days before each municipal general election, notify the candidate in writing of:

(a) the provisions of statute or municipal ordinance governing the disclosure of [~~campaign~~] contributions and expenditures;

(b) the dates when the candidate's campaign finance statement is required to be filed; and

(c) the penalties that apply for failure to file a timely campaign finance statement, including the statutory provision that requires removal of the candidate's name from the ballot for failure to file the required campaign finance statement when required.

[~~(6)~~] (7) Notwithstanding any provision of Title 63G, Chapter 2, Government Records Access and Management Act, the municipal clerk or recorder shall:

(a) make each campaign finance statement filed by a candidate available for public inspection and copying no later than one business day after the statement is filed; and

(b) make the campaign finance statement filed by a candidate available for public inspection by:

(i) (A) posting an electronic copy or the contents of the statement on the municipality's website no later than seven business days after the statement is filed; and

(B) verifying that the address of the municipality's website has been provided to the lieutenant governor in order to meet the requirements of Subsection 20A-11-103(5); or

(ii) submitting a copy of the statement to the lieutenant governor for posting on the website established by the lieutenant governor under Section 20A-11-103 no later than two business days after the statement is filed.

[~~(7)~~] (8) (a) If a candidate fails to file a campaign finance statement before the municipal general election by the deadline specified in Subsection [~~(2)(a)(ii)(A)~~] (3)(b)(i), the municipal clerk or recorder shall inform the appropriate election official who:

(i) shall:

(A) if practicable, remove the candidate's name from the ballot by blacking out the candidate's name before the ballots are delivered to voters; or

(B) if removing the candidate's name from the ballot is not practicable, inform the voters by any practicable method that the candidate has been disqualified and that votes cast for the candidate will not be counted; and

(ii) may not count any votes for that candidate.

(b) Notwithstanding Subsection [~~(7)~~] (8)(a), a candidate who files a campaign finance statement seven days before a municipal general election is not disqualified if:

(i) the statement details accurately and completely the information required under Subsection [~~(2)(b)~~] (4), except for inadvertent omissions or insignificant errors or inaccuracies; and

(ii) the omissions, errors, or inaccuracies are corrected in an amended report or in the next scheduled report.

[~~(8)~~] (9) A campaign finance statement required under this section is considered filed if it is received in the municipal clerk or recorder's office by 5 p.m. on the date that [~~is it~~] it is due.

[~~(9)~~] (10) (a) A private party in interest may bring a civil action in district court to enforce the provisions of this section or an ordinance adopted under this section.

(b) In a civil action under Subsection [~~(9)~~] (10)(a), the court may award costs and attorney fees to the prevailing party.

Section 2. Section **10-3-209** is enacted to read:

10-3-209. Personal use expenditure -- Authorized and prohibited uses of campaign funds -- Enforcement -- Penalties.

(1) Unless a municipality adopts by ordinance more stringent definitions, the following are defined terms for the purposes of this section:

(a) "Candidate" means a person who:

(i) files a declaration of candidacy for municipal office; or

(ii) receives contributions, makes expenditures, or gives consent for any other person to receive contributions or make expenditures to bring about the person's nomination or election to a public office.

(b) "Officeholder" means a person who is elected to and currently holds a municipal office.

(c) (i) "Personal use expenditure" means an expenditure that:

(A) is not excluded from the definition of personal use expenditure by Subsection (2) and primarily furthers a personal interest of a candidate or officeholder or a candidate's or officeholder's family, which interest is not connected with the performance of an activity as a candidate or an activity or duty of an officeholder; or

(B) would cause the candidate or officeholder to recognize the expenditure as taxable income under federal law.

(ii) "Personal use expenditure" includes:

(A) a mortgage, rent, utility, or vehicle payment;

(B) a household food item or supply;

(C) clothing, except for clothing bearing the candidate's name or campaign slogan or logo and that is used in the candidate's campaign;

(D) an admission to a sporting, artistic, or recreational event or other form of entertainment;

(E) dues, fees, or gratuities at a country club, health club, or recreational facility;

(F) a salary payment made to a candidate, officeholder, or a person who has not provided a bona fide service to a candidate or officeholder;

(G) a vacation;

(H) a vehicle expense;

(I) a meal expense;

(J) a travel expense;

(K) a payment of an administrative, civil, or criminal penalty;

(L) a satisfaction of a personal debt;

(M) a personal service, including the service of an attorney, accountant, physician, or other professional person;

(N) a membership fee for a professional or service organization; and

(O) a payment in excess of the fair market value of the item or service purchased.

(2) As used in this section, "personal use expenditure" does not mean an expenditure made:

(a) for a political purpose;

(b) for candidacy for public office;

(c) to fulfill a duty or activity of an officeholder;

(d) for a donation to a registered political party;

(e) for a contribution to another candidate's campaign account, including sponsorship of or attendance at an event, the primary purpose of which is to solicit a contribution for another candidate's campaign account;

(f) to return all or a portion of a contribution to a donor;

(g) for the following items, if made in connection with the candidacy for public office or an activity or duty of an officeholder:

(i) (A) a mileage allowance at the rate established by the Division of Finance under Section 63A-3-107; or

(B) for motor fuel or special fuel, as defined in Section 59-13-102;

(ii) a meal expense;

(iii) a travel expense, including an expense incurred for airfare or a rental vehicle;

(iv) a payment for a service provided by an attorney or accountant;

(v) a tuition payment or registration fee for participation in a meeting or conference;

(vi) a gift;

(vii) a payment for the following items in connection with an office space:

(A) rent;

(B) utilities;

(C) a supply; or

(D) furnishing;

(viii) a booth at a meeting or event; or

(ix) educational material;

(h) to purchase or mail informational material, a survey, or a greeting card;

(i) for a donation to a charitable organization, as defined by Section 13-22-2, including admission to or sponsorship of an event, the primary purpose of which is charitable solicitation, as defined in Section 13-22-2;

(j) to repay a loan a candidate makes from the candidate's personal account to the candidate's campaign account;

(k) to pay membership dues to a national organization whose primary purpose is to address general public policy;

(l) for admission to or sponsorship of an event, the primary purpose of which is to promote the social, educational, or economic well-being of the state or the candidate's or officeholder's community; or

(m) for one or more guests of an officeholder or candidate to attend an event, meeting, or conference described in this Subsection (2).

(3) (a) A municipality may adopt an ordinance prohibiting a personal use expenditure by a candidate with requirements that are more stringent than the requirements provided in Subsection (4).

(b) The municipality may adopt definitions that are more stringent than those provided in Subsection (1) or (2).

(c) If a municipality fails to adopt a personal use expenditure ordinance described in Subsection (3)(a), a candidate shall comply with the requirements contained in Subsection (4).

(4) A candidate or an officeholder may not use money deposited into a campaign account for:

(a) a personal use expenditure; or

(b) an expenditure prohibited by law.

(5) A municipality may enforce this section by adopting an ordinance:

(a) to provide for the evaluation of a campaign finance statement to identify a personal use expenditure; and

(b) to commence informal adjudicative proceedings if, after an evaluation described in Subsection (5)(a), there is probable cause to believe that a candidate or officeholder has made a personal use expenditure.

(6) If, in accordance with the proceedings described in Subsection (5)(b) established in municipal ordinance, a municipality determines that a candidate or officeholder has made a personal use expenditure, the municipality:

(a) may require the candidate or officeholder to:

(i) remit an administrative penalty of an amount equal to 50% of the personal use expenditure to the municipality; and

(ii) deposit the amount of the personal use expenditure into the campaign account from which the personal use expenditure was disbursed; and

(b) shall deposit the money received under Subsection (6)(a)(i) into the municipal general fund.

CAMPAIGN CONTRIBUTIONS AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kraig Powell

Senate Sponsor: Todd Weiler

LONG TITLE

General Description:

This bill amends campaign finance provisions.

Highlighted Provisions:

This bill:

- amends definitions;
- requires a candidate to disburse an anonymous contribution or public service assistance that is cash or a negotiable instrument and over $50 to:
  - the state or a political subdivision for deposit into its general fund; or
  - an organization that is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code;
- prohibits a filing entity, other than a candidate, from using an anonymous contribution that is cash or a negotiable instrument in excess of $50 for a political purpose or as a political issues expenditure;
- modifies the fine imposed against certain reporting entities that fail to report a contribution; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

10-3-208, as last amended by Laws of Utah 2012, Chapters 190, 190, 230, and 230

17-16-6.5, as last amended by Laws of Utah 2014, Chapter 337

20A-11-101, as last amended by Laws of Utah 2014, Chapters 18, 158, and 337

20A-11-201, as last amended by Laws of Utah 2014, Chapter 335

20A-11-301, as last amended by Laws of Utah 2014, Chapter 335

20A-11-401, as last amended by Laws of Utah 2011, Chapters 297 and 347

20A-11-505.7, as enacted by Laws of Utah 2011, Chapter 396

20A-11-602, as last amended by Laws of Utah 2013, Chapter 420

20A-11-802, as last amended by Laws of Utah 2013, Chapter 420

20A-11-1301, as last amended by Laws of Utah 2014, Chapters 335 and 337

20A-12-301, as enacted by Laws of Utah 2001, Chapter 166

20A-12-303, as last amended by Laws of Utah 2014, Chapter 335

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **10-3-208** is amended to read:

10-3-208. Campaign finance disclosure in municipal election.

(1) As used in this section:

(a) "Reporting date" means:

(i) 10 days before a municipal general election, for a campaign finance statement required to be filed no later than seven days before a municipal general election; and

(ii) the day of filing, for a campaign finance statement required to be filed no later than 30 days after a municipal primary or general election.

(b) "Reporting limit" means for each calendar year:

(i) $50; or

(ii) an amount lower than $50 that is specified in an ordinance of the municipality.

(2) (a) (i) Each candidate for municipal office:

(A) shall deposit a campaign contribution in a separate campaign account in a financial institution; and

(B) may not deposit or mingle any campaign contributions received into a personal or business account.

(ii) Each candidate for municipal office who is not eliminated at a municipal primary election shall file with the municipal clerk or recorder a campaign finance statement:

(A) no later than seven days before the date of the municipal general election; and

(B) no later than 30 days after the date of the municipal general election.

(iii) Each candidate for municipal office who is eliminated at a municipal primary election shall file with the municipal clerk or recorder a campaign finance statement no later than 30 days after the date of the municipal primary election.

(b) Each campaign finance statement under Subsection (2)(a) shall:

(i) except as provided in Subsection (2)(b)(ii):

(A) report all of the candidate's itemized and total:

(I) campaign contributions, including in-kind and other nonmonetary contributions, received before the close of the reporting date; and

(II) campaign expenditures made through the close of the reporting date; and

(B) identify:

(I) for each contribution that exceeds the reporting limit, the amount of the contribution and the name of the donor, if known;

(II) the aggregate total of all contributions that individually do not exceed the reporting limit; and

(III) for each campaign expenditure, the amount of the expenditure and the name of the recipient of the expenditure; or

(ii) report the total amount of all campaign contributions and expenditures if the candidate receives $500 or less in campaign contributions and spends $500 or less on the candidate's campaign.

(c) Within 30 days after receiving a contribution that is cash or a negotiable instrument, exceeds the reporting limit, and is from a donor whose name is unknown, a candidate shall disburse the amount of the contribution to:

(i) the treasurer of the state or a political subdivision for deposit into the state's or political subdivision's general fund; or

(ii) an organization that is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code.

(3) (a) As used in this Subsection (3), "account" means an account in a financial institution:

(i) that is not described in Subsection (2)(a)(i)(A); and

(ii) into which or from which a person who, as a candidate for an office, other than a municipal office for which the person files a declaration of candidacy or federal office, or as a holder of an office, other than a municipal office for which the person files a declaration of candidacy or federal office, deposits a contribution or makes an expenditure.

(b) A municipal office candidate shall include on any campaign finance statement filed in accordance with this section:

(i) a contribution deposited in an account:

(A) since the last campaign finance statement was filed; or

(B) that has not been reported under a statute or ordinance that governs the account; or

(ii) an expenditure made from an account:

(A) since the last campaign finance statement was filed; or

(B) that has not been reported under a statute or ordinance that governs the account.

(4) (a) A municipality may, by ordinance:

(i) provide a reporting limit lower than $50;

(ii) require greater disclosure of campaign contributions and expenditures than is required in this section; and

(iii) impose additional penalties on candidates who fail to comply with the applicable requirements beyond those imposed by this section.

(b) A candidate for municipal office is subject to the provisions of this section and not the provisions of an ordinance adopted by the municipality under Subsection (4)(a) if:

(i) the municipal ordinance establishes requirements or penalties that differ from those

established in this section; and

(ii) the municipal clerk or recorder fails to notify the candidate of the provisions of the ordinance as required in Subsection (5).

(5) Each municipal clerk or recorder shall, at the time the candidate for municipal office files a declaration of candidacy, and again 14 days before each municipal general election, notify the candidate in writing of:

(a) the provisions of statute or municipal ordinance governing the disclosure of campaign contributions and expenditures;

(b) the dates when the candidate's campaign finance statement is required to be filed; and

(c) the penalties that apply for failure to file a timely campaign finance statement, including the statutory provision that requires removal of the candidate's name from the ballot for failure to file the required campaign finance statement when required.

(6) Notwithstanding any provision of Title 63G, Chapter 2, Government Records Access and Management Act, the municipal clerk or recorder shall:

(a) make each campaign finance statement filed by a candidate available for public inspection and copying no later than one business day after the statement is filed; and

(b) make the campaign finance statement filed by a candidate available for public inspection by:

(i) (A) posting an electronic copy or the contents of the statement on the municipality's website no later than seven business days after the statement is filed; and

(B) verifying that the address of the municipality's website has been provided to the lieutenant governor in order to meet the requirements of Subsection 20A-11-103(5); or

(ii) submitting a copy of the statement to the lieutenant governor for posting on the website established by the lieutenant governor under Section 20A-11-103 no later than two business days after the statement is filed.

(7) (a) If a candidate fails to file a campaign finance statement before the municipal general election by the deadline specified in Subsection (2)(a)(ii)(A), the municipal clerk or

recorder shall inform the appropriate election official who:

(i) shall:

(A) if practicable, remove the candidate's name from the ballot by blacking out the candidate's name before the ballots are delivered to voters; or

(B) if removing the candidate's name from the ballot is not practicable, inform the voters by any practicable method that the candidate has been disqualified and that votes cast for the candidate will not be counted; and

(ii) may not count any votes for that candidate.

(b) Notwithstanding Subsection (7)(a), a candidate who files a campaign finance statement seven days before a municipal general election is not disqualified if:

(i) the statement details accurately and completely the information required under Subsection (2)(b), except for inadvertent omissions or insignificant errors or inaccuracies; and

(ii) the omissions, errors, or inaccuracies are corrected in an amended report or in the next scheduled report.

(8) A campaign finance statement required under this section is considered filed if it is received in the municipal clerk or recorder's office by 5 p.m. on the date that is it due.

(9) (a) A private party in interest may bring a civil action in district court to enforce the provisions of this section or an ordinance adopted under this section.

(b) In a civil action under Subsection (9)(a), the court may award costs and attorney fees to the prevailing party.

Section 2. Section **17-16-6.5** is amended to read:

17-16-6.5. Campaign financial disclosure in county elections.

(1) (a) A county shall adopt an ordinance establishing campaign finance disclosure requirements for:

(i) candidates for county office; and

(ii) candidates for local school board office who reside in that county.

(b) The ordinance required by Subsection (1)(a) shall include:

(i) a requirement that each candidate for county office or local school board office

report the candidate's itemized and total campaign contributions and expenditures at least once within the two weeks before the election and at least once within two months after the election;

(ii) a definition of "contribution" and "expenditure" that requires reporting of nonmonetary contributions such as in-kind contributions and contributions of tangible things;

(iii) a requirement that the financial reports identify:

(A) for each contribution of more than $50, the name of the donor of the contribution, if known, and the amount of the contribution; and

(B) for each expenditure, the name of the recipient and the amount of the expenditure;

(iv) a requirement that a candidate for county office or local school board office deposit a contribution in a separate campaign account in a financial institution; [~~and~~]

(v) a prohibition against a candidate for county office or local school board office depositing or mingling any contributions received into a personal or business account[~~.~~]; and

(vi) a requirement that a candidate for county office who receives a contribution that is cash or a negotiable instrument, exceeds $50, and is from a donor whose name is unknown, shall, within 30 days after receiving the contribution, disburse the amount of the contribution to:

(A) the treasurer of the state or a political subdivision for deposit into the state's or political subdivision's general fund; or

(B) an organization that is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code.

(c) (i) As used in this Subsection (1)(c), "account" means an account in a financial institution:

(A) that is not described in Subsection (1)(b)(iv); and

(B) into which or from which a person who, as a candidate for an office, other than a county office for which the person files a declaration of candidacy or federal office, or as a holder of an office, other than a county office for which the person files a declaration of candidacy or federal office, deposits a contribution or makes an expenditure.

(ii) The ordinance required by Subsection (1)(a) shall include a requirement that a

candidate for county office or local school board office include on a financial report filed in accordance with the ordinance a contribution deposited in or an expenditure made from an account:

(A) since the last financial report was filed; or

(B) that has not been reported under a statute or ordinance that governs the account.

(2) If any county fails to adopt a campaign finance disclosure ordinance described in Subsection (1), candidates for county office, other than community council office, and candidates for local school board office shall comply with the financial reporting requirements contained in Subsections (3) through [~~(7)~~] (8).

(3) A candidate for elective office in a county or local school board office:

(a) shall deposit a contribution in a separate campaign account in a financial institution; and

(b) may not deposit or mingle any contributions received into a personal or business account.

(4) Each candidate for elective office in any county who is not required to submit a campaign financial statement to the lieutenant governor, and each candidate for local school board office, shall file a signed campaign financial statement with the county clerk:

(a) seven days before the date of the regular general election, reporting each contribution of more than $50 and each expenditure as of 10 days before the date of the regular general election; and

(b) no later than 30 days after the date of the regular general election.

(5) (a) The statement filed seven days before the regular general election shall include:

(i) a list of each contribution of more than $50 received by the candidate, and the name of the donor, if known;

(ii) an aggregate total of all contributions of $50 or less received by the candidate; and

(iii) a list of each expenditure for political purposes made during the campaign period, and the recipient of each expenditure.

(b) The statement filed 30 days after the regular general election shall include:

(i) a list of each contribution of more than $50 received after the cutoff date for the statement filed seven days before the election, and the name of the donor;

(ii) an aggregate total of all contributions of $50 or less received by the candidate after the cutoff date for the statement filed seven days before the election; and

(iii) a list of all expenditures for political purposes made by the candidate after the cutoff date for the statement filed seven days before the election, and the recipient of each expenditure.

(6) (a) As used in this Subsection (6), "account" means an account in a financial institution:

(i) that is not described in Subsection (3)(a); and

(ii) into which or from which a person who, as a candidate for an office, other than a county office for which the person filed a declaration of candidacy or federal office, or as a holder of an office, other than a county office for which the person filed a declaration of candidacy or federal office, deposits a contribution or makes an expenditure.

(b) A county office candidate and a local school board office candidate shall include on any campaign financial statement filed in accordance with Subsection (4) or (5):

(i) a contribution deposited in an account:

(A) since the last campaign finance statement was filed; or

(B) that has not been reported under a statute or ordinance that governs the account; or

(ii) an expenditure made from an account:

(A) since the last campaign finance statement was filed; or

(B) that has not been reported under a statute or ordinance that governs the account.

(7) Within 30 days after receiving a contribution that is cash or a negotiable instrument, exceeds $50, and is from a donor whose name is unknown, a county office candidate shall disburse the amount of the contribution to:

(a) the treasurer of the state or a political subdivision for deposit into the state's or political subdivision's general fund; or

(b) an organization that is exempt from federal income taxation under Section

501(c)(3), Internal Revenue Code.

[~~(7)~~] (8) Candidates for elective office in any county, and candidates for local school board office, who are eliminated at a primary election shall file a signed campaign financial statement containing the information required by this section not later than 30 days after the primary election.

[~~(8)~~] (9) Any person who fails to comply with this section is guilty of an infraction.

[~~(9)~~] (10) (a) Counties may, by ordinance, enact requirements that:

(i) require greater disclosure of campaign contributions and expenditures; and

(ii) impose additional penalties.

(b) The requirements described in Subsection [~~(9)~~] (10)(a) apply to a local school board office candidate who resides in that county.

[~~(10)~~] (11) (a) If a candidate fails to file an interim report due before the election, the county clerk shall, after making a reasonable attempt to discover if the report was timely mailed, inform the appropriate election officials who:

(i) (A) shall, if practicable, remove the name of the candidate by blacking out the candidate's name before the ballots are delivered to voters; or

(B) shall, if removing the candidate's name from the ballot is not practicable, inform the voters by any practicable method that the candidate has been disqualified and that votes cast for the candidate will not be counted; and

(ii) may not count any votes for that candidate.

(b) Notwithstanding Subsection [~~(10)~~] (11)(a), a candidate is not disqualified if:

(i) the candidate files the reports required by this section;

(ii) those reports are completed, detailing accurately and completely the information required by this section except for inadvertent omissions or insignificant errors or inaccuracies; and

(iii) those omissions, errors, or inaccuracies are corrected in an amended report or in the next scheduled report.

(c) A report is considered filed if:

(i) it is received in the county clerk's office no later than 5 p.m. on the date that it is due;

(ii) it is received in the county clerk's office with a United States Postal Service postmark three days or more before the date that the report was due; or

(iii) the candidate has proof that the report was mailed, with appropriate postage and addressing, three days before the report was due.

[~~(11)~~] (12) (a) Any private party in interest may bring a civil action in district court to enforce the provisions of this section or any ordinance adopted under this section.

(b) In a civil action filed under Subsection [~~(11)~~] (12)(a), the court shall award costs and [~~attorney's~~] attorney fees to the prevailing party.

[~~(12)~~] (13) Notwithstanding any provision of Title 63G, Chapter 2, Government Records Access and Management Act, the county clerk shall:

(a) make each campaign finance statement filed by a candidate available for public inspection and copying no later than one business day after the statement is filed; and

(b) make the campaign finance statement filed by a candidate available for public inspection by:

(i) (A) posting an electronic copy or the contents of the statement on the county's website no later than seven business days after the statement is filed; and

(B) verifying that the address of the county's website has been provided to the lieutenant governor in order to meet the requirements of Subsection 20A-11-103(5); or

(ii) submitting a copy of the statement to the lieutenant governor for posting on the website established by the lieutenant governor under Section 20A-11-103 no later than two business days after the statement is filed.

Section 3. Section **20A-11-101** is amended to read:

20A-11-101. Definitions.

As used in this chapter:

(1) "Address" means the number and street where an individual resides or where a reporting entity has its principal office.

(2) "Agent of a reporting entity" means:

(a) a person acting on behalf of a reporting entity at the direction of the reporting entity;

(b) a person employed by a reporting entity in the reporting entity's capacity as a reporting entity;

(c) the personal campaign committee of a candidate or officeholder;

(d) a member of the personal campaign committee of a candidate or officeholder in the member's capacity as a member of the personal campaign committee of the candidate or officeholder; or

(e) a political consultant of a reporting entity.

(3) "Ballot proposition" includes initiatives, referenda, proposed constitutional amendments, and any other ballot propositions submitted to the voters that are authorized by the Utah Code Annotated 1953.

(4) "Candidate" means any person who:

(a) files a declaration of candidacy for a public office; or

(b) receives contributions, makes expenditures, or gives consent for any other person to receive contributions or make expenditures to bring about the person's nomination or election to a public office.

(5) "Chief election officer" means:

(a) the lieutenant governor for state office candidates, legislative office candidates, officeholders, political parties, political action committees, corporations, political issues committees, state school board candidates, judges, and labor organizations, as defined in Section 20A-11-1501; and

(b) the county clerk for local school board candidates.

(6) (a) "Contribution" means any of the following when done for political purposes:

(i) a gift, subscription, donation, loan, advance, or deposit of money or anything of value given to the filing entity;

(ii) an express, legally enforceable contract, promise, or agreement to make a gift,

subscription, donation, unpaid or partially unpaid loan, advance, or deposit of money or anything of value to the filing entity;

(iii) any transfer of funds from another reporting entity to the filing entity;

(iv) compensation paid by any person or reporting entity other than the filing entity for personal services provided without charge to the filing entity;

(v) remuneration from:

(A) any organization or its directly affiliated organization that has a registered lobbyist; or

(B) any agency or subdivision of the state, including school districts;

(vi) a loan made by a candidate deposited to the candidate's own campaign; and

(vii) in-kind contributions.

(b) "Contribution" does not include:

(i) services provided by individuals volunteering a portion or all of their time on behalf of the filing entity if the services are provided without compensation by the filing entity or any other person;

(ii) money lent to the filing entity by a financial institution in the ordinary course of business; or

(iii) goods or services provided for the benefit of a candidate or political party at less than fair market value that are not authorized by or coordinated with the candidate or political party.

(7) "Coordinated with" means that goods or services provided for the benefit of a candidate or political party are provided:

(a) with the candidate's or political party's prior knowledge, if the candidate or political party does not object;

(b) by agreement with the candidate or political party;

(c) in coordination with the candidate or political party; or

(d) using official logos, slogans, and similar elements belonging to a candidate or political party.

(8) (a) "Corporation" means a domestic or foreign, profit or nonprofit, business organization that is registered as a corporation or is authorized to do business in a state and makes any expenditure from corporate funds for:

(i) the purpose of expressly advocating for political purposes; or

(ii) the purpose of expressly advocating the approval or the defeat of any ballot proposition.

(b) "Corporation" does not mean:

(i) a business organization's political action committee or political issues committee; or

(ii) a business entity organized as a partnership or a sole proprietorship.

(9) "County political party" means, for each registered political party, all of the persons within a single county who, under definitions established by the political party, are members of the registered political party.

(10) "County political party officer" means a person whose name is required to be submitted by a county political party to the lieutenant governor in accordance with Section 20A-8-402.

(11) "Detailed listing" means:

(a) for each contribution or public service assistance:

(i) the name and address of the individual or source making the contribution or public service assistance, except to the extent that the name or address of the individual or source is unknown;

(ii) the amount or value of the contribution or public service assistance; and

(iii) the date the contribution or public service assistance was made; and

(b) for each expenditure:

(i) the amount of the expenditure;

(ii) the person or entity to whom it was disbursed;

(iii) the specific purpose, item, or service acquired by the expenditure; and

(iv) the date the expenditure was made.

(12) (a) "Donor" means a person that gives money, including a fee, due, or assessment

for membership in the corporation, to a corporation without receiving full and adequate consideration for the money.

(b) "Donor" does not include a person that signs a statement that the corporation may not use the money for an expenditure or political issues expenditure.

(13) "Election" means each:

(a) regular general election;

(b) regular primary election; and

(c) special election at which candidates are eliminated and selected.

(14) "Electioneering communication" means a communication that:

(a) has at least a value of $10,000;

(b) clearly identifies a candidate or judge; and

(c) is disseminated through the Internet, newspaper, magazine, outdoor advertising facility, direct mailing, broadcast, cable, or satellite provider within 45 days of the clearly identified candidate's or judge's election date.

(15) (a) "Expenditure" means any of the following made by a reporting entity or an agent of a reporting entity on behalf of the reporting entity:

(i) any disbursement from contributions, receipts, or from the separate bank account required by this chapter;

(ii) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of value made for political purposes;

(iii) an express, legally enforceable contract, promise, or agreement to make any purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of value for political purposes;

(iv) compensation paid by a filing entity for personal services rendered by a person without charge to a reporting entity;

(v) a transfer of funds between the filing entity and a candidate's personal campaign committee; or

(vi) goods or services provided by the filing entity to or for the benefit of another

reporting entity for political purposes at less than fair market value.

(b) "Expenditure" does not include:

(i) services provided without compensation by individuals volunteering a portion or all of their time on behalf of a reporting entity;

(ii) money lent to a reporting entity by a financial institution in the ordinary course of business; or

(iii) anything listed in Subsection (15)(a) that is given by a reporting entity to candidates for office or officeholders in states other than Utah.

(16) "Federal office" means the office of president of the United States, United States Senator, or United States Representative.

(17) "Filing entity" means the reporting entity that is required to file a financial statement required by this chapter or Chapter 12, Part 2, Judicial Retention Elections.

(18) "Financial statement" includes any summary report, interim report, verified financial statement, or other statement disclosing contributions, expenditures, receipts, donations, or disbursements that is required by this chapter or Chapter 12, Part 2, Judicial Retention Elections.

(19) "Governing board" means the individual or group of individuals that determine the candidates and committees that will receive expenditures from a political action committee, political party, or corporation.

(20) "Incorporation" means the process established by Title 10, Chapter 2, Part 1, Incorporation, by which a geographical area becomes legally recognized as a city or town.

(21) "Incorporation election" means the election authorized by Section 10-2-111 or 10-2-127.

(22) "Incorporation petition" means a petition authorized by Section 10-2-109 or 10-2-125.

(23) "Individual" means a natural person.

(24) "In-kind contribution" means anything of value, other than money, that is accepted by or coordinated with a filing entity.

(25) "Interim report" means a report identifying the contributions received and expenditures made since the last report.

(26) "Legislative office" means the office of state senator, state representative, speaker of the House of Representatives, president of the Senate, and the leader, whip, and assistant whip of any party caucus in either house of the Legislature.

(27) "Legislative office candidate" means a person who:

(a) files a declaration of candidacy for the office of state senator or state representative;

(b) declares oneself to be a candidate for, or actively campaigns for, the position of speaker of the House of Representatives, president of the Senate, or the leader, whip, and assistant whip of any party caucus in either house of the Legislature; or

(c) receives contributions, makes expenditures, or gives consent for any other person to receive contributions or make expenditures to bring about the person's nomination, election, or appointment to a legislative office.

(28) "Major political party" means either of the two registered political parties that have the greatest number of members elected to the two houses of the Legislature.

(29) "Officeholder" means a person who holds a public office.

(30) "Party committee" means any committee organized by or authorized by the governing board of a registered political party.

(31) "Person" means both natural and legal persons, including individuals, business organizations, personal campaign committees, party committees, political action committees, political issues committees, and labor organizations, as defined in Section 20A-11-1501.

(32) "Personal campaign committee" means the committee appointed by a candidate to act for the candidate as provided in this chapter.

(33) "Personal use expenditure" has the same meaning as provided under Section 20A-11-104.

(34) (a) "Political action committee" means an entity, or any group of individuals or entities within or outside this state, a major purpose of which is to:

(i) solicit or receive contributions from any other person, group, or entity for political

purposes; or

(ii) make expenditures to expressly advocate for any person to refrain from voting or to vote for or against any candidate or person seeking election to a municipal or county office.

(b) "Political action committee" includes groups affiliated with a registered political party but not authorized or organized by the governing board of the registered political party that receive contributions or makes expenditures for political purposes.

(c) "Political action committee" does not mean:

(i) a party committee;

(ii) any entity that provides goods or services to a candidate or committee in the regular course of its business at the same price that would be provided to the general public;

(iii) an individual;

(iv) individuals who are related and who make contributions from a joint checking account;

(v) a corporation, except a corporation a major purpose of which is to act as a political action committee; or

(vi) a personal campaign committee.

(35) (a) "Political consultant" means a person who is paid by a reporting entity, or paid by another person on behalf of and with the knowledge of the reporting entity, to provide political advice to the reporting entity.

(b) "Political consultant" includes a circumstance described in Subsection (35)(a), where the person:

(i) has already been paid, with money or other consideration;

(ii) expects to be paid in the future, with money or other consideration; or

(iii) understands that the person may, in the discretion of the reporting entity or another person on behalf of and with the knowledge of the reporting entity, be paid in the future, with money or other consideration.

(36) "Political convention" means a county or state political convention held by a registered political party to select candidates.

(37) (a) "Political issues committee" means an entity, or any group of individuals or entities within or outside this state, a major purpose of which is to:

(i) solicit or receive donations from any other person, group, or entity to assist in placing a ballot proposition on the ballot, assist in keeping a ballot proposition off the ballot, or to advocate that a voter refrain from voting or vote for or vote against any ballot proposition;

(ii) make expenditures to expressly advocate for any person to sign or refuse to sign a ballot proposition or incorporation petition or refrain from voting, vote for, or vote against any proposed ballot proposition or an incorporation in an incorporation election; or

(iii) make expenditures to assist in qualifying or placing a ballot proposition on the ballot or to assist in keeping a ballot proposition off the ballot.

(b) "Political issues committee" does not mean:

(i) a registered political party or a party committee;

(ii) any entity that provides goods or services to an individual or committee in the regular course of its business at the same price that would be provided to the general public;

(iii) an individual;

(iv) individuals who are related and who make contributions from a joint checking account; or

(v) a corporation, except a corporation a major purpose of which is to act as a political issues committee.

(38) (a) "Political issues contribution" means any of the following:

(i) a gift, subscription, unpaid or partially unpaid loan, advance, or deposit of money or anything of value given to a political issues committee;

(ii) an express, legally enforceable contract, promise, or agreement to make a political issues donation to influence the approval or defeat of any ballot proposition;

(iii) any transfer of funds received by a political issues committee from a reporting entity;

(iv) compensation paid by another reporting entity for personal services rendered without charge to a political issues committee; and

(v) goods or services provided to or for the benefit of a political issues committee at less than fair market value.

(b) "Political issues contribution" does not include:

(i) services provided without compensation by individuals volunteering a portion or all of their time on behalf of a political issues committee; or

(ii) money lent to a political issues committee by a financial institution in the ordinary course of business.

(39) (a) "Political issues expenditure" means any of the following when made by a political issues committee or on behalf of a political issues committee by an agent of the reporting entity:

(i) any payment from political issues contributions made for the purpose of influencing the approval or the defeat of:

(A) a ballot proposition; or

(B) an incorporation petition or incorporation election;

(ii) a purchase, payment, distribution, loan, advance, deposit, or gift of money made for the express purpose of influencing the approval or the defeat of:

(A) a ballot proposition; or

(B) an incorporation petition or incorporation election;

(iii) an express, legally enforceable contract, promise, or agreement to make any political issues expenditure;

(iv) compensation paid by a reporting entity for personal services rendered by a person without charge to a political issues committee; or

(v) goods or services provided to or for the benefit of another reporting entity at less than fair market value.

(b) "Political issues expenditure" does not include:

(i) services provided without compensation by individuals volunteering a portion or all of their time on behalf of a political issues committee; or

(ii) money lent to a political issues committee by a financial institution in the ordinary

course of business.

(40) "Political purposes" means an act done with the intent or in a way to influence or tend to influence, directly or indirectly, any person to refrain from voting or to vote for or against any candidate or a person seeking a municipal or county office at any caucus, political convention, or election.

(41) (a) "Poll" means the survey of a person regarding the person's opinion or knowledge of an individual who has filed a declaration of candidacy for public office, or of a ballot proposition that has legally qualified for placement on the ballot, which is conducted in person or by telephone, facsimile, Internet, postal mail, or email.

(b) "Poll" does not include:

(i) a ballot; or

(ii) an interview of a focus group that is conducted, in person, by one individual, if:

(A) the focus group consists of more than three, and less than thirteen, individuals; and

(B) all individuals in the focus group are present during the interview.

(42) "Primary election" means any regular primary election held under the election laws.

[~~(45)~~] (43) "Publicly identified class of individuals" means a group of 50 or more individuals sharing a common occupation, interest, or association that contribute to a political action committee or political issues committee and whose names can be obtained by contacting the political action committee or political issues committee upon whose financial statement the individuals are listed.

[~~(43)~~] (44) "Public office" means the office of governor, lieutenant governor, state auditor, state treasurer, attorney general, state school board member, state senator, state representative, speaker of the House of Representatives, president of the Senate, and the leader, whip, and assistant whip of any party caucus in either house of the Legislature.

[~~(44)~~] (45) (a) "Public service assistance" means the following when given or provided to an officeholder to defray the costs of functioning in a public office or aid the officeholder to communicate with the officeholder's constituents:

(i) a gift, subscription, donation, unpaid or partially unpaid loan, advance, or deposit of money or anything of value to an officeholder; or

(ii) goods or services provided at less than fair market value to or for the benefit of the officeholder.

(b) "Public service assistance" does not include:

(i) anything provided by the state;

(ii) services provided without compensation by individuals volunteering a portion or all of their time on behalf of an officeholder;

(iii) money lent to an officeholder by a financial institution in the ordinary course of business;

(iv) news coverage or any publication by the news media; or

(v) any article, story, or other coverage as part of any regular publication of any organization unless substantially all the publication is devoted to information about the officeholder.

(46) "Receipts" means contributions and public service assistance.

(47) "Registered lobbyist" means a person registered under Title 36, Chapter 11, Lobbyist Disclosure and Regulation Act.

(48) "Registered political action committee" means any political action committee that is required by this chapter to file a statement of organization with the Office of the Lieutenant Governor.

(49) "Registered political issues committee" means any political issues committee that is required by this chapter to file a statement of organization with the Office of the Lieutenant Governor.

(50) "Registered political party" means an organization of voters that:

(a) participated in the last regular general election and polled a total vote equal to 2% or more of the total votes cast for all candidates for the United States House of Representatives for any of its candidates for any office; or

(b) has complied with the petition and organizing procedures of Chapter 8, Political

Party Formation and Procedures.

(51) (a) "Remuneration" means a payment:

(i) made to a legislator for the period the Legislature is in session; and

(ii) that is approximately equivalent to an amount a legislator would have earned during the period the Legislature is in session in the legislator's ordinary course of business.

(b) "Remuneration" does not mean anything of economic value given to a legislator by:

(i) the legislator's primary employer in the ordinary course of business; or

(ii) a person or entity in the ordinary course of business:

(A) because of the legislator's ownership interest in the entity; or

(B) for services rendered by the legislator on behalf of the person or entity.

(52) "Reporting entity" means a candidate, a candidate's personal campaign committee, a judge, a judge's personal campaign committee, an officeholder, a party committee, a political action committee, a political issues committee, a corporation, or a labor organization, as defined in Section 20A-11-1501.

(53) "School board office" means the office of state school board.

(54) (a) "Source" means the person or entity that is the legal owner of the tangible or intangible asset that comprises the contribution.

(b) "Source" means, for political action committees and corporations, the political action committee and the corporation as entities, not the contributors to the political action committee or the owners or shareholders of the corporation.

(55) "State office" means the offices of governor, lieutenant governor, attorney general, state auditor, and state treasurer.

(56) "State office candidate" means a person who:

(a) files a declaration of candidacy for a state office; or

(b) receives contributions, makes expenditures, or gives consent for any other person to receive contributions or make expenditures to bring about the person's nomination, election, or appointment to a state office.

(57) "Summary report" means the year end report containing the summary of a

reporting entity's contributions and expenditures.

(58) "Supervisory board" means the individual or group of individuals that allocate expenditures from a political issues committee.

Section 4. Section **20A-11-201** is amended to read:

20A-11-201. State office candidate -- Separate bank account for campaign funds -- No personal use -- Contribution reporting deadline -- Report other accounts -- Anonymous contributions.

(1) (a) Each state office candidate or the candidate's personal campaign committee shall deposit each contribution and public service assistance received in one or more separate campaign accounts in a financial institution.

(b) A state office candidate or a candidate's personal campaign committee may not use money deposited in a campaign account for:

(i) a personal use expenditure; or

(ii) an expenditure prohibited by law.

(2) A state office candidate or the candidate's personal campaign committee may not deposit or mingle any contributions received into a personal or business account.

(3) If a person who is no longer a state office candidate chooses not to expend the money remaining in a campaign account, the person shall continue to file the year-end summary report required by Section 20A-11-203 until the statement of dissolution and final summary report required by Section 20A-11-205 are filed with the lieutenant governor.

(4) (a) Except as provided in Subsection (4)(b) and Section 20A-11-402, a person who is no longer a state office candidate may not expend or transfer the money in a campaign account in a manner that would cause the former state office candidate to recognize the money as taxable income under federal tax law.

(b) A person who is no longer a state office candidate may transfer the money in a campaign account in a manner that would cause the former state office candidate to recognize the money as taxable income under federal tax law if the transfer is made to a campaign account for federal office.

(5) (a) As used in this Subsection (5) and Section 20A-11-204, "received" means:

(i) for a cash contribution, that the cash is given to a state office candidate or a member of the candidate's personal campaign committee;

(ii) for a contribution that is a negotiable instrument or check, that the negotiable instrument or check is negotiated; and

(iii) for any other type of contribution, that any portion of the contribution's benefit inures to the state office candidate.

(b) Each state office candidate shall report to the lieutenant governor each contribution and public service assistance received by the state office candidate:

(i) except as provided in Subsection (5)(b)(ii), within 30 days after the day on which the contribution or public service assistance is received; or

(ii) within three business days after the day on which the contribution or public service assistance is received, if:

(A) the state office candidate is contested in a convention and the contribution or public service assistance is received within 30 days before the day on which the convention is held;

(B) the state office candidate is contested in a primary election and the contribution or public service assistance is received within 30 days before the day on which the primary election is held; or

(C) the state office candidate is contested in a general election and the contribution or public service assistance is received within 30 days before the day on which the general election is held.

(c) [~~Except as provided in Subsection (5)(d), for~~] For each contribution or provision of public service assistance that a state office candidate fails to report within the time period described in Subsection (5)(b), the lieutenant governor shall impose a fine against the state office candidate in an amount equal to:

(i) [~~the greater of $50 or 15%~~] (A) 10% of the amount of the contribution, if the state office candidate reports the contribution within 60 days after the day on which the time period

described in Subsection (5)(b) ends; or

(B) 20% of the amount of the contribution, if the state office candidate fails to report the contribution within 60 days after the day on which the time period described in Subsection (5)(b) ends; or

(ii) [~~the greater of $50 or 15%~~] (A) 10% of the value of the public service assistance[~~.~~], if the state office candidate reports the public service assistance within 60 days after the day on which the time period described in Subsection (5)(b) ends; or

(B) 20% of the amount of the public service assistance, if the state office candidate fails to report the public service assistance within 60 days after the day on which the time period described in Subsection (5)(b) ends.

[~~(d) A fine described in Subsection (5)(c) may not exceed the amount of the contribution or the value of the public service assistance to which the fine relates.~~]

[~~(c)~~] (d) The lieutenant governor shall:

(i) deposit money received under Subsection (5)(c) into the General Fund; and

(ii) report on the lieutenant governor's website, in the location where reports relating to each state office candidate are available for public access:

(A) each fine imposed by the lieutenant governor against the state office candidate;

(B) the amount of the fine;

(C) the amount of the contribution to which the fine relates; and

(D) the date of the contribution.

(6) (a) As used in this Subsection (6), "account" means an account in a financial institution:

(i) that is not described in Subsection (1)(a); and

(ii) into which or from which a person who, as a candidate for an office, other than the state office for which the person files a declaration of candidacy or federal office, or as a holder of an office, other than a state office for which the person files a declaration of candidacy or federal office, deposits a contribution or makes an expenditure.

(b) A state office candidate shall include on any financial statement filed in accordance

with this part:

(i) a contribution deposited in an account:

(A) since the last campaign finance statement was filed; or

(B) that has not been reported under a statute or ordinance that governs the account; or

(ii) an expenditure made from an account:

(A) since the last campaign finance statement was filed; or

(B) that has not been reported under a statute or ordinance that governs the account.

(7) Within 30 days after receiving a contribution that is cash or a negotiable instrument, exceeds $50, and is from an unknown source, a state office candidate shall disburse the amount of the contribution to:

(a) the treasurer of the state or a political subdivision for deposit into the state's or political subdivision's general fund; or

(b) an organization that is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code.

Section 5. Section **20A-11-301** is amended to read:

20A-11-301. Legislative office candidate -- Campaign finance requirements -- Candidate as a political action committee officer -- No personal use -- Contribution reporting deadline -- Report other accounts -- Anonymous contributions.

(1) (a) (i) Each legislative office candidate shall deposit each contribution and public service assistance received in one or more separate accounts in a financial institution that are dedicated only to that purpose.

(ii) A legislative office candidate may:

(A) receive a contribution or public service assistance from a political action committee registered under Section 20A-11-601; and

(B) be designated by a political action committee as an officer who has primary decision-making authority as described in Section 20A-11-601.

(b) A legislative office candidate or the candidate's personal campaign committee may not use money deposited in an account described in Subsection (1)(a)(i) for:

(i) a personal use expenditure; or

(ii) an expenditure prohibited by law.

(2) A legislative office candidate may not deposit or mingle any contributions or public service assistance received into a personal or business account.

(3) If a person who is no longer a legislative candidate chooses not to expend the money remaining in a campaign account, the person shall continue to file the year-end summary report required by Section 20A-11-302 until the statement of dissolution and final summary report required by Section 20A-11-304 are filed with the lieutenant governor.

(4) (a) Except as provided in Subsection (4)(b) and Section 20A-11-402, a person who is no longer a legislative office candidate may not expend or transfer the money in a campaign account in a manner that would cause the former legislative office candidate to recognize the money as taxable income under federal tax law.

(b) A person who is no longer a legislative office candidate may transfer the money in a campaign account in a manner that would cause the former legislative office candidate to recognize the money as taxable income under federal tax law if the transfer is made to a campaign account for federal office.

(5) (a) As used in this Subsection (5) and Section 20A-11-303, "received" means:

(i) for a cash contribution, that the cash is given to a legislative office candidate or a member of the candidate's personal campaign committee;

(ii) for a contribution that is a negotiable instrument or check, that the negotiable instrument or check is negotiated; and

(iii) for any other type of contribution, that any portion of the contribution's benefit inures to the legislative office candidate.

(b) Each legislative office candidate shall report to the lieutenant governor each contribution and public service assistance received by the legislative office candidate:

(i) except as provided in Subsection (5)(b)(ii), within 30 days after the day on which the contribution or public service assistance is received; or

(ii) within three business days after the day on which the contribution or public service

assistance is received, if:

(A) the legislative office candidate is contested in a convention and the contribution or public service assistance is received within 30 days before the day on which the convention is held;

(B) the legislative office candidate is contested in a primary election and the contribution or public service assistance is received within 30 days before the day on which the primary election is held; or

(C) the legislative office candidate is contested in a general election and the contribution or public service assistance is received within 30 days before the day on which the general election is held.

(c) [~~Except as provided in Subsection (5)(d), for~~] For each contribution or provision of public service assistance that a legislative office candidate fails to report within the time period described in Subsection (5)(b), the lieutenant governor shall impose a fine against the legislative office candidate in an amount equal to:

(i) [~~the greater of $50 or 15%~~] (A) 10% of the amount of the contribution, if the legislative office candidate reports the contribution within 60 days after the day on which the time period described in Subsection (5)(b) ends; or

(B) 20% of the amount of the contribution, if the legislative office candidate fails to report the contribution within 60 days after the day on which the time period described in Subsection (5)(b) ends; or

(ii) [~~the greater of $50 or 15%~~] (A) 10% of the value of the public service assistance[~~:~~], if the legislative office candidate reports the public service assistance within 60 days after the day on which the time period described in Subsection (5)(b) ends; or

(B) 20% of the amount of the public service assistance, if the legislative office candidate fails to report the public service assistance within 60 days after the day on which the time period described in Subsection (5)(b) ends.

[~~(d) A fine described in Subsection (5)(c) may not exceed the amount of the contribution or the value of the public service assistance to which the fine relates.~~]

[~~(c)~~] (d) The lieutenant governor shall:

(i) deposit money received under Subsection (5)(c) into the General Fund; and

(ii) report on the lieutenant governor's website, in the location where reports relating to each legislative office candidate are available for public access:

(A) each fine imposed by the lieutenant governor against the legislative office candidate;

(B) the amount of the fine;

(C) the amount of the contribution to which the fine relates; and

(D) the date of the contribution.

(6) Within 30 days after receiving a contribution that is cash or a negotiable instrument, exceeds $50, and is from an unknown source, a legislative office candidate shall disburse the amount of the contribution to:

(a) the treasurer of the state or a political subdivision for deposit into the state's or political subdivision's general fund; or

(b) an organization that is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code.

[~~(6)~~] (7) (a) As used in this Subsection [~~(6)~~] (7), "account" means an account in a financial institution:

(i) that is not described in Subsection (1)(a)(i); and

(ii) into which or from which a person who, as a candidate for an office, other than a legislative office for which the person files a declaration of candidacy or federal office, or as a holder of an office, other than a legislative office for which the person files a declaration of candidacy or federal office, deposits a contribution or makes an expenditure.

(b) A legislative office candidate shall include on any financial statement filed in accordance with this part:

(i) a contribution deposited in an account:

(A) since the last campaign finance statement was filed; or

(B) that has not been reported under a statute or ordinance that governs the account; or

(ii) an expenditure made from an account:

(A) since the last campaign finance statement was filed; or

(B) that has not been reported under a statute or ordinance that governs the account.

Section 6. Section **20A-11-401** is amended to read:

20A-11-401. Officeholder financial reporting requirements -- Year-end summary report -- Officeholder as a political action committee officer -- Anonymous contribution or public service assistance.

(1) (a) Each officeholder shall file a summary report by January 10 of each year.

(b) An officeholder that is required to file a summary report both as an officeholder and as a candidate for office under the requirements of this chapter may file a single summary report as a candidate and an officeholder, provided that the combined report meets the requirements of:

(i) this section; and

(ii) the section that provides the requirements for the summary report filed by the officeholder in the officeholder's capacity of a candidate for office.

(2) (a) Each summary report shall include the following information as of December 31 of the previous year:

(i) the net balance of the last summary report, if any;

(ii) a single figure equal to the total amount of receipts received since the last summary report, if any;

(iii) a single figure equal to the total amount of expenditures made since the last summary report, if any;

(iv) a detailed listing of each contribution and public service assistance received since the last summary report;

(v) for each nonmonetary contribution:

(A) the fair market value of the contribution with that information provided by the contributor; and

(B) a specific description of the contribution;

(vi) a detailed listing of each expenditure made since the last summary report;

(vii) for each nonmonetary expenditure, the fair market value of the expenditure;

(viii) a net balance for the year consisting of the net balance from the last summary report plus all receipts minus all expenditures; and

(ix) the name of a political action committee for which the officeholder is designated as an officer who has primary decision-making authority under Section 20A-11-601.

(b) (i) For all individual contributions or public service assistance of $50 or less, a single aggregate figure may be reported without separate detailed listings.

(ii) Two or more contributions from the same source that have an aggregate total of more than $50 may not be reported in the aggregate, but shall be reported separately.

(c) In preparing the report, all receipts and expenditures shall be reported as of December 31 of the previous year.

(3) The summary report shall contain a paragraph signed by the officeholder certifying that, to the best of the officeholder's knowledge, all receipts and all expenditures have been reported as of December 31 of the last calendar year and that there are no bills or obligations outstanding and unpaid except as set forth in that report.

(4) An officeholder may:

(a) receive public service assistance from a political action committee registered under Section 20A-11-601; and

(b) be designated by a political action committee as an officer who has primary decision-making authority as described in Section 20A-11-601.

(5) Within 30 days after receiving a contribution or public service assistance that is cash or a negotiable instrument, exceeds $50, and is from an unknown source, an officeholder shall disburse the amount of the contribution or public service assistance to:

(a) the treasurer of the state or a political subdivision for deposit into the state's or political subdivision's general fund; or

(b) an organization that is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code.

Section 7. Section **20A-11-505.7** is amended to read:

20A-11-505.7. Separate account for contributions for registered political party -- Anonymous contributions to registered political party or county political party.

(1) A registered political party shall deposit a contribution received in one or more separate campaign accounts in a financial institution.

(2) A registered political party may not deposit or mingle a contribution received into a personal or business account.

(3) A registered political party or county political party may not expend a contribution for political purposes or a political issues expenditure if the contribution:

(a) is cash or a negotiable instrument;

(b) exceeds $50; and

(c) is from an unknown source.

Section 8. Section **20A-11-602** is amended to read:

20A-11-602. Political action committees -- Financial reporting.

(1) (a) Each registered political action committee that has received contributions totaling at least $750, or disbursed expenditures totaling at least $50, during a calendar year shall file a verified financial statement with the lieutenant governor's office:

(i) on January 10, reporting contributions and expenditures as of December 31 of the previous year;

(ii) seven days before the state political convention of each major political party;

(iii) seven days before the regular primary election date;

(iv) on August 31; and

(v) seven days before:

(A) the municipal general election; and

(B) the regular general election date.

(b) The registered political action committee shall report:

(i) a detailed listing of all contributions received and expenditures made since the last statement; and

(ii) for financial statements filed under Subsections (1)(a)(ii) through (iv), all contributions and expenditures as of five days before the required filing date of the financial statement.

(c) The registered political action committee need not file a statement under this section if it received no contributions and made no expenditures during the reporting period.

(2) (a) The verified financial statement shall include:

(i) the name and address of any individual [~~that~~] who makes a contribution to the reporting political action committee, if known, and the amount of the contribution;

(ii) the identification of any publicly identified class of individuals that makes a contribution to the reporting political action committee, if known, and the amount of the contribution;

(iii) the name and address of any political action committee, group, or entity, if known, that makes a contribution to the reporting political action committee, and the amount of the contribution;

(iv) for each nonmonetary contribution, the fair market value of the contribution;

(v) the name and address of each reporting entity that received an expenditure from the reporting political action committee, and the amount of each expenditure;

(vi) for each nonmonetary expenditure, the fair market value of the expenditure;

(vii) the total amount of contributions received and expenditures disbursed by the reporting political action committee;

(viii) a statement by the political action committee's treasurer or chief financial officer certifying that, to the best of the person's knowledge, the financial report is accurate; and

(ix) a summary page in the form required by the lieutenant governor that identifies:

(A) beginning balance;

(B) total contributions during the period since the last statement;

(C) total contributions to date;

(D) total expenditures during the period since the last statement; and

(E) total expenditures to date.

(b) (i) Contributions received by a political action committee that have a value of $50 or less need not be reported individually, but shall be listed on the report as an aggregate total.

(ii) Two or more contributions from the same source that have an aggregate total of more than $50 may not be reported in the aggregate, but shall be reported separately.

(3) A group or entity may not divide or separate into units, sections, or smaller groups for the purpose of avoiding the financial reporting requirements of this chapter, and substance shall prevail over form in determining the scope or size of a political action committee.

(4) (a) As used in this Subsection (4), "received" means:

(i) for a cash contribution, that the cash is given to a political action committee;

(ii) for a contribution that is a negotiable instrument or check, that the negotiable instrument or check is negotiated; and

(iii) for any other type of contribution, that any portion of the contribution's benefit inures to the political action committee.

(b) A political action committee shall report each contribution to the lieutenant governor within 30 days after the contribution is received.

(5) A political action committee may not expend a contribution for political purposes if the contribution:

(a) is cash or a negotiable instrument;

(b) exceeds $50; and

(c) is from an unknown source.

Section 9. Section **20A-11-802** is amended to read:

20A-11-802. Political issues committees -- Financial reporting.

(1) (a) Each registered political issues committee that has received political issues contributions totaling at least $750, or disbursed political issues expenditures totaling at least $50, during a calendar year, shall file a verified financial statement with the lieutenant governor's office:

(i) on January 10, reporting contributions and expenditures as of December 31 of the previous year;

(ii) seven days before the state political convention of each major political party;

(iii) seven days before the regular primary election date;

(iv) seven days before the date of an incorporation election, if the political issues committee has received donations or made disbursements to affect an incorporation;

(v) at least three days before the first public hearing held as required by Section 20A-7-204.1;

(vi) if the political issues committee has received or expended funds in relation to an initiative or referendum, at the time the initiative or referendum sponsors submit:

(A) the verified and certified initiative packets as required by Section 20A-7-206; or

(B) the signed and verified referendum packets as required by Section 20A-7-306;

(vii) on August 31; and

(viii) seven days before:

(A) the municipal general election; and

(B) the regular general election.

(b) The political issues committee shall report:

(i) a detailed listing of all contributions received and expenditures made since the last statement; and

(ii) all contributions and expenditures as of five days before the required filing date of the financial statement, except for a financial statement filed on January 10.

(c) The political issues committee need not file a statement under this section if it received no contributions and made no expenditures during the reporting period.

(2) (a) That statement shall include:

(i) the name and address, if known, of any individual [~~that~~] who makes a political issues contribution to the reporting political issues committee, and the amount of the political issues contribution;

(ii) the identification of any publicly identified class of individuals that makes a political issues contribution to the reporting political issues committee, and the amount of the political issues contribution;

(iii) the name and address, if known, of any political issues committee, group, or entity that makes a political issues contribution to the reporting political issues committee, and the amount of the political issues contribution;

(iv) the name and address of each reporting entity that makes a political issues contribution to the reporting political issues committee, and the amount of the political issues contribution;

(v) for each nonmonetary contribution, the fair market value of the contribution;

(vi) except as provided in Subsection (2)(c), the name and address of each individual, entity, or group of individuals or entities that received a political issues expenditure of more than $50 from the reporting political issues committee, and the amount of each political issues expenditure;

(vii) for each nonmonetary expenditure, the fair market value of the expenditure;

(viii) the total amount of political issues contributions received and political issues expenditures disbursed by the reporting political issues committee;

(ix) a statement by the political issues committee's treasurer or chief financial officer certifying that, to the best of the person's knowledge, the financial statement is accurate; and

(x) a summary page in the form required by the lieutenant governor that identifies:

(A) beginning balance;

(B) total contributions during the period since the last statement;

(C) total contributions to date;

(D) total expenditures during the period since the last statement; and

(E) total expenditures to date.

(b) (i) Political issues contributions received by a political issues committee that have a value of $50 or less need not be reported individually, but shall be listed on the report as an aggregate total.

(ii) Two or more political issues contributions from the same source that have an aggregate total of more than $50 may not be reported in the aggregate, but shall be reported separately.

(c) When reporting political issue expenditures made to circulators of initiative petitions, the political issues committee:

(i) need only report the amount paid to each initiative petition circulator; and

(ii) need not report the name or address of the circulator.

(3) (a) As used in this Subsection (3), "received" means:

(i) for a cash contribution, that the cash is given to a political issues committee;

(ii) for a contribution that is a negotiable instrument or check, that the negotiable instrument or check is negotiated; and

(iii) for any other type of contribution, that any portion of the contribution's benefit inures to the political issues committee.

(b) A political issues committee shall report each contribution to the lieutenant governor within 30 days after the contribution is received.

(4) A political issues committee may not expend a contribution for a political issues expenditure if the contribution:

(a) is cash or a negotiable instrument;

(b) exceeds $50; and

(c) is from an unknown source.

Section 10. Section **20A-11-1301** is amended to read:

20A-11-1301. School board office candidate -- Campaign finance requirements -- Candidate as a political action committee officer -- No personal use -- Contribution reporting deadline -- Report other accounts -- Anonymous contributions.

(1) (a) (i) Each school board office candidate shall deposit each contribution and public service assistance received in one or more separate accounts in a financial institution that are dedicated only to that purpose.

(ii) A school board office candidate may:

(A) receive a contribution or public service assistance from a political action committee registered under Section 20A-11-601; and

(B) be designated by a political action committee as an officer who has primary

decision-making authority as described in Section 20A-11-601.

(b) A school board office candidate may not use money deposited in an account described in Subsection (1)(a)(i) for:

(i) a personal use expenditure; or

(ii) an expenditure prohibited by law.

(2) A school board office candidate may not deposit or mingle any contributions or public service assistance received into a personal or business account.

(3) A school board office candidate may not make any political expenditures prohibited by law.

(4) If a person who is no longer a school board candidate chooses not to expend the money remaining in a campaign account, the person shall continue to file the year-end summary report required by Section 20A-11-1302 until the statement of dissolution and final summary report required by Section 20A-11-1304 are filed with the lieutenant governor.

(5) (a) Except as provided in Subsection (5)(b) and Section 20A-11-402, a person who is no longer a school board candidate may not expend or transfer the money in a campaign account in a manner that would cause the former school board candidate to recognize the money as taxable income under federal tax law.

(b) A person who is no longer a school board candidate may transfer the money in a campaign account in a manner that would cause the former school board candidate to recognize the money as taxable income under federal tax law if the transfer is made to a campaign account for federal office.

(6) (a) As used in this Subsection (6) and Section 20A-11-1303, "received" means:

(i) for a cash contribution, that the cash is given to a school board office candidate or a member of the candidate's personal campaign committee;

(ii) for a contribution that is a negotiable instrument or check, that the negotiable instrument or check is negotiated; and

(iii) for any other type of contribution, that any portion of the contribution's benefit inures to the school board office candidate.

(b) Each school board office candidate shall report to the chief election officer each contribution and public service assistance received by the school board office candidate:

(i) except as provided in Subsection (6)(b)(ii), within 30 days after the day on which the contribution or public service assistance is received; or

(ii) within three business days after the day on which the contribution or public service assistance is received, if:

(A) the school board office candidate is contested in a primary election and the contribution or public service assistance is received within 30 days before the day on which the primary election is held; or

(B) the school board office candidate is contested in a general election and the contribution or public service assistance is received within 30 days before the day on which the general election is held.

(c) [~~Except as provided in Subsection (6)(d), for~~] For each contribution or provision of public service assistance that a school board office candidate fails to report within the time period described in Subsection (6)(b), the chief election officer shall impose a fine against the school board office candidate in an amount equal to:

(i) [~~the greater of $50 or 15%~~] (A) 10% of the amount of the contribution, if the school board office candidate reports the contribution within 60 days after the day on which the time period described in Subsection (6)(b) ends; or

(B) 20% of the amount of the contribution, if the school board office candidate fails to report the contribution within 60 days after the day on which the time period described in Subsection (6)(b) ends; or

(ii) [~~the greater of $50 or 15%~~] (A) 10% of the value of the public service assistance[~~.~~], if the school board office candidate reports the public service assistance within 60 days after the day on which the time period described in Subsection (6)(b) ends; or

(B) 20% of the amount of the public service assistance, if the school board office candidate fails to report the public service assistance within 60 days after the day on which the time period described in Subsection (6)(b) ends.

[~~(d) A fine described in Subsection (6)(c) may not exceed the amount of the contribution or the value of the public service assistance to which the fine relates.~~]

[~~(c)~~] (d) The chief election officer shall:

(i) deposit money received under Subsection (6)(c) into the General Fund; and

(ii) report on the chief election officer's website, in the location where reports relating to each school board office candidate are available for public access:

(A) each fine imposed by the chief election officer against the school board office candidate;

(B) the amount of the fine;

(C) the amount of the contribution to which the fine relates; and

(D) the date of the contribution.

(7) Within 30 days after receiving a contribution that is cash or a negotiable instrument, exceeds $50, and is from an unknown source, a school board office candidate shall disburse the contribution to:

(a) the treasurer of the state or a political subdivision for deposit into the state's or political subdivision's general fund; or

(b) an organization that is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code.

[~~(7)~~] (8) (a) As used in this Subsection [~~(7)~~] (8), "account" means an account in a financial institution:

(i) that is not described in Subsection (1)(a)(i); and

(ii) into which or from which a person who, as a candidate for an office, other than a school board office for which the person files a declaration of candidacy or federal office, or as a holder of an office, other than a school board office for which the person files a declaration of candidacy or federal office, deposits a contribution or makes an expenditure.

(b) A school board office candidate shall include on any financial statement filed in accordance with this part:

(i) a contribution deposited in an account:

(A) since the last campaign finance statement was filed; or

(B) that has not been reported under a statute or ordinance that governs the account; or

(ii) an expenditure made from an account:

(A) since the last campaign finance statement was filed; or

(B) that has not been reported under a statute or ordinance that governs the account.

Section 11. Section **20A-12-301** is amended to read:

20A-12-301. Definitions.

As used in this part:

(1) (a) "Contribution" means any of the following when done for political purposes:

(i) a gift, subscription, donation, loan, advance, or deposit of money or anything of value given to the judge or the judge's personal campaign committee;

(ii) an express, legally enforceable contract, promise, or agreement to make a gift, subscription, donation, unpaid or partially unpaid loan, advance, or deposit of money or anything of value to the judge or the judge's personal campaign committee;

(iii) any transfer of funds from another reporting entity or a corporation to the judge or the judge's personal campaign committee;

(iv) compensation paid by any person or reporting entity other than the judge or the judge's personal campaign committee for personal services provided without charge to the judge or the judge's personal campaign committee; and

(v) goods or services provided to or for the benefit of the judge or the judge's personal campaign committee at less than fair market value.

(b) "Contribution" does not include:

(i) services provided without compensation by individuals volunteering a portion or all of their time on behalf of the judge or the judge's personal campaign committee; or

(ii) money lent to the judge or the judge's personal campaign committee by a financial institution in the ordinary course of business.

(2) (a) "Corporation" means a domestic or foreign, profit or nonprofit, business organization that is registered as a corporation or is authorized to do business in a state and

makes any expenditure from corporate funds for political purposes.

(b) "Corporation" does not mean:

(i) a business organization's political action committee as defined in Section 20A-11-101 or political issues committee as defined in Section 20A-11-101; or

(ii) a business entity organized as a partnership or a sole proprietorship.

(3) "Detailed listing" means:

(a) for each contribution:

(i) the name and address of the individual or source making the contribution, to the extent that the name or address of the individual or source is known;

(ii) the amount or value of the contribution; and

(iii) the date the contribution was made; and

(b) for each expenditure:

(i) the amount of the expenditure;

(ii) the person or entity to whom it was disbursed;

(iii) the specific purpose, item, or service acquired by the expenditure; and

(iv) the date the expenditure was made.

(4) (a) "Expenditure" means:

(i) any disbursement from contributions or from the separate bank account required by this chapter;

(ii) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of value made for political purposes;

(iii) an express, legally enforceable contract, promise, or agreement to make any purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of value for political purposes;

(iv) compensation paid by a corporation or reporting entity for personal services rendered by a person without charge to the judge or the judge's personal campaign committee;

(v) a transfer of funds between the judge's personal campaign committee and another judge's personal campaign committee; or

(vi) goods or services provided by the judge's personal campaign committee to or for the benefit of another judge for political purposes at less than fair market value.

(b) "Expenditure" does not include:

(i) services provided without compensation by individuals volunteering a portion or all of their time on behalf of the judge or judge's personal campaign committee; or

(ii) money lent to a judge's personal campaign committee by a financial institution in the ordinary course of business.

(5) "Individual" means a natural person.

(6) "Interim report" means a report identifying the contributions received and expenditures made since the last report.

(7) "Personal campaign committee" means the committee appointed by a judge to act for the judge as provided in this chapter.

(8) "Political purposes" means an act done with the intent or in a way to influence or tend to influence, directly or indirectly, any person to refrain from voting or to vote for or against any judge standing for retention at any election.

(9) "Reporting entity" means a judge, judge's personal campaign committee, candidate, a candidate's personal campaign committee, an officeholder, and a party committee, a political action committee, and a political issues committee.

(10) "Summary report" means the year-end report containing the summary of a reporting entity's contributions and expenditures.

Section 12. Section **20A-12-303** is amended to read:

20A-12-303. Separate account for campaign funds -- Reporting contributions.

(1) The judge or the judge's personal campaign committee shall deposit each contribution in one or more separate personal campaign accounts in a financial institution.

(2) The judge or the judge's personal campaign committee may not deposit or mingle any contributions received into a personal or business account.

(3) (a) As used in this Subsection (3) and Section 20A-12-305, "received" means:

(i) for a cash contribution, that the cash is given to a judge or the judge's personal

campaign committee;

(ii) for a contribution that is a negotiable instrument or check, that the negotiable instrument or check is negotiated; and

(iii) for any other type of contribution, that any portion of the contribution's benefit inures to the judge.

(b) The judge or the judge's personal campaign committee shall report to the lieutenant governor each contribution received by the judge, within 30 days after the day on which the contribution is received.

(c) [~~Except as provided in Subsection (3)(d), for~~] For each contribution that a judge fails to report within the time period described in Subsection (3)(b), the lieutenant governor shall impose a fine against the judge in an amount equal to [~~the greater of $50 or 15%~~]:

(i) 10% of the amount of the contribution[~~:~~] if the judge reports the contribution within 60 days after the day on which the time period described in Subsection (3)(b) ends; or

(ii) 20% of the amount of the contribution, if the judge fails to report the contribution within 60 days after the day on which the time period described in Subsection (3)(b) ends.

[~~(d) A fine described in Subsection (3)(c) may not exceed the amount of the contribution to which the fine relates.~~]

[~~(c)~~] (d) The lieutenant governor shall:

(i) deposit money received under Subsection (3)(c) into the General Fund; and

(ii) report on the lieutenant governor's website, in the location where reports relating to each judge are available for public access:

(A) each fine imposed by the lieutenant governor against the judge;

(B) the amount of the fine;

(C) the amount of the contribution to which the fine relates; and

(D) the date of the contribution.

(4) Within 30 days after receiving a contribution that is cash or a negotiable instrument, exceeds $50, and is from an unknown source, a judge or the judge's personal campaign committee shall disburse the amount of the contribution to:

(a) the treasurer of the state or a political subdivision for deposit into the state's or political subdivision's general fund; or

(b) an organization that is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code.

CENTERVILLE
CITY COUNCIL
Staff Backup Report
5/19/2015

Item No. 6.

Short Title: Public Hearing - Zoning Ordinance Text Amendments - Signs Permitted in all Zones – Ordinance No. 2015-08

Initiated By: City Council

Scheduled Time: 7:45

SUBJECT

Consider Zoning Ordinance Text Amendments regarding signs permitted in all zones, amending Section 12-54-080 - Ordinance No. 2015-08

RECOMMENDATION

Approve Ordinance No. 2015-08 amending Section 12-54-080 of the Centerville Zoning Ordinance regarding signs permitted in all zones. Before approving the Ordinance, however, the City Manager suggests the Council consider a possible revision to the 16 square foot limit in the residential and multi-tenant sections to better conform with the typical campaign sign square footage. For example, if the typical campaign sign is 2 feet X 3 feet, or 6 square feet, then maybe 18 should be the limit instead of 16 square feet total, to allow for three signs.

BACKGROUND

On May 13, 2015, the Planning Commission reviewed and recommended approval of proposed amendments to Section 12-54-080 of the Centerville Zoning Ordinance regarding signs permitted in all zones. The Staff Transmittal Report for this application is attached.

ATTACHMENTS:

Description

- Staff Transmittal Report from Community Development re PC recommendation
- Ordinance No. 2015-08-Signs by Right
- Staff Report from 5-13-2015 PC meeting re Sign Ordinance
- 5-13-2015 pc meeting minutes (DRAFT) re Sign Ordinance Amendment

CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT

655 North 1250 West, Centerville, Utah 84014
(801) 292-8232

STAFF TRANSMITTAL REPORT

DATE: **MAY 13, 2015**

APPLICANT: **CENTERVILLE CITY**
250 NORTH MAIN STREET
CENTERVILLE, UT 84014

APPLICATION: **ZONING CODE TEXT AMENDMENT**

REQUEST: **AMEND SECTION 12-54-080, SIGNS BY RIGHT, TO ALLOW FLEXIBILITY FOR TEMPORARY SIGNS IN ALL ZONES**

PC RECOMMENDATION: **RECOMMEND APPROVAL OF THE ZONING CODE TEXT AMENDMENTS**

BACKGROUND

The City Council has requested city staff draft an amendment to Section 12-54-080 of the Zoning Ordinance regarding temporary sign allowances. The Council desires the provisions for political signage be more convenient for those desiring to run for office. The Ordinance does not have a specific section for political signs; therefore, they would fall under the category of "Signs Permitted by Right." This category allows persons to place signs on a property, which includes lawful commercial or non-commercial messages, without having to obtain a permit.

PLANNING COMMISSION RECOMMENDATION

On May 13, 2015, the Planning Commission forwarded to the City a **recommendation of *APPROVAL*** of the proposed text amendments, as follows:

SECTION 12-54-080(b)(1)-(3)

(1) Agricultural or residential zones: Any type or number of signs provided:
   A. The total area of all signs is not more than sixteen (16) square feet;
   B. No sign is higher than five (5) feet; and
   C. Each sign is located on private property behind the sidewalk and is not within the public right-of-way or restricted sight triangles as more particularly set forth in Section 12-54-060.

(2) Public facility, commercial, and industrial zones: Any type or number of signs provided:

A. Wall Sign: Any number of wall signs provided the total area of all wall signs on the overall property is not more than thirty-two (32) square feet.
B. Free-standing sign: Any number of free-standing signs provided:
   i. No sign is higher than five (5) feet;
   ii. Each sign is located on private property setback at least three (3) feet behind the sidewalk and is not within the public right-of-way or sight triangle as more particularly set forth in Section 12-54-060; and
   iii. The total for all free-standing signs does not exceed seventy-five (75) square feet.

(3) Multi-Tenant or Planned Centers: Any type or number of signs provided:
A. Wall Sign: Any number of wall signs provided the total area of all wall signs on the overall property does not exceed more than thirty-two (32) square feet
B. Free-standing sign: Each multi-tenant or planned center use shall be allowed any number of free-standing signs provided:
   i. No sign is higher than five (5) feet;
   ii. Each sign is located on private property setback at least three (3) feet behind the sidewalk and is not within the public right-of-way or sight triangle as more particularly set forth in Section 12-54-060; and
   iii. The total area of each free-standing sign does not exceed sixteen (16) square feet per tenant.

Reasons for the Action (Findings):

a. The proposed amendment addresses the concerns expressed by the City Council.
b. The amendment helps to clarify and provide equal opportunity for all those who desire to place a sign by right on their property.
c. Maintaining restrictions on temporary signs is consistent with the overall goal of the General Plan for signs [12-430-2(3)].

Planning Commission Vote (6-0):

Commissioner	Yes	No	Not Present
Hirschi (Chair)	X		
Hirst			X
Johnson	X		
Kjar	X		
Merrill	X		
Randall	X		
Ince	X		

LIST OF PREVIOUS PLANNING COMMISSION MEETINGS

✓ *May 13, 2015*

ORDINANCE NO. 2015-08

AN ORDINANCE AMENDING SECTION 12-54-080 OF THE CENTERVILLE CITY ZONING ORDINANCE REGARDING SIGNS PERMITTED IN ALL ZONES

WHEREAS, the City Council has previously adopted and recodified Chapter 12-54 of the Centerville City Zoning Ordinance regarding Signs; and

WHEREAS, the City Council desires to amend Section 12-54-080 regarding signs permitted in all zones as more particularly set forth herein; and

WHEREAS, the City Council finds that the proposed amendments are necessary and desirable to meet the objectives set forth in Section 12-54-010; and

WHEREAS, the City Council has determined that the proposed revisions to Chapter 12-54 regarding signs permitted in all zones as proposed are advisable and in the best interest of the public health, safety and welfare; and

WHEREAS, the proposed amendments to the City Zoning Ordinance as set forth herein have been reviewed by the Planning Commission and the City Council and all appropriate public hearings have been held in accordance with Utah law to obtain public input regarding the proposed revisions to the City Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Amendment. Subsection 12-54-080(b) of the Centerville City Zoning Ordinance regarding Signs Permitted in All Zones is hereby amended to read in its entirety as follows.

(b) *Signs Permitted by Right.* The following signs may be placed on a lot or parcel as provided below and shall not require a sign permit. Such signs may include any lawful commercial or non-commercial message.

(1) Agricultural or residential zones: Any type or number of signs provided:

(A) The total area of all signs is not more than sixteen (16) ~~twelve (12)~~ square feet;

(B) No sign is higher than five (5) ~~three (3)~~ feet; and

(C) Each sign is located on private property behind the sidewalk and is not within the public right-of-way or restricted sign triangles as more particularly set forth in Section 12-54-060 ~~at least three (3) feet from a front lot line~~.

(2) Public facility, commercial, and industrial zones:

(A) Wall sign: Any number of wall signs provided the total area of all wall signs is not more than thirty-two (32) square feet.

(B) Free-standing sign: Any number of ~~Up to three (3)~~ free-standing signs provided:

(i) No sign is higher than five (5) ~~four (4)~~ feet;

(ii) Each sign is located on private property at least three (3) feet behind the sidewalk and is not within the public right-of-way or sight triangles as more particularly provided in Section 12-54-060; ~~no closer than five (5) feet from a front lot line, except for the Parrish Lane Gateway Design Area which shall be no closer than ten (10) feet from a front lot line;~~ and

(iii) The total area of all freestanding signs does not exceed seventy-five (75) ~~fifty (50)~~ square feet.

(3) Multi-tenant or Planned Center Use Areas:

(A) Free-standing sign: Each multi-tenant or planned center use shall be allowed any number of ~~one (1)~~ free-standing signs provided:

(i) No sign is higher than five (5) ~~four (4)~~ feet;

(ii) Each sign is located on private property at least three (3) feet behind the sidewalk and is not within the public right-of-way or sight triangles as more particularly provided in Section 12-54-060;~~no closer than five (5) feet from a front lot line, except for the Parrish Lane Gateway Design Area which shall be no closer than ten (10) feet from a front lot line:~~ and

(iii) The total area of each free-standing sign does not exceed sixteen (16) ~~twelve (12)~~ square feet per tenant.

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

Section 3. **Effective Date**. This Ordinance shall become effective upon publication or posting, or thirty (30) days after passage, whichever occurs first.

PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, THIS _____ DAY OF MAY, 2015.

CENTERVILLE CITY

By: _____
Mayor Paul A. Cutler

ATTEST:

_____
Marsha L. Morrow, City Recorder

Voting by the City Council:

	"AYE"	"NAY"
Councilmember Averett	_____	_____
Councilmember Fillmore	_____	_____
Councilmember Higginson	_____	_____
Councilmember Ivie	_____	_____
Councilmember Wright	_____	_____

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published, or posted at: (1) 250 North Main; (2) 655 North 1250 West; and (3) RB's Gas Station, on the foregoing referenced dates.

_____ DATE: _____
MARSHA L. MORROW, City Recorder

RECORDED this ____ day of _____, 20_____.

PUBLISHED OR POSTED this ____ of _____, 20_____.

CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT

655 North 1250 West, Centerville, Utah 84014
(801) 292-8232

STAFF REPORT
AGENDA: ITEM 5

APPLICANT: CENTERVILLE CITY
250 NORTH MAIN STREET
CENTERVILLE, UT 84014

APPLICATION: ZONING CODE TEXT AMENDMENT

REQUEST: AMEND SECTION 12-54-080, SIGNS BY RIGHT, TO ALLOW FLEXIBILITY FOR TEMPORARY SIGNS IN ALL ZONES

RECOMMENDATION: RECOMMEND APPROVAL TO THE CITY COUNCIL

BACKGROUND

The City Council has requested city staff draft an amendment to Section 12-54-080 of the Zoning Ordinance regarding temporary sign allowances. The Council desires the provisions for political signage be more convenient for those desiring to run for office. The Ordinance does not have a specific section for political signs; therefore, they would fall under the category of "Signs Permitted by Right." This category allows persons to place signs on a property, which includes lawful commercial or non-commercial messages, without having to obtain a permit. Persons are still required to follow the provisions of the Ordinance in relation to location and size.

HIGHLIGHTS OF EXISTING TEXT SECTION 12-54-080

- "Signs permitted by right" do not require a sign permit and may include commercial or non-commercial messages

- Any type or number of signs are allowed as long as they meet the following:

    - Agricultural and Residential Zones
        - 12 total square feet
        - 3 feet in total height
        - 3 feet from a property line

    - Public Facility, Commercial and Industrial Zones
        - Wall Sign
            - 32 square feet

- Free-standing
  - 50 total square feet
  - 3 total signs
  - 4 feet total height
  - 5 feet from a property line
  - 10 feet from the property line on Parrish Lane

- Multi-Tenant or Planned Center
  - 1 sign per tenant
  - 12 square feet per sign
  - 4 feet total height
  - 5 feet from a property line
  - 10 feet from the property line on Parrish Lane

PROPOSED ORDINANCE AMENDMENT SECTION 12-54-080
The following is based on previous discussions with the City Council and directed to staff.

SECTION 12-54-080(b)(1)-(3)

(1) Agricultural or residential zones: Any type or number of signs provided:
   A. The total area of all signs is not more than sixteen (16) square feet;
   B. No sign is higher than five (5) feet; and
   C. Each sign may be located on the property line, or back of sidewalk, yet shall not be located on the sidewalk or any other location in the public right-of-way

(2) Public facility, commercial, multi-tenant or planned centers and industrial zones: Any type or number of signs provided:
   A. Wall Sign: Any number of wall signs provided the total area of all wall signs on the overall property, multi-tenant space or planned center is not more than thirty-two (32) square feet
   B. Free-standing sign located on the overall property, multi-tenant or planned centers: Any type or number of signs provided:
      i. No sign is higher than five (5) feet
      ii. Each sign is at least three (3) feet from a front lot line
      iii. The total for all free-standing signs does not exceed seventy-five (75) square feet

REASONING
Staff believes there is good reasoning behind the amendment, yet would like to alter the Council's proposed amendment to eliminate a setback for temporary signage within the commercial zones. Therefore, Section 12-54-080(b)(2)(B)(ii), would state:

(ii) Each sign may be located on the property line, or back of sidewalk, yet shall not be located on the sidewalk or any other location in the public right-of-way

The purpose for this change would be to increase consistency for all commercial properties. The following is additional rezoning for the following amendment as a whole, which includes staff's alteration.

1. Reducing the restrictions on "signs permitted by right" will help business owners and those running for political office to remain more in compliance.
2. Creating a consistency of provisions for commercial properties allow fairness for all business owners in relation to temporary signage.
3. Clarifying and creating more simplistic guidelines will help all those involved with placing and enforcing signage to remember the requirements more easily.
4. Placement of political signs for all candidates will now have more of an equal opportunity for visibility.

TEXT AMENDMENT REVIEW AND ANALYSIS SECTION 12-21-080(e) 1-4

1. **Is the proposed amendment consistent with the goals, objectives and policies of the City's General Plan?**
   - **Staff Response:** The General Plan does not specifically call out temporary signs and the desired location and regulations. It does, however, encourage that within the Parrish Lane corridor, all signs should be tightly controlled and arranged to control clutter [Section 12-430-2(3)]. Although this goal pertains more toward permanent signage, it can also be related to temporary signs. Therefore, staff is still in favor of some type of restrictions on temporary signs in order to be consistent with the goals of the General Plan.

2. **Is the proposed amendment harmonious with the overall character of existing development in the vicinity of the subject property?**
   - **Staff Response:** Staff believes the proposed amendment is creating more harmony among all zones to give business owners, homeowners and those running for office equal opportunity. Currently, it may be difficult to remember all of the restrictions that might be placed on specific properties. With the Council's recommendation, staff believed that it might still be confusing for a property owner to know where the sign should be located. Staff's recommendation along with the other proposed changes will help elevate this worry and the potential of being out of compliance.

3. **What is the extent to which the proposed amendment may adversely affect adjacent property?**
   - **Staff Response:** With fewer restrictions on temporary signs, the adverse effect will be found in the increased number of signs. Although the City Council mainly wants to amend the Ordinance for the purpose of political signage, it has an impact on all temporary signs. More signs will be located on major commercial boundaries such as Parrish Lane, Main Street and Pages Lane. To some, these signs may be viewed as an increase in commercial enterprise, while others may see additional signage as clutter.

Although the guidelines are being decreased, some restrictions will remain as to not be considered as a "free-for-all". The proposed changes will also reduce the number of enforcements on business owners and for those choosing to run for political office.

4. **What is the adequacy of facilities and services intended to serve the subject property?**
   - **Staff's Response:** This guideline does not pertain to temporary signage.

PLANNING STAFF RECOMMEDNATION

Suggested Motion for amendments to the Centerville City Zoning Ordinance in regard to Chapter 12-54-Signs – I hereby make a motion for the Planning Commission to recommend to the City Council, the amendments to Chapter 12-54-Signs as follows:

SECTION 12-54-080(b)(1)-(3)

(3) Agricultural or residential zones: Any type or number of signs provided:
   A. The total area of all signs is not more than sixteen (16) square feet;
   B. No sign is higher than five (5) feet; and
   C. Each sign may be located on the property line, or back of sidewalk, yet shall not be located on the sidewalk or any other location in the public right-of-way

(4) Public facility, commercial, multi-tenant or planned centers and industrial zones: Any type or number of signs provided:
   A. Wall Sign: Any number of wall signs provided the total area of all wall signs on the overall property, multi-tenant space or planned center is not more than thirty-two (32) square feet
   B. Free-standing sign located on the overall property, multi-tenant or planned centers: Any type or number of signs provided:
      i. No sign is higher than five (5) feet
      ii. Each sign may be located on the property line, or back of sidewalk, yet shall not be located on the sidewalk or any other location in the public right-of-way
      iii. The total for all free-standing signs does not exceed seventy-five (75) square feet

Suggested Reasons for the Action (Findings):

1. The proposed amendment addresses the concerns expressed by the City Council.
2. The amendment helps to clarify and provide equal opportunity for all those who desire to place a sign by right on their property.
3. Maintaining restrictions on temporary signs is consistent with the overall goal of the General Plan for signs [12-430-2(3)].

6. The final plat conforms to the preliminary plat [Section 15-4-106]

The motion was seconded by Commissioner Kjar and passed by unanimous roll-call vote (6-0).

PUBLIC HEARING | WALTON VILLAGE | 395 SOUTH MAIN STREET - Consider a proposed conceptual site plan for the Walton Village Development, on property located at approximately 395 South Main Street. The project design and layout involves 15 live/work units, 35 multi-family units, using the residential permitted allowance of 3 units per building. Taylor Spendlove, Brighton Centerville LLC, Applicant

The applicant asked to postpone this item until further notice.

PUBLIC HEARING | CODE TEXT AMENDMENT | SIGNS, SECTION 12-54-080-SIGNS PERMITTED IN ALL ZONES - Consider proposed zoning code text amendments for Chapter 12-54-Signs; which includes various changes to Section 12-54-080-Signs Permitted in All Zones. Centerville City, Applicant

Cory Snyder, Community Development Director, reported the City Council requested staff draft an amendment to Section 12-54-080 of the Zoning Ordinance regarding temporary sign allowances. The Council desires the provisions for political signage be more convenient for those desiring to run for office. The Ordinance does not have a specific section for political signs; therefore, they would fall under the category of "Signs Permitted by Right." This category allows persons to place signs on a property, which includes lawful commercial or non-commercial messages, without having to obtain a permit. Persons are still required to follow the provisions of the ordinance in relation to location and size. Mr. Snyder explained that these types of signs have been viewed to cause visual clutter throughout the city and he discussed the confusion and frustration that has been associated with these types of political signs and business/private signs in the past. He said staff has attempted to draft an ordinance that is simple to understand and fair for all. He said the City Council suggested keeping a setback for "Signs Permitted by Right" but staff is proposing, for simplicity of enforcement, no setback. He also explained the proposed changes combine public facility, commercial, and multi-tenant in one provision. Mr. Snyder said he suggests multi-tenant buildings be separated and allowed a specific square footage per tenant.

Commissioner Randall said she is concerned with visual clutter. She is concerned these temporary signs could become permanent fixtures. She asked if a time limit should be set for political sign postings. She also asked what is considered "temporary?" She said some of these flags and other signs along Parrish Lane seem permanent to her, as they never come down.

Mr. Snyder said "temporary" means any sign that is not cemented or otherwise secured to the ground or building. He said flags would be a violation of the proposed amended ordinance because they exceed the 5-foot high limit. However, if the height of the flag is lowered it is possible they could remain in place indefinitely, as this is the "right" of the property owner. He explained the proposed ordinance deals with both political and private signs equally. Setting a time limit for political signs would not be fair, as this same provision would apply to private signs, thus hindering a property owners "right." He explained that until the City chooses to be more aggressive with violations, staff would prefer to keep the ordinance all inclusive, simple, fair, and easy to understand.

Chair Hirschi opened the public hearing.

Tim Haws agreed all signs should be treated equal whether private or political. He also said it is important not to be too restrictive. He does not believe the City should be going around doing spot sweeps for signage. He said the rules should be simple, reasonable and fair.

Patty Hendrick said she would like to see the City install a functional sign system that would inform the public of upcoming issues.

Chair Hirschi closed the public hearing.

Chair Hirschi agreed visual clutter can be significant especially during campaign season. He said he does not like the visual clutter, but also hates the restriction of free speech. He agreed property owners have a right to express their free speech on their own property. However, he would prefer some type of a setback, perhaps three (3) feet, for signage. He does not want to see signage hindering pedestrians. He said the wind in Centerville can be a problem and he would like to keep signage setback off of sidewalks and streets. He said this is more of a concern along commercial corridors (i.e., Parrish Lane, Main Street, etc.) and not so much for residential areas. He said the City has gone to great length to ensure pedestrian friendly corridors and would not want to hinder this by allowing signage with no setback. A majority of the Commission agreed.

Lisa Romney, City Attorney, suggested including a reference to Section 12-54-060 which includes additional signage regulations (i.e., visual triangle, etc.)

Chair Hirschi made a **motion** for the Planning Commission to recommend to the City Council, the amendments to Chapter 12-54-Signs as follows:

SECTION 12-54-080(b)(1)-(3)

(1) Agricultural or residential zones: Any type or number of signs provided:

A. The total area of all signs is not more than sixteen (16) square feet;
B. No sign is higher than five (5) feet; and
C. Each sign is located on private property behind the sidewalk and is not within the public right-of-way or restricted sight triangles as more particularly set forth in Section 12-54-060.

(2) Public facility, commercial, and industrial zones: Any type or number of signs provided:
A. Wall Sign: Any number of wall signs provided the total area of all wall signs on the overall property is not more than thirty-two (32) square feet.
B. Free-standing sign: Any number of free-standing signs provided:
i. No sign is higher than five (5) feet;
ii. Each sign is located on private property setback at least three (3) feet behind the sidewalk and is not within the public right-of-way or sight triangle as more particularly set forth in Section 12-54-060; and
iii. The total for all free-standing signs does not exceed seventy-five (75) square feet.

(3) Multi-Tenant or Planned Centers: Any type or number of signs provided:
A. Wall Sign: Any number of wall signs provided the total area of all wall signs on the overall property does not exceed more than thirty-two (32) square feet
B. Free-standing sign: Each multi-tenant or planned center use shall be allowed any number of free-standing signs provided:
i. No sign is higher than five (5) feet;
ii. Each sign is located on private property setback at least three (3) feet behind the sidewalk and is not within the public right-of-way or sight triangle as more particularly set forth in Section 12-54-060; and
iii. The total area of each free-standing sign does not exceed sixteen (16) square feet per tenant.

Reasons for the Action (Findings):

1. The proposed amendment addresses the concerns expressed by the City Council.
2. The amendment helps to clarify and provide equal opportunity for all those who desire to place a sign by right on their property.
3. Maintaining restrictions on temporary signs is consistent with the overall goal of the General Plan for signs [12-430-2(3)].

The motion was seconded by Commissioner Johnson and passed by unanimous roll-call vote (6-0).

CENTERVILLE
CITY COUNCIL
Staff Backup Report
5/19/2015

Item No. 7.

Short Title: Municipal Code Amendments - Section 11-01-160 - Street Name and Addressing Regulations - Ordinance No. 2015-09

Initiated By: City Staff

Scheduled Time: 8:00

SUBJECT

Consider Municipal Code Amendments to enact Section 11-01-160 regarding Street Name and Addressing Regulations - Ordinance No. 2015-09

RECOMMENDATION

Approve Ordinance No. 2015-09 enacting Section 11-01-160 of the Centerville Municipal Code regarding Street Name and Addressing Regulations

BACKGROUND

The City has received a request to add a street name to the officially assigned street numeric label. Before responding to this request, Staff thought it advisable for the City Council to adopt policies and regulations regarding such requests. In addition, Staff has prepared other recommended rules and regulations regarding the standard numerical street coordinate system and standard numerical address assignments. These rules and regulations are set forth in Ordinance No. 2015-09 enacting a new Section 11-01-160 of the Centerville Municipal Code.

ATTACHMENTS:

Description

- Ordinance No. 2015-09-Street Names

ORDINANCE NO. 2015-09

AN ORDINANCE ENACTING SECTION 11-01-160 OF THE CENTERVILLE MUNICIPAL CODE REGARDING STREET NAME AND ADDRESSING REGULATIONS

WHEREAS, the City Council has previously adopted Title 11 of the Centerville Municipal Code regarding Streets and Public Ways; and

WHEREAS, the City Council desires to amend the provisions of Title 11 to enact a new Section 11-01-160 regarding street names and addressing regulations as more particularly set forth herein.

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

Section 1. Amendment. Section 11-01-160 of the Centerville Municipal Code regarding Street Name and Addressing Regulations is hereby enacted to read in its entirety as follows:

11-01-160. Street Name and Addressing Regulations.

(a) Purpose. The purpose of this Section in providing street name and addressing regulations is to promote order and predictability for emergency services, mail and delivery services, and common directional communication.

(b) Applicability. All buildings, addresses, lots, parcels, tracts, development, and other use of land, and all publicly dedicated streets within the City shall be subject to the provisions of this Section and any applicable State statutes, construction codes or other applicable law. If there is a conflict between the provisions of this Section and any other applicable law or regulation, the most restrictive regulation shall apply unless otherwise preempted by State law.

(c) Numerical Street Coordinate System. All streets within the City shall be principally labeled using a numerical-based directional coordinate grid system. This system's base point is located at the intersection of Center Street and Main Street. This system is more particularly shown in Figure 1.

(d) Use of Alias Street Name. In addition to the officially assigned street numeric label, a street may be given an alias label, as approved by the City and in coordination with the City's emergency service entities, the County, and the local postmaster.

(e) Assignment of Street Names. The initial assignment of street names shall be reviewed and approved by the City's Public Works Director or his/her designee. Generally, all developments consisting of publicly dedicated streets shall provide the required street numeric and/or desired alias as part of the associated subdivision or street dedication plat approval.

(f) Changes, Corrections, or Alteration of Street Names. A street name may be changed, corrected, or altered upon approval of the City Council. Any requests for street name changes shall be submitted in writing to the City Council. All costs associated with such requests shall be borne by the applicant making the request. The City Council may change, correct, or alter a street name upon the occurrence of the following:

(1) A public meeting is held before the City Council to consider evidence indicating that such change is warranted or appropriate. Public notice of such meeting and proposed street name change shall be provided to all property owners affected by the proposed name change within the City.

(2) The evidence presented shows that there is good cause to allow the change, correction, or alteration.

(3) All emergency services, County, and local postmaster have been notified of the proposed change for their return comment.

(4) There are sufficient funds budgeted or provided to facilitate the replacement of all signs associated with the proposed change, correction, or alteration. If the name change request is from a private citizen or agency, such person or agency shall pay for the cost of the replacement signs, unless otherwise specifically directed by the City Council.

(g) Numerical Address Coordinate System. All buildings, addresses, lots, parcels, tracts, development and other uses of land shall be labeled using an odd or even numeric/directional-based labeling system. This system's base point is also located at the intersection of Center Street and Main Street. All east-west and north-south numeric/directional coordinates have been divided into quadrants associated with this base point and odd-even numeric shall be assigned as shown in Figure 1.

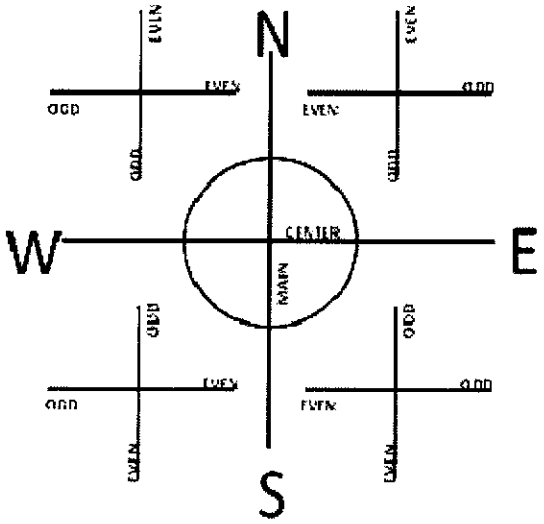


Figure 1 – Address Coordinate System

(h) Assignment of Numerical Addresses. The initial assignment of numerical addresses for parcels, lots, tracts, or buildings shall be reviewed and approved by the Public Works Director or his/her designee. Generally, all land division applications shall provide the required numerical address with the associated subdivision or street dedication plat approval, as per the adopted Numerical Address Coordinate System. For corner lots, two numerical addresses shall be provided for each lot and the final address assignment will be assigned with the issuance of the related building permit.

(i) Changes, Corrections, or Alteration of Assigned Numerical Addresses. An assigned Numerical Address may be changed, corrected, or altered upon approval of the Public Works Director or his/her designee. The Director may change, correct, or alter an assigned address upon the occurrence of the following:

(1) A written request from the property owner or the property owner's agent is submitted to the City and includes the need or reason for requesting a change.

(2) The Director determines that a change is warranted or appropriate to resolve a conflict or problem.

(3) The new address is consistent with the adopted Numerical Address Coordinate System.

(4) The new address is deemed acceptable by the City's emergency service entities.

(5) A written letter, signed and notarized, is prepared and submitted to the Davis County Recorder with copies sent to the requester and the local postmaster.

Section 2. Severability Clause. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all provisions, clauses and words of this Ordinance shall be severable. This Section shall become effective without codification.

Section 3. Effective Date. This Ordinance shall become effective upon publication or posting, or thirty (30) days after passage, whichever occurs first.

PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, THIS 19th DAY OF MAY, 2015.

ATTEST: **CENTERVILLE CITY**

_____ By:_____

Marsha L. Morrow, City Recorder Mayor Paul A. Cutler

Voting by the City Council:

	"AYE"	"NAY"
Councilmember Averett	_____	_____
Councilmember Fillmore	_____	_____
Councilmember Higginson	_____	_____
Councilmember Ivie	_____	_____
Councilmember Wright	_____	_____

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published, or posted at: (1) 250 North Main; (2) 655 North 1250 West; and (3) RB's Gas Station, on the foregoing referenced dates.

_____ DATE: _____
MARSHA L. MORROW, City Recorder

RECORDED this ____ day of _____, 20___.

PUBLISHED OR POSTED this ____ of _____, 20___

CENTERVILLE
CITY COUNCIL
Staff Backup Report
5/19/2015

Item No. 8.

Short Title: South Main Street Corridor Zone

Initiated By: City Council

Scheduled Time: 8:15

SUBJECT

Review and discuss scope of work and use of consultants relating to South Main Street Corridor Overlay Zone and Proposed Zoning Ordinance Amendments

RECOMMENDATION

Staff recommends the following steps relating to the review/revision of the South Main Street Corridor Plan & Overlay Zone:

1. Mayor and City Council conduct a meeting during which the public can express any concerns or suggest revisions to the Plan/Overlay Zone. Staff would not conduct the meeting, but be present as a resource, clarifying what the current Plan/Ordinance does or does not state. Consider whether to include the Planning Commission as joint hosts of this public forum.

2. Mayor and City Council conduct a meeting with property and business owners within the SMSC Overlay Zone, to learn any of their concerns or suggested revisions to the Plan/Ordinance, including their views regarding the current and future economic viability of their properties. Staff would again be present as a resource. Consider including the Planning Commission as joint hosts of this meeting.

3. Immediately proceed with drafting amendments to the SMSC Overlay Zone which would cap the potential residential density at Residential-Medium.

4. Immediately proceed with drafting an amendment to the Zoning Code which would allow the Planned Development Overlay (PDO) option for an area less than 5 acres in size.

5. Upon conclusion of steps 1 and 2, City Council and Planning Commission discuss potential revisions to the Plan/Ordinance, and whether to engage any consultants for assistance.

BACKGROUND

Steps 3 and 4 above are an outcome of the City Council's special meeting held May 12. During that meeting, the City Council also approved a Temporary Zoning Restriction Ordinance, which immediately imposed a six-month moratorium on development applications within the SMSC Overlay Zone, other than building permits that can be issued without other approvals first (such as site plan, subdivision, conditional use). Staff anticipate all 5 steps can be accomplished within the next 3 months. However, if the City Council decides to proceed beyond step 5 with additional research or analysis, that will require additional time.

CENTERVILLE
CITY COUNCIL
Staff Backup Report
5/19/2015

Item No. 9.

Short Title: Discuss proposed Complete Streets Policy

Initiated By: Working Group of Staff and Elected Officials

Scheduled Time: 8:30

SUBJECT

RECOMMENDATION

Approve the attached draft policy regarding "Complete Streets" with any revisions agreed upon by the City Council.

BACKGROUND

This matter was tabled from the April 21 and May 5 Council Meetings due to a lack of time. In November and December 2014, a working group of City staff, Councilmembers Fillmore and Wright, a WFRC employee and consultants, met in three Complete Streets workshops. The first attachment is a one-page summary of that process. The second attachment is a draft policy developed in the final workshop. The working group agreed to educate the Planning Commission and City Council on the Complete Streets concept, which was subsequently done by Cory Snyder and Councilwoman Fillmore, respectively. In the Council's goal-setting process over the past three months, the adoption of a Complete Streets Policy scored relatively high. Therefore, the task for the Council now is to agree upon the content of such a policy and direct staff to implement it.

If any Council Member would like to review all of the presentation materials and minutes for the three workshops, the City Manager will forward, upon request, an email that will allow access to the Drop Box holding these extensive documents/photos. Councilwoman Fillmore used some of these materials when briefing the Council on the Complete Streets concept in an earlier council meeting.

ATTACHMENTS:

Description

- Summary of Complete Streets Policy Workshops
- Draft Complete Streets Policy

COMPLETE STREETS POLICY WORKSHOP – CENTERVILLE, UT

Centerville City asked to take part in a series of Complete Streets policy development workshops offered by Wasatch Front Regional Council (WFRC). WFRC is the federal- and state-designated transportation planning organization for the metropolitan area. The purpose of the workshop was to assist the city in developing a Complete Streets policy draft and a road map to implementation that is uniquely suited to Centerville's goals. The three-session workshop took place on October 6, 2014, December 3, 2014, and December 10, 2014. The workshops were attended by members of the City Council, the City Manager, and senior staff from the Public Works, Engineering, Planning, Economic Development, Parks and Recreation, and Police Departments.

To ensure a successful outcome, WFRC worked closely with the City Manager and City Planner to understand the community's knowledge and perspective of Complete Streets as well as Centerville's current operations. The team met prior to each meeting to ensure the agenda items would culminate in a draft policy that would resonate with the City Council, Planning Commission, and residents of Centerville.

The focus of each day was as follows:

- Day 1 – Complete Streets 101, goals, and vision of Complete Streets in Centerville
- Day 2 – Policies, programs, and procedures and how Complete Streets would be integrated into city operations; the group also discussed street typologies and how they can be an effective strategy for implementation
- Day 3 – Draft Complete Streets policy and steps toward implementation

In addition to the attached draft policy, the group also identified a preferred pathway towards implementation, including:

1. City Manager report to the Council with support from the two Council Members in the Working Group
2. Joint City Council/Planning Commission educational work session with special invites from within the community
3. Target public investment allocations starting with allocations to improving the pedestrian environment
4. Public involvement emphasis at the I-15 pedestrian bridge opening

Complete Streets in Centerville

Complete Streets policies do not mandate that accommodations be constructed for all users on every road. Rather, these policies only require methodical consideration of accommodations for all users and implementation of strategies when and where appropriate. Initially, a Complete Streets policy in Centerville would likely result in more coordinated projects and in more synergy between road investments and community goals and, ultimately, in project savings as well as a healthier, safer, economic sustainable Centerville.

Please see the attached documents for further information:

1) Draft Centerville Complete Streets Policy
2) Day 1 Notes and Presentation
3) Day 2 Notes and Presentation
4) Salt Lake City Policy
5) Day 3 Notes
6) Additional Resources

Centerville City Council Discussion
Draft Complete Streets Policy
January, 2015

Intent

Streets are one of Centerville's largest shared assets. The majority of street funding in Centerville comes from general revenue to which all contribute, and from which all should benefit regardless of their age, ability or transportation choices. Streets also make up about 30 percent of Centerville's land area and the vast majority of our public spaces for the use of our residents and visitors. Centerville intends to leverage these assets to better achieve our Community Vision.

Community Vision

Centerville envisions a community with inviting streets that enhance the livability and prosperity of our neighborhoods and commercial districts. Streets that empower people of all ages and abilities to greater social and economic involvement; to healthier active living; to reduce household transportation costs and to doing something on a personal level to improve air quality. The Community Vision includes a street network that is accommodating to users of all ages and abilities, including pedestrians, people using mobility aids, bicyclists, transit users, motorists, and freight drivers.

Centerville expects that the consistent application of this Complete Streets Policy over time will result in a more economically viable, beautiful, safe, and accessible Centerville. For example:

- More economically viable through increased land values and budgetary savings in utility/street project coordination.
- More beautiful through more attention to street design and amenities.
- Safer, as streets are designed and maintained to encourage proper speeds; maintain proper corner site distances; protect all street users, especially at crossings and on routes to schools; and improve disaster response and resiliency in the face of wind storms that frequent the area.
- Finally, a more accessible Centerville as better pedestrian, bike, and ADA accessible connections are made to our schools, transit lines, commercial destinations, and to our numerous parks, trails, and wild lands.

Beyond these benefits, the largest and most immediate benefit may just be better coordination and communications in street investments and the ability to safely enjoy our communities while walking, jogging, or riding our bikes.

Policy Scope

The City of Centerville recognizes that all transportation projects- new, maintenance, or reconstruction- are potential opportunities to forward the Community's Vision. The City will, to the maximum practical extent, design, construct, maintain, and operate all streets to forward the Community's Vision. Streets for the purposes of this policy include the entire width of the public rights of way and extend from tree height to underground utilities. The Policy applies to streets regardless of funding source - private or public - and directs City Staff to work with the owners of street assets such as UDOT and utility companies to forward the Community's Vision. This Policy, however, does not mandate that accommodations be constructed for all users on every road. This Policy only requires methodical consideration of accommodation of the Community Vision.

Complete Streets Planning

The facilities and infrastructure that contribute to Complete Streets are generally long term investments. As such these elements will remain in place for many years, which affects quality of life both visually and functionally. Therefore, their design, construction, maintenance, and operations need to reflect the best currently available standards and guidelines. This policy directs decision-makers to consistently plan, design, and construct streets to accommodate Centerville's Vision and to modify the City's existing procedures and governing documents and potentially adopt new procedures and governing documents as appropriate to support such Vision. These efforts are to include, but not necessarily limited to, the following:

Street Typology Cataloguing – We believe that Street Typologies would be a useful tool in administering a Complete Streets policy in Centerville. Street Typologies expand the notion of street types beyond what they can do for the automobile to what they are to all users and for the surrounding neighborhoods. Once these typologies are developed, they will be applied to all new planning documents and design standards.

Centerville is unique in its geographic size and extent. As a consequence the various arterial and collector streets often perform multiple functions as they transect various neighborhoods and/or land use areas. Thus, a street typology needs to be developed to better understand the needs and purposes of each particular street segment. Such typology must focus on the needs of any particular street segment as well as corridor. Any subsequent construction or reconstruction not only needs to reflect the needs of the segment, but also the appropriate transitions from one segment type to another.

Master or Strategic Planning – All new or updates to master planning documents that affect or influence the efforts to develop Completes Streets must include an element in the process to consider how such concepts ought to be implemented. Such plans may include the City General and Neighborhood Area Plans, the Trail & Pathway Plan, Master Street Plan, maintenance plans, or Storm Water Master Plan.

Capital Improvement Programing - All capital improvement investment planning must also consider how the Community Vision can be included in the phasing and construction of such elements. However, such programing needs to be prioritized and coordinated to ensure that investments for complete streets are implemented in an efficient and effective manner. Piece meal implementation without a comprehensive view can lead to waste and reduce any benefits from accomplishing a Complete Streets program.

Street Design Standards, Maintenance, and Operations Implementation –City street design standards and specifications will be updated to align with designated street typologies. Street maintenance activities will also be aligned so as to be supportive of the policy.

Complete Streets Funding

This policy recognizes that any implementation of the Community Vision may have significant cost implications. On one hand, the design, construction, and maintenance of street elements that would not have otherwise been built would be an added cost. On the other hand, this Policy facilitates project savings through joint development and economies of scale. The decisions of implementation need to be prioritized and funds may or may not be available. Nonetheless, a concerted effort needs to be made during various processes to determine if any opportunity exists to implement any concepts. These processes may include the following:

City Zoning and Development Approval Process – Any plan, text or map amendment should consider and implement where feasible the desired Community Vision. Furthermore, any development plan required to design, construct, or install such elements (e.g. street trees, street lamps, pedestrian paths, etc.) should reflect the design or typology in which it is located.

City General and Capital Improvement Funds – Each fiscal year, during the annual budget process, the City Council should determine what funding will be directed towards implementation of the Community Vision. The City Manager and Council should receive recommendations from City Staff identifying what opportunities or types of Complete Street projects can be accomplished. Additionally, any capital improvement plan needs to identify such opportunities. Funding then should be appropriated in amounts that are deemed available.

City's RDA Programs – As RDA project areas are created, the planning and budgetary documents must address the opportunities and needs for implementation of the Complete Streets concepts. Additionally, when funds are requested within existing RDA project areas the development of Complete Street elements should be considered in decision making processes.

Other County, State, and Federal Funds and Grants – Many funding opportunities are eligible for use on Complete Streets betterments and some are targeted specifically at Complete Streets. Existing projects can include Complete Streets betterments when planned ahead of time and supported by City Policy and supporting documents. UDOT, UTA, and Wasatch Front Regional Council are funding agencies with Complete Streets type policies and WFRC provides bonuses in scoring projects with Complete Streets elements or policies. City staff should pursue these funds.

Complete Streets – Creation of a Committee and Point Person

A Complete Streets Committee is to be created consisting of the existing Development Review Team and chaired by the City Manager or his designee. Other staff should be included on a case by case basis, as deemed appropriate. This Committee will be responsible for recommending, reviewing and coordinating the desires and concepts relating to Complete Streets. Additionally, a City point person will be assigned by the City Manager to be the point of contact for UDOT, UTA, and other outside agencies.

Bi-annually, the Complete Streets Committee will report in writing and in a regular session of the City Council on their activities. The report shall include street policies, procedures, and investments made in respect to the streets and how Complete Streets elements were incorporated and why they were not incorporated.

Complete Streets Exemptions Evaluation Criteria

Exemptions regarding the implementation or construction shall be reviewed by the Complete Streets Committee and their recommendation may be accepted or rejected by any approving authority. Such exemptions should be documented with supporting data that indicates the basis for the exemption. Exemptions may include, but not be limited to the following:

- Overall cost being prohibitive
- Short, low-volume, low-speed streets unless part of safe routes to School, traffic calming, or planned multi-modal network connectivity
- Existing developments where such concepts cannot be accommodated
- Streets with limited right-of-way or acquisition of is deemed prohibitive or unnecessary
- Any physical or public concern that outweighs the need to implement such concepts
- Historical context

CENTERVILLE
CITY COUNCIL
Staff Backup Report
5/19/2015

Item No. 10.

Short Title: Financial Report for period ending April 30, 2015

Initiated By: Blaine Lutz, Assistant City Manager/Finance Director

Scheduled Time: 9:00

SUBJECT

RECOMMENDATION

Review the attached financial report for the 10-month period ending April 30, 2015.

BACKGROUND

ATTACHMENTS:

Description

- Interim report

General Fund
Unaudited Summary
April 2015

	This Month	Year to Date	FY 15 Budget	83% % Budget
Revenues				
Property Tax	$4,987	$1,047,527	$1,006,835	104.04%
Fee in Lieu	$7,754	$73,895	$93,000	79.46%
Sales & UseTax	$241,971	$2,930,674	$3,662,000	80.03%
Franchise Taxes	$73,540	$893,280	$1,330,000	67.16%
Licenses & Permits	$14,579	$195,588	$356,350	54.89%
Intergovernmental	$0	$452,801	$556,655	81.34%
Charges for Services	$78,435	$732,249	$941,175	77.80%
Fines	$28,392	$454,430	$492,000	92.36%
Miscellaneous	$2,440	$16,763	$50,750	33.03%
Transfers/Contributions	$0	$146,640	$156,200	93.88%
Total	$452,098	$6,943,847	$8,644,965	80.32%
Expenditures				
City Council	$6,698	$65,849	$103,817	63.43%
Judicial	$15,599	$171,089	$216,568	79.00%
Executive	$29,957	$323,652	$387,113	83.61%
Attorney	$12,264	$119,058	$151,565	78.55%
Finance	$37,389	$430,424	$510,478	84.32%
Attorney Services	$4,892	$20,069	$33,000	60.82%
Emergency Management	$433	$8,039	$10,000	80.39%
Fire	$0	$616,450	$822,340	74.96%
Elections	$0	$0	$0	0.00%
Youth Council	$0	$6,363	$7,000	90.90%
Police	$193,960	$1,868,323	$2,318,757	80.57%
Liquor Law	$7,734	$14,009	$19,650	71.29%
School Xing	$4,539	$45,429	$54,650	83.13%
DARE	$5,620	$56,686	$103,830	54.60%
K-9	$119	$1,304	$7,250	17.99%
Animal Control	$1,724	$16,112	$22,000	73.24%
PW Admin	$22,043	$237,808	$288,584	82.41%
Streets	$42,015	$527,488	$669,709	78.76%
Street Projects	$9,303	$405,919	$926,946	43.79%
GIS	$6,072	$79,242	$96,988	81.70%
Engineering	$16,387	$136,591	$175,000	78.05%
Parks	$51,716	$594,952	$815,241	72.98%
Community Events	$32,351	$36,103	$43,650	82.71%
Parks & Rec Facility	$217	$6,579	$10,526	62.50%
Maint Facility	$969	$34,682	$36,500	95.02%
Maint Facility Storage	$1,265	$5,198	$6,160	84.38%
City Hall	$8,736	$115,252	$203,410	56.66%
Community Dev.	$21,197	$230,067	$297,073	77.44%
Building Inspection	$3,972	$46,835	$82,980	56.44%
Transfers - Non Dep.	$0	$39,000	$197,410	19.76%
UTOPIA -Pledges	$0	$274,876	$274,876	100.00%
UIA Assessment	$0	$20,840	$20,840	0.00%
Total	$537,171	$6,554,288	$8,913,911	73.53%

Use/Contribtion to Fund balance (Revenues Over/Under Expenditures)	$ 389,559	$ (268,946)

Fund Balance at Beginning of Year	$1,317,015
Fund Balance estimate 4/30/2015	$1,706,574
Projected Fund Balance %	**21.58%**

Source: Current Centerville City financial statements. May be subject to change

Capital Projects
Unaudited Summary
April 2015

	This Month	Year to Date	FY 15 Budget	83% % Budget
Capital Improvement				
Storm Drain				
Revenues:				
Fund Balance			$51,283	
Impact Fees	$0	$52,523	$25,000	210.09%
Grants	$0	$0	$0	0.00%
Other	$89	$783	$75	1044.00%
Total Revenues	$89	$53,306	$76,358	69.81%
Expenditures		$10,044	$226,358	4.44%
Fund Balance at Beginning of Year		$57,649		
Fund Balance estimate 4/30/2015		$100,911		
Park				
Revenues:				
Fund Balance			$263,461	
Impact Fees	$2,057	$14,399	$75,000	19.20%
Transfer	$0	$0	$0	0.00%
Grants	$0	$0	$0	0.00%
Other	$0	$0	$400	0.00%
Total Revenues	$2,057	$14,399	$338,861	19.10%
Expenditures	$2,357	$382,060	$338,861	112.75%
Fund Balance at Beginning of Year (est.)		$336,463		
Fund Balance estimate 4/30/2015		-$31,198		
Capital Projects Fund				
Revenues:				
Fund Balance				
Transfers - General	$37,081	$274,876	$274,876	100.00%
RDA additional increment	$160,000	$160,000	$160,000	100.00%
Other	$0	$0	$100	0.00%
Total Revenues	$197,081	$434,876	$434,976	99.98%
Expenditures				
UTOPIA Pledge	$37,081	$333,729	$444,976	75.00%
Projects			$0	0.00%
Total Expenditures	$37,081	$333,729	$444,976	75.00%
Balance at Beginning of Year		$42,496		
Fund Balance estimate 4/30/2015		$143,643		

Source: Current Centerville City financial statements. May be subject to change

RDA/Special Revenue
Unaudited Summary
April 2015

	This Month	Year to Date	FY 15 Budget	83% % Budget
RDA				
Revenues	$39,307	$1,801,939	$1,847,000	97.56%
Expenditures	$676,616	$1,164,049	$1,847,000	63.02%
Fund Balance at Beginning of Year		$260,978		
Fund Balance estimate 4/30/2015		$898,868		
Recreation				
Revenues				
Recreation	$230	$33,823	$87,000	38.88%
Youth Baseball	$1,050	$32,725	$31,000	105.56%
Concession Sales	$4,836	$4,836	$23,635	20.46%
Other	$0	$130	$39,000	0.33%
Total Revenues	$6,116	$71,514	$180,635	39.59%
Expenditures				
Recreation	$8,093	$68,423	$127,320	53.74%
Concessions	$2,581	$2,877	$23,635	12.17%
Youth Baseball/Softball	$3,892	$14,166	$28,425	49.84%
Total Expenditures	$14,566	$85,466	$179,380	47.65%
Revenue Over/Under Expend	$ (8,450)	$ (13,952)	$ 1,255	
Balance at Beginning of Year (est.)		$22,088		
Fund Balance estimate 4/30/2015		$8,136		
Sales Tax Debt Service (DCAC)				
Revenues	$1,523,195	$1,579,060	$1,623,888	97.24%
Expenditures	$1,523,195	$1,623,888	$1,623,888	100.00%
Reserved Fund Balance		$0		
Fund Balance estimate 4/30/2015		$0		
Whitaker Trust				
Beginning fund balance			$24,679	
Revenues	$1,586	$24,425	$69,264	35.26%
Expenditures	$1,584	$19,379	$69,264	27.98%
Fund Balance at Beginning of Year		$24,565		
Fund Balance estimate 4/30/2015		$29,611		

Source: Current Centerville City financial statements. May be subject to change

Enterprise Funds
Unaudited Summary
April 2015

	This Month	Year to Date	FY 15 Budget	83% % Budget
Water				
Revenues:				
Impact/construction Fees	$1,013	$289,461	$230,000	125.85%
Water Sales	$150,878	$1,570,981	$1,861,500	84.39%
Bond Revenue	$0	$0	$468,000	0.00%
Other	$666	$47,884	$66,500	72.01%
Total Revenues	$152,557	$1,908,326	$2,626,000	72.67%
Expenditures				
Operating/Dep/Debt	$101,177	$1,062,534	$1,935,345	54.90%
Capital Improvement	$16,700	$474,784	$740,130	64.15%
Total Expenditures	$117,877	$1,537,318	$2,675,475	57.46%
Unresrestricted Cash Beginning of Year		$1,520,844		
Fund Balance estimate 4/30/2015		$1,891,852		
Sanitation				
Revenues:				
Collection Fees	$57,828	$577,483	$697,400	82.81%
Recycling fees	$14,576	$144,966	$167,885	86.35%
Green Waste fees	$7,289	$71,790	$80,000	89.74%
Other	$140	$1,330	$7,470	17.80%
Total Revenues	$79,833	$795,569	$952,755	83.50%
Expenditures:				
Disposal	$28,010	$252,447	$311,000	81.17%
Collection	$20,791	$209,861	$268,000	78.31%
Recycling	$14,461	$128,580	$164,000	78.40%
Green Waste Disposal	$3,004	$24,045	$33,000	72.86%
Other	$28,068	$112,093	$185,325	60.48%
Total Expenditures	$94,334	$727,026	$961,325	75.63%
Unresrestricted Cash Beginning of Year		$20,170		
Fund Balance estimate 4/30/2015		$88,713		
Drainage				
Revenues	$49,329	$487,693	$594,100	82.09%
Operating Expenditures	$22,052	$339,987	$648,054	52.46%
Capital Expenditures	$143,043	$172,839	$7,600	2274.20%
Total Expenditures	$165,095	$512,826	$655,654	78.22%
Unresrestricted Cash Beginning of Year		$387,083		
Fund Balance estimate 4/30/2015		$361,950		
Telecommunications				
Revenues:				
Connection Fees	$27,572	$237,111	$275,000	86.22%
Transfers - GF	$0	$20,840	$20,840	100.00%
Total Revenues	$27,572	$257,951	$295,840	87.19%
Expenditures:				
Utility Service charges	$24,600	$144,841	$261,250	55.44%
UIA operating assessment	$0	$62,513	$62,513	100.00%
Operating service charge	$1,214	$7,268	$13,750	52.86%
Total Expenditures	$25,814	$214,622	$337,513	63.59%
Unresrestricted Cash Beginning of Year		$2,588		
Fund Balance estimate 4/30/2015		$45,917		

Source: Current Centerville City financial statements. May be subject to change

CENTERVILLE
CITY COUNCIL
Staff Backup Report
5/19/2015

Item No. 11.

Short Title: Mayor's Report

Initiated By: Mayor Cutler

Scheduled Time: 9:10

SUBJECT

a. Centennial Celebration
b. Fire Agency
c. UTOPIA

RECOMMENDATION

BACKGROUND

Mayor Cutler will update the Council about these topics.

ATTACHMENTS:

Description

- UTOPIA/UIA Financial
- UIA/UTOPIA recurring revenue

Finance Committee Report (Unaudited)
UIA
March 2015 (75.00 of Budget)

	Current Month	Year to Date	FY15 Budget	% of Budget	Prior Year YTD	% of Budget
Revenue						
Recurring	$ 543,618	$ 4,396,404	$ 5,265,000	83.50%	$ 2,948,765	87.81%
Install	$ 62,593	344,277	-		$ 175,401	
Interest Income	529	9,499	6,000	158.32%	33,752	135.01%
Other Income	-	-	-		56	
Total Revenue	$ 606,740	$ 4,750,180	$ 5,271,000	90.12%	$ 3,157,974	93.35%
Operating Expenses						
Administrative Expense	$ 15,874	$ 86,451	$ 96,000	90.05%	$ 102,938	23.29%
Professional Services	1,875	16,799	21,000	79.99%	16,322	70.97%
Network Management	31,077	265,585	407,000	65.25%	236,751	62.14%
Misc. Expense	-	-			-	
Total Operating Expenses	48,826	368,835	524,000	70.39%	356,011	42.08%
Debt Payments						
IRU Capital Lease Interest	10,000	90,000	96,000	93.75%	317,879	76.15%
Interest Expense	162,975	1,445,588	1,956,604	73.88%	1,441,660	74.39%
Principal (1)		980,000	980,000	100.00%	685,000	100.00%
Total Bond Payments	172,975	2,515,588	3,032,604	82.95%	2,444,539	80.40%
Total Expenditures	$ 221,801	$ 2,884,423	$ 3,556,604	81.10%	$ 2,800,550	72.06%
Use/Contribution to Fund Balance (Revenues Over/Under Expenditures)	384,939	1,865,757	1,714,396		357,425	

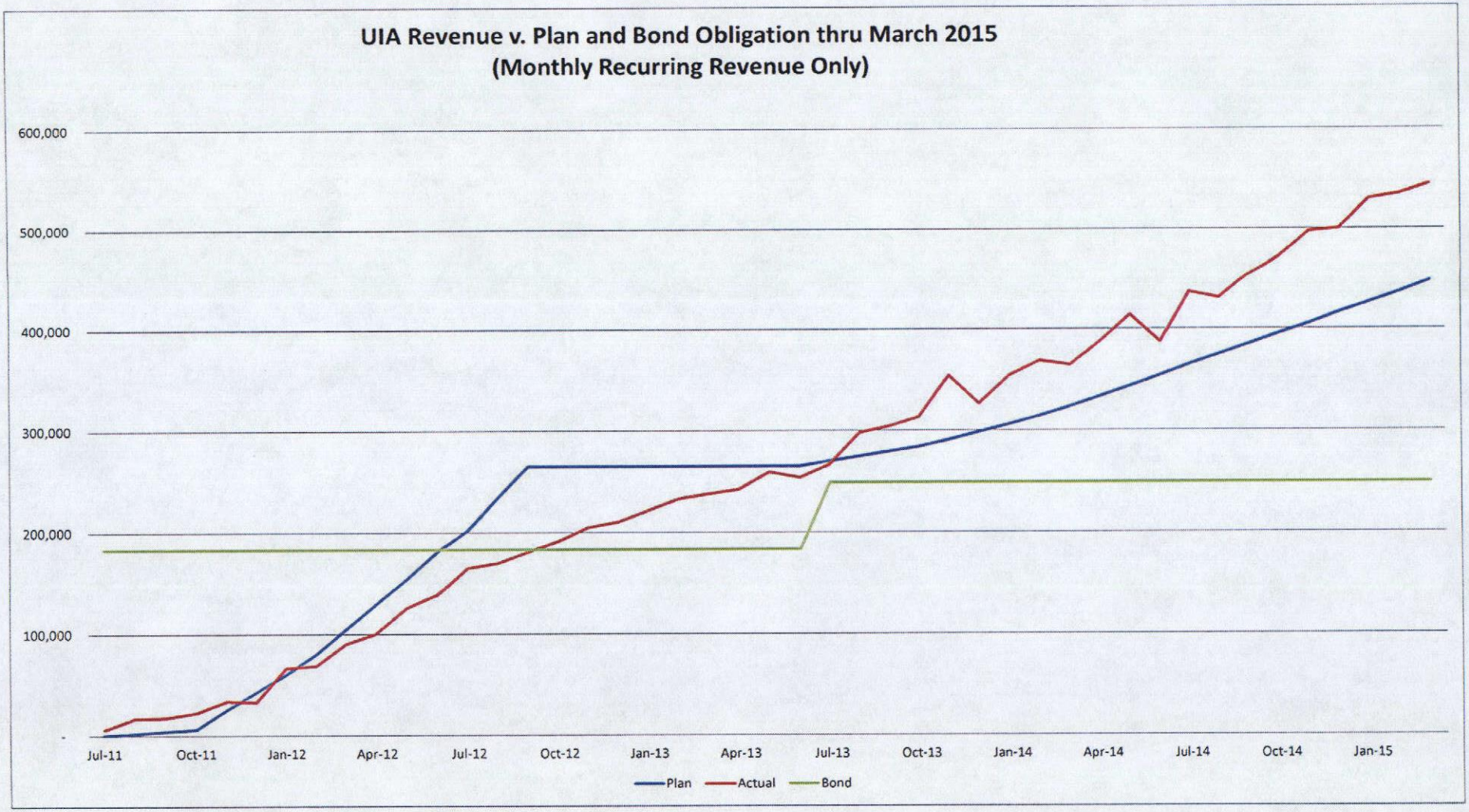
(1) Annual Principal payment made each October

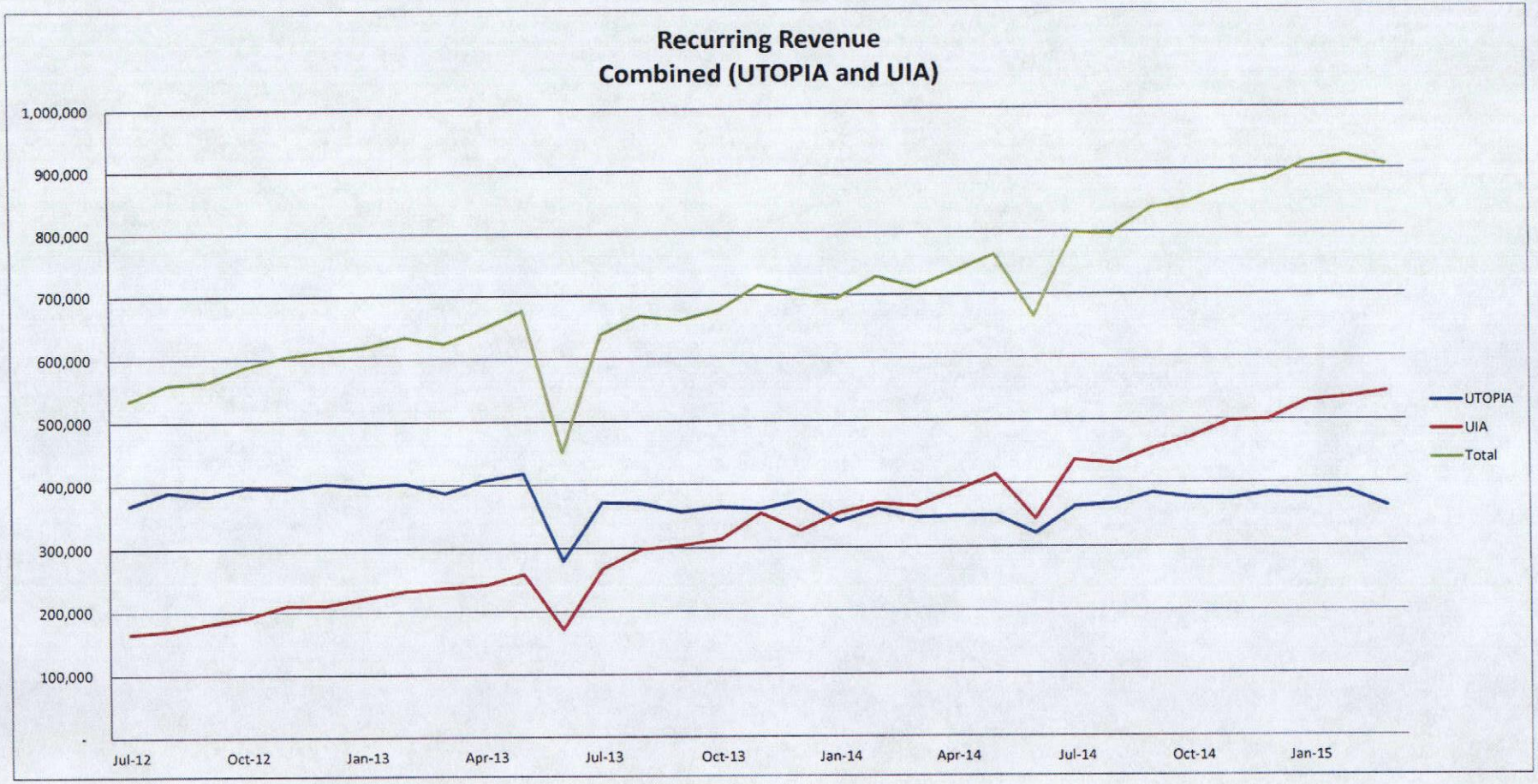
Note: Total Expenditures does not include depreciation or amortized bond costs (which are not-cash items)

Finance Committee Report (Unaudited)
UTOPIA
March 2015 (75.00 of Budget)

	Current Month	Year to Date	FY15 Budget	% of Budget	Prior Year YTD	% of Budget
Revenue						
Recurring	$ 362,466	$ 3,376,868	$ 3,960,000	85.27%	$ 3,243,941	69.01%
Install	200	182,019	-		51,975	
UIA IRU	86,045	766,116	1,062,000	72.14%	727,402	72.16%
Interest Income	18	161	-		185	
Other Income	75,000	10,075,000	-		1,611,378	268.56%
Total Revenue	$ 523,729	$ 14,400,165	$ 5,022,000	286.74%	$ 5,634,881	89.31%
Operating Expenses						
Administrative Expense	$ 444,388	$ 3,502,385	$ 4,607,985	76.01%	$ 3,746,303	76.49%
Professional Services	40,885	712,002	1,250,000	56.96%	1,248,272	67.91%
Network Management	171,054	1,584,347	2,179,160	72.70%	1,471,128	67.98%
Misc. Expense	-	292,133	-		(8,000)	
Total Operating Expenses	656,328	6,090,867	8,037,145	75.78%	6,457,703	72.56%
Bond Payments						
Interest Expense	1,112,783	9,888,031	13,377,000	73.92%	9,812,839	74.26%
Principal		127,973	167,143	76.56%	13,027	49.98%
Total Bond Payments	1,112,783	10,016,004	13,544,143	73.95%	9,825,866	74.21%
Total Expenditures	$ 1,769,110	$ 16,106,871	$ 21,581,288	74.63%	$ 16,283,569	73.54%
Use/Contribution to Fund Balance (Revenues Over/Under Expenditures)	(1,245,381)	(1,706,706)	(16,559,288)		(10,648,687)	

Note: Total Expenditures does not include depreciation or amortized bond costs (which are not-cash items)


UIA Revenue v. Plan and Bond Obligation thru March 2015
(Monthly Recurring Revenue Only)
600,000
500,000
400,000
300,000
200,000
100,000
-
Jul-11
Oct-11
Jan-12
Apr-12
Jul-12
Oct-12
Jan-13
Apr-13
Jul-13
Oct-13
Jan-14
Apr-14
Jul-14
Oct-14
Jan-15
Plan
Actual
Bond


Recurring Revenue
Combined (UTOPIA and UIA)
1,000,000
900,000
800,000
700,000
600,000
500,000
400,000
300,000
200,000
100,000
-
Jul-12
Oct-12
Jan-13
Apr-13
Jul-13
Oct-13
Jan-14
Apr-14
Jul-14
Oct-14
Jan-15
UTOPIA
UIA
Total

CENTERVILLE
CITY COUNCIL
Staff Backup Report
5/19/2015

Item No. 12.

Short Title: City Manager's Report

Initiated By: City Manager

Scheduled Time: 9:25

SUBJECT

a. Set dates and topics for work sessions in May and June.

RECOMMENDATION

a. The City Manager recommends the following work sessions:

- **May 19 work session, 5 to 7 p.m. --** This is already set on the agenda for Tuesday evening. The first hour will be budget issues that need Council's reaction before being mentioned in the upcoming utility bill insert—particularly the proposed 5% water rate increase. The second hour (6 p.m.) will be a closed session with attorney Heather White and Libby Lowther of URMMA regarding the police shooting claim.
- **June 2 Budget work session, 5 to 7 p.m. --** This would include review of the compensation plan recommendations for this year. Identify department heads the Council would like invited to answer questions about their budgets.
- **June 9 (June 4 or 11 as alternatives) --** A budget briefing for council candidates from 6 to 8 p.m., to which the general public is also invited via the utility bill insert. The first hour would be an overview of City finances, presented by the City Manager and Finance Director. Department heads of the three largest departments–Public Works, Parks and Police--would join the session at 7 p.m. to respond to questions from the candidates or the public about the details in the Tentative FY 2016 Budget. This would be followed the same evening--at 8 p.m.--by the formal public hearings on the City and RDA budgets, as required by State law. Council members would not need to attend until the Public Hearing time. Following the public hearing, the City Council would give any direction needed to revise the Tentative Budget before adopting a Final Budget on June 16.
- **June 16 --** Work session re UTOPIA prior to regular CC meeting. Kirk Sudweeks, UTOPIA Finance Director, would make a report on UTOPIA finances and answer questions. The council candidates would be invited so this could be an educational time for them.

BACKGROUND

CENTERVILLE

Staff Backup Report
5/19/2015

Item No. 13.

Short Title: Miscellaneous Business

Initiated By:

Scheduled Time: 9:30

SUBJECT

RECOMMENDATION

At this time there are no topics showing under this heading.

BACKGROUND

CENTERVILLE
CITY COUNCIL
Staff Backup Report
5/19/2015

Item No. 14.

Short Title: Closed meeting, if necessary, for reasons allowed by state law, including, but not limited to, the provisions of Section 52-4-205 of the Utah Open and Public Meetings Act, and for attorney-client matters that are privileged pursuant to Utah Code Ann. § 78B-1-137, as amended

Initiated By:

Scheduled Time: 9:30

SUBJECT

RECOMMENDATION

At this time, staff are not aware of a need for a closed meeting, other than the one scheduled during the work session prior to the regular council meeting. However, the agenda allows the possibility of another closed meeting, if necessary.

BACKGROUND

CENTERVILLE
CITY COUNCIL
Staff Backup Report
5/19/2015

Item No. 15.

Short Title: Possible action following closed meeting, including appointments to boards and committees

Initiated By:

Scheduled Time: 9:30

SUBJECT

RECOMMENDATION

Mayor Cutler may recommend appointments to City boards/committees.

BACKGROUND

CENTERVILLE
CITY COUNCIL
Staff Backup Report
5/19/2015

Item No. 16.

Short Title: Adjourn to RDA meeting

Initiated By:

Scheduled Time: 9:30

SUBJECT

RECOMMENDATION

BACKGROUND

CENTERVILLE
CITY COUNCIL
Staff Backup Report
5/19/2015

Item No.

Short Title: Items of Interest (i.e., newspaper articles, items not on agenda); Posted in-meeting information

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- Monthly Building Report for April 2015
- MTC

Steve Thacker
City Manager
Building & Safety Department
655 North 1250 West, Centerville, Utah 84014

Monthly Building Report for April 2015

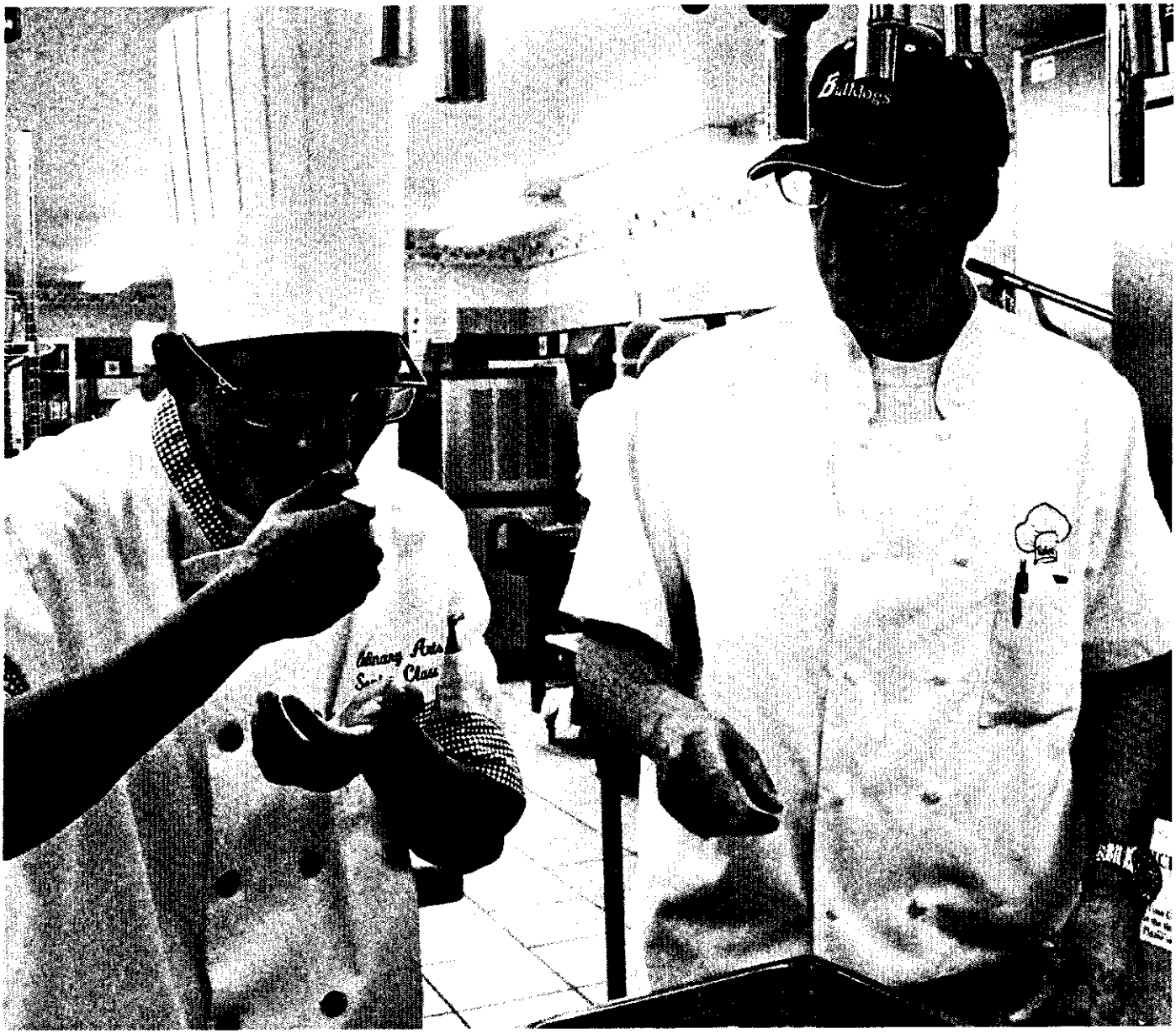
Construction Type	# of Permits		YTD Structures		Average Home Cost		Construction Valuation	
	Month	YTD	# Units	# Bldgs	Month	YTD	Month	YTD
Single Dwellings	1	3	3	3	205,212.00	226,415.00	205,212.00	679,245.00
Duplexes / Town Homes	0	0	0	0			-	-
Apartments	0	0	0	0			-	-
Addition/Alteration/Repair	0	6					-	183,928.00
Power/Mech	11	27					-	-
Signage	3	10					23,002.00	51,340.00
Commercial/Tenant Finish	1	13					75,000.00	987,900.00
Detached Structure/Gar	1	4					13,918.00	148,389.00
Demolition	0	1					-	2,500.00
Pool	0	1					-	45,000.00
Miscellaneous	2	10					17,500.00	100,430.00
Total Permits Issued:	19	75	3	3		Total Permitted Valuation:	[illegible]	[illegible]

Building Permit Related Revenues	Monthly		YTD Comparison	
	April 2015	YTD 2015	April 2014	YTD 2014
BUILDING	4,137.42	25,287.76	14,071.32	32,000.63
PLAN CHECK	1,386.82	8,677.45	7,058.69	14,668.34
ELECTRICAL	264.00	726.00	66.00	396.00
PLUMBING	-	-	-	-
MECHANICAL	462.00	1,056.00	198.00	1,122.00
GRADING	-	-	-	-
STATE SURCHARGE	48.64	270.44	143.36	335.21
WATER DEV	1,013.00	3,039.00	2,534.00	4,560.00
WATER CONNECTION		12,364.00	-	2,997.81
WATER METER	235.00	665.00	305.00	500.00
STORM DRAIN		-		700.00
FIRE IMPACT	471.00	1,413.00	1,045.00	1,516.00
PARK IMPACT	2,057.00	6,171.00		2,057.00
DRIVE APPROACH	35.00	105.00		35.00
BOND	1,000.00	9,000.00	2,000.00	5,000.00
SPECIAL IMP DIST/REC		-		-
ENGINEERING		-	500.00	1,000.00
TV INSPECT DRAINS		-	150.00	150.00
LANDSCAPING BOND		-		-

STANDARD EXAMINER ADVANTAGE
Printed: May 07, 2015

MTC to run Wyo. Job Corps center

Management Training Corp headquartered in Centerville



COURTESY PHOTO

Senior student Ricardo Barrientos taste-tests the rosemary polenta under the watchful eye of Robert

Asay, culinary instructor at the Clearfield Job Corps Center.

STANDARD-EXAMINERSTAFF AND WIRE SERVICES

RIVERTON, Wyo. — The U.S. Department of Labor has awarded a five-year, $41 million contract for operation of the Wind River Job Corps Center to a Utah-based management company.

Centerville-headquartered Management and Training Corp. will operate the Riverton-based center, which is scheduled to open this summer. The contract became effective May 1.

"We are very pleased to begin educating and training young people at the new Wind River center, the first Job Corps center in the state of Wyoming," said John Pedersen, MTC Senior Vice President of Education & Training, in a news release. "Job Corps is the nation's premiere residential, job-training program and will be a significant asset to the state. This center will be the first in the country to provide training in the energy industry, offering a petroleum technician program in partnership with oil and gas companies in the area."

The center will be able to serve about 260 residential students and 40 off-campus students providing education and employment training.

There will be courses in energy, health and nursing courses, accounting and heavy truck driving. The center is part of a national training and employment program administered by the federal government to reduce employment barriers faced by disadvantaged young people ages 16 to 24.

Operators of the facility will be expected to handle administration, training, security and other services.

The company operates 21 Job Corps centers nationwide, including the Clearfield Job Corps Center in Utah.

Job Corps is the core of the company, said corporate communications director Issa Arnita, going all the way back to the company's inception.

"It's where we started in 1981," Arnita said. "The founder of the company's heart is in getting the training and education the participants need for self-sufficiency and the path for for good employment."

In addition to Job Corps centers, MTC secures more than 29,000 people in eight states at 25 correctional facilities, and provides medical, dental and mental healthcare to more than 20,000 prisoners at 16 facilities.

It also provides career, technical and social skills training in foreign countries through its Economic & Social Development division.

For more information on Job Corps, visit http://www.jobcorps.gov/home.aspx.

Contact Jesus Lopez Jr. at 801-625-4239 or jlopez@standard.net. Follow him on Twitter at @jesuslopezSE and like him on Facebook at facebook.com/JesusLopezSE.

REDEVELOPMENT AGENCY OF CENTERVILLE CITY AGENDA

NOTICE IS HEREBY GIVEN THAT THE REDEVELOPMENT AGENCY OF CENTERVILLE CITY WILL HOLD A PUBLIC MEETING AT 9:30 P.M. ON TUESDAY, MAY 19, 2015 AT THE CENTERVILLE CITY COMMUNITY CENTER AND CITY HALL CHAMBERS, 250 NORTH MAIN, CENTERVILLE, UTAH. THE AGENDA IS SHOWN BELOW.

Meetings of the Centerville Redevelopment Agency Board may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

Centerville City, in compliance with the Americans With Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations for City-sponsored public meetings, services, programs, or events should call Blaine Lutz, Centerville Finance Director, at 295-3477, giving at least 24 hours notice prior to the meeting.

Tentative Time:

9:30 **A. NEW BUSINESS**

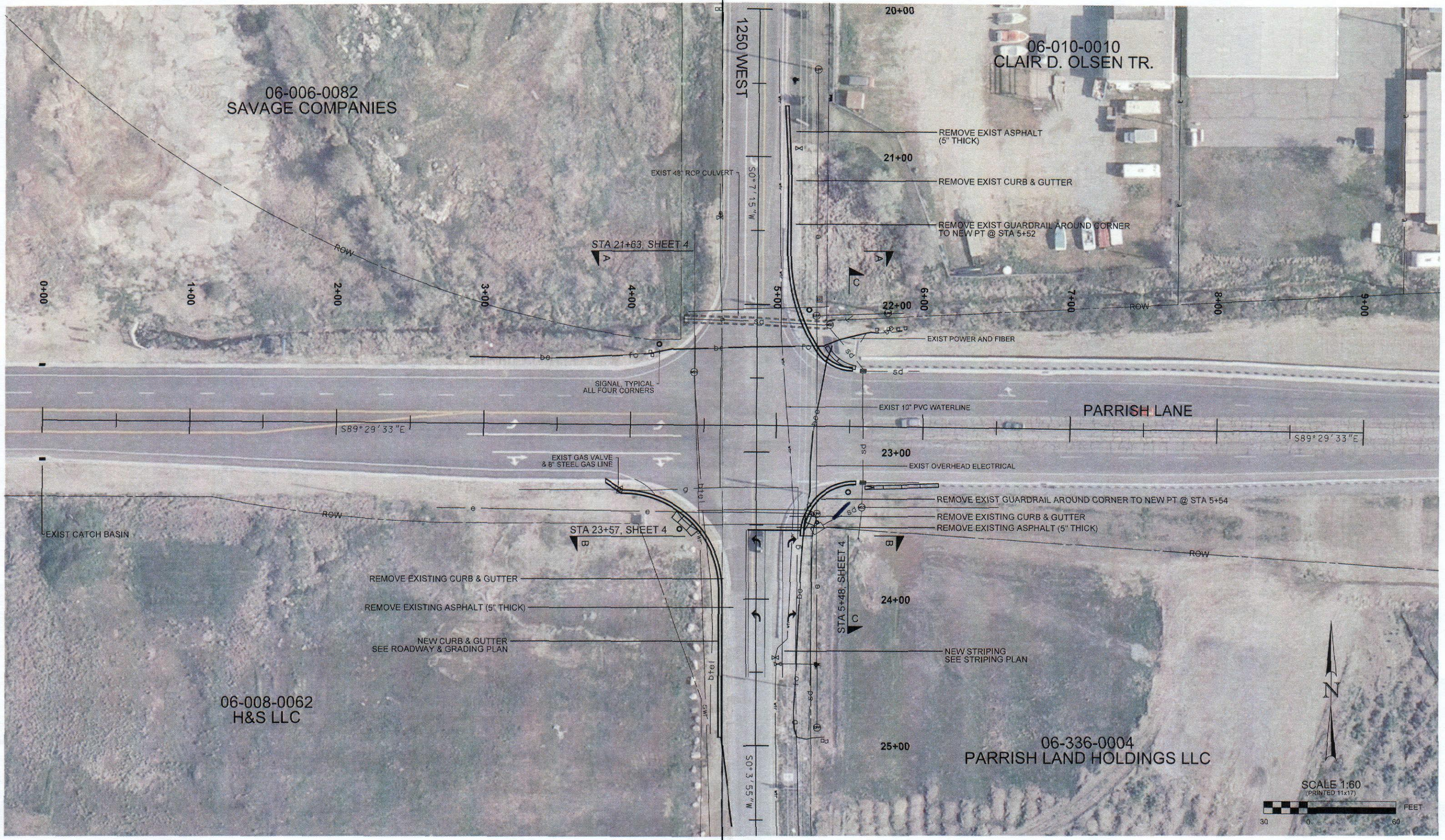
1. Minutes Review and Acceptance
   May 5, 2015 RDA meeting

2. Consider potential enhancements on 1250 West Parrish Lane intersection

3. Set date for public hearing re RDA FY 2016 Budget

B. ADJOURNMENT

Steve H. Thacker
Executive Director



REVISION	DATE	BY	DESCRIPTION

DESIGN	CDP
DRAWN	CDP
CHECKED	KLC
DATE	07/12/11

OVERALL SITE PLAN

CENTERVILLE CITY PUBLIC WORKS
1250 W. & PARRISH LN.
INTERSECTION IMPROVEMENTS

ESI ENGINEERING
CONSULTING ENGINEERS AND LAND SURVEYORS
3500 SOUTH MAIN STREET SUITE 206
SALT LAKE CITY, UTAH 84115
TEL: (801) 263-1752

SHEET 3 OF 7

PROJECT NO. 11-032B